

By: Scott (80th), Green

To: Fees and Salaries of  
Public Officers;  
Appropriations

HOUSE BILL NO. 1401

1 AN ACT TO AMEND SECTION 25-3-93, MISSISSIPPI CODE OF 1972, TO  
2 INCREASE THE AMOUNT OF PERSONAL LEAVE ALLOWED STATE EMPLOYEES AND  
3 APPOINTED OFFICERS WHO HAVE MORE THAN 25 YEARS OF CONTINUOUS  
4 SERVICE; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 SECTION 1. Section 25-3-93, Mississippi Code of 1972, is  
7 amended as follows:

8 25-3-93. (1) (a) Except as provided in subsection (1)(b),  
9 all employees and appointed officers of the State of Mississippi,  
10 who are employees as defined in Section 25-3-91, shall be allowed  
11 credit for personal leave computed as follows:

12	Continuous	Accrual Rate	Accrual Rate
13	Service	(Monthly)	(Annually)
14	1 month to 3 years	12 hours per month	18 days per year
15	37 months to 8 years	14 hours per month	21 days per year
16	97 months to 15 years	16 hours per month	24 days per year
17	<u>181 months to 25 years</u>	18 hours per month	27 days per year
18	<u>Over 25 years</u>	<u>20 hours per month</u>	<u>30 days per year</u>

19 However, employees who were hired prior to July 1, 1984, who  
20 have continuous service of more than five (5) years but not more  
21 than eight (8) years shall accrue fifteen (15) hours of personal  
22 leave each month.

23 (b) Temporary employees who work less than a full  
24 workweek and part-time employees shall be allowed credit for  
25 personal leave computed on a pro rata basis. Faculty members  
26 employed by the eight (8) public universities on a nine-month  
27 contract, temporary employees of the public universities who work

28 less than twenty (20) hours per week for a period of less than  
29 five (5) months during a fiscal year, and recipients of full-time  
30 educational leave, while on such leave, shall not be eligible for  
31 personal leave.

32 (2) For the purpose of computing credit for personal leave,  
33 each appointed officer or employee shall be considered to work not  
34 more than five (5) days each week. Leaves of absence granted by  
35 the appointing authority for one (1) year or less shall be  
36 permitted without forfeiting previously accumulated continuous  
37 service. The provisions of this section shall not apply to  
38 military leaves of absence. The time for taking personal leave,  
39 except when such leave is taken due to an illness, shall be  
40 determined by the appointing authority of which such employees are  
41 employed.

42 (3) For the purpose of Sections 25-3-91 through 25-3-99, the  
43 earned personal leave of each employee shall be credited monthly  
44 after the completion of each calendar month of service, and the  
45 appointing authority shall not increase the amount of personal  
46 leave to an employee's credit. It shall be unlawful for an  
47 appointing authority to grant personal leave in an amount greater  
48 than was earned and accumulated by the officer or employee.

49 (4) Employees are encouraged to use earned personal leave.  
50 Personal leave may be used for vacations and personal business as  
51 scheduled by the appointing authority and shall be used for  
52 illnesses of the employee requiring absences of one (1) day or  
53 less. Accrued personal or compensatory leave shall be used for  
54 the first day of an employee's illness requiring his absence of  
55 more than one (1) day. Accrued personal or compensatory leave may  
56 also be used for an illness in the employee's immediate family as  
57 defined in Section 25-3-95. There shall be no limit to the  
58 accumulation of personal leave. Upon termination of employment  
59 each employee shall be paid for not more than thirty (30) days of  
60 accumulated personal leave. Unused personal leave in excess of  
61 thirty (30) days shall be counted as creditable service for the  
62 purposes of the retirement system as provided in Sections  
63 25-11-103 and 25-13-5.

64 (5) Any officer of the Mississippi Highway Safety Patrol who

65 is injured by wound or accident in the line of duty shall not be  
66 required to use earned personal leave during the period of  
67 recovery from such injury.

68 (6) Any employee may donate a portion of his or her earned  
69 personal leave to another employee who is suffering from a  
70 catastrophic injury or illness, or to another employee who has a  
71 member of his or her immediate family who is suffering from a  
72 catastrophic injury or illness, in accordance with subsection (8)  
73 of Section 25-3-95.

74 This subsection shall stand repealed from and after July 1,  
75 2000.

76 SECTION 2. This act shall take effect and be in force from  
77 and after July 1, 2000.