



General Assembly

February Session, 2006

Raised Bill No.

459

LCO No. 476



Referred to Committee on
LABOR & PUBLIC EMPLOYEES

Introduced by:
(LAB)

**AN ACT CONCERNING ACCRUED LEAVE FOR STATE EMPLOYEES
SERVING IN THE MILITARY.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

- 1 Section 1. (NEW) (*Effective from passage*) (a) Notwithstanding any
2 provision of the general statutes or any public or special act, no state
3 employee who is a member of the armed forces of any state or of any
4 reserve component of the armed forces of the United States and who
5 has been called to active service in the armed forces of any state or the
6 United States for (1) Operation Enduring Freedom, (2) Operation
7 Noble Eagle, (3) a related emergency operation or a military operation
8 whose mission was substantially changed as a result of the attacks of
9 September 11, 2001, or (4) federal action or state action authorized by
10 the Governor in support of the federal Department of Homeland
11 Security's Operation Liberty Shield, military operations that are
12 authorized by the President of the United States that entail military
13 action against Iraq, or federal action or state action authorized by the
14 Governor to combat terrorism within the United States, may be denied
15 any right or benefit granted to such employee under the Uniformed
16 Services Employment and Reemployment Rights Act, 38 USC Chapter

17 43, as amended from time to time, by any state agency.

18 (b) If any state employee who is a member of the armed forces of
 19 any state or of any reserve component of the armed forces of the
 20 United States is engaged in active service in the armed forces of any
 21 state or the United States for any federal or state action or operation
 22 described in subsection (a) of this section, such employee shall
 23 continue to accrue all vacation and sick leave time to which the
 24 employee would be entitled if he or she had continued working in his
 25 or her state position during the time of such active service.

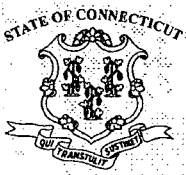
This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	New section
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Statement of Purpose:

To ensure that state employees serving in active military service continue to accrue leave time.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]



Senate

CONNECTICUT STATE LIBRARY
LEGISLATIVE REFERENCE SECTION

General Assembly

File No. 299

February Session, 2006

Substitute Senate Bill No. 459

Senate, April 3, 2006

The Committee on Labor and Public Employees reported through SEN. PRAGUE of the 19th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING ACCRUED LEAVE FOR STATE EMPLOYEES SERVING IN THE MILITARY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 5-259d of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (c) Notwithstanding any provision of the general statutes or any
5 public or special act, any state employee who is a member of the
6 armed forces of any state or of any reserve component of the armed
7 forces of the United States and who has been called to active service in
8 the armed forces of any state or the United States for (1) Operation
9 Enduring Freedom, (2) Operation Noble Eagle, (3) a related emergency
10 operation or a military operation whose mission was substantially
11 changed as a result of the attacks of September 11, 2001, or (4) federal
12 action or state action authorized by the Governor in support of the
13 federal Department of Homeland Security's Operation Liberty Shield,

14 military operations that are authorized by the President of the United
15 States that entail military action against Iraq, or federal action or state
16 action authorized by the Governor to combat terrorism within the
17 United States, shall continue to accrue all vacation and sick leave time
18 to which the employee would be entitled if he or she had continued
19 working in his or her state position during the time of such active
20 service, and shall be entitled to a leave of absence with pay as
21 provided in section 27-33 from the date on which the employee was
22 called to active service. After the expiration of such leave of absence
23 with pay, the state employee shall receive part pay for the duration of
24 such call-up to active service if the compensation received by the state
25 employee for such active service is less than the employee's base rate
26 of pay, plus longevity, in the employee's primary position. The state
27 employee shall not be required to exhaust accrued vacation or sick
28 time in order to be eligible for the paid leave of absence and part pay
29 under this subsection.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	5-259d(c)
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LAB *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 07 \$	FY 08 \$
Various State Agencies	App Fund - Cost	See Below	See Below

Note: App Fund=All Appropriated Funds

Municipal Impact: None

Explanation

This bill allows state employees who are serving military duty under certain conditions to accrue vacation and sick time while on military leave. This bill will result in a cost to the state.

The cost to the state is the cost of providing each employee the accrued vacation and sick time benefit. This cost would depend on how many state employees are on military leave¹ and the duration of the military leave. Most state employees accrue 1 ¼ vacation days each month and 1 ¼ sick days each month.

Under the bill, for example, if a state employee earning \$50,000 annually is allowed to accrue vacation and sick time while on military leave the cost to the state would be \$480 per month in vacation and sick time benefits².

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

¹ There are approximately 112 state employees currently on military leave.

² The \$50,000 annual salary equates to \$192 per 8 hour workday. \$192 x 2.5 combined vacation and sick days accrued each month = \$480.

OLR Bill Analysis**sSB 459****AN ACT CONCERNING ACCRUED LEAVE FOR STATE EMPLOYEES SERVING IN THE MILITARY.****SUMMARY:**

This bill gives a state employee called up to active military service in the National Guard or the military reserves vacation and sick leave accrual for the entire period of active service rather than just the first 30 days. It applies to an employee called to duty for (1) federal or state post 9-11 anti-terrorism or homeland security-related duty or (2) the Afghanistan or Iraq wars.

Currently a guard member or reservist accrues such time during the first 30 days of active duty because he receives full state pay during that time. By law, a state employee called to active duty receives partial state pay (to make up the difference between his military pay and his state pay, if any) for any active service time beyond 30 days.

Existing law and the bill cover state employees who are guard members in other states.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 13 Nay 0 (03/16/2006)