

State of Misconsin 1995 - 1996 LEGISLATURE

## **1995 ASSEMBLY BILL 982**

March 6, 1996 – Introduced by Representative PORTER, by request of the Kenosha County Republican Party. Referred to Committee on Elections and Constitutional Law.

1 AN ACT to repeal 7.33 (6); and to amend 7.33 (4) and (5) of the statutes; relating

2 **to:** a requirement to grant paid leaves of absence to employes for service as

3 election officials.

## Analysis by the Legislative Reference Bureau

Currently, every employer must grant to each of its employes who is appointed to serve as an election official (poll worker) a leave of absence for the day on which the employe serves if the employe applies for a leave at least 7 days before that day. An employer must permit its employes to serve without loss of fringe benefits or seniority privileges earned for scheduled working hours during the day on which the employe serves, and may not impose any penalty, other than a wage deduction for time not worked, upon an employe who is granted such a leave. In addition, a state agency must pay an employe who is granted such a leave for his or her scheduled working hours on the day the employe serves, less the amount that the employe is paid for his or her service as an election official.

This bill requires all employers to pay an employe who is granted a leave of absence to serve as an election official for scheduled working hours while the employe is on leave. An employer other than the state may deduct an amount not exceeding the amount the employe is paid for his or her service as an election official. A state agency must deduct the amount that an employe is paid for his or her service as an election official, as currently provided.

For further information see the *local* 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:

**SECTION 1.** 7.33 (4) and (5) of the statutes are amended to read:

1	7.33 (4) Each state agency employer shall, upon proper application under sub.
2	(3), permit each of its employes to serve as an election official without loss of fringe
3	benefits or seniority privileges earned for scheduled working hours during the period
4	specified in sub. (3), and without loss of pay for scheduled working hours during the
5	period specified in sub. (3) except as provided in sub. (5), and shall not impose any
6	other penalty upon an employe who serves as an election official.

- 2 -

7 (5) Any employe of the state who obtains a paid leave of absence in order to serve 8 as an election official under s. 7.30 shall certify in writing to the head of the state 9 agency employer by which he or she is employed the amount of compensation that the employe receives for such service. Upon receipt of the certification, the head of 10 the any state agency shall deduct that the amount certified, and any other employer 11 12may deduct a sum not exceeding the amount certified, from the employe's pay earned 13for scheduled working hours during the period specified in sub. (2) when the employe is on a paid leave of absence. 14

15 16 **SECTION 2.** 7.33 (6) of the statutes is repealed.

(END)