



Milwaukee Paid Sick Days Ordinance Update



By Nicole Anderson, CPA

In November 2009, we wrote an update regarding the City of Milwaukee mandatory sick days ordinance created by referendum, which required all Milwaukee employers to provide paid sick leave to all employees. At that time, the ruling by Judge Thomas Cooper to place a permanent injunction on the sick day ordinance was being appealed by **9to5, The National Association of Working Women**, the group that helped put the ordinance on the November 2008 ballot.

“We look forward to making that case persuasively to the Court of Appeals, keeping the injunction in place and having the threat of this costly burden to Milwaukee employers lifted once and for all.”

-Tim Sheehy, President of MMAC

Currently, the decision is still in the appeals process. On October 14, 2010, the Wisconsin Supreme Court voted 3-3 on whether to reverse Thomas Cooper's original decision to grant a permanent injunction. Because the court was deadlocked in their decision, the case was passed down to the State Court of Appeals. The injunction will remain in place while the case is being heard by the Court of Appeals. Throughout the appeals process, the Metropolitan Milwaukee Association of Commerce (MMAC), the group that filed a lawsuit against the ordinance, will continue their fight to keep the injunction in place.

Even though it appears the Milwaukee ordinance will not be enacted, federal lawmakers continue to consider mandatory sick leave, including introduction of the Healthy Family Act of 2009. The current draft of the bill requires employers to provide up to seven days of paid sick leave to employees. The

bill needs to be passed by the end of the year or no more actions can be taken on it.

As the lame duck Congress approaches the end of a two year mid-term, other more important issues will likely take precedence, such as deciding whether to extend certain tax breaks set to expire in 2010. While pending federal legislation is most likely terminated, it is important for business owners to be aware of any significant legislation that may affect their finances. Accordingly we will continue to keep you posted on developments on mandatory sick leave and other impactful legislation.

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