

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 598

Short Title: Annual Leave Accumulation.

(Public)

Sponsors: Representative Bowman.

Referred to: Public Employees.

March 15, 1989

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR UNLIMITED ACCUMULATION OF ANNUAL
LEAVE BY CERTIFIED AND NONCERTIFIED EDUCATION EMPLOYEES.

The General Assembly of North Carolina enacts:

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

"(2) ~~Except as otherwise provided in this subdivision, Supervisors-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-maximum, until December 31 of each year.~~
~~On December 31 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 1 of the next 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. Except as otherwise provided in this subdivision, Teachers-~~teachers~~ may
7 accumulate annual vacation leave days as follows: ~~annual leave may be accumulated~~
8 without any applicable ~~maximum~~-~~maximum~~, until December 31 of each year. On December
9 31 of each year, any teachers with more than 30 days of accumulated leave shall have the
10 excess accumulation cancelled so that only 30 days are carried forward to January 1 of the next
11 year. All vacation leave taken by the teacher will be upon the authorization of his
12 immediate supervisor and under policies established by the local board of education. An
13 employee shall be paid in a lump sum for accumulated annual leave not to exceed a
14 maximum of 240 hours when separated from service due to resignation, dismissal,
15 reduction in force, death, or service retirement. If the last day of terminal leave falls on
16 the last workday in the month, payment shall be made for the remaining nonworkdays
17 in that month. Employees retiring on disability retirement may exhaust annual leave
18 rather than be paid in a lump sum. The provisions of this subdivision shall be
19 accomplished without additional State and local funds being appropriated for this
20 purpose. The State Board of Education shall adopt rules and regulations for the
21 administration of this subdivision."

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

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

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