

No. 225

AN ACT

SB 598

Amending the act of April 9, 1929 (P.L.177, No.175), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," changing provisions relating to holidays, annual leave and sick leave and requiring certain reports.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 221, act of April 9, 1929 (P.L.177, No.175), known as "The Administrative Code of 1929," amended June 21, 1937 (P.L.1865, No.373), is amended to read:

Section 221. Office Hours.—All administrative offices of the State Government shall be open for the transaction of public business at least eight hours each day, except Saturdays, Sundays and **[legal] such** holidays **as may be determined by the Executive Board**. The hours when such offices shall open and close shall from time to time be determined by the Executive Board.

Section 2. Subsections (b) and (c) of section 222, of the act, subsection (b) amended May 5, 1970 (P.L.327, No.104), and subsection (c) amended June 4, 1965 (P.L.95, No.65), are amended to read:

Section 222. Work-Hours and Leaves.—* * *

(b) Each salaried, *hourly or per diem* employe of such department, board, or commission shall be entitled **[during his first year of service to a number of days' annual leave of absence with full pay equal to two times the number of working days in such employe's normal work week. Each salaried employe with more than one but less than fifteen years of service shall be entitled, each year, to a number of days' annual leave of absence with full pay equal to three times the number of working days in such employe's normal work week, and each salaried employe with over fifteen years of service shall be entitled, each year, to a number of days' annual leave of absence with full pay equal to four times the number of working days in such employe's normal work week. Each hourly or per diem employe of such department, board or commission shall be entitled to annual leave of absence with pay equivalent to the annual**

leave provided salaried employes and prorated according to the number of hours worked. Unused annual leave of absence shall be carried over from one calendar year to the next: Provided, That in no case shall the amount thus carried over exceed thirty days for employes whose normal work week is five days or thirty-six days for employes whose normal work week is six days. Annual leave as provided in this section shall be granted] *each calendar year to annual leave of absence with pay* in accordance with regulations [issued] *established* by the Executive Board.

(c) Each salaried, *hourly or per diem* employe of such department, board or commission shall be entitled each calendar year to [a number of days'] sick leave with [full] pay [equal to three times the number of working days in such employe's normal work week. Each hourly or per diem employe of such department, board or commission shall be entitled to one day's sick leave of absence with pay for each one hundred and forty (140) hours such employe shall work. All sick leave shall require the approval of the head of the department, board or commission and shall be granted in accordance with regulations issued by the Executive Board, which shall provide for the judicious and properly controlled use of such leave. Unused sick leave shall be carried over from one calendar year to the next: Provided, That in no case shall the amount thus carried over exceed the amount of sick leave of absence which an employe earned during the seventy-two months preceding the carry-over date in which the employe was in compensable status. The Executive Board may at the request of the head of the department, board or commission grant additional sick leave with pay in those special cases occurring on or after January 1, 1965, where to limit sick leave to the amount the employe had theretofore accumulated would cause peculiar hardship.] *in accordance with regulations established by the Executive Board.*

* * *

Section 3. Clause (e) of section 709 of the act, amended April 23, 1941 (P.L.21, No.13), is amended to read:

Section 709. Executive Board.—Subject to the provisions of this act, the Executive Board shall have the power:

* * *

(e) [To approve or disapprove extensions of] *To establish regulations concerning the entitlement to* leaves of absence, with pay, for employes of administrative departments, [or of independent administrative] boards or commissions;

* * *

Section 4. Section 709 of the act is amended by adding clauses to read:

Section 709. Executive Board.—Subject to the provisions of this act, the Executive Board shall have the power:

* * *

(e.1) To determine the holidays on which the administrative offices of State Government shall be closed for the purpose of transacting public business;

* * *

(l)¹ To report to the General Assembly on an annual basis, beginning May 1, 1975 and each May 1 thereafter, on all changes approved or negotiated by the Executive Board in relation to matters covered in sections 222(b), 222(c), 709(e) and 709(e.1), the estimated costs under the existing rules and provisions and the estimated costs under the new rules and provisions for the next five years.

Section 5. This act shall take effect December 31, 1973.

APPROVED—The 7th day of October, A. D. 1974.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 225.

A handwritten signature in cursive script that reads "C. McLeod Tucker".

Secretary of the Commonwealth.

¹ "(k)" in original.