

2007 DRAFTING REQUEST

Bill

Received: **11/15/2006**

Received By: **rchampag**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Council - LRC**

By/Representing: **Don Dyke**

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

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **Employ Pub - civil service**

Extra Copies:

Submit via email: **YES**

Requester's email: **don.dyke@legis.wisconsin.gov**

Carbon copy (CC:) to: **laura.rose@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Termination or sabbatical leave for state employees

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>
/P1	rchampag 11/15/2006	jdyer 12/01/2006	jfrantze 12/01/2006	_____	cduerst 12/01/2006		
/1	rchampag 10/29/2007	jdyer 10/29/2007	pgreensl 10/29/2007	_____	lparisi 10/29/2007		
/2	rchampag 10/31/2007	jdyer 10/31/2007	rschlue 10/31/2007	_____	sbasford 10/31/2007	mbarman 11/02/2007	

FE Sent For: *None*

<END>

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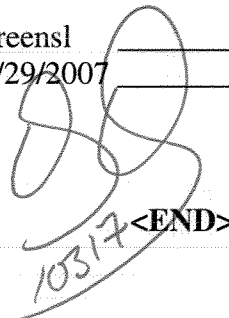
See Attached

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FE Sent For:

12/10/31 jld


10317 <END>

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FE Sent For:

1/10/29 jld *1/9/06* *to* *08/1/06*
ph **<END>**

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/P1	rchampag	AI 12/1 jkd	JG	JG/RS 12/1			

FE Sent For:

<END>

STATE OF WISCONSIN

Office of State Employment Relations

Jim Doyle, Governor

Karen E. Timberlake, Director



SERVING PEOPLE
WHO SERVE WISCONSIN

101 E. Wilson St., 4th Floor
P.O. Box 7855
Madison, WI 53707-7855
Voice (608) 266-9820
FAX (608) 267-1020
TTY: Call Relay 711

<http://osер.state.wi.us>

October 27, 2006

Terry Anderson
Joint Legislative Council
1 E. Main Street, Suite 401
PO Box 2536
Madison, WI 53701-2536

Re: Proposals for Law Revisions

Dear Mr. Anderson:

The Office of State Employment Relations (OSER) is submitting two minor statutory proposals. The proposals are intended to clarify statutory language. Please see attached documents detailing the information requested for each proposed change.

If you have any questions, contact me at 608-267-1023. Thank you for your time and consideration.

Sincerely,

Yer L. Vang
Executive Assistant

Proposal #1: Statutory Change to s. 230.35 (1p)(a) State office hours; standard workweek; leaves of absence; holidays.

1. Specific statutory change
Section 230.35 (1p) (a) Employees at the 160-hour-~~or~~, 176-hour or 184-hour rate under sub. (1) or (1m) may, in the year earned, elect to receive not more than 40 of those hours of earned leave as credit for termination leave or as accumulated sabbatical leave.
2. Administrative or substantive problem with the current statute
2005 Act 21 created a new annual leave schedule for nonrepresented employees who are not exempt from the overtime provisions of the Federal Labor Standards Act. As part of the new schedule, a 184-hour level of annual leave was created. However, the statutes were not changed to reflect what amount of annual leave can be converted to termination leave or sabbatical leave by employees receiving this level of annual leave.
3. Need for the change
The change will clarify that employees at the 184-hour level will be able to convert not more than 40 hours, which is the same as for the 160-hour and 176-hour level.
4. Estimate of the fiscal effect
Because the 40 hour maximum conversion is the same amount that the employees would have been able to convert under the annual leave schedule in effect prior to 2005 Act 21, there is no fiscal effect related to this change.



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-0770/P1

RAC:.....

JLD

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

(suggested as remedial legislation by the office of State Employment Relations)

- gen. cat.

1 AN ACT ...; relating to: accumulating vacation leave for the purpose of
2 termination or sabbatical leave for state employees.

Analysis by the Legislative Reference Bureau

Currently, state employees who earn 160 or 176 hours of vacation leave each year may bank up to 40 hours of that leave each year in a sabbatical or termination account. This bill allows state employees who earn 184 hours also to bank such amounts of leave each year.

LPS - fix component to anal: -> LRC note

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill Law Revision Committee of the Joint Legislative Council

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

* LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the office of state employment relations and introduced by the Law Revision Committee under s. 13.83 (1)(c) 4., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

3 SECTION 1. 230.35 (1p) (a) of the statutes is amended to read:
4 230.35 (1p) (a) Employees at the 160-hour or, 176-hour, or 184-hour rate
5 under sub. (1) or (1m) may, in the year earned, elect to receive not more than 40 of

- 1 those hours of earned annual leave as credit for termination leave or as accumulated
- 2 sabbatical leave.

