

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1325

H. P. 1053

House of Representatives, March 21, 1975

Referred to Committee on State Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Rideout of Mapleton.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT Relating to State Employees' Accrued Leave.

Be it enacted by the People of the State of Maine, as follows:

5 MRSA §§ 681 to 683 are enacted to read:

§ 681. Accrued vacation leave

Classified and unclassified employees, having less than 15 completed years of service with the State, may accrue vacation leave to a maximum of 30 days or 240 hours. Those employees having more than 15 years of completed service with the State, the last 5 of which has been continuous, may accrue vacation leave to a maximum of 35 days or 280 hours. Any employee about to lose vacation leave credit because of the limitations imposed by this section, upon advanced notice to the appointing authority, may within the following 30 days utilize such credit at a time mutually agreeable to the employee and the appointing authority, or alternatively, accept an equivalent cash settlement.

§ 682. Accrued sick leave

Classified and unclassified employees may accrue sick leave to a maximum of 120 days or 960 hours. When the maximum limitation has been accrued, subsequent earned credits shall lapse but be recorded by the appointing authority. Any employee who has such lapsed credits on record may apply to have such credit restored but only to cover an extended illness. Classified employee applications for restoration of lapsed credits shall be decided by the Personnel Board. Unclassified employee applications for restoration of lapsed credits shall be decided by their respective appointing authorities.

§ 693. Portability of accrued leave

Classified service and unclassified service employees transferring from the jurisdiction of one appointing authority to that of another, regardless of whether or not it is in the same service or between the services, may elect a cash settlement for unused vacation leave credits or may elect to use all or part of such credits prior to the first day of work under the successor appointing authority. Unused vacation credits and unused sick leave credits, along with the record of lapsed credits, shall transfer with the concerned employee to be recorded and administered by the successor appointing authority. Transfers interrupted by vacation leave, sick leave or both shall not be deemed to be breaks in employment service with the State.

STATEMENT OF FACT

Presently, employees are permitted to accrue a maximum of 24 days or 192 hours of vacation leave through the first 15 years of State service and 30 days or 240 hours thereafter. The maximum accrual of sick leave at any time in service is 90 days or 720 hours. Portability of leave credits between agencies, and between the classified service and the unclassified service has never been fully defined nor evenly administered. Accordingly, the purpose of this Act is to increase the permissible levels of leave accruals in keeping with the needs of a mature work force while eliminating inequities in the portability of leave credits for transferring state employees.