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JUNEAU, ALASKA

# Alaska State Legislature

BLUE RIBBON COMMISSION ON THE  
STATE PERSONNEL ACT

Senator Bill Ray, Chairman

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## MEMORANDUM

February 3, 1983

TO: Members of the House State Affairs Committee

FROM: Teresa B. Cramer *Teresa B. Cramer*  
Administrative Assistant

SUBJECT: House Bill 135 - Granting Court Leave to Nonpermanent Employees

The Blue Ribbon Commission received a request that it consider whether nonpermanent employees should receive court leave benefits. The person who called was working as a nonpermanent employee on a project which was expected to last for nine months. She was summoned to serve on a jury for a criminal trial. The proceedings lasted two weeks.

Nonpermanent employees are short-term classified service employees. By statute their period of service is limited to 120 calendar days or to the duration of a program or project. Short-term employees in the partially exempt and exempt services are called temporary employees. Nonpermanent employees must be hired based on their relative ability from the lists of eligibles maintained by the Division of Personnel for that job class. They are paid according to the pay rate assigned to that job class. They are not eligible for state leave, health or retirement benefits.

Most state employees continue to receive their regular salaries while serving on juries or when they are subpoenaed to serve as a witness in a court proceeding. The employee gives the state his or her jury service fee (currently \$25 a day) or witness fee. Nonpermanent and temporary employees are not entitled to this benefit. They must take leave without pay since they do not earn annual, sick or personal leave, and their only compensation is the jury service or witness fee provided by the court.

Jury service is a civic duty. All state employees should be treated equally while meeting this obligation. The Blue Ribbon Commission strongly recommends that nonpermanent and temporary employees be entitled to the same court leave benefits as other state employees.

Bill Analysis

Paragraph (7) of AS 39.20.310 denies temporary employees the leave benefits granted to other state employees. The proposed legislation amends the court leave statute to nullify the general exclusion. Temporary and nonpermanent employees would therefore be eligible to receive the court leave benefits provided other state employees.

STATE OF ALASKA  
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: HB 135 (SB 83) Date on Bill: January 28, 1983  
 Title: An Act relating to court leave for nonpermanent and temporary employees.  
 Sponsor: Rules - Legislative Council (for the Blue Ribbon Commission)  
 Requestor: House State Affairs

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

			FY 83	FY 84	FY 85	FY 86	
Capital							
Operating							
Total			-0-	-0-	-0-	-0-	

b. Revenues:

Revenue							

2. Source of funds to offset fiscal impact of bill:

3. Assumptions:

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor

Prepared By: Frank Raye *Frank Raye* Phone: 465-4430  
 Division: Personnel Date: \_\_\_\_\_  
 Approved by Commissioner: Lisa Rudd *Lisa Rudd* Date: 3/10/83  
 Department: Administration

5. Distribution:

- Original to Legislative Finance
- Copy to OMB
- Copy to Sponsor
- Copy to Requestor

2/8/83