



Milwaukee Sick Leave Ordinance Nullified



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Milwaukee voters passed a significant referendum in November 2008 requiring private businesses to provide up to nine days per year of paid sick leave to employees. The bill had bipartisan opposition because of the possible negative financial and practical impact to City of Milwaukee employers. As a result, a series of lawsuits and legal proceedings stalled enactment that was originally scheduled for March 2010.

Late in 2010, the legal proceedings turned towards allowing enactment and the Wisconsin Court of Appeals issued a formal ruling to that effect in March 2011. Barring any additional legal action, this ruling required the circuit court to vacate its injunction against the original sick pay legislation.

As a result of the various court proceedings, State of Wisconsin lawmakers pursued the issues as a statewide rather than municipal/city matter. Lawmakers debated a variety of options, culminating in Senate Bill 23 which was signed into law on May 5, 2011. The bill prohibits local municipalities from requiring businesses to provide paid sick leave to employees.

Federal Legislation in the Works

On May 12, 2011, the Healthy Families Act was introduced in both the Federal House and Senate. This bill would allow employees to earn up to seven paid sick days that their employer would have to provide. Getting this bill passed will be a long process, and it may not be passed. The same bill has been introduced to the House and Senate in previous two-year mid-terms, but has never made it to the final voting stage. Since this 2011 bill has been introduced early in Congress's two-year mid-term (2011-2012), it has a better chance of being passed than prior iterations.

We will keep you updated on the progress of the Healthy Families Act and any other impactful legislation.