

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

As Engrossed: S1/21/03 H2/11/03

A Bill

Act 194 of 2003
SENATE BILL 11

5 By: Senator J. Jeffress
6
7

For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE § 21-4-214 TO ALLOW
10 STATE AGENCY DIRECTORS TO WAIVE THE MINIMUM LEAVE
11 REQUIREMENT FOR EMPLOYEE ELIGIBILITY FOR
12 CATASTROPHIC SICK LEAVE; AND FOR OTHER PURPOSES.
13

Subtitle

14 TO ALLOW STATE AGENCY DIRECTORS TO WAIVE
15 THE MINIMUM LEAVE REQUIREMENT FOR
16 EMPLOYEE ELIGIBILITY FOR CATASTROPHIC
17 SICK LEAVE.
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20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Arkansas Code § 21-4-214(d), concerning the catastrophic
24 leave program for state employees, is amended to read as follows:

25 (d) An employee may be eligible for catastrophic leave when:

26 (1) The employee has been employed by the state for more than
27 two (2) years;

28 (2)(A) At Unless the combined sick and annual leave requirement
29 is waived under subdivision (d)(2)(B) of this section, at the onset of the
30 illness or injury the employee had to his or her credit at least eighty (80)
31 hours of combined sick and annual leave and has exhausted all such leave.

32 (B) A state agency director or a president of an
33 institution of higher education may waive the minimum eighty-hour requirement
34 for combined sick and annual leave if the agency director determines the
35 employee warrants eligibility because of extraordinary circumstances under
36 the standards and guidelines promulgated under subdivision (f)(2) of this



1 section;

2 (3) An acceptable medical certificate from a physician
3 supporting the continued absence is on file; and

4 (4) The employee has not been disciplined for any leave abuse
5 during the past two (2) years.

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7 SECTION 2. Arkansas Code § 21-4-214(f), concerning the catastrophic
8 leave program for state employees, is amended to read as follows:

9 (f)(1) The Director of the Department of Finance and Administration,
10 or his designee, shall promulgate necessary rules and regulations as deemed
11 necessary to carry out the provisions of this section.

12 (2) The Director of the Department of Finance and
13 Administration, or the director's designee, shall specifically promulgate
14 rules and regulations to prescribe the standards and guidelines of the
15 extraordinary circumstances that the state agency director or the president
16 of an institution of higher education may use to waive the minimum
17 requirement for combined sick and annual leave.

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19 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
20 General Assembly of the State of Arkansas that certain state employees with
21 severe illnesses are being denied time off to deal with those illnesses; that
22 the employees are in dire need of relief from the strict requirements of the
23 catastrophic leave law; that by denying them the time off an unnecessary
24 hardship has befallen those public employees; and that this act is
25 immediately necessary because of the immediate need for time off for those
26 employees. Therefore, an emergency is declared to exist and this act being
27 immediately necessary for the preservation of the public peace, health and
28 safety shall become effective on:

29 (1) The date of its approval by the Governor;

30 (2) If the bill is neither approved nor vetoed by the Governor, the
31 expiration of the period of time during which the Governor may veto the bill;
32 or

33 (3) If the bill is vetoed by the Governor and the veto is overridden,
34 the date the last house overrides the veto.

35
36 /s/ J. Jeffres

APPROVED: 2/21/2003s