

AMENDED IN ASSEMBLY JULY 9, 2015

AMENDED IN SENATE APRIL 20, 2015

SENATE BILL

No. 221

Introduced by Senator Jackson
(Coauthor: Senator Hertzberg)
(Coauthor: Assembly Member Mathis)

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 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 *enact the California Wounded Warriors Transitional Leave Act*. The 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~~ *the 12-month period* 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. *This act shall be known, and may be cited, as the*
 2 *California Wounded Warriors Transitional Leave Act.*

3 ~~SECTION 1.~~

4 SEC. 2. Section 19859 of the Government Code is amended
 5 to read:

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

22 (b) In addition to any other entitlement for sick leave with pay,
 23 a state officer or employee hired on or after January 1, 2016, who
 24 is a military veteran with a military service-connected disability
 25 rated at 30 percent or more by the United States Department of
 26 Veterans Affairs shall be entitled to additional credit for sick leave
 27 with pay of up to 96 hours for the purpose of undergoing medical
 28 treatment for his or her military service-connected disability. Credit
 29 for sick leave granted under this subdivision shall be credited to

1 a qualifying officer or employee on the first day of employment
2 and shall remain available for use for the following 12 months of
3 employment. Sick leave credited pursuant to this subdivision that
4 is not used during the 12-month period shall not be carried over
5 and shall be forfeited. Submission of satisfactory proof that sick
6 leave granted under this subdivision is used for treatment of a
7 military service-connected disability may be required pursuant to
8 rules adopted by the department.

9 (c) If the provisions of this section are in conflict with the
10 provisions of a memorandum of understanding reached pursuant
11 to Section 3517.5, the memorandum of understanding shall be
12 controlling without further legislative action, except that if the
13 provisions of a memorandum of understanding require the
14 expenditure of funds, the provisions shall not become effective
15 unless approved by the Legislature in the annual Budget Act.

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