

CHAPTER 277

GOVERNMENT - STATE

HOUSE BILL 96-1155

BY REPRESENTATIVES Tool, Adkins, Keller, Morrison, Musgrave, Armstrong, Knox, and Mace;
also SENATORS Feeley and Weissmann.

AN ACT

CONCERNING THE GRANTING OF A LEAVE OF ABSENCE TO AN EMPLOYEE IN THE STATE PERSONNEL SYSTEM IN ORDER TO PARTICIPATE IN DISASTER RELIEF SERVICES.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Part 1 of article 50 of title 24, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

24-50-120.5. Disaster service leave. (1) ANY EMPLOYEE IN THE STATE PERSONNEL SYSTEM WHO IS A CERTIFIED DISASTER SERVICE VOLUNTEER OF THE AMERICAN RED CROSS MAY BE GRANTED A LEAVE OF ABSENCE WITH PAY TO PARTICIPATE IN SPECIALIZED DISASTER RELIEF SERVICES FOR THE AMERICAN RED CROSS. SUCH LEAVE MAY BE GRANTED WHEN THE AMERICAN RED CROSS REQUESTS AN EMPLOYEE'S SERVICES AND THE EMPLOYEE RECEIVES THE APPROVAL OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OR THE DIRECTOR'S DESIGNEE. SUCH LEAVE SHALL NOT EXCEED FIVE DAYS IN A TWELVE-MONTH PERIOD TO PARTICIPATE IN SPECIALIZED DISASTER RELIEF SERVICES IN COLORADO OR FIFTEEN DAYS IN A TWELVE-MONTH PERIOD TO PARTICIPATE IN SPECIALIZED DISASTER RELIEF SERVICES IN A NATIONAL DISASTER. AS USED IN THIS SECTION, "DISASTER" SHALL HAVE THE SAME MEANING AS IN SECTION 24-32-2103 (1) AND INCLUDES DISASTERS DESIGNATED AT LEVEL II AND ABOVE IN AMERICAN RED CROSS NATIONAL REGULATIONS AND PROCEDURES.

(2) AN EMPLOYEE WHO IS GRANTED LEAVE UNDER THIS SECTION:

(a) SHALL BE COMPENSATED AT THE EMPLOYEE'S REGULAR COMPENSATION RATE DURING THE PERIOD OF LEAVE;

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(b) SHALL NOT HAVE THE PERIOD OF LEAVE CHARGED AGAINST OR REDUCE AN EMPLOYEE'S ACCRUED ANNUAL LEAVE, SICK LEAVE, OR SIMILAR BENEFITS;

(c) SHALL CONTINUE TO ACCRUE ANNUAL LEAVE AND SICK LEAVE DURING THE PERIOD OF LEAVE; AND

(d) SHALL REMAIN UNDER THE COVERAGE OF ANY APPLICABLE STATE EMPLOYEES GROUP BENEFIT PLAN DURING THE PERIOD OF LEAVE.

(3) AN EMPLOYEE GRANTED LEAVE UNDER THIS SECTION SHALL NOT BE DEEMED TO BE AN EMPLOYEE FOR PURPOSES OF THE "WORKERS' COMPENSATION ACT OF COLORADO" CONTAINED IN ARTICLES 40 TO 47 OF TITLE 8, C.R.S., DURING THE PERIOD OF LEAVE.

SECTION 2. No appropriation. The general assembly has determined that this act can be implemented within existing appropriations, and therefor no separate appropriation of state moneys is necessary to carry out the purposes of this act.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 3, 1996