

2003 DRAFTING REQUEST**Assembly Amendment (AA-ASA1-AB418)**Received: **01/15/2004**Received By: **rchampag**Wanted: **Soon**

Identical to LRB:

For: **Terry Musser (608) 266-7461**By/Representing: **Kathie**This file may be shown to any legislator: **NO**Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **Employ Pub - civil service**
Employ Pub - employee benefits

Extra Copies:

Submit via email: **YES**Requester's email: **Rep.Musser@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Differential pay for state employees on military pr public health service duty

Instructions:

See Attached.

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>
/1	rchampag 01/15/2004	kgilfoy 01/15/2004	jfrantze 01/15/2004	_____	mbarman 01/15/2004	mbarman 01/15/2004	

FE Sent For:

<END>

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/1	rchampag	1-1/15 Krug	J 1/15	Self 1/15			

FE Sent For:

<END>

Champagne, Rick

From: Musser, Terry
Sent: Thursday, January 15, 2004 10:54 AM
To: Champagne, Rick
Subject: AB 418 Draft Request

Rick,

Thanks again for the comparison of AB 418 and employee contract language re: differential pay.

Terry requests that a simple amendment to AB 418's sub be drafted, making the numbers the same (i.e., 160 hours, 30 days, and OK to carry over).

He'll use it as a floor amendment if needed (assuming 418 gets to the floor, of course!) hopefully next week.

Thanks,

Kathie @ Rep Musser's Office

2. The Employer agrees that if the holidays cited in 7/12/1/A./1. fall on a Sunday and the following Monday is legally observed as the holiday, the day the holiday is legally observed shall be the day on which holiday premium pay shall be provided.

3. The premium portion of the holiday premium payments provided under this Section shall be made in compensatory time off or cash payment at the discretion of the appointing authority.

4. Pyramiding Prohibited.

Payment of overtime at a premium rate, shall not be paid in addition to the premium rate paid for holiday work. Where premium pay is claimed on more than one basis, the Employer agrees to pay that single premium rate which provides the greater dollar amount.

Section 13 - Military Service

7/13/1 Except as provided in 7/13/2 below, the Employer agrees to provide the same military service leave provisions to employees of this bargaining unit as are provided to non-represented employees.

7/13/2 Differential pay, sick leave, and annual leave for employees activated into certain federal service.

A. Subject to C., below, an employee who is activated to serve on military duty in the U.S. armed forces shall be paid his or her state salary, less any military pay and housing allowances that he or she receives, during the period in which the employee is on military duty in the U.S. armed forces, unless the military pay and housing allowances equal or exceed his or her state salary, and shall accumulate sick leave and paid annual leave of absence as though no interruption in service has occurred if all of the following apply:

1. On or after January 1, 2003, the employee is activated to serve, or is serving, on military duty in the U.S. armed forces, other than for training purposes.

2. On the date on which he or she is activated, the employee is either a member of the Wisconsin National Guard or a member of a reserve component of the U.S. armed forces or is recalled to active military duty from inactive reserve status.

3. The employee has received a military leave of absence 7/13/1, under s250.35(3), Wis. Stats., or under rules promulgated by the Office of State Employment Relations.

B. Subject to C., below, or on or after January 1, 2003, an employee who is required to serve, or who is serving, in the U.S. Public Health Service and who is on detail with any of the U.S. armed forces shall be paid his or her state salary, less any federal pay and housing allowances that he or she receives, during the period in which the employee is detailed for duty with any of the U.S. armed forces, unless the military pay and housing allowances equal or exceed his or her state salary, and shall accumulate sick leave and paid annual leave of absence as though no interruption in service has occurred.

C. 1. Except as provided in paragraph 2., following, beginning on the day in which the employee is activated to serve on military duty in the U.S. armed forces or to serve in the U.S. Public Health Service, the employee shall receive the pay and benefits authorized under A. or B., above, for a period of not more than 179 days. If an employee is eligible to receive pay and benefits for military service under s. 230.35 (3)(a) or under 7/13/1, of this agreement, the employee shall become eligible to receive pay and benefits authorized under A. or B., above, only after receiving the pay and benefits for military service under s. 230.35 (3)(a) or 7/13/1.

2. The governor, by executive order, may extend the period that an employee receives the pay and benefits under 1., above, up to a period of 2 years from the date on which the person is activated to serve on active duty in the U.S. armed forces or to serve in the U.S. Public Health Service. Any extension granted by the governor under this paragraph may apply to an individual employee or to a group of employees, as determined by the governor.

3. No employee who is eligible to receive the pay and benefits under A., or B., above, may receive the pay or benefits for any service in the U.S. armed forces or the U.S. Public Health Service for any such service before January 1, 2003.

D. An appointing authority shall permit an employee who is eligible to receive the pay and benefits authorized under A., or B., above, and who has completed his or her duty with the U.S. armed forces or the U.S. Public Health Service to use up to 160 hours of accumulated paid leave before the employee resumes employment with the state. Any accumulated paid leave that is used under this paragraph must be used no later than 30 days after the employee has completed his or her duty with the U.S. armed forces or the U.S. Public Health Service. If, after using such leave, an employee has any paid leave remaining that was accumulated while on duty with the U.S. armed forces or the U.S. Public Health Service, the appointing authority shall permit the employee to carry over the leave into the next calendar year for use in that year.



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBa1953/1

RAC: k...
King

Monday

**ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2003 ASSEMBLY BILL 418**

1 At the locations indicated, amend the substitute amendment as follows:

2 ✓ 1. Page 3, line 14: delete "80" and substitute "160".

3 ✓ 2. Page 3, line 16: delete "14" and substitute "30".

4 ✓ 3. Page 3, line 17: after "service." insert "If, after using any such accumulated
5 paid leave, an employee has any accumulated paid leave remaining that was
6 accumulated while on duty with the U.S. armed forces or the U.S. public health
7 service, the appointing authority shall permit the employe to carry over the leave
8 into the next year for use in that year."

9 (END)