

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.

Act 1828 of the Regular Session

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005  
4

As Engrossed: S3/29/05

**A Bill**

SENATE BILL 1176

5 By: Senator Womack  
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**For An Act To Be Entitled**

9 AN ACT TO CLARIFY THE TERM "WORKING DAY" AS IT  
10 APPLIES TO THE AMOUNT OF SICK LEAVE GRANTED TO  
11 MUNICIPAL FIREFIGHTERS; AND FOR OTHER PURPOSES.  
12

**Subtitle**

14 TO CLARIFY THE LAW GRANTING SICK LEAVE  
15 TO MUNICIPAL FIREFIGHTERS.  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. Arkansas Code § 14-53-108 is amended to read as follows:

21 14-53-108. Uniform sick leave.

22 (a)(1)(A) From and after April 11, 1969, all firefighters employed by  
23 cities of the first class and cities of the second class shall accumulate  
24 sick leave in accordance with a municipal ordinance at the rate of not less  
25 than ten (10) working days, or more than twenty (20) working days per year  
26 beginning one (1) year after the date of employment.

27 (B) As used in this section, "working day" means that  
28 period of time a firefighter is on duty within a twenty-four-hour period. If  
29 the firefighter is on duty for twelve (12) hours or more in a twenty-four  
30 (24) hour period, a working day shall be not less than twelve (12) hours or  
31 more than twenty-four (24) hours.

32 (C) The number of days of sick leave in effect for fire  
33 fighters employed by cities of the first class and cities of the second class  
34 on January 1, 2005, shall remain in effect until changed by authority of a  
35 municipal ordinance, and nothing in this section shall be construed to



1 require a reduction in the level of sick leave below the rate of twenty (20)  
2 working days per year or the rate in effect on that date.

3 (2) *If unused, sick leave shall accumulate to a maximum of ~~sixty~~*  
4 *~~(60) days~~ one thousand four hundred forty (1440) hours unless the city, by*  
5 *ordinance, authorizes the accumulation of a greater amount, in no event to*  
6 *exceed a maximum accumulation of ~~ninety (90) days~~ two thousand one hundred*  
7 *sixty (2160) hours, ~~except~~. Unused accumulated sick leave shall not be used*  
8 *for the purpose of computing years of service for retirement purposes.*

9 (b)(1) In cities having sick leave provisions through ordinance, the  
10 total sick leave accumulated by the individual firefighter shall be credited  
11 to him or her and new days accumulated under the provisions of this section  
12 until the maximum prescribed in subsection (a) of this section is reached.

13 (2) If the governing body of the employing municipality  
14 sucessfully reduces the accrual rate, no firefighter shall have any  
15 previously earned sick leave reduced in value.

16 ~~(2)~~(3) *Time off may be charged against accumulated sick leave*  
17 *only for the days that a firefighter is scheduled to work. No sick leave as*  
18 *provided in this section shall be charged against any firefighter during any*  
19 *period of sickness, illness, or injury for any days which the firefighter is*  
20 *not scheduled to work.*

21 (c)(1) If, at the end of his or her term of service, upon retirement  
22 or death, whichever occurs first, any firefighter has unused accumulated sick  
23 leave, he or she shall be paid for this sick leave at the regular rate of pay  
24 in effect at the time of retirement or death.

25 (2) Payment for unused sick leave in the case of a firefighter,  
26 upon retirement or death, shall not exceed three (3) months' salary unless  
27 the city, by ordinance, authorizes a greater amount, but in no event to  
28 exceed four and one-half (4 1/2) months' salary.

29 (d) Cities of the first class, cities of the second class and  
30 incorporated towns shall have the option of providing sick leave for  
31 *firefighters to accumulate at a rate of fifteen (15) twenty-four (24) hour*  
32 *working days per year beginning with the date of employment and decreasing to*  
33 *twelve (12) twenty-four (24) hour working days beginning four (4) years after*  
34 *employment. Unused sick leave shall accumulate to firefighters provided with*  
35 *fifteen (15) and twelve (12) working days per year sick leave to a maximum of*  
36 *one hundred (100) twenty-four (24) hour working days.*

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*/s/ Womack*

*APPROVED: 4/06/2005*

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