

1999 DRAFTING REQUEST

Bill

Received: **12/14/1999**

Received By: **champra**

Wanted: **As time permits**

Identical to LRB:

For: **Michael Powers (608) 266-1192**

By/Representing: **Brett**

This file may be shown to any legislator: NO

Drafter: **champra**

May Contact:

Alt. Drafters:

Subject: **Employ Pub - employe benefits**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

provision of specialized disaster relief services by represented state employees

Instructions:

Companion bill to SB 223

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Reauired</u>
/?	champra 12/16/1999	jgeller 12/16/1999		_____			State
/1			martykr 12/16/1999	_____	lrb-docadmin 12/16/1999	lrb-docadmin 12/22/1999	

FE Sent For:

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2/8/00

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1?	champra	1 12/16 jlg	1 12/16	1 12/16			

FE Sent For:

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(D-Notes)

Scan

LRB-4084/1

RAC:jlg

1999 SENATE BILL 223

August 26, 1999 - Introduced by Senators ERPENBACH, ROESSLER, PLACHE and GROBSCHMIDT, cosponsored by Representatives SCHNEIDER, RYBA, MUSSER, MILLER, POWERS and HASENOHRL. Referred to Committee on Labor.

Regen

1 AN ACT to amend 111.93 (3); and to create 230.35 (3) (e) 6. of the statutes;
2 relating to: the provision of specialized disaster relief services by represented
3 state employes.

Analysis by the Legislative Reference Bureau

Under current law, the department of employment relations operates a program under which a state employe may be granted a leave of absence to help provide specialized disaster relief services through the American Red Cross. Such services include professional, technical or other services that require advanced training or expertise and that are provided to assist persons affected by a disaster. Currently, the employe's appointing authority may grant a leave of absence to an employe if the employe is a certified disaster service volunteer of the American Red Cross, the American Red Cross makes a written request for the services of the employe to the employe's appointing authority and the employe has successfully completed his or her probationary period and has permanent employe status, if the employe's position is included in the classified service.

Under current law, this program permits a leave of absence to provide specialized disaster relief services for not more than 30 work days each year. An employe who is granted a leave of absence to help provide disaster relief services is entitled to his or her base rate of pay during the leave of absence. A leave of absence to provide disaster relief services does not affect the employe's earning of paid annual leave (vacation), sick leave or retirement benefits. Also, for purposes of calculating seniority, pay or pay advancement and performance awards, the time during which

SENATE BILL 223

an employe is on a leave of absence to help provide disaster relief services counts as time served in the state service.

Under current law, because this program affects the wages, fringe benefits, hours or conditions of employment of represented state employes, the program only applies to represented state employes to the extent provided in their collective bargaining agreements. This bill requires that the program apply to represented state employes unless their collective bargaining agreements provide otherwise.

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

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

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

2 111.93 (3) Except as provided in ss. 40.05, 40.80 (3), 111.91 (1) (cm), 230.35 (3)
3 (e) 6. and 230.88 (2) (b), if a collective bargaining agreement exists between the
4 employer and a labor organization representing employes in a collective bargaining
5 unit, the provisions of that agreement shall supersede the provisions of civil service
6 and other applicable statutes, as well as rules and policies of the board of regents of
7 the university of Wisconsin system, related to wages, fringe benefits, hours and
8 conditions of employment whether or not the matters contained in those statutes,
9 rules and policies are set forth in the collective bargaining agreement.

10 **SECTION 2.** 230.35 (3) (e) 6.^X of the statutes is created to read:

11 **230.35 (3) (e)** ~~This paragraph shall apply to~~ ^{For} employes who are included in
12 a collective bargaining unit for which a representative is recognized or certified
13 under subch. V of ch. 111 unless otherwise provided in a collective bargaining
14 agreement. ^{, this paragraph shall apply ✓}

15 **SECTION 3. Initial applicability.**

16 (1) This act first applies to employes who are covered by a collective bargaining
17 agreement under subchapter V of chapter 111 of the statutes that is in effect on the

SENATE BILL 223

1 effective date of this subsection on the day on which the collective bargaining
2 agreement expires or is extended, modified or renewed, whichever occurs first.

3 (END)

D-Note

This bill draft is identical to 1999 SB/223[⊖]
except that I incorporated the changes made to 1999 SB-223
by Senate Amendment 1 to 1999 SB-223. That
amendment, technical in nature, makes it clear that
the program applies to all ^{state} state employees, not just to
represented employees.

RAC

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-4084/1dn
RAC:jlg:km

December 16, 1999

This bill draft is identical to 1999 SB-223 except that I incorporated the changes made to 1999 SB-223 by Senate Amendment 1 to 1999 SB-223. That amendment, technical in nature, makes it clear that the program applies to all state employees, not just to represented employees.

Rick A. Champagne
Senior Legislative Attorney
Phone: (608) 266-9930
E-mail: Rick.Champagne@legis.state.wi.us

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

Date: 12/16/1999

To: Representative Powers

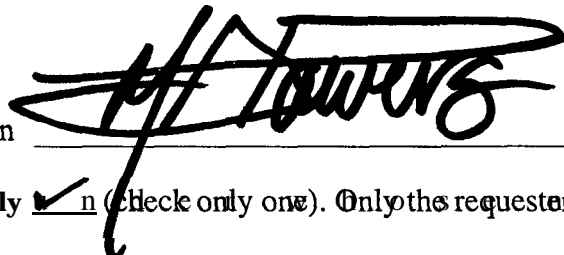
Relating to LRB drafting number: LRB-4084

Topic

provision of specialized disaster relief services by represented state employees

Subject(s)

Employ Pub - employe benefits



1. **JACKET** the draft for introduction _____

in the **Senate** or the **Assembly** **n** (check only one). Only the requester a m e t h e
drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please
allow one day for the preparation of the required copies.

2. **REDRAFT**. See the changes indicated or attached _____

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or
increases or decreases existing appropriations or state or general local government fiscal liability or
revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to
introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon
introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to
introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions
relating to the attached draft, please feel free to call me.

Rick A. Champagne, Senior Attorney
Telephone: (608) 266-9930