

HOUSE No. 2263

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 sick leave buyback.

PETITION OF:

NAME:

Colleen M. Garry

DISTRICT/ADDRESS:

36th Middlesex

HOUSE No. 2263

By Miss Garry of Dracut, a petition (accompanied by bill, House, No. 2263) of Colleen M. Garry relative to public employee sick leave buyback. Public Service.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to sick leave buyback.

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 if their base pay is more than \$100,000.00.

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 if their
11 base pay is more than \$100,000.00.

12 SECTION 3. Section 19A of chapter 35 of the General Laws, as so appearing, is hereby
13 amended by inserting after the word “therefor”, in line 14, the following words:- ; provided
14 further, that a payment, if made individually or in combination with a payment of unused sick-
15 leave, shall not exceed an amount equal to 15 per cent of the employee’s annual salary; and
16 provided further, that no payment of unused sick-leave, if made individually or in combination
17 with a payment of vacation allowance shall exceed an amount equal to 15 per cent of the
18 employee’s annual salary if their base pay is more than \$100,000.00.

19 SECTION 4. Said section 19A of said chapter 35, as so appearing, is hereby further
20 amended by inserting after the word “therefor”, in line 30, the following words:- ; provided
21 further, that a payment, if made individually or in combination with a payment of unused sick-
22 leave, shall not exceed an amount equal to 15 per cent of the employee’s annual salary; and
23 provided further, that no payment of unused sick-leave, if made individually or in combination
24 with a payment of vacation allowance shall exceed an amount equal to 15 per cent of the
25 employee’s annual salary if their base pay is more than \$100,000.00.

26 SECTION 5. Section 111E of chapter 41 of the General Laws, as so appearing, is hereby
27 amended by inserting after the word “therefor”, in line 10, the following words:- ; provided
28 further, that a payment, if made individually or in combination with a payment of unused sick-
29 leave, shall not exceed an amount equal to 15 per cent of the employee’s annual salary; and
30 provided further, that no payment of unused sick-leave, if made individually or in combination
31 with a payment of vacation allowance shall exceed an amount equal to 15 per cent of the
32 employee’s annual salary if their base pay is more than \$100,000.00.

33 SECTION 6. Notwithstanding chapter 150E of the General Laws, or any general or
34 special law to the contrary, any collective bargaining agreement in effect immediately before the
35 effective date of this act shall continue in effect; provided however, a collective bargaining
36 agreement entered into after the effective date of this act shall be subject to this act and shall not
37 make any provisions for payment of unused sick-leave or vacation allowance or both that
38 exceeds 15 per cent of an employee's annual salary if their base pay is more than \$100,000.00..