



TO: Members, Joint Committee on Finance

DATE: June 2, 2015

FROM:

Wisconsin Manufacturers and Commerce	Metropolitan Milwaukee Association of Commerce
League of Wisconsin Municipalities	Eau Claire Area Chamber of Commerce
Wisconsin Counties Association	Marshfield Area Chamber of Commerce & Industry
Wisconsin Association of School Boards	Greater Green Bay Chamber of Commerce
Association of Wisconsin School Administrators	Oshkosh Chamber of Commerce
Wisconsin Association of School Business Officials	Fox Cities Chamber of Commerce & Industry
Wisconsin Association of School District Administrators	Beaver Dam Area Chamber of Commerce
Wisconsin Association of School Personnel Administrators	Fond du Lac Area Association of Commerce
Wisconsin Council for Administrators of Special Services	West Bend Area Chamber of Commerce
Associated Builders and Contractors of Wisconsin	Marinette Menominee Area Chamber of Commerce
Associated General Contractors of Wisconsin	Wisconsin Insurance Alliance
Wisconsin Grocers Association	Independent Insurance Agents of Wisconsin
Aggregate Producers of Wisconsin	WMC Retail Group
National Federation of Independent Business – Wisconsin	Wisconsin Transportation Builders Association
Independent Business Association of Wisconsin	Midwest Food Processors Association
Wisconsin Independent Business	Wisconsin Restaurant Association
Wisconsin Hotel & Lodging Association	Wisconsin Motor Carriers Association
Society for Human Resource Management – Wisconsin State Council	Wisconsin Petroleum Marketers & Convenience Store Association
	Wisconsin Association of Health Underwriters

RE: FMLA modernization

As you complete your work on the 2015-17 biennial state budget, our organizations urge you to include a simplification of family and medical leave laws. From factories to schools and everything in between, this reform will ease the compliance costs public and private employers face when having to wade through two similar but unique family and medical leave laws at the state and federal levels.

The issue is actually quite simple and dates back over twenty years. In 1988, Governor Thompson signed Wisconsin’s FMLA, granting eligible workers unpaid time off for maternity leave and health issues. President Bill Clinton followed that action by signing the federal FMLA law in 1993. The language and definitions used in the two laws have never been ironed out, leaving HR professionals to wade through the variances to ensure compliance with both leave laws.

We are asking that you help public and private employers by clarifying that each employer only has to follow one set of rules, rather than continue to wade through two unique laws. To do that, we are asking that you exempt from §103.10 those employers who are required to provide leave under 29 USC 2612, or who opt to provide leave under 29 USC 2612 to an employee who is not eligible, while leaving in place the state’s requirement that family leave be provide to care for one’s domestic partner or parent in-law with a serious health condition. Doing so will mean that an employer, public or private, will

know with certainty what law they need to follow in order to be in compliance, and it will ease the headaches for HR professionals who currently have to navigate both sets of laws simultaneously.

Taking time off to care for loved ones, whether for maternity or paternity leave, to care for a parent, in-law, child, spouse or domestic partner with a serious medical condition, or to care for one's own serious health condition, is common in the workplace today. That doesn't change under the reform we propose. What will change is the cumbersome behind-the-scenes paperwork that goes into compliance by HR departments of public and private employers.

Thank you for your consideration. If you have questions, please contact Chris Reader, WMC's Director of Health & Human Resources Policy, at creader@wmc.org or 608-258-3400.