

2019 DRAFTING REQUEST

Bill

For: **Legislative Fiscal Bureau** Drafter: **mmcgreev**
 By: **Jere** Secondary Drafters:
 Date: **4/1/2020** May Contact:

Same as LRB:

Submit via email: **YES**
 Requester's email: **jbauer@legis.wisconsin.gov**
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Pre Topic:

No specific pre topic given

Topic:

(P.C. from Jere, DOA) Allow state employees to use vacation leave during probationary period if PHE, require claw-back if employee leaves state service

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mmcgreev 4/1/2020	aernstr 4/1/2020			
/P1			mbarman 4/1/2020		

FE Sent For: **<END>**

Barman, Mike

From: Hanaman, Cathlene
Sent: Wednesday, April 01, 2020 11:20 AM
To: Champagne, Rick; Lunder, Erika; Wheeler, Elizabeth; Knepp, Fern; Gallagher, Michael; Dodge, Tamara; Walkenhorst Barber, Sarah; Paczuski, Konrad; McGreevy, Mary Alice; Shovers, Marc; Pleviak, Krista; Gary, Aaron; Kreye, Joseph; Pfothenauer, Mary; Duchek, Michael; Shea, Elisabeth; Wyatt, Zachary; Johns, Melinda
Cc: Jackson, Wendy
Subject: RE: More LFB Requests

Please, in addition to anything else you put in the topic line, include the language below ("Pg. 5, DOA, item 6" for instance).

You may have to make an educated guess as to the analyst. I can fix later.

Using the LFB Summary of the Governor's bill, please draft the following items for the LFB:

http://docs.legis.wisconsin.gov/misc/lfb/misc/109_summary_of_provisions_of_lrb_5904_1_and_lrb_5920_p2_3_24_20.pdf

Pg. 5, DOA, Item 6
Pg. 6, DOA, Item 9

Pg. 6 BLDG COMM, Item 1 (RAC)

Pg. 11, ETF, Item 1
Pg. 12, ETF, Item 2

Pg. 13, GEN PROV, Item 2

Pg. 16, HEALTH, Item 4

Pg. 18, INS, Item 2
Pg. 19, INS, Item 5
Pg. 19, INS, Item 6

Pg. 22, DPI, Item 3

Pg. 24, DSPS, Item 2
Pg. 25, DSPS, Item 3
Pg. 26, DSPS, Item 4

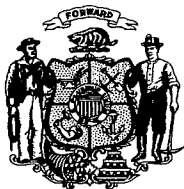
Pg. 28, DWD, Item 1, but only for calendar year 2020
Pg. 29, DWD, Item 2

Cathlene can coordinate and make sure drafts are accounted for.

Rick

04/01/2020 LFB Request LRB 6069

PC from Jere Bauer: Allow state employees to use annual leave during probationary period, if during a PHE. Claw back if 'ee leaves state service.



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT** *to create* 323.2913 of the statutes; **relating to:** allowing state employees
2 serving a probationary period to take annual leave during a declared public
3 health emergency.

Analysis by the Legislative Reference Bureau

EMPLOYMENT

Use of annual leave during public health emergency

Under the bill, a state employee may take annual leave during a public health emergency even if the employee has not completed the first six months of the employee's probationary period. If the employee terminates employment before earning any leave the employee used, the employer may deduct the amount of unearned leave from the employee's final pay. Under current law, an employee may not take annual leave during the first six months of the employee's probationary period.

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

4 **SECTION 1.** 323.2913 of the statutes is created to read:
5 **323.2913 Use of annual leave during probationary period by state**
6 **employee.** Notwithstanding s. 230.35 (1) (b), a state employee may take annual

1 leave within the first 6 months of the employee's probationary period upon initial
2 appointment during a state of emergency related to a public health emergency
3 declared under s. 323.10. If an employee who has taken annual leave under this
4 section terminates his or her employment before earning annual leave equivalent to
5 the amount of annual leave the employee has taken, the appointing authority shall
6 deduct the cost of the unearned annual leave from the employee's final pay.

7 (END)