

Senate Bill 510

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CHAPTER 319

AN ACT to create 16.285 of the statutes, relating to interchange of government employes.

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

SECTION 1. 16.285 of the statutes is created to read:

16.285 INTERCHANGE OF GOVERNMENT EMPLOYES. (1) DECLARATION OF POLICY. Intergovernmental co-operation is an essential factor in resolving problems affecting this state and the interchange of personnel between and among governmental agencies at the same or different levels of government is a significant factor in achieving such co-operation.

(2) DEFINITIONS. For the purposes of this section:

(a) "Sending agency" means any department or agency of the federal government or a state or local government which sends any employe thereof to another government agency under this section.

(b) "Receiving agency" means any department or agency of the federal government or a state or local government which receives an employe of another government agency under this section.

(3) AUTHORITY TO INTERCHANGE EMPLOYES. (a) Any department, agency or instrumentality of the state, county, municipality or college or university operated by the state or any local government is authorized to participate in a program of interchange of employes with departments, agencies or instrumentalities of the federal government, another state or locality, or other agencies, municipalities, or instrumentalities of this state as a sending or receiving agency.

(b) The period of individual assignment or detail under an interchange program shall not exceed 12 months, nor shall any person be assigned or detailed for more than 12 months during any 36-month period. Details relating to any matter covered in this section may be the subject of an agreement between the sending and receiving agencies. Elected officials shall not be assigned from a sending agency nor detailed to a receiving agency.

(4) STATUS OF EMPLOYES. (a) Employes of a sending agency participating in an exchange of personnel as authorized in sub. (3), during such participation, are on detail to regular work assignments of the receiving agency.

(b) Employes who are on detail shall be entitled to the same salary and benefits to which they would otherwise be entitled and shall remain employes of the sending agency for all purposes, including the payment

of their salaries, except that the supervision of their duties during the period of detail may be governed by agreement between the sending agency and the receiving agency.

(c) Any employe who participates in an exchange under the terms of this section who suffers disability or death as a result of personal injury arising out of and in the course of an exchange, or sustained in performance of duties in connection therewith, for the purposes of the workmen's compensation act, is an employe of the sending agency.

(5) TRAVEL EXPENSES OF EMPLOYES. A sending agency in this state shall not pay the travel expenses of its employes incurred in connection with their work assignments at the receiving agency.

(6) STATUS OF EMPLOYES OF OTHER GOVERNMENTS. (a) When any unit of government of this state acts as a receiving agency, employes of the sending agency who are assigned under authority of this section are on detail to the receiving agency.

(b) Employes who are detailed to the receiving agency shall not by virtue of such detail be considered to be employes thereof, nor shall they be paid a salary or wage by the receiving agency during the period of their detail. The supervision of the duties of such employes during the period of detail may be governed by agreement between the sending agency and the receiving agency.

(7) TRAVEL EXPENSES OF EMPLOYES OF OTHER GOVERNMENTS. A receiving agency in this state may, in accordance with the travel regulations of such agency, pay travel expenses of persons assigned thereto under this section during the period of such assignments on the same basis as if they were regular employes of the receiving agency.

(8) ADMINISTRATION. The department of administration may adopt rules to implement this section and to assist departments, agencies and instrumentalities of the state and its political subdivisions in participating in employe interchange programs.

(9) SALARY REIMBURSEMENTS. (a) Any funds received by a sending agency in this state from a receiving agency as reimbursement for salary expenditures made under an employe interchange agreement shall be credited to the appropriation from which the expenditures were paid.

(b) A receiving agency in this state may, in accordance with the salary provisions of the sending agency, reimburse the sending agency for salary and fringe benefit expenditures for employes on detail to the receiving agency.

SECTION 2. This bill is declared to be an emergency appropriation bill, recommended by the joint committee on finance, in accordance with the requirements of section 16.47 (2) of the statutes.

Approved October 27, 1965.