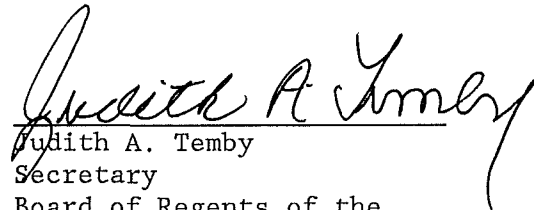


STATE OF WISCONSIN)

BOARD OF REGENTS OF)
THE UNIVERSITY OF)
WISCONSIN SYSTEM)

I, Judith A. Temby, Secretary of the Board of Regents of the University of Wisconsin System and custodian of the official records, certify that the annexed rules, relating to sick leave for faculty, academic staff and limited appointees of the University of Wisconsin System, were duly approved and adopted by the Board on October 11, 1991. I further certify that this copy has been compared by me with the original on file with the Board and that it is a true copy of the original, and of the whole of the original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Board of Regents of the University of Wisconsin System at 1860 Van Hise Hall, 1220 Linden Drive, in the city of Madison, this 11th of March, 1992.


Judith A. Temby
Secretary
Board of Regents of the
University of Wisconsin System

RECEIVED

MAR 13 1992
10:35 am.
Revisor of Statutes
Bureau

MAR 13 1992

Revisor of Statutes
BureauPROPOSED ORDER OF THE BOARD OF REGENTS OF
THE UNIVERSITY OF WISCONSIN SYSTEM
REPEALING, AMENDING AND CREATING RULES

Agency contact persons: Patricia B. Hodulik (262-6497); Judith A. Temby
(262-2324)

[INTRODUCTORY CLAUSE]

The Board of Regents of the University of Wisconsin System proposes an order to repeal, amend and create rules in Chapter UWS 19, Wisconsin Administrative Code, relating to sick leave eligibility for faculty, academic staff and limited appointees of the University of Wisconsin System.

Pursuant to ss. 36.30 and 227.16(1), Wis. Stats., the Board of Regents is authorized to adopt rules governing sick leave for faculty, academic staff and limited appointees of the University of Wisconsin System. Rules on this subject are set forth in Chapter UWS 19, Wis. Adm. Code. The proposed order amends s. UWS 19.02 to make sick leave eligibility the same as eligibility for participation in the Wisconsin retirement fund. Under existing s. UWS 19.02, sick leave can be accumulated regardless of an individual's length of appointment and regardless of the percentage of time of that person's appointment. The Wisconsin retirement System criteria for participation require a minimum of one year's service, in a position that is at least 1/3 of full time, in order to participate. The new language provides that faculty, academic staff and limited appointees earn sick leave while in pay status, and while satisfying the one year's service and 1/3 of full time position requirements. This change was recommended by a UW System working group, in order to set a consistent standard for all fringe benefit eligibility and to improve leave accounting practices.

The proposed order also includes the repeal of s. UWS 19.04, dealing with sick leave eligibility while receiving income continuation insurance benefits. This section has been superseded by operation of s. 40.02(22)(f), Stats. (1989 Wisconsin Act 355), which, together with other related provisions of ch. 40, Stats., now regulates the use and accumulation of sick leave while an employee is receiving income continuation.

Additionally, the proposed rules include non-substantive changes in s. UWS 19.02(2).

[TEXT OF RULE]

SECTION 1. UWS 19.02(1) is amended to read:

UWS 19.02 PERSONS WHO EARN SICK LEAVE. (1) ELIGIBILITY. (a) All faculty, academic staff and limited appointees as defined in s. UWS 15.01(2) shall earn sick leave, while in pay status, unless the following conditions apply:

[TEXT OF RULE]

SECTION 1. UWS 19.02(1) is amended to read:

UWS 19.02 PERSONS WHO EARN SICK LEAVE. (1) ELIGIBILITY. (a) All faculty, academic staff and limited appointees as defined in s. UWS 15.01(2) shall earn sick leave, while in pay status, unless the following conditions apply:

SECTION 2. UWS 19.02(1)(a) 1 and 2, (b), (c) and (d) are created to read:

UWS 19.02(1)(a) 1. The employee is not expected to work at least one-third of what is considered full-time employment or;
2. The employee's expected duration of employment is less than one year.

