

HOUSE No. 3287

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>1/20/2017</i>

HOUSE No. 3287

By Miss Garry of Dracut, a petition (accompanied by bill, House, No. 3287) of Colleen M. Garry for legislation to limit sick leave and vacation buy backs for public employees. Public Service.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 4289 OF 2015-2016.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

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.