

AMENDMENTS TO HOUSE BILL #454 ADOPTED BY SENATE 3/26/60

- Page 1, line 6: Strike "the annual and sick leave" and insert "leaves of absence"
- Page 1, line 19: Strike "three" and substitute "two"
- Page 1, line 22: Strike "three" and substitute "two"
- Page 1, line 22: Strike "15" and substitute "five"
- Page 1, line 23: Strike "and one-quarter"
- Page 1, line 24: Strike "15" and substitute "five"
- Page 1, line 25: Strike "years or more of service." and insert "but less than 10 years of service;"
- Page 1, line 25: After line 25 insert new paragraph to read as follows: "(4) two and one-half days for each full monthly pay period in the case of officers and employees with 10 years or more of service."
- Page 2, line 22: Change "45" to "60"
- Page 3, line 24: After "employee's" insert "immediate"
- Page 3, line 24: Strike "a contagious disease" and substitute "an illness"
- Page 3, line 28: After "may" insert ", with the consent of the employee's department or agency head,"
- Page 4, line 4: Between lines 4 and 5 insert new subsec. h. to read as follows and reletter all remaining subsecs. of Sec. 1 accordingly:

"h. Court leave shall be granted to employees who are classified as full-time, whether permanent or temporary. Officers and employees who are called to serve as jurors or subpoenaed as witnesses shall be entitled to administrative leave with pay, but compensation received or to which entitled, whichever is greater, for service as a juror or witness shall be deducted from pay to which entitled as a state officer or employee."

- Page 4, line 4: Between lines 4 and 5 insert new subsec. i. and renumber accordingly.

"i. Maternity Leave. Female employees taking leave of absence for childbirth shall be entitled to take a total of nine weeks leave of absence immediately preceding and following childbirth. Such leave shall be charged first to sick leave and if that is not sufficient, then to annual leave, provided that after sick and annual leave have been used, that employee shall be granted leave without pay for balance of period of nine weeks."

Page 4, line 16: Delete the semicolon and insert the following:

" , the governor, the secretary of state, and justices and judges of the supreme and superior courts, but nothing in this Act shall be construed to diminish the salaries fixed by law for these officers by reason of absence from duty on account of illness or otherwise."

Page 5, line 25: Delete paragraph m.

1 IN THE HOUSE BY THE FINANCE COMMITTEE

2 HOUSE BILL NO. 454

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to leaves of absence of  
7 state officers and employees; repealing and  
8 re-enacting Sec. 11-5-6, ACLA 1949 as amended  
9 by Ch. 182, SLA 1957; and providing for an  
10 effective date."

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

12 Section 1. Sec. 11-5-6, ACLA 1949 as amended by Ch. 182, SLA  
13 1957 is repealed and re-enacted to read as follows:

14 Sec. 11-5-6. LEAVES OF ABSENCE. a. Officers and  
15 employees of the State of Alaska shall be entitled to annual  
16 leave with pay which shall accrue as follows:

17 (1) one and one-quarter days for each full monthly  
18 pay period in the case of officers and employees with less  
19 than two years of service;

20 (2) one and three-quarters days for each full  
21 monthly pay period in the case of officers and employees with  
22 two but less than five years of service;

23 (3) two days for each full monthly pay period in  
24 the case of officers and employees with five but less than  
25 10 years of service;

26 (4) two and one-half days for each full monthly  
27 pay period in the case of officers and employees with 10 years  
28 or more of service.

29 b. In determining years of service for the purposes of

1 this section there shall be included all service with the  
2 Territory and State of Alaska. Any change in the rate of  
3 accrual of annual leave by an officer or employee under the  
4 provisions of this section shall take effect as of the begin-  
5 ning of the monthly pay period following the monthly pay  
6 period in which such officer or employee completes the pre-  
7 scribed period of service.

8 c. Notwithstanding the provisions of paragraph a. of  
9 this section, an officer or employee shall be entitled to  
10 annual leave under this section only after having been em-  
11 ployed currently for a continuous period of 90 days under one  
12 or more appointments without break in service. In any case  
13 in which an officer or employee completes a period of con-  
14 tinuous employment of 90 days there shall be credited to him  
15 an amount of annual leave equal to the amount which, but for  
16 this paragraph, would have accrued under paragraph a. of this  
17 section during such period.

18 d. Annual leave may be taken by an officer or employee  
19 at any time business permits upon permission by the head of  
20 the department or agency for whom the officer or employee  
21 works, provided that each officer and employee shall, during  
22 each 12 month period, take at least five days annual leave.

23 e. The annual leave provided for in this section which  
24 is not used by an officer or employee shall accumulate for  
25 use in succeeding years until it totals not to exceed 60 days  
26 at the end of the last complete monthly pay period in any  
27 calendar year.

