

**2003 DRAFTING REQUEST**

**Bill**

Received: 12/05/2002

Received By: **rchampag**

Wanted: **As time permits**

Identical to LRB:

For: **Russell Decker (608) 266-2502**

By/Representing: **Pat**

This file may be shown to any legislator: **NO**

Drafter: **rchampag**

May Contact:

Addl. Drafters: **gmalaize**

Subject: **Employ Pub - civil service**  
**Employ Priv - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Decker@legis.state.wi.us**

Carbon copy (CC:) to:

**Pre Topic:**

No specific pre topic given

**Topic:**

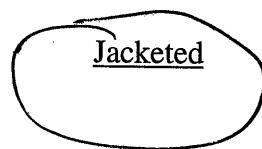
Allowing veterans to receive a paid leave of absence from work on Veterans Day

**Instructions:**

Allow veterans to take Veterans Day off; keep it a bargainable subject, though, for employees covered under a collective bargaining agreement.

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							S&L
/1	rchampag 12/19/2002 gmalaize 12/23/2002	chanaman 01/02/2003	pgreensl 01/02/2003		lemery 01/02/2003	amentkow 02/06/2003	



Per Sen. Decker's office

Vers.      Drafted      Reviewed      Typed      Proofed      Submitted      Jacketed      Required

FE Sent For:

*At intro.*

<END>

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FE Sent For:		amb 1/2 11	1/2/03 PS	4/2/03 <END> PS/CE			



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-1057/1  
RAC&GMM:.....

*cmh*

2003 BILL

*senate*

1 AN ACT ...; relating to: requiring that all employers in this state provide  
2 employees who are veterans a paid leave of absence on Veterans Day.

(Veterans Day)

*on*  
**Analysis by the Legislative Reference Bureau**

This bill requires that every public and private employer in this state grant to each employee who is a veteran a paid leave of absence for the entire workday on November 11, or the Monday following if November 11 falls on a Saturday or Sunday. Under the bill, for employees who are included in a collective bargaining unit, the paid leave of absence is granted only if so provided in a collective bargaining agreement.

*Insert A*

For further information see the *state and 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:**

3 SECTION 1. 103.06 of the statutes is created to read:

4 103.06 Paid leave of absence on Veterans Day. (1) In this section,  
5 "veteran" has the meaning given in s. 45.001 (4).

6 (2) (a) Subject to par. (b), an employer shall grant to each employee who is a  
7 veteran a paid leave of absence on November 11, or the Monday following if

**BILL**

**SECTION 1**

1 November 11 falls on a Saturday or Sunday. The leave of absence shall be for the  
2 entire workday.

3 (b) For employees whose wages, hours, and conditions of employment are  
4 determined in a collective bargaining agreement, par. (a) applies only if the paid  
5 leave of absence on November 11, or the Monday following if November 11 falls on  
6 a Saturday or Sunday, is provided in an applicable collective bargaining agreement.

Insert  
2-6 p

or

7 **SECTION 2. Initial applicability.**

8 (1) This act first applies to employees who are covered by a collective bargaining  
9 agreement that contains provisions inconsistent with this act on the day on which  
10 the collective bargaining agreement expires or is extended, modified, or renewed,  
11 whichever occurs first.

12

(END)

2003-2004 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB  
.....

(INSERT 2-6)

\* (3) An employer may not discharge or discriminate against an employee in promotion, in compensation, or in the terms, conditions, or privileges of employment for taking a paid leave of absence as provided in sub. (2), opposing a practice prohibited under this section, filing a complaint or attempting to enforce any right under this section, or testifying or assisting in any action or proceeding to enforce any right under this section.

(4) (a) Subject to par. (b), any employee who is discharged or discriminated against in violation of sub. (3) may file a complaint with the department, and the department shall process the complaint in the same manner that employment discrimination complaints are processed under s. 111.39.

(b) Any employee of a state agency, as defined in s. 111.32 (6), who is discharged or discriminated against in violation of sub. (3) may file a complaint with the personnel commission, and the personnel commission shall process the complaint in the same manner that employment discrimination complaints are processed under s. 111.39.

SECTION 1. 106.54 (8) of the statutes is created to read:

106.54 (8) The division shall receive complaints under s. 103.06 (3) (a) and shall process the complaints in the same manner that employment discrimination complaints are processed under s. 111.39.

SECTION 2. 230.45 (1) (n) of the statutes is created to read:

4



4

230.45 (1) (n) Receive complaints under s. 103.06 (3) (b) and, except as provided in sub. (1m), process the complaints in the same manner that employment discrimination complaints are processed under s. 111.39.

(END OF INSERT)

(INSERT A)

*the Department of Workforce Development*

91

The bill prohibits an employer from discharging or discriminating against an employee in promotion, in compensation, or in the terms, conditions, or privileges of employment for taking a paid leave of absence on Veterans Day, opposing a discharge or discrimination in violation of the bill, filing a complaint or attempting to enforce a right under the bill, or testifying or assisting in any action or proceeding to enforce a right under the bill. An employee who is discharged or discriminated against in violation of the bill may file a complaint with DWD or, in the case of a state employee, the Personnel Commission, and DWD or the Personnel Commission must process the complaint in the same manner that employment discrimination complaints are processed under current law, which processing may include the ordering of back pay, reinstatement, or compensation in lieu of reinstatement.

(END OF INSERT)

7

## Basford, Sarah

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**From:** Basford, Sarah  
**Sent:** Wednesday, February 05, 2003 11:13 AM  
**To:** Walsh, Patrick  
**Subject:** LRB -1057/1 (attached)



03-1057/1

### **Sarah Basford**

Program Assistant

State of Wisconsin

Legislative Reference Bureau

PH: (608) 266-3561/FAX: (608) 264-6948

[sarah.basford@legis.state.wi.us](mailto:sarah.basford@legis.state.wi.us)