

**HOUSE . . . . . No. 03463**

**[LOCAL APPROVAL RECEIVED.]**

The Commonwealth of Massachusetts

PRESENTED BY:

*Alice Hanlon Peisch and*

*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 passage of the accompanying bill:

An Act relative to the regulation of salaries of employees of the town of Weston serving in the armed forces of the United States.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

*Alice Hanlon Peisch*

*14th Norfolk*

*Susan C. Fargo*

*Third Middlesex*

# HOUSE . . . . . No. 03463

By Representative Peisch of Wellesley and Senator Fargo, a joint petition (accompanied by bill, House, No. 3463) of Alice Hanlon Peisch and Susan C. Fargo (by vote of the town) relative to salaries and benefits of employees of the town of Weston serving on active duty in the armed forces. Public Service. [Local Approval Received.]

## The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to the regulation of salaries of employees of the town of Weston serving in the armed forces of the United States.

*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. Notwithstanding any general or special law to the contrary, an employee in the  
2 service of the town of Weston, including school department employees, who has been granted a  
3 military leave of absence, either before or after the effective date of this act, because the  
4 employee is a member of the army national guard, the air national guard or a reserve component  
5 of the armed forces of the United States called to active service in the armed forces of the United  
6 States after September 11, 2001, may, at the discretion of the Weston board of selectmen, subject  
7 to appropriation, be paid at his or her regular base salary as such a public employee, and shall not  
8 lose any seniority or any accrued vacation leave, sick leave, personal leave, compensatory time  
9 or earned overtime. If the board elects to make payments under this act, an eligible employee  
10 shall be paid his regular base salary as such a public employee for each pay period of such

11 military leave of absence after September 11, 2001, reduced by any amount received from the  
12 United States as pay or allowance for military service performed during the same pay period,  
13 excluding overtime pay, shift differential pay, hazardous duty pay or any other additional  
14 compensation. For the purposes of this section, the words "active service" shall not include  
15 active duty for training in the army national guard or air national guard or as a reservist in the  
16 armed forces of the United States. Provided, however, that nothing in this section shall limit or  
17 reduce a person's entitlement to benefits under section 59 of chapter 33 of the General Laws, and  
18 nothing in this section shall entitle a person to benefits in excess of the maximum benefit  
19 provided under said section 59 of said chapter 33 for any period during which that person is  
20 receiving benefits under this section.

21 SECTION 2. If this act shall take effect on or after July 1, 2011, then payment by the town of  
22 any amounts consistent with section 1 of this act shall be ratified, validated and confirmed in all  
23 respects as though this act had been in full force and effect at the time such payments were made.

24 SECTION 3. This act shall take effect upon passage.