28 f. Terminal leave for unused annual leave shall be  
29 allowed as a lump-sum upon separation from service. Such

1 lump-sum payment shall equal the compensation that such  
2 officer or employee would have received had he remained in  
3 the service until the expiration of the period of such annual  
4 leave. If such officer or employee is reemployed in the  
5 state service prior to the expiration of the period covered  
6 by such leave payment, he shall refund to the state an amount  
7 equal to the compensation covering the period between the date  
8 of reemployment and the expiration of such leave period. The  
9 leave represented by any such refund shall be re-credited to  
10 such officer or employee by the employing department or agency.  
11 The lump-sum payment authorized by this section shall not be  
12 regarded as salary or compensation except for purposes of  
13 taxation.

14 g. Officers and employees of the State of Alaska shall  
15 be entitled to sick leave with pay which shall accrue at the  
16 rate of one and one-quarter days for each full monthly pay  
17 period. Sick leave which is not used during the year in which  
18 it accrues shall accumulate and be available for use in suc-  
19 ceeding years. No department or agency head shall grant sick  
20 leave with pay unless he is satisfied that the absent officer  
21 or employee is actually sick, and, if the absence exceeds  
22 three consecutive working days, a doctor's certificate show-  
23 ing the disability may be required. Any payment of sick  
24 leave with pay shall be reduced by the amount of any wage con-  
25 tinuation payments made under the Alaska Workmen's Compensa-  
26 tion Act. When a member or members of an officer's or  
27 employee's immediate family is afflicted with an illness re-  
28 quiring the attendance of such officer or employee, or where  
29 his presence at his job would jeopardize the health of fellow

1 employees, and either of such contingencies is supported by a  
2 doctor's certificate, such officer or employee may, with the  
3 consent of the employee's department or agency head, avail  
4 himself of sick leave with pay, within the limits prescribed  
5 by this section, the same as if he were personally ill. Upon  
6 his separation from state service, the unused sick leave of  
7 an officer or employee will be automatically cancelled without  
8 pay therefor.

9 h. Court leave shall be granted to employees who are  
10 classified as full-time, whether permanent or temporary.  
11 Officers and employees who are called to serve as jurors or  
12 subpoenaed as witnesses shall be entitled to administrative  
13 leave with pay, but compensation received or to which entitled,  
14 whichever is greater, for service as a juror or witness shall  
15 be deducted from pay to which entitled as a state officer or  
16 employee.

17 i. Maternity Leave. Female employees taking leave of  
18 absence for childbirth shall be entitled to take a total of  
19 nine weeks leave of absence immediately preceding and follow-  
20 ing childbirth. Such leave shall be charged first to sick  
21 leave and if that is not sufficient, then to annual leave,  
22 provided that after sick and annual leave have been used, that  
23 employee shall be granted leave without pay for balance of  
24 period of nine weeks.

25 j. The days of leave provided for in this section mean  
26 days upon which an officer or employee would otherwise work  
27 and receive pay, and are exclusive of holidays.

28 k. When an officer or employee terminates employment  
29 with one department, office, institution or agency of the

1 state government and is employed by another department,  
2 office, institution or agency of the state government without  
3 break in service his accumulated annual and sick leave shall  
4 transfer with him and be credited to him in the employing  
5 department, office, institution or agency.

6 1. The provisions of this section do not apply to:

7 (1) members of the state legislature, the governor  
8 the secretary of state, and justices and judges of the supreme  
9 and superior courts, but nothing in this Act shall be con-  
10 strued to diminish the salaries fixed by law for these  
11 officers by reason of absence from duty on account of illness  
12 or otherwise;

13 (2) deputy magistrates serving the state on less  
14 than a full-time basis;

15 (3) members of the teaching staff and student  
16 employees of the University of Alaska;

17 (4) certificated teachers employed by the state to  
18 teach in schools operated by the Department of Education;

19 (5) persons employed in a professional capacity to  
20 make a temporary and special inquiry, study, or examination  
21 as authorized by the governor, the legislature or a legisla-  
22 tive committee;

23 (6) members of boards, commissions and authorities  
24 who are not otherwise employed by the state;

25 (7) temporary employees hired for periods of less  
26 than 12 consecutive months.

27 m. The director of the division of personnel in the  
28 Department of Administration shall prepare and submit rules  
29 necessary to carry out the intent of this section. These

1 regulations shall be submitted to the commissioner of adminis-  
2 tration within 60 days of July 1, 1960. The commissioner of  
3 administration shall review the rules and submit them to the  
4 personnel board. The rules, or any part of the rules, will  
5 have the force and effect of law 60 days after they have been  
6 submitted to the personnel board if not disapproved by the  
7 personnel board. Amendments to the rules shall be prepared  
8 and submitted in the same manner, and will have the force and  
9 effect of law 30 days after they have been submitted to the  
10 personnel board, if not disapproved by the personnel board.  
11 The rules adopted pursuant to this section relate to the  
12 internal management of state agencies and their adoption is  
13 not subject to the provisions of the Administrative Procedure  
14 Act.

15 n. Every department, office, institution or agency of  
16 the state government shall keep for its files a complete  
17 annual and sick leave record, covering each of its employees,  
18 on forms prepared and supplied by the Department of Adminis-  
19 tration. These records shall be subject to annual audit and  
20 approval by the director of personnel of the Department of  
21 Administration.

22 Sec. 2. This Act takes effect July 1, 1960.

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