

1 House BILL NO. 514
 2 INTRODUCED BY Brand W. Baith Mendham Kunduch
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4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
 5 59-1001, R.C.M. 1947, TO ALLOW PUBLIC EMPLOYEES TO TAKE
 6 ANNUAL LEAVE AFTER SIX MONTHS OF CONTINUOUS EMPLOYMENT."
 7

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 59-1001, R.C.M. 1947, is amended to
 10 read as follows:

11 "59-1001. Annual vacation leave. (1) Each full-time
 12 employee of the state, or any county or city thereof is
 13 entitled to and shall earn annual vacation leave credits
 14 from the first full pay period of employment. For
 15 calculating vacation leave credits two thousand eighty
 16 (2,080) hours (52 weeks x 40 hours) shall equal one (1)
 17 year. Proportionate vacation leave credits shall be earned
 18 and credited at the end of each pay period. However,
 19 employees are not entitled to any vacation leave with pay
 20 until they have been continuously employed for a period of
 21 ~~twelve (12)~~ six (6) calendar months. Persons regularly
 22 employed nine (9) or more months each year, but whose
 23 continuous employment is interrupted by the seasonal nature
 24 of the position, shall earn vacation credits. However, such
 25 persons must be employed ~~twelve--(12)~~ six (6) qualifying

1 months before they can use the vacation credits. In order to
 2 qualify, such employees must immediately report back for
 3 work when operations resume in order to avoid a break in
 4 service. Vacation leave credits shall be earned in
 5 accordance with the following schedule:

6 (a) from one (1) full pay period through ten (10) years
 7 of employment at the rate of fifteen (15) working days for
 8 each year of service;

9 (b) after ten (10) years through fifteen (15) years of
 10 employment at the rate of eighteen (18) working days for
 11 each year of service;

12 (c) after fifteen (15) years through twenty (20) years
 13 of employment at the rate of twenty-one (21) working days
 14 for each year of service;

15 (d) after twenty (20) years of employment at the rate
 16 of twenty-four (24) working days for each year of service.

17 Permanent part-time employees are entitled to prorated
 18 annual vacation benefits if they have regularly scheduled
 19 work assignments and normally work at least twenty (20)
 20 hours each week of the pay period and have worked the
 21 qualifying period.

22 (2) It shall be unlawful for an employer to terminate
 23 or separate an employee from his employment in an attempt to
 24 circumvent the provisions of this law. Should a question
 25 arise under this paragraph, it shall be submitted to

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1 arbitration as provided in chapter 201, Title 93, R.C.M.,
2 1947 unless there is a collective bargaining agreement
3 applicable."

-End-

Approved by Committee
on Labor & Employment
Relations

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