



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2003 Assembly Bill 603

**Assembly
Amendment 3**

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Contact: Pam Shannon, Senior Staff Attorney (266-2680)

This memorandum summarizes *Assembly Amendment 3* to 2003 Assembly Bill 603, which relates to prohibiting employment discrimination on the basis of military status.

Under *current law*, an employer (and other entities including labor organizations and licensing and employment agencies) *cannot do the following* on the basis of a person's membership in the national guard, state defense force, or reserve component of the military forces of the United States or this state ("military status"):

- Refuse to hire, employ, admit, or license a person.
- Bar or terminate a person from employment.
- Discriminate against the person in promotion, compensation, or the terms, conditions, or privileges of employment.

Assembly Bill 603 expands the current prohibition against employment discrimination due to military status to also include persons who have *applied to be* a member of the national guard, state defense force, or a reserve component of the U.S. Armed Forces or of this state.

Assembly Amendment 3 provides an exception to the general prohibition against discrimination based on military status for a person who was less than honorably discharged from the national guard, state defense force, a reserve component of the U.S. Armed Forces or of this state or a uniformed service as defined in federal law, and for whom the circumstances of the discharge substantially relate to the particular job or licensed activity. Basing an exception on receipt of a less than honorable discharge is consistent with the Wisconsin Fair Employment Act provision that defines "conviction record" to include receipt of a less than honorable discharge from the military.

Legislative History

On October 29, 2003, the Assembly Committee on Veterans and Military Affairs held a public hearing and executive session on Assembly Bill 603 and recommended the bill for passage (without amendment) on a vote of Ayes, 13; Noes, 0. On February 19, 2004, Representatives Musser and Owens introduced Assembly Amendment 3. On March 10, 2004, the Assembly adopted Assembly Amendment 3 and passed Assembly Bill 603, as amended by Assembly Amendment 3, both on voice votes.

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