

SENATE BILL 147

P4

4lr1095

By: **Senator Manno**

Introduced and read first time: January 10, 2014

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **State Personnel – Employees in Legislative Branch of State Government –**
3 **Sick Leave Incentive Program**

4 FOR the purpose of altering the applicability of certain provisions of law governing the
5 Sick Leave Incentive Program for State employees to include employees in the
6 Legislative Branch of State government; and generally relating to legislative
7 employees and the Sick Leave Incentive Program.

8 BY repealing and reenacting, with amendments,
9 Article – State Personnel and Pensions
10 Section 9–1201
11 Annotated Code of Maryland
12 (2009 Replacement Volume and 2013 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article – State Personnel and Pensions
15 Section 9–1202 through 9–1204
16 Annotated Code of Maryland
17 (2009 Replacement Volume and 2013 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article – State Personnel and Pensions**

21 9–1201.

22 Except as otherwise provided, this subtitle applies to employees **IN THE**
23 **LEGISLATIVE BRANCH OF STATE GOVERNMENT, EMPLOYEES** in the State

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Personnel Management System, and employees in the Transportation Service Human
2 Resources Management System.

3 9–1202.

4 (a) There is a Sick Leave Incentive Program for State employees that allows
5 for the payment for unused sick leave.

6 (b) The Secretary shall adopt regulations to administer the Program.

7 (c) A unit that participates in this Program shall submit to the Secretary at
8 the end of each calendar year a report that includes:

9 (1) the number of employees receiving payment for unused sick leave;

10 (2) the total payment received by employees;

11 (3) the number of unused sick leave hours exchanged for payment;

12 (4) the total sick leave hours used during the calendar year; and

13 (5) any estimated overtime savings as a result of this Program.

14 9–1203.

15 (a) The Sick Leave Incentive Program consists of the following two
16 incentives:

17 (1) payment for up to 40 hours of unused sick leave per calendar year
18 if an employee has used no more than 40 hours of sick leave during the calendar year
19 and has a sick leave balance of at least 240 hours on December 31 of that calendar
20 year; and

21 (2) payment for up to 56 hours of unused sick leave per calendar year
22 if an employee has used no more than 24 hours of sick leave during the calendar year
23 and has a sick leave balance of at least 240 hours on December 31 of that calendar
24 year.

25 (b) To be eligible for the Program, an employee shall maintain a sick leave
26 balance of at least 240 hours after payment is received for leave.

27 (c) (1) For the purpose of determining eligibility for the Program, the
28 following use of leave does not qualify as sick leave usage:

29 (i) sick leave that is used for a death in the immediate family;

1 (ii) sick leave that is donated to another employee in accordance
2 with the provisions of the Employee-to-Employee Leave Donation Program;

3 (iii) sick leave that is donated to the State Employees' Leave
4 Bank; and

5 (iv) sick leave that is taken in accordance with the Family and
6 Medical Leave Act.

7 (2) Leave used for the purpose stated in paragraph (1)(iv) of this
8 subsection shall not be used to determine an employee's leave balance under
9 subsection (b) of this section.

10 9-1204.

11 The payment, sick leave usage rate, and sick leave balance for a part-time
12 employee will be prorated based on the employee's percentage of employment.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 July 1, 2014.