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## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

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<b>2003 Wisconsin Act 22</b> [2003 Senate Bill 152]	<b>Leave of Absence for Certain State Agency Employees</b>
2003 Acts: <a href="http://www.legis.state.wi.us/2003/data/acts/">www.legis.state.wi.us/2003/data/acts/</a>	Act Memos: <a href="http://www.legis.state.wi.us/lc/act_memo/act_memo.htm">www.legis.state.wi.us/lc/act_memo/act_memo.htm</a>

Under current law, nonrepresented employees of executive branch state agencies are entitled to paid vacation based on their years of service, usually beginning with 80 hours, or two weeks, of paid vacation at the time of their initial employment with the state. Such employees who remain employed by the state receive total annual vacation under the general vacation schedule as follows:

After five years of employment	120 hours per year
After 10 years of employment	136 hours per year
After 15 years of employment	160 hours per year
After 20 years of employment	176 hours per year
After 25 years of employment	200 hours per year

However, certain nonrepresented employees who are in career executive positions, division administrator positions, attorney positions, professional employee positions at the State Investment Board, and senior state agency positions have been entitled to 120 hours, or three weeks, of paid vacation at the time of their initial employment with the state and receive vacation in future years according to the following executive vacation schedule:

After 5 years of employment	160 hours per year
After 10 years of employment	176 hours per year
After 15 years of employment	200 hours per year
After 20 years of employment	216 hours per year

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This memo provides a brief description of the Act. For more detailed information,  
consult the text of the law and related legislative documents.

Represented state employees are not subject to either the general vacation schedule or the executive vacation schedule but, instead, have their vacation provisions determined in applicable collective bargaining agreements.

Under the 2001-03 collective bargaining agreements with represented state employees, certain employees were provided with additional paid vacation such that those employees became entitled to vacation amounts compatible with the executive vacation schedule described above. Generally, these employees were in executive, administrative, and professional positions.

2003 Wisconsin Act 22 modified current law to extend the statutory executive vacation schedule to all nonrepresented employees in the executive branch who are not subject to the minimum wage and overtime requirements under the federal Fair Labor Standards Act. Generally, under the Fair Labor Standards Act, employees who are not subject to the minimum wage and overtime requirements are those employees holding executive, administrative, or professional positions. This change was made to provide the same vacation provisions to nonrepresented executive branch agency employees as was provided to their-represented counterparts through the 2001-03 collective bargaining agreements.

***Effective Date:*** 2003 Wisconsin Act 22 became effective July 1, 2003.

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