

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

HOUSE BILL 1299

5 By: Representative Clowney
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW TO PROVIDE CANCER LEAVE FOR
9 MUNICIPAL FIREFIGHTERS; AND FOR OTHER PURPOSES.
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Subtitle

12 CRUMP'S LAW.
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16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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18 SECTION 1. Arkansas Code § 14-53-108 is amended to read as follows:
19 14-53-108. Uniform sick leave - Cancer leave.

20 (a)(1)(A) From and after April 11, 1969, all firefighters employed by
21 cities of the first class and cities of the second class shall accumulate
22 sick leave in accordance with a municipal ordinance at the rate of not less
23 than ten (10) working days nor more than twenty (20) working days per year,
24 beginning one (1) year after the date of employment.

25 (B)(i) As used in this section, "working day" means that
26 period of time a firefighter is on duty within a twenty-four-hour period.

27 (ii) If the firefighter is on duty for twelve (12)
28 hours or more in a twenty-four-hour period, a working day shall be not less
29 than twelve (12) hours nor more than twenty-four (24) hours.

30 (C) The number of days of sick leave in effect for
31 firefighters employed by cities of the first class and cities of the second
32 class on January 1, 2005, shall remain in effect until changed by authority
33 of a municipal ordinance, and ~~nothing in this section shall be construed to~~
34 does not require a reduction in the level of sick leave below the rate of
35 twenty (20) working days per year or the rate in effect on January 1, 2005.

36 (2)(A) If unused, sick leave shall accumulate to a maximum of



1 one thousand four hundred forty (1,440) hours unless the city by ordinance
2 authorizes the accumulation of a greater amount, in no event to exceed a
3 maximum accumulation of two thousand one hundred sixty (2,160) hours.

4 (B) Unused accumulated sick leave shall not be used for
5 the purpose of computing years of service for retirement purposes.

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

10 (2) If the governing body of the employing municipality
11 successfully reduces the accrual rate, ~~no~~ a firefighter shall not have any
12 previously earned sick leave reduced in value.

13 (3)(A) Time off may be charged against accumulated sick leave
14 only for the days that a firefighter is scheduled to work. ~~No sick~~

15 (B) Sick leave as provided in under this section shall not
16 be charged against any firefighter during any period of sickness, illness, or
17 injury for any days that the firefighter is not scheduled to work.

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

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

26 (d)(1) Cities of the first class, cities of the second class, and
27 incorporated towns shall have the option of providing sick leave for
28 firefighters to accumulate at a rate of fifteen (15) twenty-four-hour working
29 days per year beginning with the date of employment and decreasing to twelve
30 (12) twenty-four-hour working days beginning four (4) years after employment.

31 (2) Unused sick leave shall accumulate to firefighters provided
32 with fifteen (15) twenty-four-hour working days per year sick leave and
33 twelve (12) twenty-four-hour working days per year sick leave to a maximum of
34 one hundred (100) twenty-four-hour working days.

35 (e) In addition to sick leave authorized under this section, a
36 firefighter who has completed five (5) years of service with a municipality

1 and who has been diagnosed with a type of cancer listed in § 21-5-
2 705(a)(3)(A)(i) during his or her term of service is entitled to no less than
3 two thousand nine hundred twelve (2,912) hours of cancer leave.

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