



# House of Representatives

General Assembly

**File No. 38**

February Session, 2006

House Bill No. 5033

*House of Representatives, March 20, 2006*

The Committee on Labor and Public Employees reported through REP. RYAN, K. of the 139th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## **AN ACT CONCERNING PAID LEAVE FOR STATE EMPLOYEES RETURNING FROM OVERSEAS MILITARY DUTY.**

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2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2006*):

4 (c) (1) 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)] (A)  
9 Operation Enduring Freedom, [(2)] (B) Operation Noble Eagle, [(3)] (C)  
10 a related emergency operation or a military operation whose mission  
11 was substantially changed as a result of the attacks of September 11,  
12 2001, or [(4)] (D) federal action or state action authorized by the  
13 Governor in support of the federal Department of Homeland Security's  
14 Operation Liberty Shield, military operations that are authorized by

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

27 (2) In addition to the paid leave of absence provided under  
 28 subdivision (1) of this subsection after a call-up to active service, the  
 29 state employee shall be entitled to a paid leave of absence for the two-  
 30 week period beginning on the date the employee returns to the state  
 31 from overseas duty of eighteen months or longer. The Commissioner  
 32 of Administrative Services shall adopt regulations, in accordance with  
 33 the provisions of chapter 54, as necessary, to establish guidelines  
 34 concerning compliance with the provisions of this subdivision.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2006	5-259d(c)

**LAB**      *Joint Favorable*

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	All Funds - Cost	See Below	See Below

Note: All Funds=All Funds

**Municipal Impact:** None

**Explanation**

The bill requires that state employees be given a paid two-week leave of absence when they return from overseas military service of 18 months or longer. This bill will result in a cost to the state.

There are approximately 112 state employees currently on military leave. It is not known how many of these 112 employees would meet the bill’s eligibility requirements for the paid two-week leave of absence.

The costs to the state are twofold; the cost of the two-week paid leave and the potential cost of overtime or temporary personnel to cover the work responsibilities of the employee on paid leave.

Under the bill, if a state employee earning \$50,000 annually is awarded the two-week paid leave of absence, the cost to the state is \$1,916 (\$50,000 annual salary/26.1 pay periods).

The second portion of the cost is the replacement cost, which is the cost to cover the job responsibilities of the employee on leave. If the employee in the above example worked at the Department of Correction<sup>1</sup> or the Department of Public Safety<sup>2</sup>, the replacement cost to the state would be at least \$1,916 (the replacement worker’s salary

<sup>1</sup> There are currently 25 Department of Correction employees on military leave.

<sup>2</sup> There are 5 Department of Public Safety employees currently on military leave.

for two weeks); or possibly higher, if overtime was used to cover the employee's shift.

If the employee on paid leave of absence worked an administrative or clerical position state agencies may not incur any replacement costs as the workload of the employee on leave may be absorbed among co-workers.

### ***The Out Years***

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

**OLR Bill Analysis**  
**HB 5033**

***AN ACT CONCERNING PAID LEAVE FOR STATE EMPLOYEES  
RETURNING FROM OVERSEAS MILITARY DUTY.***

**SUMMARY:**

This bill gives state employees a two-week paid leave of absence from state service when they return from 18 months or more of overseas military service. The leave begins on the date the employee returns to the state.

The bill applies to state employees called up to active overseas service for (1) Operation Enduring Freedom (Afghanistan war), (2) Operation Noble Eagle (anti-terrorism activities within the United States), (3) a related military or emergency operation whose mission was substantially changed due to the September 11, 2001 terrorist attacks, (4) military action against Iraq authorized by the President, or (5) federal action or state action authorized by the governor supporting the federal Department of Homeland Security's Operation Liberty Shield or other anti-terrorism efforts within the United States.

The administrative services commissioner must adopt regulations establishing guidelines to implement the bill.

Current law gives state employees in military service: (1) 30 days paid leave and (2) when a state employee's military pay is less than his state pay, pays the differential between his military and state pay for the duration of the call-up beginning at the end of the 30-day fully paid leave

EFFECTIVE DATE: October 1, 2006

**COMMITTEE ACTION**

Labor and Public Employees Committee

Joint Favorable

Yea 13 Nay 0 (03/07/2006)