

As Engrossed: 3/26/93 4/1/93

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative Wooldridge**

A Bill

HOUSE BILL 1311

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 21-4-102 TO PROVIDE THAT
9 WHEN AN EMPLOYEE OF ANY POLITICAL SUBDIVISION OF THIS
10 STATE IS ON MILITARY LEAVE, THE EMPLOYEE SHALL RECEIVE THE
11 DIFFERENCE BETWEEN THE EMPLOYEE_S REGULAR SALARY AND THE
12 MILITARY SALARY; AND FOR OTHER PURPOSES."

Subtitle

14 "LOCAL EMPLOYEES' PAY WHILE ON MILITARY LEAVE."

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

19 SECTION 1. Arkansas Code 21-4-102 is amended to read as follows:

20 "21-4-102. (a) All employees of the state, as defined in § 21-4-203 or
21 any of its political subdivisions who desire to take a leave of absence for
22 the purpose of participating in the military training programs made available
23 by the National Guard or any of the reserve branches of the armed forces and
24 all state employees who are members of the Reserve Corps of the Public Health
25 Service who desire to take a leave of absence for the purpose of participating
26 in the civil defense and public health training programs made available by the
27 United States Public Health Service shall be entitled to such a leave of
28 absence for a period of fifteen (15) days plus necessary travel time for
29 annual training requirements or other duties performed in an official duty
30 status in any one (1) calendar year. To the extent this leave is not used in a
31 calendar year, it will accumulate for use in the succeeding calendar year
32 until it totals fifteen (15) days at the beginning of the calendar year.

33 (b) (1) Whenever any state employee is granted a leave of absence under
34 the provisions of this section, the employee shall be entitled to the
35 employee_s regular salary during the time the employee is away from the

1 employee_s duties during such leave of absence. Whenever an employee of a
2 political subdivision is granted a leave of absence under the provisions of
3 this section, the employee shall receive the difference between the employee_s
4 regular salary and the employee_s military salary during the leave of absence
5 for annual military training if the military salary is less than the regular
6 salary or the employee shall receive the regular salary during the time the
7 employee is away from the employee_s duties during such leave of absence.

8 (2) Such leave of absence shall be in addition to the regular
9 vacation time allowed to the employee.

10 (c)(1) Employees called to duty in emergency situations by the Governor
11 or by the President shall be granted leave with pay as prescribed in
12 subsection (b)(1) of this section. This leave shall be granted in addition to
13 all other leave the employee shall be entitled to.

14 (2) 'Emergency situations' shall have the same meaning as it is
15 defined in § 21-4-212.

16 (d)(1) During a leave of absence, the employee shall be entitled to
17 preserve all seniority rights, efficiency or performance ratings, promotional
18 status, retirement privileges, life and disability insurance benefits, and any
19 other rights, privileges, and benefits to which they have become entitled.

20 (2) The period of military service shall, for purposes of computations to
21 determine whether such person may be entitled to retirement benefits, be
22 deemed continuous service and the employee shall not be required to make
23 contributions to any retirement fund.

24 (3) The state or political subdivision shall continue to contribute their
25 portion of any life or disability insurance premiums during the leave of
26 absence on behalf of the employee, if requested, so that continuous coverage
27 may be maintained.

28 (e) Whenever any employee of a political subdivision is granted military
29 leave for a period of fifteen (15) days per calendar year or fiscal year,
30 under the provisions of this section, the military leave will accumulate for
31 use in succeeding calendar years or fiscal years until it totals fifteen (15)
32 days at the beginning of the calendar year or fiscal year, for a maximum
33 number of military leave days available in any one (1) calendar year or fiscal
34 year to be thirty (30) days."

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1 SECTION 2. All provisions of this act of a general and permanent nature
2 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
3 Revision Commission shall incorporate the same in the Code.

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5 SECTION 3. If any provision of this act or the application thereof to
6 any person or circumstance is held invalid, such invalidity shall not affect
7 other provisions or applications of the act which can be given effect without
8 the invalid provision or application, and to this end the provisions of this
9 act are declared to be severable.

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11 SECTION 4. All laws and parts of laws in conflict with this act are
12 hereby repealed.

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/s/Rep. Woolridge

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