

JON ERPENBACH

STATE SENATOR

For Immediate Release
March 8, 2004

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Malinda's Act Receives Public Hearing

Madison – State Senator Jon Erpenbach (D- Middleton) sat together with constituent Phil Ellenbecker today to testify on the bill that bears Ellenbecker's daughter's Malinda's name. Malinda's Act would regulate traveling sales crews in Wisconsin.

Following the death of Malinda and 6 others in 1999 in the Janesville van crash, Erpenbach began working to draft legislation with Ellenbecker, Rep. Dan Schooff and other concerned parents regulating the traveling sales industry.

“Traveling sales crews often abuse state and federal labor laws. They hold wages hostage, prohibit family contact and work employees tirelessly,” Erpenbach said, “This bill will ensure some needed protections for employees of sales crews and will create some basic requirements for sales crews that operate in Wisconsin so that the state can regulate their operation.”

Highlights of the employee protections in the bill are:

- No hiring of minors
- Vehicles that transport employees must be up to safety codes
- Employers cannot abandon employees because they are sick injured or arrested
- Employers cannot take away workers money, ID, phone or any other personal items
- Employers cannot prohibit contact between workers and their families

Highlights of consumer and homeowner protections are:

- Traveling sales crews certification from Department of Workforce Development
- Limits the time of day sales crews can work 9am to 9pm
- Local law enforcement can issue citations

“Nothing will ever bring back those that have died because of this industry. However regulation of traveling sales crews will help bring justice for those that work door to door in the future,” Erpenbach said, “These changes are necessary and should be made as a part of this Legislative session.”

The bill does not cover non-profit door to door like the Girl Scouts. In addition, the proposal does not prohibit a city, town or village from enacting their own regulation of door to door sales.

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