



## 2005 ASSEMBLY BILL 1151

March 27, 2006 - Introduced by Representatives POCAN, BERCEAU, BLACK, BOYLE, KESSLER, LEHMAN, LOEFFELHOLZ, SINICKI, TRAVIS, TURNER and A. WILLIAMS, cosponsored by Senators RISSER, MILLER and ERPENBACH. Referred to Committee on Labor.

1     **AN ACT** *to renumber and amend* 230.26 (4); *to amend* 230.19 (2), 230.35 (1)  
2           (a) (intro.), 230.35 (4) (c) and 230.35 (4) (d) (intro.); and *to create* 230.26 (4) (b)  
3           of the statutes; **relating to:** fringe benefits for certain limited term  
4           appointments in the state civil service system.

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### *Analysis by the Legislative Reference Bureau*

Under current law, appointing authorities of state agencies may make limited term appointments in the state civil service system. A limited term appointment is an appointment for less than 1,044 hours per year or is a provisional appointment. Individuals appointed to limited term appointments do not qualify for tenure, vacation, paid holidays, sick leave, performance awards, or the right to compete in promotional examinations. This bill provides that any individual appointed to a limited term appointment, who prior to that appointment had worked for the state for at least six months in the two-year period immediately preceding his or her appointment, shall be considered a permanent employee for the purposes of qualifying for tenure, vacation, paid holidays, sick leave, performance awards, and the right to compete in promotional examinations.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

**ASSEMBLY BILL 1151****SECTION 1**

1           **SECTION 1.** 230.19 (2) of the statutes is amended to read:

2           230.19 (2) If, in the judgment of the administrator, the group of applicants best  
3           able to meet the requirements for vacancies in positions in the classified service are  
4           available within the classified service, the vacancies shall be filled by competition  
5           limited to persons in the classified service who are not employed under s. 230.26,  
6           other than persons who qualify for the right to compete in promotional examinations  
7           under s. 230.26 (4) (b), or s. 230.27 and persons with the right of restoration resulting  
8           from layoff under s. 230.34 (2), unless it is necessary to go outside the classified  
9           service to be consistent with an approved affirmative action plan or program. The  
10          administrator may also limit competition for promotion to the employees of an  
11          agency or an employing unit within an agency if the resulting group of applicants  
12          would fairly represent the proportion of members of racial and ethnic, gender or  
13          disabled groups in the relevant labor pool for the state.

14          **SECTION 2.** 230.26 (4) of the statutes is renumbered 230.26 (4) (a) and amended  
15          to read:

16          230.26 (4) (a) ~~Fringe~~ Except as provided in par. (b), fringe benefits specifically  
17          authorized by statutes, with the exception of deferred compensation plan  
18          participation under subch. VII of ch. 40, worker's compensation, unemployment  
19          insurance, group insurance, retirement, and social security coverage, shall be denied  
20          employees hired under this section. ~~Such~~ Except as provided in par. (b), such  
21          employees may not be considered permanent employees and do not qualify for  
22          tenure, vacation, paid holidays, sick leave, performance awards, or the right to  
23          compete in promotional examinations.

24          **SECTION 3.** 230.26 (4) (b) of the statutes is created to read:

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1           230.26 (4) (b) Any person appointed to a limited term appointment, who prior  
2 to that appointment had worked for the state for at least 6 months in the 2-year  
3 period immediately preceding his or her appointment, shall be considered a  
4 permanent employee for the purposes of qualifying for tenure, vacation, paid  
5 holidays, sick leave, performance awards, and the right to compete in promotional  
6 examinations.

7           **SECTION 4.** 230.35 (1) (a) (intro.) of the statutes is amended to read:

8           230.35 (1) (a) (intro.) Except as provided in subs. (1m), (1r), and (1s), appointing  
9 authorities shall grant to each person in their employ, except employees excluded  
10 from coverage under this subsection by the department by rule and limited-term  
11 employees who do not qualify for vacation under s. 230.26 (4) (b), based on  
12 accumulated continuous state service, annual leave of absence without loss of pay  
13 at the rate of:

14           **SECTION 5.** 230.35 (4) (c) of the statutes is amended to read:

15           230.35 (4) (c) All employees, except limited term employees who do not qualify  
16 for vacation under s. 230.26 (4) (b), shall receive 9 paid holidays annually in addition  
17 to any other authorized paid leave, the time to be at the discretion of the appointing  
18 authorities.

19           **SECTION 6.** 230.35 (4) (d) (intro.) of the statutes is amended to read:

20           230.35 (4) (d) (intro.) In addition to the holidays granted under par. (c), all  
21 employees, except limited term employees who do not qualify for vacation under s.  
22 230.26 (4) (b), shall earn 3.5 paid personal holidays each calendar year, plus one  
23 additional paid personal holiday each calendar year in recognition of Veterans Day.  
24 Eligibility to take the personal holidays during the year earned is subject to the  
25 following:

