

Sixty-ninth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1606

Introduced by

Representatives Heilman, Dobervich, Rios

Senators Boschee, Mathern

1 A BILL for an Act to amend and reenact section 54-06-14 of the North Dakota Century Code,
2 relating to sick leave for state employees.

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

4 **SECTION 1. AMENDMENT.** Section 54-06-14 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **54-06-14. Annual leave and sick leave for state employees.**

7 Annual leave and sick leave must be provided for all ~~persons~~individuals in the permanent
8 employment of this state who are not employed under a written contract of hire setting forth the
9 terms and conditions of their employment, within the limitations, terms, and provisions of this
10 section. Annual leave for an employee entitled to it must be within a range of a minimum of one
11 working day per month of employment to a maximum of two working days per month of
12 employment, based on tenure of employment, to be fixed by rules adopted by the employing
13 unit. Sick leave for an employee entitled to it must be within a range of a minimum of ~~one~~
14 ~~working day~~ten hours per month of employment to a maximum of one and one-half working
15 days per month of employment, based on tenure of employment, to be fixed by rules adopted
16 by the employing unit. Annual leave must be compensated for on the basis of full pay for the
17 number of working days' leave credited to the employee. Sick leave must be compensated for
18 on the basis of full pay for absence due to illness on working days during tenure of employment.
19 An employee with at least ten continuous years of state employment is entitled to a lump sum
20 payment equal to one-tenth of the pay attributed to the employee's unused sick leave accrued
21 under this section. An employee's years of state employment must be deemed continuous if,
22 under the official personnel policy of an agency, unit, or entity, the employee's work is
23 terminated because of a reduction in force and the employee is reinstated in any agency, unit,
24 or entity within two years, or if the employee is placed on voluntary leave status without pay and

1 the leave lasts no longer than two years for education purposes, or one year for any other
2 voluntary leave without pay. The pay attributed to the accumulated, unused sick leave must be
3 computed on the basis of the employee's salary or wage at the time the employee leaves the
4 employ of the state and at the rate of one hour of pay for each hour of unused sick leave. The
5 agency, unit, or entity that last employed the employee shall make the lump sum payment from
6 funds appropriated by the legislative assembly to that agency, unit, or entity for salaries and
7 wages. Any state agency, unit, or entity which employs ~~persons~~individuals subject to this section
8 shall formulate and adopt rules governing the granting of annual leave and sick leave which will
9 effectuate the purpose of this section and best suit the factors of employment of that employing
10 unit. Each employing unit shall file with the office of management and budget a copy of the rules
11 adopted, including any amendments or additions to the rules.