

(e) The following table prorates vacation to the nearest $\frac{1}{4}$ day on the basis of an employee's vacation rate for the fractional part of a month worked:

VACATION DAYS EARNED FOR FRACTIONAL PART OF MONTH

Beginning Employee				Ending Employee			
Beginning Date of Month	Days Earned			Ending Date of Month	Days Earned		
	2 weeks	3 weeks	4 weeks		2 weeks	3 weeks	4 weeks
1- 5	10/12	15/12	20/12	1- 5	0	0	0
6-10	8/12	12/12	16/12	6-10	2/12	3/12	4/12
11-15	6/12	9/12	12/12	11-15	4/12	6/12	8/12
16-20	4/12	6/12	8/12	16-20	6/12	9/12	12/12
21-25	2/12	3/12	4/12	21-25	8/12	12/12	16/12
26-31	0	0	0	26-31	10/12	15/12	20/12

After computing in twelfths the total vacation earned, divide by 12 to determine full days and apply the remaining fraction to the following schedule:

Remaining Fractions	Vacation Credit Conversion
1/12	0
2/12, 3/12 or 4/12	$\frac{1}{4}$ Day
5/12, 6/12 or 7/12	$\frac{1}{2}$ Day
8/12, 9/12 or 10/12	$\frac{3}{4}$ Day
11/12	1 Day

(6) **WHEN VACATION MAY BE TAKEN.** In determining vacation schedules the appointing officer shall respect the wishes of the eligible employes as to the time of taking their vacation insofar as the needs of the service will permit. Vacation allowance shall be taken during the vacation year except that employes who are required by their appointing officer to defer all or a part of their vacation for a given vacation period may be permitted to take it within the first 6 months of the ensuing vacation year.

History: Cr. Register, June, 1964, No. 102, eff. 7-1-64.

Pers 18.03 Sick Leave. (1) **EMPLOYES WHO EARN SICK LEAVE.** All classified employes shall earn sick leave except:

- (a) Emergency employes.
- (b) Provisional employes.
- (c) Limited term employes.

(2) **ACCRUAL OF SICK LEAVE.** (a) Sick leave shall accrue at the rate of one day of sick leave for each calendar month of service. Sick leave allowance shall be accumulated in the employe's base sick leave account until a maximum of 60 days has accrued.

(b) Sick leave credits in any given year shall not be earned for any period of absence without pay or time otherwise not worked or paid for except that for administrative purposes any approved absence or absences totaling 30 calendar days or less in a calendar year may be disregarded.

(c) Unused sick leave in excess of 60 days shall accumulate in the employe's reserve sick leave account. No sick leave shall accrue in the reserve account unless the 60 day maximum is maintained in the base account.

(d) Sick leave shall not be used until it has been accrued.

(3) **USE OF SICK LEAVE.** The formal use of sick leave shall be charged to the base account. In the event of extended illness sick leave taken shall be charged to the base account until that is exhausted. Sick leave in the reserve account may be used only upon recommendation of the employes' appointing officer and with the approval of the director.

(4) **ELIGIBILITY FOR SICK LEAVE.** (a) Each permanent classified employe, employe serving his probationary period and seasonal employe who has earned sick leave credits shall be eligible for sick leave for any period of absence from employment which is due to his illness, bodily injury, exposure to contagious disease, attendance upon members of his immediate family (employe's parents, wife, husband, children, brother, sister or another member of the immediate household) where employe's presence is required or death in the immediate family of the employe or his spouse. The department has the duty to require that the employe make other arrangements, within a reasonable period of time, for the attendance upon children or other persons in his care.

(b) An appointing officer may require a medical certificate to justify the granting of sick leave.

(5) **EFFECT OF TERMINATION OF EMPLOYMENT.** Previously accumulated sick leave shall not be terminated by absence on approved leave as provided in these rules. Separation from the service by resignation, retirement, or for cause as provided in section 16.24, Wis. Stats. shall cancel all unused accumulated sick leave allowance. Whenever a permanent employe is laid off due to lack of work or funds, any unused accumulated sick leave allowance shall continue in effect, if he is rehired by any department within one year.

(6) **TABLE FOR PRORATING SICK LEAVE.**

Beginning Employe		Ending Employe	
Beginning Date	Days Earned	Ending Date	Days Earned
1- 8.....	1	1- 8.....	0
9-23.....	$\frac{1}{2}$	9-23.....	$\frac{1}{2}$
24-31.....	0	24-31.....	1

History: Cr. Register, June, 1964, No. 102, eff. 7-1-64; am. (3), Register, September, 1965, No. 117, eff. 10-1-65.

Pers 18.04 Other provisions relating to vacation and sick leave. (1) VACATION OR SICK LEAVE ON HOLIDAYS. In the event that a holiday falls on a regular work day within the week or weeks taken as vacation or sick leave, such holiday shall not be charged as vacation or sick leave. For any day on which work is suspended, such suspension shall not be construed to extend any vacation or sick leave to an employe in such status at the time.

Register, September, 1965, No. 117

(2) **TRANSFER OF CREDITS.** Whenever an employe eligible for vacation or sick leave separates from the service of one employing unit of the state and accepts, by certification or transfer, service in a classified position in another employing unit of the state, obligation for any accumulated and unused vacation and sick leave allowance shall be assumed by the new employing unit.