History: 1971 c. 91, 125, 183, 211, 226; 1971 c. 270 ss. 70, 71, 83, 104; Stats. 1971 s. 16.30; 1973 c. 51, 243; 1975 c. 28, 39, 41; 1975 c. 147 s. 54; 1975 c. 189, 199, 421, 422; 1977 c. 44; 1977 c. 187 s. 135; 1977 c. 196 ss. 56, 118, 130 (3), (5), (12), 131; 1977 c. 273; 1977 c. 418 ss. 726, 727, 924 (13m); Stats. 1977 s. 230.35; 1979 c. 34, 89; 1979 c. 110 s. 60 (11); 1979 c. 221; 1981 c. 20, 96, 140; 1983 a. 27 s. 2200 (15); 1983 a. 30 ss. 4 to 11, 14; 1983 a. 71, 140; 1983 a. 192 ss. 220, 221, 304; 1985 a. 119; 1987 a. 63, 287, 340, 399, 403; 1989 a. 56 s. 259; 1991 a. 39; 1993 a. 12, 47; 1995 a. 37, 178; 1997 a. 118, 307; 1999 a. 42, 85, 101, 125; 2001 a. 16, 109; 2003 a. 22, 33, 117; 2005 a. 21.

- 3 **(END)**



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-0770/P1

RAC:jld:jf

RMR

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

2007 Bill

- regen. cost.

1 AN ACT to amend 230.35 (1p) (a) of the statutes; relating to: accumulating
2 vacation leave for the purpose of termination or sabbatical leave for state
3 employees (suggested as remedial legislation by the Office of State
4 Employment Relations).

Analysis by the Legislative Reference Bureau

Currently, state employees who earn 160 or 176 hours of vacation leave each year may bank up to 40 hours of that leave each year in a sabbatical or termination account. This bill allows state employees who earn 184 hours also to bank such amounts of leave each year.

For further information, see the NOTES[✓] provided by the Law Revision Committee of the Joint Legislative Council.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Office of State Employment Relations and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

1 **SECTION 1.** 230.35 (1p) (a) [✓] of the statutes is amended to read:

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4 those hours of earned annual leave as credit for termination leave or as accumulated
5 sabbatical leave.

6 (6)  (END)

 Present ✓
2-6

2-6

1

INSERT 2A to LRB-0770/P1

NOTE: 2005 Wisconsin Act 21 extended additional vacation days to nonrepresented employees in the executive branch who are subject to the minimum wage and overtime requirements under the federal Fair Labor Standards Act in order to match their vacation days with those provided represented state employees under 2003-05 collective bargaining agreements. Under Act 21, employees with 15 years of service receive 184 hours of vacation per year during the next 5 years of service (with additional vacation hours provided for 20 and 25 years of service). Act 21 did not make corresponding changes to reflect what amount of vacation can be converted to termination leave or sabbatical leave by employees receiving the 184-hour per year level of vacation.

This bill clarifies that employees at the 184-hour level will be able to convert not more than 40 hours per year as credit for termination leave or as accumulated sabbatical leave (the same as employees at the 160- and 176-hour levels).

(end ins 2-6)

Joan

RMR

2007 BILL

- refer rat.

1 AN ACT *to amend* 230.35 (1p) (a) of the statutes; **relating to:** accumulating
2 vacation leave for the purpose of termination or sabbatical leave for state
3 employees (suggested as remedial legislation by the Office of State
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For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

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BILL

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at ✓

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X

This bill clarified ^{s ← letter} that employers at the 184-hour level will be able to convert not more than 40 hours per year as credit for termination leave or as accumulated sabbatical leave (the same as employees at the 160- and 176-hour levels).

6

(END)

Barman, Mike

From: Dyke, Don
Sent: Friday, November 02, 2007 8:19 AM
To: LRB.Legal
Subject: Draft Review: LRB 07-0770/2 Topic: Termination or sabbatical leave for state employees

Please Jacket LRB 07-0770/2 for the SENATE.

Corrected copy

01-22-2008
Per JLD

2007 - 2008 LEGISLATURE

LRB-0770/2
RAC:jld:rs

2007 SENATE BILL 314

November 9, 2007 - Introduced by LAW REVISION COMMITTEE. Referred to Committee on Ethics Reform and Government Operations.

1 AN ACT *to amend* 230.35 (1p) (a) of the statutes; **relating to:** accumulating
 2 vacation leave for the purpose of termination or sabbatical leave for state
 3 employees (suggested as remedial legislation by the Office of State
 4 Employment Relations).

Analysis by the Legislative Reference Bureau

Currently, state employees who earn 160 or 176 hours of vacation leave each year may bank up to 40 hours of that leave each year in a sabbatical or termination account. This bill allows state employees who earn 184 hours also to bank such amounts of leave each year.

For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

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CORRECTED COPY

SENATE BILL 314

1 SECTION 1. 230.35 (1p) (a) of the statutes is amended to read:

2 230.35 (1p) (a) Employees at the 160-hour or, 176-hour, or 184-hour rate
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NOTE: 2005 Wisconsin Act 21 extended additional vacation days to nonrepresented employees in the executive branch who are subject to the minimum wage and overtime requirements under the federal Fair Labor Standards Act in order to match their vacation days with those provided represented state employees under 2003-05 collective bargaining agreements. Under Act 21, employees with 15 years of service receive 184 hours of vacation per year during the next 5 years of service (with additional vacation hours provided at 20 and 25 years of service). Act 21 did not make corresponding changes to reflect what amount of vacation can be converted to termination leave or sabbatical leave by employees receiving the 184-hour per year level of vacation.

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(END)

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