

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

HOUSE BILL 1895

5 By: Representative Catlett
6

For An Act To Be Entitled

8 AN ACT TO ALLOW CERTAIN EMPLOYEES TO DONATE ACCRUED
9 SICK LEAVE OR ACCRUED ANNUAL LEAVE TO ANOTHER
10 EMPLOYEE WHO IS EMPLOYED BY THE SAME STATE EMPLOYER
11 AND HAS A SEVERE ILLNESS OR HAS AN IMMEDIATE FAMILY
12 MEMBER WHO IS SEVERELY ILL; AND FOR OTHER PURPOSES.
13
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Subtitle

15 TO ALLOW CERTAIN EMPLOYEES TO DONATE
16 ACCRUED SICK LEAVE OR ACCRUED ANNUAL
17 LEAVE TO ANOTHER EMPLOYEE WHO IS EMPLOYED
18 BY THE SAME STATE EMPLOYER AND HAS A
19 SEVERE ILLNESS OR HAS AN IMMEDIATE FAMILY
20 MEMBER WHO IS SEVERELY ILL.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 21-4-203, concerning the definitions used
27 in the Uniform Attendance and Leave Policy Act, is amended to add additional
28 subdivisions to read as follows:

29 (15) "Immediate family member" means:

30 (A) An employee's father, mother, sister, brother,
31 husband, wife, child, grandmother, grandfather, grandchild, in-laws; and

32 (B) An individual acting as parent or guardian of an
33 employee;

34 (16) "Shared leave" means the donation of an employee's earned
35 sick leave or earned annual leave to another employee who;

36 (A) Is suffering from a severe illness; or



1 (B) Has an immediate family member suffering from a severe
 2 illness.

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 4 SECTION 2. Arkansas Code § 21-4-207(f)(1), concerning absences due to
 5 sick leave, is amended to read as follows:

6 (f)(1) Except in the case of maternity leave, absences due to sick
 7 leave shall be charged in the following order:

- 8 (A) Earned sick leave;
- 9 (B) Earned annual leave;
- 10 (C) Shared leave, when authorized;
- 11 ~~(G)~~(D) Catastrophic leave, when authorized; and
- 12 ~~(D)~~(E) Leave without pay, when authorized.

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 14 SECTION 3. Arkansas Code Title 21, Chapter 4, Subchapter 2, is amended
 15 to add an additional section to read as follows:

16 21-4-217. Shared leave.

17 (a) As used in this section, "employee" means a person regularly
 18 appointed or employed in a position of state service by a governmental entity
 19 listed in subdivision (b)(1) of this section for which he or she is
 20 compensated on a full-time basis.

21 (b) An employee is eligible to obtain shared leave if the employee
 22 has:

23 (1) Been continuously employed for more than one (1) year by
 24 the:

- 25 (A) Same state agency;
- 26 (B) General Assembly;
- 27 (C) Bureau of Legislative Research;
- 28 (D) Division of Legislative Audit; or
- 29 (E) Arkansas State Highway and Transportation Department;

30 (2) Applied in writing for shared leave; and

31 (3) Received written approval for shared leave from his or her
 32 employer.

33 (c) If shared leave is granted to an employee under this section, the
 34 employee shall use the shared leave after the employee uses the following:

- 35 (A) Earned sick leave;
- 36 (B) Earned annual leave; and

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(C) Earned compensatory leave.

(d)(1) An employee is eligible as a donor of shared leave when the employee:

(A) Is employed by the same employer as the employee receiving shared leave; and

(B) Has cumulative earned sick leave and earned annual leave in excess of eighty (80) hours.

(2) A donation of leave as shared leave must be approved in writing by the donating employee's employer.

(3) An employee donating shared leave may donate only the amount of earned sick leave or earned annual leave that will not cause the donating employee's cumulative earned sick leave and earned annual leave to be less than eighty (80) hours.