



House Bill No. 5111

Public Act No. 08-15

AN ACT CONCERNING STATE EMPLOYEES' LEAVE TIME AND MILITARY SERVICE.

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

Section 1. Subsection (c) of section 5-259d of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

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military action as part of Operation Jump Start at the border of the United States and Mexico, shall continue to accrue all vacation time, equivalent leave time and sick time to which the employee would be entitled if he or she had continued working in his or her state position during the time of such active service, and shall be credited with such accrued vacation time, equivalent leave time or sick time, except that if the accrual of such vacation time, equivalent leave time or sick time pursuant to this subsection while on active service would cause the employee to exceed any limit on leave time pursuant to any provision of the general statutes, the regulations of Connecticut state agencies or a collective bargaining agreement, the limit shall be temporarily waived to allow the employee to use the excess leave time before the later of the following: (A) From the date of the state employee's discharge from active service until the state employee returns to state employment, (B) not later than one hundred twenty calendar days after the state employee returns to state employment, [or] (C) not later than one hundred twenty calendar days after the state employee is credited with such excess leave time, or (D) for state employees in teaching or professional positions in Unified School District #1 established pursuant to section 18-99a within the Department of Correction who were credited with equivalent leave time pursuant to this section, not later than one year after the employee is credited with such excess leave time. The employee shall be entitled to a leave of absence with pay as provided in section 27-33 from the date on which the employee was called to active service. After the expiration of such leave of absence with pay, the state employee shall receive part pay for the duration of such call-up to active service if the compensation received by the state employee for such active service is less than the employee's base rate of pay, plus longevity, in the employee's primary position. The state employee shall not be required to exhaust accrued vacation time, equivalent leave time or sick time in order to be eligible for the paid leave of absence and part pay under this subsection. As used in this section, "equivalent leave time" means leave time classified

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as other than vacation time or sick time and includes, but is not limited to, leave time classified as recess rather than vacation time.

Approved April 29, 2008