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May 21, 2009

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CHANGE IN LIABILITY LAW WOULD HURT SMALL BUSINESSES

As the state budget bill works its way through the legislative process in the state Capitol, one particular provision in the 1,700-page document is making small business owners in Wisconsin very nervous.

The provision is known as "joint and several liability." It would make any person or company found to be at least one percent at fault for an injury liable to pay 100 percent of the damages awarded by a court of law. Current Wisconsin law requires 51 percent fault to make one party liable to pay the entire award.

Ed Lump, President and CEO of the Wisconsin Restaurant Association, said today that his members are unified in their opposition to joint and several liability.

"We believe this provision would take Wisconsin back to the days of "deep pockets" lawsuits, when every injury was looked at as a potential big pay day," said Lump.

"The ramifications to employers, employees and Wisconsin's economy are tremendous. A policy change of this magnitude really deserves to be vetted publicly as separate legislation," Lump said.

"Joint and several liability would encourage lawsuits against small businesses that have done nothing wrong, just because they have a bigger insurance policy than the average citizen," said WRA Chairwoman Linda Wendt, owner of Wendt's on the Lake in Van Dyne.

"It would raise the insurance rates of every one of our members," added Wendt. "Some of our members have been told by their insurance providers that they might not be able to get property and casualty insurance anymore."

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Since 1933, the Wisconsin Restaurant Association has been dedicated to the promotion, protection and improvement of the foodservice industry.