(3) **EFFECT OF CLASSIFICATION CHANGES.** Promotion, demotion or change in classification of the position held by an employe shall not cause him to forfeit or lose his earned vacation or sick leave rights or privileges.

(4) **EFFECT OF CHANGE IN STATUS.** See Wis. Adm. Code subsection Pers. 10.09 (3).

History: Cr. Register, June, 1964, No. 102, eff. 7-1-64.

Pers 18.05 Leave without pay. (1) **WHEN GRANTED.** (a) *Administrative leave.* Leave without pay for a period not to exceed one month may be granted by the appointing officer.

(b) *Formal leave.* Application for a leave in excess of one month shall be filed by the employe on forms supplied by the bureau. A classified employe may be allowed a leave of absence without pay for a period not to exceed one year. Such leave is subject to the recommendation of the appointing officer and the approval of the director before becoming effective. Such leave shall be granted only when it will not result in prejudice to the interests of the state as an employer beyond any benefits to be realized upon the employe's return to the service. Leave without pay may be granted for: educational purposes where direct or indirect benefit accrues to the service; purposes of working for a limited period in other employment where the experience would afford a direct benefit in the performance of his work for the state upon his return; maternity cases and exceptional personal reasons other than those mentioned above. Failure to return on or before the expiration of such leave or upon the cancellation or revocation thereof by the director shall be considered as separation from the service, and the nature of the separation action shall be determined on the merits of the case unless it is shown to the satisfaction of the appointing officer and the director that failure to report was excusable. Leave of absence because of illness or for educational purposes may be extended up to 2 years on a year to year basis on the recommendation of the appointing officer and the approval of the director.

(c) *Summer leave.* Classified employes whose services are not required at institutions during a summer recess shall be considered to be on leave of absence without pay.

(2) **RIGHTS UPON RETURN FROM LEAVE OF ABSENCE.** A properly executed leave of absence without pay shall accord the employe the right to be returned to his position or one of like nature on the expiration thereof or sooner if agreeable to the appointing officer, except that if the position has been abolished through legislation or material reorganization of the department, the employe shall be given consideration for any other position of similar grade and class which in the opinion of the director does not require qualifications substantially higher than or different from those of the position previously held, and if there be no such position, the layoff provisions of the law and

these rules shall apply. If it is found necessary to fill the position during the interim, the new employe shall vacate the position upon the return of the absent employe subject to layoff, transfer, or demotion rights earned under the law and these rules. Such leaves without pay shall not operate to interrupt the seniority or salary advancement consideration, or cancel accumulated sick leave of the absent employe. Holidays or other non-work days immediately preceding the employe's return to duty, shall be counted as part of such absence.

(3) **ABSENCE WITHOUT LEAVE.** Any absence of an employe that is not authorized under these rules shall be considered as an absence without leave. Such absence may be considered as a resignation or may be grounds for disciplinary action. Any employe who is separated from the service on the basis of absence without leave may thereby be deemed to have forfeited his reinstatement eligibility.

History: Cr. Register, June, 1964, No. 102, eff. 7-1-64.

Pers 18.06 Leave with pay, injury. Continuing salaries to certain employes unable to work due to injuries incurred in line of duty and hazardous employments. See sections 16.31 Wis. Stats. and Wis. Adm. Code section Pers. 5.05. Each period of absence shall be subject to the recommendation of the appointing officer and approval of the director of personnel and they may require the employe to submit a medical certificate to cover each such period.

History: Cr. Register, June, 1964, No. 102, eff. 7-1-64; am. Register, September, 1965, No. 117, eff. 10-1-65.

Pers 18.07 Holidays. Legal Holidays, January 1; May 30; July 4; the first Monday in September; the fourth Thursday in November or the day appointed by the governor as a day of thanksgiving; December 25; the day following if January 1, May 30, July 4 or December 25 falls on Sunday; afternoon on Good Friday; the afternoons of December 24 and 31. In order to carry out the intent of subsection 16.275 (6) (a) and (an), Wis. Stats., to grant employes 7½ days annually for holidays, an employe shall be granted equivalent compensatory time off when:

- (1) The employe is required to work on a holiday or
- (2) A holiday falls on his regularly scheduled day off.

When such compensatory time off shall be granted is discretionary with the appointing officer, and he may permit such time to be anticipated and used on the same basis as vacation. See Wis. Adm. Code subsection Pers 18.02 (6).

History: Cr. Register, June, 1964, No. 102, eff. 7-1-64.

Pers 18.08 Military service. (1) NATIONAL GUARD, STATE GUARD, RESERVE CORPS. Attendance at duly ordered military and naval schools, field camps of instruction and naval exercises. See subsection 16.275 (4), Wis. Stats.

(2) **ACTIVE SERVICE.** See section 16.276, Wis. Stats.

History: Cr. Register, June, 1964, No. 102, eff. 7-1-64.

Pers 18.09 Civilian service. Service during a period officially proclaimed to be a national emergency or limited national emergency. See subsections 16.276 (1) and 16.276 (2) (b), Wis. Stats.

History: Cr. Register, June, 1964, No. 102, eff. 7-1-64.

Register, September, 1965, No. 117