

HOUSE BILL NO. 1193

Introduced by

Representatives Pyle, Cory, J. Olson, Roers Jones, Warrey

Senators Bekkedahl, Meyer, Patten, Wobbema

1 A BILL for an Act to amend and reenact section 37-01-25 of the North Dakota Century Code,
2 relating to leave of absence without loss of pay for military duties.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 37-01-25 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **37-01-25. Officers and employees of state or political subdivisions in national guard**
7 **or federal service to retain status for period of active service or any military duty.**

8 All officers and employees of this state or of a political subdivision ~~thereof~~ of this state who:

- 9 1. Are members of the national guard;
- 10 2. Are members of the armed forces reserve of the United States of America;
- 11 3. Shall be subject to call in the federal service by the president of the United States; or
- 12 4. Shall volunteer for such service,

13 when ordered by proper authority to active noncivilian employment for any military duty, are
14 entitled to a leave of absence from such civil service for the period of such active service or
15 military duty including traveling to and from a duty station without loss of status or efficiency
16 rating. If such persons have been in the continuous employ of the state or political subdivision
17 for ninety days immediately preceding the leave of absence, they shall receive twenty workdays
18 each calendar year without loss of pay. In addition, any leave of absence necessitated by a full
19 or partial mobilization of the reserve and national guard forces of the United States of America,
20 or emergency state active duty, must be without loss of pay for the first thirty days thereof less
21 any other paid leave of absence which may have been granted during the calendar year
22 pursuant to this section. ~~However, if~~ leave is required for ~~weekend, daily, or hourly periods of~~
23 drill for any military training duty or travel to and from a duty station on a day in which a public
24 officer or employee is scheduled to perform the work of the state or of a political subdivision, the

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- 1 officer or employee must be given the option of time off with a concurrent loss of pay for the
- 2 period missed ~~or must be given, the use of leave of absence without loss of pay for the period~~
- 3 missed, or an opportunity to reschedule the workperiod so that the reserve or national guard
- 4 ~~weekend, daily, or hourly drill or period of training~~ military duty or travel to and from a duty
- 5 station occurs during time off from work without loss of status or efficiency rating.