

## 1999 ASSEMBLY BILL 545

October 20, 1999 - Introduced by Representatives KREUSER, WAUKAU, SERATTI, WASSERMAN, RYBA, HASENOHRL, RILEY, POCAN, BOCK, MILLER, WILLIAMS, PLALE and BOYLE, cosponsored by Senators ERPENBACH and GEORGE. Referred to Committee on Government Operations.

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

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### *Analysis by the Legislative Reference Bureau*

This bill requires the chief administrative officer of any state agency to permit any state employe to take a leave of absence if the employe requests the leave of absence to serve as a bone marrow donor or a human organ donor. An employe who serves as a bone marrow donor may take a leave of absence of five workdays. An employe who serves as a human organ donor may take a leave of absence of 30 workdays. Under the bill, any employe who takes such a leave of absence is entitled to 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 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.

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:***

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

**ASSEMBLY BILL 545****SECTION 1**

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

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

10           230.35 **(2d)** (a) In this subsection:

11           1. “Bone marrow” has the meaning given in s. 146.34 (1) (a).

12           2. “Human organ” has the meaning given for “vascularized organ” in s. 157.06  
13 (1) (L).

14           (b) An appointing authority shall grant a leave of absence of 5 workdays to any  
15 employe who requests a leave of absence to serve as a bone marrow donor.

16           (c) An appointing authority shall grant a leave of absence of 30 workdays to any  
17 employe who requests a leave of absence to serve as a human organ donor.

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

