

**HOUSE . . . . . No. 4289**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Colleen M. Garry*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to limiting sick leave/vacation buy back for public employees.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>4/26/2016</i>

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By Miss Garry of Dracut, a petition (subject to Joint Rule 12) of Colleen M. Garry for legislation to limit sick leave and vacation buy backs for public employees. Public Service.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
\_\_\_\_\_

An Act relative to limiting sick leave/vacation buy back for public employees.

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

1 SECTION 1. Chapter 3 of the General Laws is hereby amended by inserting after section  
2 18 the following section:-

3 Section 18B. Any payment of unused sick-leave or vacation allowance, or any  
4 combination thereof, to employees whose services terminated by death, dismissal, through no  
5 fault or delinquency of their own, or by retirement, shall not exceed an amount equal to 15 per  
6 cent of the employee’s annual salary.

7 SECTION 2. Section 31A of chapter 29 of the General Laws, as appearing in the 2014  
8 Official Edition, is hereby amended by adding the following subsection:-

9 (e) A payment made pursuant to subsections (a), (b), (c) or (d), or any combination  
10 thereof, shall not exceed an amount equal to 15 per cent of the employee’s annual salary.

11 SECTION 3. Section 19A of chapter 35 of the General Laws, as so appearing, is hereby  
12 amended by inserting after the word “therefor”, in line 14, the following words:- ; provided

13 further, that a payment, if made individually or in combination with a payment of unused sick-  
14 leave, shall not exceed an amount equal to 15 per cent of the employee's annual salary; and  
15 provided further, that no payment of unused sick-leave, if made individually or in combination  
16 with a payment of vacation allowance shall exceed an amount equal to 15 per cent of the  
17 employee's annual salary.

18 SECTION 4. Said section 19A of said chapter 35, as so appearing, is hereby further  
19 amended by inserting after the word "therefor", in line 30, the following words:- ; provided  
20 further, that a payment, if made individually or in combination with a payment of unused sick-  
21 leave, shall not exceed an amount equal to 15 per cent of the employee's annual salary; and  
22 provided further, that no payment of unused sick-leave, if made individually or in combination  
23 with a payment of vacation allowance shall exceed an amount equal to 15 per cent of the  
24 employee's annual salary.

25 SECTION 5. Section 111E of chapter 41 of the General Laws, as so appearing, is hereby  
26 amended by inserting after the word "therefor", in line 10, the following words:- ; provided  
27 further, that a payment, if made individually or in combination with a payment of unused sick-  
28 leave, shall not exceed an amount equal to 15 per cent of the employee's annual salary; and  
29 provided further, that no payment of unused sick-leave, if made individually or in combination  
30 with a payment of vacation allowance shall exceed an amount equal to 15 per cent of the  
31 employee's annual salary.

32 SECTION 6. Notwithstanding chapter 150E of the General Laws, or any general or  
33 special law to the contrary, any collective bargaining agreement in effect immediately before the  
34 effective date of this act shall continue in effect; provided however, a collective bargaining

35 agreement entered into after the effective date of this act shall be subject to this act and shall not  
36 make any provisions for payment of unused sick-leave or vacation allowance or both that  
37 exceeds 15 per cent of an employee's annual salary.