

HOUSE No. 105

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relating to sick leave banks..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 7 of the General Laws is hereby amended by inserting after section 4Q the
2 following section:-

3 Section 4R. “Applicants” shall mean persons employed by an executive branch agency
4 or the trial court who apply to their supervisor to receive a sick leave bank.

5 Upon application and determination that an employee is eligible, a sick leave bank shall
6 be established in the executive office of the secretariat that employs the applicant. Upon
7 application and determination than an employee of the trial court is eligible, a sick leave bank
8 shall be established within the court that employs the applicant. The secretary of administration
9 and finance shall prescribe regulations governing the operation of sick leave banks, including
10 criteria for eligibility, procedures for donating time accrued, as well as procedures for the
11 distribution of the donated time to qualifying individuals. Sick leave banks established under
12 this section shall cover employees who either do not participate in the extended illness leave
13 bank under section 4P of chapter 7 or have exhausted the time allowed under that section. Any
14 employee may voluntarily contribute 1 or more sick, personal or vacation days to the sick leave

15 bank for use by any other qualifying employee within their secretariat. Employees of the trial
16 court may voluntarily contribute 1 or more sick, personal or vacation days to the sick leave bank
17 for use by any other qualifying employee within the employer court. Whenever an employee no
18 longer suffers the illness or disability that necessitated the creation of the sick leave bank or
19 terminates employment or requests to dissolve the sick leave bank, any remaining time in the
20 sick leave bank shall be transferred to the extended illness leave bank if the employee works in
21 the executive branch and to the trial court paid leave bank if the employee works for the trial
22 court. Sick leave bank days may not be used for absences unrelated to the illness or disability
23 that necessitated the establishment of the sick leave bank as determined by the applicant's
24 director of human resources.