

State of Wisconsin



1999 Assembly Bill 545

Date of enactment: **May 9, 2000**
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1999 WISCONSIN ACT 125

AN ACT to amend 111.93 (3); and to create 230.35 (2d) of the statutes; relating to: paid leaves of absence for state employes for the purpose of serving as bone marrow and human organ donors.

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

SECTION 1. 111.93 (3) of the statutes is amended to read:

111.93 (3) Except as provided in ss. 40.05, 40.80 (3), 111.91 (1) (cm), 230.35 (2d) and 230.88 (2) (b), if a collective bargaining agreement exists between the employer and a labor organization representing employes in a collective bargaining unit, the provisions of that agreement shall supersede the provisions of civil service and other applicable statutes, as well as rules and policies of the board of regents of the university of Wisconsin system, related to wages, fringe benefits, hours and conditions of employment whether or not the matters contained in those statutes, rules and policies are set forth in the collective bargaining agreement.

SECTION 2. 230.35 (2d) of the statutes is created to read:

230.35 (2d) (a) In this subsection:

1. "Bone marrow" has the meaning given in s. 146.34 (1) (a).
2. "Human organ" has the meaning given for "vascularized organ" in s. 157.06 (1) (L).

(b) An appointing authority shall grant a leave of absence of 5 workdays to any employe who requests a leave of absence to serve as a bone marrow donor if the employe provides the appointing authority written verification that he or she is to serve as a bone marrow donor.

(c) An appointing authority shall grant a leave of absence of 30 workdays to any employe who requests a leave of absence to serve as a human organ donor if the employe provides the appointing authority written verification that he or she is to serve as a human organ donor.

(d) An employe who is granted a leave of absence under this subsection shall receive his or her base state pay without interruption during the leave of absence. For purposes of determining seniority, pay or pay advancement and performance awards and for the receipt of any benefit that may be affected by a leave of absence, the service of the employe shall be considered uninterrupted by the leave of absence.

(e) For employes who are included in a collective bargaining unit for which a representative is recognized or certified under subch. V of ch. 111, this subsection shall apply unless otherwise provided in a collective bargaining agreement.

* Section 991.11, WISCONSIN STATUTES 1997-98: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].