



House of Representatives

General Assembly

File No. 374

February Session, 2024

Substitute House Bill No. 5469

House of Representatives, April 9, 2024

The Committee on Labor and Public Employees reported through REP. SANCHEZ, E. of the 24th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING FLEXIBLE HOLIDAYS FOR STATE EMPLOYEES.

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

1 Section 1. Section 5-250 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2024*):

3 (a) Each appointing authority shall grant to each full-time employee
4 in a permanent position in the state service, who has worked at least one
5 full calendar year, an annual vacation with pay of twenty-one
6 consecutive calendar days or its equivalent. Each such employee who
7 has completed twenty years of service shall be entitled to one day for
8 each additional year up to twenty-five years of service, and each such
9 employee with twenty-five or more years of service shall be entitled to
10 not more than twenty days' vacation, subject to regulations issued by
11 the Commissioner of Administrative Services. The Commissioner of
12 Administrative Services may adopt regulations, in accordance with the
13 provisions of chapter 54, concerning the accrual, prorating and granting

14 of vacation leave with pay as required. Computation of such vacation
15 leave may be made on an hourly basis. Hourly computation of vacation
16 leave shall not diminish benefit entitlement.

17 (b) An appointing authority may permit a full-time permanent
18 employee in the state service to accumulate vacation days with pay up
19 to a maximum of one hundred twenty vacation days, subject to
20 regulations issued by the Commissioner of Administrative Services.

21 (c) In addition to annual vacation, each appointing authority shall
22 grant to each full-time permanent employee in the state service three
23 days of personal leave of absence with pay in each calendar year.
24 Personal leave of absence shall be for the purpose of conducting private
25 affairs, including observance of religious holidays, and shall not be
26 deducted from vacation or sick leave credits. Personal leave of absence
27 days not taken in a calendar year shall not be accumulated.

28 (d) In addition to annual vacation, each appointing authority shall
29 permit each full-time permanent employee in the state service to
30 substitute two flexible holidays for two legal holidays, designated
31 pursuant to section 1-4, with pay in each calendar year. Flexible holidays
32 may be used for any reason an employee deems necessary, including,
33 but not limited to, religious holidays and cultural festivities and shall
34 not be deducted from vacation or sick leave credits. An employee may
35 use a flexible holiday, provided such employee substitutes a current
36 legal holiday for such flexible holiday and works on such legal holiday.
37 No appointing authority may restrict which legal holiday an employee
38 may substitute in order to use such flexible holiday. Flexible holidays
39 not taken in a calendar year shall not be accumulated. The
40 Commissioner of Administrative Services shall adopt regulations, in
41 accordance with the provisions of chapter 54, concerning the
42 implementation of the provisions of this subsection.

43 [(d)] (e) Vacation accruals earned by employees in the unclassified
44 service, in accordance with administrative practice or internal
45 departmental policy, which accrual practice or policy was included, by
46 the appointing authority, in the terms of employment on the basis of

47 which such employees were employed prior to July 1, 1972, and which
48 accruals have not been used and which can be verified by written
49 attendance records, remain to the credit of such employees for use as
50 vacation time or for payment as provided in section 5-252, as the case
51 may be.

52 [(e)] (f) Notwithstanding the provisions of this section, a general
53 worker employed in a position by the Department of Developmental
54 Services as a self-advocate, not to exceed eleven such general workers,
55 shall be eligible for prorated vacation and personal leave.

56 Sec. 2. Subsection (c) of section 51-12 of the general statutes is
57 repealed and the following is substituted in lieu thereof (*Effective October*
58 *1, 2024*):

59 (c) Notwithstanding the provisions of this section, subsection (c) of
60 section 5-247 and subsection [(d)] (e) of section 5-250, as amended by
61 this act, sick leave accruals earned by employees of the Judicial
62 Department prior to June 30, 1967, may be credited for payment on
63 retirement under regulations promulgated by the judges of the Supreme
64 Court pursuant to the provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2024</i>	5-250
Sec. 2	<i>October 1, 2024</i>	51-12(c)

Statement of Legislative Commissioners:

Section 1(d) was rewritten for consistency with standard drafting conventions.

LAB *Joint Favorable Subst. -LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 25 \$	FY 26 \$
Various State Agencies	All Funds - Cost/Savings	Minimal	Minimal

Note: All Funds=All Funds

Municipal Impact: None

Explanation

The bill, which allows full-time state employees to substitute up to two of their state holidays for up to two flexible holidays of their choice within the same fiscal year, results in a minimal net impact to the state.

The Out Years

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

OLR Bill Analysis**sHB 5469*****AN ACT CONCERNING FLEXIBLE HOLIDAYS FOR STATE EMPLOYEES.*****SUMMARY**

This bill generally allows full-time permanent state employees to take two flexible paid holidays each calendar year, as long as they work on two legal holidays instead. They may use the flexible holidays for any reason they need, including religious holidays and cultural festivals, with no restrictions on which legal holidays they may replace with their flexible holidays (it unclear how this provision would apply to positions that require on-site work if the work site is closed for the legal holiday).

Under the bill, a flexible holiday cannot be deducted from an employee's vacation or sick leave credits, and unused flexible holidays in a calendar year do not accumulate. The bill requires the administrative services commissioner to issue regulations to implement the bill's provisions.

By law, the state's legal holidays include New Year's Day, Martin Luther King, Jr. Day, Lincoln Day, Washington's Birthday, Memorial Day, Juneteenth Independence Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Christmas, and any days designated by the governor or the U.S. President as a day of thanksgiving, fasting, or religious observance (CGS § 1-4).

(Because collective bargaining agreements set the terms for paid holidays for most state employees, and supersede any conflicting provisions in state statute (CGS § 5-278(e)), it appears that the bill's provisions would apply only to full-time permanent state employees who are not covered by a collective bargaining agreement.)

EFFECTIVE DATE: October 1, 2024

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable

Yea 11 Nay 1 (03/21/2024)