

SHORT TITLE: State government; authorizing lump sum for sick leave that is carried over from one year to the next.

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

SENATE BILL NO. 629

By: Long (Lewis)

AS INTRODUCED

An Act relating to state government; amending 74 O.S. 1991, Section 840.7a, as amended by Section 3, Chapter 367, O.S.L. 1992 (74 O.S. Supp. 1993, Section 840.7a), allowing lump sum to be paid to state employees for unused sick leave under certain conditions; construing section of law; and declaring an emergency.

SECTION 1. AMENDATORY 74 O.S. 1991, Section 840.7a, as amended by Section 3, Chapter 367, O.S.L. 1992 (74 O.S. Supp. 1993, Section 840.7a), is amended to read as follows:

Section 840.7a The Administrator of the Office of Personnel Management shall promulgate such emergency and permanent rules regarding annual leave and sick leave as are necessary to assist the state and its agencies in the equitable implementation of the State Disability Insurance Program. Such rules shall be so designed as to provide for coordination between leave accrual, leave accumulation, leave use, and eligibility for disability insurance coverage, such disability insurance coverage to be determined by the State Employees Group Health, Dental and Life Insurance Board. Beginning fiscal year 1994, any state employee or school teacher who does not use the amount of sick leave accrued in a twelve-month period shall be paid a lump sum of Fifteen Dollars (\$15.00) for each day, up to ten (10) days, for such leave. Provided, nothing in this provision

shall be construed as decreasing the number of sick leave days which an employee is entitled to accrue or accumulate.

The Office of Personnel Management, in adopting new rules, amending rules and repealing rules, shall ensure that the following provisions are incorporated:

1. Eligible employees who enter on duty or who are reinstated after a break in service shall receive leave benefits in accordance with the schedule outlined below. Leave will be accrued on a monthly basis and prorated, as appropriate, for less than full-time service.

2.	ACCRUAL RATES			ACCUMULATION
				LIMITS
	Years of	Annual	Sick	Annual
	<u>Services</u>	<u>Leave</u>	<u>Leave</u>	<u>Leave</u>
Persons employed	0-5 yrs =	15 day/yr	15 days	30 days
	5-20 yrs =	18 day/yr	per year	60 days
	over 20 yrs =	20 day/yr		60 days

All accrued annual leave and all leave eligibility under O.A.C. 530:10-15-11(b) (5) which is in excess of annual leave limits shall not be reduced or eliminated as a result of these rule changes.

3. Employees entering on duty in eligible status and eligible employees reinstated or reemployed following a break in service on or after July 1, 1985, shall accrue annual and sick leave in accordance with the provisions of paragraph 2 of this section on and after the effective date of this act, Section 840.1 et seq. of this title, but shall not be entitled to any additional leave for the period between July 1, 1985, and the effective date of this act as a result of the provisions of this act.

4. Temporary employees and other limited term employees are ineligible to accrue, use, or be paid for sick leave and annual leave. Such employees shall be eligible for paid holiday leave at the discretion of the appointing authority.

5. This act is not intended to mandate the amendment of any rule of the Office of Personnel Management except as provided herein.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

44-2-1531

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