

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

Act 835 of 2003  
HOUSE BILL 2220

5 By: Representative Ferguson  
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## For An Act To Be Entitled

8 AN ACT TO AMEND THE UNIFORM ATTENDANCE AND LEAVE  
9 POLICY ACT TO ALLOW THE USE OF SICK LEAVE FOR A  
10 SERIOUS ILLNESS OF A GRANDCHILD; AND FOR OTHER  
11 PURPOSES.  
12

## Subtitle

13 TO AMEND THE UNIFORM ATTENDANCE AND  
14 LEAVE POLICY ACT.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 21-4-206(b), concerning sick leave for  
22 employees, is amended to read as follows:

23 (b) Sick leave may also be granted employees due to a death or serious  
24 illness of a member of the employee's immediate family. For the purposes of  
25 this subsection, "immediate family" shall mean the father, mother, sister,  
26 brother, husband, wife, child, grandmother, grandfather, grandchild, in-laws,  
27 or any individual acting as parent or guardian of an employee.  
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29 SECTION 2. Arkansas Code § 21-4-207(e)(1), concerning the accrual and  
30 use of sick leave, is amended to read as follows:.

31 (e)(1) Sick leave may not be accumulated during a period of leave  
32 without pay when such leave is for ~~more than~~ ten (10) or more days within a  
33 calendar month.  
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35 SECTION 3. Arkansas Code § 21-4-210(a) - (c), concerning leave of  
36 absence without pay, is amended to read as follows:



1 (a) A ~~permanent or probationary~~ state employee, upon application in  
 2 writing to and upon a written approval by the agency director, may be  
 3 eligible to obtain a continuous leave of absence without pay up to six (6)  
 4 months, unless granted in accordance with § 21-4-212 or a determination by  
 5 the agency director that the leave of absence without pay request of the  
 6 state employee would cause an undue hardship on the agency. At the  
 7 expiration of such leave, the employee shall be reinstated in the service  
 8 without loss of any of his ~~rights~~ benefits, or extend the leave of absence  
 9 without pay up to an additional six (6) months unless the agency director has  
 10 determined that reinstatement or continuing the leave without pay status of  
 11 the state employee would cause an undue hardship on the agency or the  
 12 position is no longer available due to a budgetary reduction in staff of the  
 13 agency.

14 (b) Failure on the part of an employee to report promptly at the  
 15 expiration of the leave of absence except for satisfactory reasons submitted  
 16 in advance shall be a cause for dismissal.

17 (c)(1) Leave of absence without pay, except in accordance with § 21-4-  
 18 212 and in the case of maternity leave, shall not be granted until all of the  
 19 employee's accumulated annual leave has been exhausted. However, an agency  
 20 may place an employee in a leave without pay status for disciplinary reasons  
 21 in accordance with the agency's written and publicized personnel policy, due  
 22 to inclement weather as designated by state policy, or due to necessary  
 23 budget reduction as determined by the state agency director.

24 (2) Leave of absence without pay due to illness shall not be  
 25 granted until all of the employee's accumulated sick leave has been  
 26 exhausted.

27 (3) In the case of maternity leave, the employee may elect to  
 28 take leave of absence without pay without exhausting accumulated annual and  
 29 sick leave.

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31 SECTION 4. Arkansas Code § 21-4-213 is amended to read as follows:  
 32 21-4-213. Court and jury leave.

33 Any employee serving as a ~~witness or juror or party litigant or~~  
 34 subpoenaed as a witness to give a deposition in a court or hearing, not  
 35 involving personal litigation or service as a paid expert witness outside the  
 36 scope of state employment, shall be entitled to full compensation in addition

1 to any fees paid for such services, and such services or necessary  
2 appearances in any court shall not be counted as annual leave.

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4 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the  
5 General Assembly of the State of Arkansas that the provisions of this act are  
6 needed to comply with the federal guidelines concerning uniform attendance  
7 and leave policies; that this act should become effective at the beginning of  
8 the fiscal year; and that this act is immediately necessary to prevent  
9 confusion and uncertainty for state employees. Therefore, an emergency is  
10 declared to exist and this act being necessary for the preservation of the  
11 public peace, health, and safety shall become effective on July 1, 2003.

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14 APPROVED: 3/27/2003  
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