

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 639

Short Title: Teacher Ass't Leave Flexibility.

(Public)

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Sponsors: Representatives Colton; Bowman, Cummings, Fitch, Hensley, Jeffus, Oldham, Wainwright, Warner, and P. Wilson.

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Referred to: Public Employees.

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March 29, 1993

A BILL TO BE ENTITLED

1 AN ACT TO PERMIT TEACHER ASSISTANTS AND OTHER INSTRUCTIONAL  
2 PERSONNEL WHO DO NOT REQUIRE A SUBSTITUTE TO TAKE  
3 VACATION LEAVE WHEN STUDENTS ARE IN ATTENDANCE.  
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5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 115C-316(a)(3) reads as rewritten:

7 "(3) Notwithstanding any provisions of this section to the contrary no  
8 person shall be entitled to pay for any vacation day not earned by that  
9 person. The first 10 days of annual leave earned by a 10- or 11-month  
10 employee during any fiscal year period shall be scheduled to be used  
11 in the school calendar adopted by the respective local boards of  
12 education. Vacation days shall not be used for extending the term of  
13 employment of individuals. Ten- or 11-month employees may  
14 accumulate annual vacation leave days as follows: annual leave may  
15 be accumulated without any applicable maximum until June 30 of each  
16 year. On June 30 of each year, any of these employees with more than  
17 30 days of accumulated leave shall have the excess accumulation  
18 cancelled so that only 30 days are carried forward to July 1 of the same  
19 year. All vacation leave taken by these employees ~~will~~shall be upon  
20 the authorization of their immediate supervisor and under policies  
21 established by the local board of education. Vacation leave for  
22 instructional personnel who do not require a substitute shall not be  
23 restricted to days that students are not in attendance. An employee

1                   shall be paid in a lump sum for accumulated annual leave not to  
2                   exceed a maximum of 240 hours when separated from service due to  
3                   resignation, dismissal, reduction in force, death or service retirement.  
4                   If the last day of terminal leave falls on the last workday in the month,  
5                   payment shall be made for the remaining nonworkdays in that month.  
6                   Employees retiring on disability retirement may exhaust annual leave  
7                   rather than be paid in a lump sum. The provisions of this subdivision  
8                   shall be accomplished without additional State and local funds being  
9                   appropriated for this purpose. The State Board of Education shall  
10                  adopt rules and regulations for the administration of this subdivision."

11                  Sec. 2. This act becomes effective July 1, 1993.