

LEGISLATIVE BILL 469

Approved by the Governor May 3, 1973

Introduced by Whitney, 44

AN ACT relating to state employment; to provide for vacation leave time for state employees; to repeal section 81-116, Reissue Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 80, Eighty-third Legislature, First Session, 1973; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. State employees shall, during each year of continuous employment, be entitled to ninety-six working hours of vacation leave with full pay. State employees who complete five years of continuous employment by the state shall be entitled to one hundred twenty hours of vacation leave during their sixth year of employment and shall thereafter be entitled to eight additional hours of vacation leave with full pay for each additional year of continuous state employment up to a maximum of two hundred hours of vacation leave a year. Vacation leave shall be earned in accordance with the following schedule:

| | |
|---|--------------------|
| During 1st year of continuous employment | 96 hours per year |
| During 2nd year of continuous employment | 96 hours per year |
| During 3rd year of continuous employment | 96 hours per year |
| During 4th year of continuous employment | 96 hours per year |
| During 5th year of continuous employment | 96 hours per year |
| During 6th year of continuous employment | 120 hours per year |
| During 7th year of continuous employment | 128 hours per year |
| During 8th year of continuous employment | 136 hours per year |
| During 9th year of continuous employment | 144 hours per year |
| During 10th year of continuous employment | 152 hours per year |
| During 11th year of continuous employment | 160 hours per year |
| During 12th year of continuous employment | 168 hours per year |

| | |
|---|--------------------|
| During 13th year of continuous employment | 176 hours per year |
| During 14th year of continuous employment | 184 hours per year |
| During 15th year of continuous employment | 192 hours per year |
| During 16th year of continuous employment | 200 hours per year |
| After 16th year of continuous employment | 200 hours per year |

Employees who are regularly employed less than forty hours a week shall be entitled to vacation leave proportionate to their regular work week. Any employee who has been employed by the Legislature or Legislative Council shall, for vacation leave entitlement purposes, be credited with one continuous year of employment for each two hundred sixty working days such employee was employed by the Legislature or Legislative Council.

As used in this section, the words state employee shall mean the head of a department or agency except when that head is a board or commission and all other state employees.

For the purposes of this section, an employee who has terminated his employment with the state for any reason other than disciplinary and who returns to state employment within one year from the date of termination shall have his service for vacation leave entitlement computed by combining prior continuous service with current continuous service disregarding the period of absence.

The vacation leave account of each employee shall be balanced as of December 31 each year. Each employee shall be entitled to have accumulated as of December 31 of each calendar year the number of hours of vacation leave which he earned during that calendar year. Hours of vacation leave accumulated in excess of that number shall be lost. Any employee shall be entitled to use any vacation time as soon as it has accrued. Any vacation time not used within one year following the calendar year during which the time accrued shall be lost. In special and meritorious cases, where to limit the annual leave to the period herein specified would work a peculiar hardship, such leave may be extended in the discretion of the Governor, or in situations involving employees of the Legislature, in the discretion of the Executive Board of the Legislative Council.

Each employee, upon retirement, dismissal, or voluntary separation from state employment, shall be paid

for unused accumulated vacation leave. Upon the death of an employee, his beneficiary shall be paid for his unused accumulated vacation leave.

A permanent employee who is transferred from one agency to another shall have his accrued vacation leave transferred to the receiving agency.

The Director of Personnel shall promulgate such rules and regulations as are necessary to administer this section.

Sec. 2. That section 81-116, Reissue Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 80, Eighty-third Legislature, First Session, 1973, is repealed.

Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.