

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

A Bill

SENATE BILL 264

5 By: Senators Wilkinson, Argue
6 By: Representatives Verkamp, Blair, Fite
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For An Act To Be Entitled

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9
10 AN ACT TO AMEND THE UNIFORM ATTENDANCE AND LEAVE
11 POLICY ACT FOR STATE EMPLOYEES TO PROVIDE A
12 DIFFERENT RATE OF ANNUAL AND SICK LEAVE FOR FIRE
13 AND EMERGENCY SERVICE EMPLOYEES; AND FOR OTHER
14 PURPOSES.

Subtitle

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16
17 TO AMEND THE UNIFORM ATTENDANCE AND
18 LEAVE POLICY ACT FOR STATE EMPLOYEES TO
19 PROVIDE A DIFFERENT RATE OF ANNUAL AND
20 SICK LEAVE FOR FIRE AND EMERGENCY
21 SERVICE EMPLOYEES.
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23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 21-4-204(a), concerning the annual leave
27 for state employees under the Uniform Attendance and Leave Policy Act, is
28 amended to read as follows:

29 (a)(1) ~~Each~~ Except for the employees under subdivision (a)(2) of this
30 section, each permanent or probationary employee shall be entitled to annual
31 leave with full pay computed on the basis of the following schedule for each
32 complete month of service including the probationary period:

33 Through 3 years 1 day per month
34 3 through 5 years 1 day and 2 hours per month
35 5 through 12 years 1 day and 4 hours per month
36 12 through 20 years 1 day and 6 hours per month



1 Over 20 years1 day and 7 hours per month.

2 (2) Each fire and emergency service employee who is exempt from
3 overtime under Section 7(k) of the Fair Labor Standards Act of 1938 (29 USC §
4 207(k)) is entitled to annual leave with full pay computed on the basis of
5 the following schedule for each complete month of service:

- 6 Through 3 years1 day and 4 hours per month
- 7 3 through 5 years1 day and 7 hours per month
- 8 5 through 12 years2 days per month
- 9 12 through 20 years2 days and 3 hours per month
- 10 Over 20 years2 days and 5 hours per month.

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12 SECTION 2. Arkansas Code § 21-4-204(e), concerning the annual leave
13 for state employees under the Uniform Attendance and Leave Policy Act, is
14 amended to read as follows:

15 (e)(1)(A) Annual leave shall be cumulative. No employee shall have
16 more than thirty (30) days annual leave accumulated at the end of each
17 calendar year. However, the thirty-day accumulative annual leave may exceed
18 thirty (30) days prior to the end of the calendar year.

19 (B) No fire or emergency service employee under
20 subdivision (a)(2) of this section shall accumulate annual leave to have more
21 than forty-five (45) days at the end of the each calendar year, except that
22 the 45-day maximum of cumulative annual leave may exceed forty-five (45) days
23 during the calendar year.

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25 SECTION 3. Arkansas Code § 21-4-207(a), concerning sick leave for
26 state employees under the Uniform Attendance and Leave Policy Act, is amended
27 to read as follows:

28 (a)(1)(A) ~~Each~~ Except for the employees under subdivision (a)(1)(B) of
29 this section, each permanent or probationary employee shall be entitled to
30 sick leave with full pay computed on the basis of one (1) day for each
31 complete month of service including the probationary period.

32 (B) Each fire and emergency service employee who is exempt
33 from overtime under Section 7(k) of the Fair Labor Standards Act of 1938 (29
34 USC § 207(k)) is entitled to sick leave with full pay computed on the basis
35 of one (1) day and four (4) hours for each complete month of service.

36 ~~(1)(2)(A)~~ Only one hundred twenty (120) days of sick leave may

1 be carried over at the end of the calendar year.

2 (B)(i) Fire and emergency service employees under
3 subdivision (a)(1)(B) of this section may accumulate one hundred and eighty
4 (180) days of sick leave to carry over at the end of the calendar year.

5 (ii) However, payments to fire or emergency service
6 employees for unused leave at retirement under §§ 21-4-501 through 21-4-504
7 shall be calculated at the 120-day maximum rate for regular state employees.

8 ~~(2)(A)~~(3)(A) An employee shall be required to furnish a
9 certificate from an attending physician for five (5) or more consecutive days
10 of sick leave. An agency which has a written procedure to identify patterns
11 of sick leave usage may require an employee to furnish a certificate from an
12 attending physician for any use of sick leave.

13 (B) A certificate from a Christian Science practitioner
14 listed in The Christian Science Journal may be submitted in lieu of a
15 physician's certificate.

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