



General Assembly

January Session, 2003

Raised Bill No. 933

LCO No. 3189

Referred to Committee on Labor and Public Employees

Introduced by:
(LAB)

AN ACT CONCERNING FAMILY AND MEDICAL LEAVE.

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

1 Section 1. Subsection (a) of section 5-247 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2003*):

4 (a) Each appointing authority shall grant [, on account of illness or
5 injury,] to each full-time employee in a permanent position in the state
6 service who has furnished satisfactory proof of [such] (1) illness or
7 injury to the employee or to a child, spouse or parent of the employee,
8 or (2) the birth or adoption of a child of the employee, such sick leave
9 with pay as has accrued to [his] the employee's credit at the rate of one
10 and one-quarter working days for each completed calendar month of
11 continuous full-time service which may be computed on an hourly
12 basis. Hourly computation of sick leave shall not diminish benefit
13 entitlement. On or before October 1, 1980, the Commissioner of
14 Administrative Services shall adopt regulations, in accordance with
15 chapter 54, concerning the accrual, prorating and granting of sick leave
16 with pay to other employees in the state service and extending sick
17 leave with pay or with part pay for longer periods to full-time

18 permanent employees disabled through illness or injury. Such
19 regulations shall specify that such other employees are entitled to use
20 any accumulated sick leave upon the birth or adoption of a child of
21 such employee, or upon the illness or injury of a child, spouse or
22 parent of such employee. Each such employee who retires under the
23 provisions of chapter 66 shall be compensated, effective as of the date
24 of [his] retirement, at the rate of one-fourth of such employee's salary
25 for sick leave accrued to [his] such employee's credit as of [his] such
26 employee's last day on the active payroll up to a maximum payment
27 equivalent to sixty days' pay. Such payment for accumulated sick leave
28 shall not be included in computing retirement income and shall be
29 charged by the State Comptroller to the department, agency or
30 institution in which the employee worked.

31 Sec. 2. Subsection (a) of section 5-248a of the general statutes is
32 repealed and the following is substituted in lieu thereof (*Effective July*
33 *1, 2003*):

34 (a) Each permanent employee, as defined in subdivision (21) of
35 section 5-196, shall be entitled to the following: (1) A maximum of
36 twenty-four weeks of family leave of absence within any two-year
37 period upon the birth or adoption of a child of such employee, or upon
38 the serious illness of a child, spouse, [or] parent or grandparent of such
39 employee, provided in the case of a grandparent, the grandparent is
40 the employee's next of kin; and (2) a maximum of twenty-four weeks
41 of medical leave of absence within any two-year period upon the
42 serious illness of such employee. Any such leave of absence shall be
43 without pay. Upon the expiration of any such leave of absence, the
44 employee shall be entitled (A) to return to the employee's original job
45 from which the leave of absence was provided or, if not available, to an
46 equivalent position with equivalent pay, except that in the case of a
47 medical leave, if the employee is medically unable to perform the
48 employee's original job upon the expiration of such leave, the
49 Personnel Division of the Department of Administrative Services shall
50 endeavor to find other suitable work for such employee in state

51 service, and (B) to all accumulated seniority, retirement, fringe benefit
52 and other service credits the employee had at the commencement of
53 such leave. Such service credits shall not accrue during the period of
54 the leave of absence.

55 Sec. 3. Subsection (b) of section 5-248a of the general statutes is
56 repealed and the following is substituted in lieu thereof (*Effective July*
57 *1, 2003*):

58 (b) The leave of absence benefits granted by this section shall be in
59 addition to any other paid leave benefits and benefits provided under
60 subdivision (7) of subsection (a) of section 46a-60 which are otherwise
61 available to the employee. Nothing in this subsection shall be
62 construed to prohibit a permanent employee from electing to
63 substitute any other accrued paid leave benefits for any part of the
64 twenty-four-week period of unpaid leave granted by this section.

65 Sec. 4. Subdivision (7) of section 31-51kk of the general statutes is
66 repealed and the following is substituted in lieu thereof (*Effective July*
67 *1, 2003*):

68 (7) "Parent" means a biological parent, foster parent, adoptive
69 parent, stepparent or legal guardian of an eligible employee or an
70 eligible employee's spouse, or an individual who stood in loco parentis
71 to an employee when the employee was a son or daughter or a
72 grandparent of an eligible employee, provided the grandparent is the
73 eligible employee's next of kin.

This act shall take effect as follows:	
Section 1	<i>July 1, 2003</i>
Sec. 2	<i>July 1, 2003</i>
Sec. 3	<i>July 1, 2003</i>
Sec. 4	<i>July 1, 2003</i>

Statement of Purpose:

To allow state employees to use sick leave for the illness or injury of a spouse, child or parent, or the birth or adoption of a child; to permit state employees to use accrued paid leave while on a family leave of absence; and to allow state employees to take a family leave of absence upon the serious illness of a grandparent, provided the grandparent is the employee's next of kin.

[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.]