

State of Arkansas

76th General Assembly

Regular Session, 1987

HOUSE BILL 1380

By: Representative John Miller

"AN ACT TO AMEND SECTION 3 OF ACT 567 OF 1975, AS AMENDED [ARK. STAT. 12-2366] TO DEFINE THE TERM 'SEASONAL EMPLOYEE'; TO AMEND SUBSECTION (c) OF SECTION 5 OF ACT 567 OF 1975, AS AMENDED, [ARK. STAT. 12-2368(c)] TO PROVIDE SICK LEAVE BENEFITS FOR SEASONAL EMPLOYEES OF STATE AGENCIES; AND FOR OTHER PURPOSES."

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

SECTION 1. Section 3 of Act 567 of 1975, as amended, the same being Arkansas Statutes 12-2366, is hereby amended to read as follows:

"Section 3. As used in this Act, the following words and phrases shall mean:

(a) 'State Agencies' shall mean all agencies, departments, boards, commissions, bureaus, councils, state supported institutions of higher learning or other agencies except the following excluded agencies or positions within agencies:

(1) The elected constitutional officers of this State and their employees;

(2) The General Assembly and its employees, including employees of the Bureau of Legislative Research of the Arkansas Legislative Council and the Division of Legislative Audit;

(3) Members of the Arkansas Supreme Court, Circuit and Chancery Courts and Prosecuting Attorneys and the Arkansas Judicial Department;

(4) State Highway Department;

(5) All administrative, academic or other non-classified employees of the state supported institutions of higher learning.

(b) 'Agency Head' or 'Agency Director' shall mean the executive head of all agencies, departments, boards, commissions, bureaus, councils or other

agencies of the state.

(c) 'Employee' shall mean a person regularly appointed or employed in a position of state service by a state agency, as defined herein, for which he is compensated on a full-time basis.

(d) 'Probationary Employee' shall mean a person certified from a list of eligibles or employed through a work test appointment and serving a probationary period.

(e) 'Provisional Employee' shall mean a person who has been appointed to fill a position pending the establishment of a register for such position.

(f) 'Temporary Employee' shall mean a person who has been appointed from a register for a period of time not to exceed six (6) months.

(g) 'Years of Service' shall include the total number of years of employment with all agencies of Arkansas State Government whether such employment is continuous or not.

(h) 'Annual Leave' shall mean vacation time with pay, but shall not include compensatory time.

(i) 'Educational Leave' shall mean any period of out-service training during which time the employee pursues a regular, full-time course of instruction to acquire a specific skill or skills needed.

(j) 'Working Day' shall mean all regularly prescribed days of employment in which the employee performs those duties for which he was hired.

(k) 'Compensatory Time' shall mean time off in lieu of payment for overtime hours.

(l) 'Seasonal Employee' shall mean a person who is not a full time employee; is paid from funds appropriated for extra help; and is either: (1) employed in a position classified by the state agency as a position which will normally continue for one thousand (1,000) hours or more each calendar year or (2) is employed in a position, not classified as seasonal, but the person actually works for at least one thousand (1,000) hours."

SECTION 2. Subsection (c) of Section 5 of Act 567 of 1975, as amended, the same being Arkansas Statutes 12-2368(c) is hereby amended to read as follows:

"(c) Sick leave with pay shall not be granted to emergency, hourly, intermittent, or per diem employees, except that seasonal employees shall be eligible for sick leave with full pay after the employee has worked at least

one thousand (1,000) hours as a seasonal employee. After a seasonal employee works for one thousand (1,000) hours of continuous employment, the accrual of sick leave shall be retroactive to the beginning date of hire as a seasonal employee except that no sick leave shall be granted for work performed before January 1, 1987. Sick leave for seasonal employees shall be computed on the basis of one (1) day for each complete month of service."

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

