

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 579

Short Title: Change School Employee Calendar Yr.

(Public)

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Sponsors: Representative Diamont.

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Referred to: Public Employees.

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March 14, 1989

A BILL TO BE ENTITLED

AN ACT TO CHANGE THE CALENDAR YEAR FOR THE ACCUMULATION OF ANNUAL LEAVE BY PUBLIC SCHOOL EMPLOYEES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-285(a)(2) reads as rewritten:

"(2) Supervisors and classified principals paid on an hourly or other basis whether paid from State or from local funds may accumulate annual vacation leave days as follows: annual leave may be accumulated without any applicable maximum until ~~December 31~~ June 30 of each year. On ~~December 31~~ June 30 of each year, any supervisor or principals with more than 30 days of accumulated leave shall have the excess accumulation cancelled so that only 30 days are carried forward to ~~January~~ July 1 of the ~~next same~~ year. All vacation leave taken by the employee will be upon the authorization of his immediate supervisor and under policies established by the local board of education. An employee shall be paid in a lump sum for accumulated annual leave not to exceed a maximum of 240 hours when separated from service due to resignation, dismissal, reduction in force, death, or service retirement. If the last day of terminal leave falls on the last workday in the month, payment shall be made for the remaining nonworkdays in that month. Employees retiring on disability retirement may exhaust annual leave rather than be paid in a lump sum. The provisions of this subdivision shall be accomplished without additional State and local funds being appropriated for this purpose. The State Board of Education shall adopt rules and regulations for the administration of this subdivision."

Sec. 2. G.S. 115C-302(a)(3) reads as rewritten:

1       "(3) Notwithstanding any provisions of this section to the contrary no person shall  
2 be entitled to pay for any vacation day not earned by that person. The first 10 days of  
3 annual vacation leave earned by a teacher during any fiscal year period shall be  
4 scheduled to be used in the school calendar adopted by the respective local boards of  
5 education. Vacation days shall not be used for extending the term of employment of  
6 individuals. Teachers may accumulate annual vacation leave days as follows: annual  
7 leave may be accumulated without any applicable maximum until ~~December 31~~ June 30  
8 of each year. On ~~December 31~~ June 30 of each year, any teachers with more than 30  
9 days of accumulated leave shall have the excess accumulation cancelled so that only 30  
10 days are carried forward to ~~January~~ July 1 of the ~~next same~~ year. All vacation leave  
11 taken by the teacher will be upon the authorization of his immediate supervisor and  
12 under policies established by the local board of education. An employee shall be paid in  
13 a lump sum for accumulated annual leave not to exceed a maximum of 240 hours when  
14 separated from service due to resignation, dismissal, reduction in force, death, or service  
15 retirement. If the last day of terminal leave falls on the last workday in the month,  
16 payment shall be made for the remaining nonworkdays in that month. Employees  
17 retiring on disability retirement may exhaust annual leave rather than be paid in a lump  
18 sum. The provisions of this subdivision shall be accomplished without additional State  
19 and local funds being appropriated for this purpose. The State Board of Education shall  
20 adopt rules and regulations for the administration of this subdivision."

21           Sec. 3. G.S. 115C-316(a)(3) reads as rewritten:

22       "(3) Notwithstanding any provisions of this section to the contrary no person shall  
23 be entitled to pay for any vacation day not earned by that person. The first 10 days of  
24 annual leave earned by a 10- or 11-month employee during any fiscal year period shall  
25 be scheduled to be used in the school calendar adopted by the respective local boards of  
26 education. Vacation days shall not be used for extending the term of employment of  
27 individuals. Ten- or 11-month employees may accumulate annual vacation leave days  
28 as follows: annual leave may be accumulated without any applicable maximum until  
29 ~~December 31~~ June 30 of each year. On ~~December 31~~ June 30 of each year, any of these  
30 employees with more than 30 days of accumulated leave shall have the excess  
31 accumulation cancelled so that only 30 days are carried forward to ~~January~~ July 1 of the  
32 ~~next same~~ year. All vacation leave taken by these employees will be upon the  
33 authorization of their immediate supervisor and under policies established by the local  
34 board of education. An employee shall be paid in a lump sum for accumulated annual  
35 leave not to exceed a maximum of 240 hours when separated from service due to  
36 resignation, dismissal, reduction in force, death or service retirement. If the last day of  
37 terminal leave falls on the last workday in the month, payment shall be made for the  
38 remaining nonworkdays in that month. Employees retiring on disability retirement may  
39 exhaust annual leave rather than be paid in a lump sum. The provisions of this  
40 subdivision shall be accomplished without additional State and local funds being  
41 appropriated for this purpose. The State Board of Education shall adopt rules and  
42 regulations for the administration of this subdivision."

43           Sec. 4. This act shall become effective July 1, 1989.