

Sixty-ninth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2198

Introduced by

Senators Boschee, Cleary, Meyer

Representatives Pyle, Satrom, Schneider

1 A BILL for an Act to amend and reenact section 37-01-25 of the North Dakota Century Code,
2 relating to national guard or federal service leave of absence for state and political subdivision
3 employees.

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

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

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

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

10 1. ~~Are members~~ For purposes of this section, "officer or employee" means:

11 a. A member of the national guard;

12 2. ~~b. Are members~~ A member of the armed forces reserve of the United States of
13 America;

14 3. ~~c. Shall be~~ An individual subject to call in the federal service by the president of the
15 United States; or

16 4. ~~d. Shall volunteer~~ An individual who volunteers for such federal service;

17 2. An officer or employee of the state or a political subdivision, when ordered by proper
18 authority to active noncivilian employment for any military duty, are ~~is~~ entitled to a leave
19 of absence from ~~such~~ the civil service for the period of ~~such~~ the active service or
20 military duty including traveling to and from a duty station without loss of status or
21 efficiency rating.

22 3. ~~If such persons have~~ the individual has been in the ~~continuous~~ employ of the state or
23 political subdivision ~~for ninety days~~ immediately preceding the leave of absence, they

shall receive the individual is entitled to twenty workdays each calendar year without loss of pay. In addition, any

4. A leave of absence necessitated by a full or partial mobilization of the reserve and national guard forces of the United States of America, or emergency state active duty, must be without loss of pay for the first thirty days thereof of the absence less any other paid leave of absence which may have been granted during the calendar year pursuant to in accordance with this section.

5. If leave is required for any military duty or travel to and from a duty station on a day in which a public officer or employee is scheduled to perform the work of the state or of a political subdivision, the officer or employee must be given the option of time:

a. Time off with a concurrent loss of pay for the period missed; the use;

b. Use of leave of absence without loss of pay for the period missed; or an opportunity

c. Opportunity to reschedule the workperiod so the reserve or national guard military duty or travel to and from a duty station occurs during time off from work without loss of status or efficiency rating.