(b) An employee who is not expected to work at least one-third of what is considered full-time employment shall earn sick leave under par. (a) if he or she is subsequently employed within the university of Wisconsin system for at least one year for at least one-third of what is considered full-time employment during the immediately preceding 12-month period.

(c) Any employee who becomes eligible to earn sick leave under par. (a) shall continue to be eligible to earn sick leave, notwithstanding the requirements of par. (a), unless his or her employment within the university of Wisconsin system is terminated for 12 or more consecutive calendar months or unless the employee receives a benefit that would have the effect of closing his or her retirement account under s. 40.25, Stats.

(d) In this subsection, "one-third of what is considered full-time

employment" means employment within the university of Wisconsin system with the expectation that there will be at least 440 hours of actual performance of duty during an annual earnings period.

SECTION 3. UWS 19.02(2)(c) and (f) are amended to read:

UWS 19.02(2)(c) In addition to sick leave credited under par. (b). after ~~18 months~~ 1.5 years of service, each employe shall earn additional nonlapsing sick leave at the rate of 1 day per month for persons holding annual basis appointments and at the rate of 6 days per semester or 4 days per quarter for persons who hold academic year basis appointments, with a maximum annual accumulation limited to not more than 12 days.

(f) An employe does not accumulate sick leave credits while on an unpaid leave of absence ~~including while receiving state income continuation insurance payments.~~

Note: Consistent with general leave accounting principles within the UW System, the reference to "year" in this section refers to the academic year for academic year-basis appointees, and to the fiscal year for annual basis appointees.

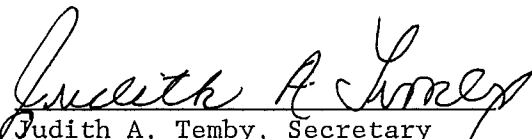
SECTION 4. UWS 19.03 is amended to read:

UWS 19.03 CANCELLATION AND REINSTATEMENT. If the employe ~~leaves~~ terminates employment with the university of Wisconsin system other than through retirement or death, unused sick leave ~~will~~ shall be terminated but ~~will~~ shall be reinstated if the employe is reappointed to any position within the system within 3 years.

SECTION 5. UWS 19.04 is repealed.

This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, as provided in s. 227.22(2)(intro.), Stats.

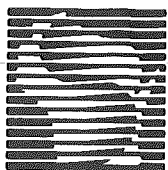
Dated: March 11, 1992


Judith A. Temby, Secretary
Board of Regents of the
University of Wisconsin System

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Board of Regents of The University of Wisconsin System

Office of the Secretary

1860 Van Hise Hall, 1220 Linden Drive
Madison, Wisconsin
(608) 262-2324

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March 11, 1992

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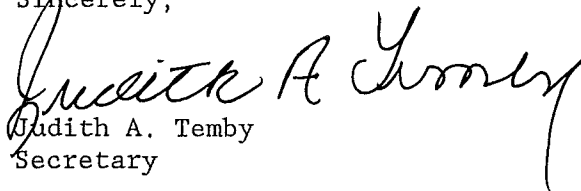
Gary Poulson
Revisor of Statutes
119 Martin Luther King Boulevard
2nd Floor
Madison, WI 53703

Dear Mr. Poulson:

Enclosed for filing with your office are one certified copy and one uncertified copy of administrative rules concerning sick leave for faculty, academic staff and limited appointees of the University of Wisconsin System. These rules were approved by the Board of Regents on October 11, 1991 and submitted to both houses of the legislature on October 25, 1992. The legislative review period has now expired, and publication is therefore appropriate.

Thank you for your assistance in this matter.

Sincerely,


Judith A. Temby
Secretary

Enclosures

cc: Regents
Acting President Lyall
Vice Presidents
Charles Wright
Sara Buscher
Patricia B. Hodulik