

AMENDED IN SENATE APRIL 20, 2015

SENATE BILL

No. 221

Introduced by Senator Jackson

February 12, 2015

An act to amend Section 19859 of the Government Code, relating to public employment.

LEGISLATIVE COUNSEL'S DIGEST

SB 221, as amended, Jackson. State public employees: sick leave: veterans with service-related disabilities.

Existing law prescribes the ~~general-work-week~~ *workweek* policy for state employees, subject to specified exceptions, and the terms and conditions for accrual of vacation and sick leave. Existing law generally provides that a state officer or employee who is employed full time accrues one day of credit for sick leave for each calendar month of service. Existing law requires that if these provisions conflict with an adopted memorandum of understanding, the memorandum of understanding controls, as specified.

This bill would grant a state officer or employee who is a military veteran *hired on or after January 1, 2016*, with a *military* service-connected disability rated at 30% or more by the United States Department of Veterans Affairs an additional credit for sick leave with pay of up to 96 hours for the purpose of undergoing medical treatment for his or her *military* service-related disability. The bill would require that the sick leave be credited to a qualifying officer or employee on the first day of employment and remain available for use for the following 12 months of employment. The bill would prohibit this sick leave from being carried over after 12 months and would permit submission of satisfactory proof that the sick leave is being used for

treatment of a *military* service-connected disability to be required, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 19859 of the Government Code is
2 amended to read:

3 19859. (a) Following completion of one month of continuous
4 service, except as otherwise provided in Section 19863.1, each
5 state officer and employee who is employed full time shall be
6 allowed one day of credit for sick leave with pay. Thereafter, for
7 each additional calendar month of service, except as provided in
8 Section 19861, one day of credit for sick leave with pay shall be
9 allowed. Each state officer or employee is entitled to this leave
10 with pay, on the submission of satisfactory proof of the necessity
11 for sick leave as provided by rule of the department. For purposes
12 of computing sick leave, each employee shall be considered to
13 work not more than five days each week. The department shall
14 provide by rule for the regulation and method of accumulation of
15 sick leave for civil service employees, and may provide sick leave
16 for those who work less than full time. Subject to department ~~rule~~
17 *rule*, sick leave may be granted to employees for the purpose of
18 physical examinations.

19 (b) In addition to any other entitlement for sick leave with pay,
20 a state officer or employee *hired on or after January 1, 2016*, who
21 is a military veteran with a *military* service-connected disability
22 rated at 30 percent or more by the United States Department of
23 Veterans Affairs shall be entitled to additional credit for sick leave
24 with pay of up to 96 hours for the purpose of undergoing medical
25 treatment for his or her *military* service-connected disability. Credit
26 for sick leave granted under this subdivision shall be credited to
27 a qualifying officer or employee on the first day of employment
28 and shall remain available for use for the following 12 months of
29 employment. Sick leave credited pursuant to this subdivision that
30 is not used during the 12-month period shall not be carried over
31 and shall be forfeited. Submission of satisfactory proof that sick
32 leave granted under this subdivision is used for treatment of a

1 *military* service-connected disability may be required pursuant to
2 rules adopted by the ~~employing department or agency~~ *department*.
3 (c) If the provisions of this section are in conflict with the
4 provisions of a memorandum of understanding reached pursuant
5 to Section 3517.5, the memorandum of understanding shall be
6 controlling without further legislative action, except that if the
7 provisions of a memorandum of understanding require the
8 expenditure of funds, the provisions shall not become effective
9 unless approved by the Legislature in the annual Budget Act.