

State of Misconsin 2021 - 2022 LEGISLATURE

LRB-6042/1 MIM:emw

2021 ASSEMBLY BILL 1017

February 16, 2022 – Introduced by Representatives GUNDRUM, MOSES, ROZAR, THIESFELDT and WICHGERS, cosponsored by Senator STAFSHOLT. Referred to Committee on Labor and Integrated Employment.

1 AN ACT to create 103.115 of the statutes; relating to: pay during 2 employer-mandated medical isolation.

Analysis by the Legislative Reference Bureau

Under this bill, if an employer requires an employee to isolate at home due to a concern that the employee may have been exposed to or infected with COVID-19 while working (medical isolation) and the employee receives a negative test for COVID-19 in the first seven days of the medical isolation, the employer may not require the employee to use paid leave for those seven days. The bill also requires the employer to pay the employee at his or her regular rate of pay for those seven days. The bill does not require an employer that does not otherwise offer paid sick leave to provide paid sick leave benefits beyond what is required under the bill for employer-mandated medical isolation.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 103.115 of the statutes is created to read:

4 **103.115 Employer-mandated medical isolation. (1)** DEFINITIONS. In this

5 section:

2021 - 2022 Legislature

ASSEMBLY BILL 1017

(a) "COVID-19" means the infection caused by the novel coronavirus
 SARS-CoV-2 or by any viral strain originating from SARS-CoV-2.

- 2 -

3 (b) "Medical isolation" mean a period during which an employer requires an 4 employee to isolate at home due to a concern that the employee may have been 5 exposed to or infected with COVID-19 while performing service growing out of and 6 incidental to the employee's employment.

(2) USE OF PAID LEAVE FOR EMPLOYER-MANDATED MEDICAL ISOLATION. An employer
may not require an employee to use any of the employee's paid leave for the first 7
days of a medical isolation if the employee receives a negative test for COVID-19
during the first 7 days of the medical isolation.

(3) PAY DURING EMPLOYER-MANDATED MEDICAL ISOLATION. An employer shall pay
an employee at the employee's regular rate of pay for the first 7 days of a medical
isolation if the employee receives a negative test for COVID-19 during the first 7
days of the medical isolation. This requirement applies to all employees of an
employer.

16

(END)