

No. 267

AN ACT

HB 2452

Amending the act of July 8, 1957 (P.L.579, No.321), entitled, as amended, "An act establishing minimum compensation and increments for members of the faculty and administration of the Thaddeus Stevens Trade School, providing leave of absence with pay for faculty members and the superintendent of the school and imposing duties on the Board of Trustees of such school and the Superintendent of Public Instruction," changing the name of the school, and making editorial changes.

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

Section 1. The title, act of July 8, 1957 (P.L.579, No.321), entitled, as amended, "An act establishing minimum compensation and increments for members of the faculty and administration of the Thaddeus Stevens Trade School, providing leave of absence with pay for faculty members and the superintendent of the school and imposing duties on the Board of Trustees of such school and the Superintendent of Public Instruction," amended November 10, 1965 (P.L.718, No.345), is amended to read:

AN ACT

Establishing minimum compensation and increments for members of the faculty and administration of the Thaddeus Stevens [**Trade School**] *State School of Technology*, providing leave of absence with pay for faculty members and the superintendent of the school and imposing duties on the Board of Trustees of such school and the [**Superintendent of Public Instruction**] *Secretary of Education*.

Section 2. Section 1 of the act is amended to read:

Section 1. Compensation of each member of the faculty of the Thaddeus Stevens [**Trade School**] *State School of Technology* shall be payable in equal monthly or semi-monthly installments during the regular school term or year of ten months. Salaries beyond the regular school day or school term shall be paid on a prorata basis.

Section 3. The introductory and last paragraphs of section 2 of the act, amended July 18, 1961 (P.L.787, No.346), are amended to read:

Section 2. Each person heretofore or hereafter appointed to a position as a member of the faculty of the Thaddeus Stevens [**Trade School**] *State School of Technology* shall receive the following minimum salaries and yearly increments for services rendered during the regular school term or years:

* * *

Notwithstanding any other provisions of this act, each teacher and supervisor whose salary and increments are fixed by this act and who is a member of the faculty or administration of the Thaddeus Stevens [**Trade**

School] *State School of Technology* on the effective date of this act shall be granted, in addition to the salary and increments otherwise prescribed by this act for the school years 1959-1960 and 1960-1961, added compensation of two hundred dollars (\$200) for each of said school years as a cost of living increase in compensation.

Section 4. Sections 3 and 5 of the act are amended to read:

Section 3. Nothing contained herein shall be construed as prohibiting the payment of compensation beyond the salaries prescribed in this act, nor shall any part of this act be construed as prohibiting the employment of members of the faculty and administration of the Thaddeus Stevens [**Trade School]** *State School of Technology* on a twelve month basis.

Section 5. (a) The provisions of this act shall not be construed as authorizing any decrease in the salary paid any member of the faculty or administration of the Thaddeus Stevens [**Trade School]** *State School of Technology* at the effective date of this act.

(b) Each person employed as a member of the faculty or administration of the Thaddeus Stevens [**Trade School]** *State School of Technology* receiving compensation equivalent to, or in excess of the minimum salary prescribed by the above schedule, shall, for the school year 1957-58, be raised to the next higher step on the schedule, unless such increase shall be less than one full increment, in which case [**he**] *that person* shall be raised to the next higher step on the applicable schedule. Each such person receiving compensation less than the minimum salary prescribed by the schedule, shall, for the school year 1957-58, be raised to such minimum salary, unless such increase shall be less than one full increment, in which case [**he**] *that person* shall receive an increase of the amount of one full increment.

(c) Classification of any employe enumerated in the foregoing salary schedule and the qualifications of such employe must be approved by the Board of Trustees of the school and the [**Superintendent of Public Instruction]** *Secretary of Education* to entitle any employe to the benefits of this act.

(d) The [**Superintendent of Public Instruction]** *Secretary of Education* shall be vested with the sole and final authority in interpreting the provisions of this act pertaining to the classification of any person thereby.

Section 5. Section 5.1 of the act, added November 10, 1965 (P.L.718, No.345), is amended to read:

Section 5.1. Leaves of Absence.—Upon recommendation of the [**superintendent]** *president* and approval by the Board of Trustees and the [**Superintendent of Public Instruction]** *Secretary of Education*, a leave of absence for a period not to exceed twenty calendar weeks with full pay or a leave of absence for a period not to exceed forty calendar weeks with half pay, for restoration of health, study, travel or other appropriate purposes, may be granted to any member of the faculty of the Thaddeus Stevens [**Trade Schools]** *State School of Technology*, who has completed ten or more years of satisfactory service as a member of the faculty of the

Thaddeus Stevens [**Trade School**] *State School of Technology*. After completion of the requisite ten years, one leave of absence shall be allowed for each additional seven years of service upon recommendation of the Board of Trustees and approval by the [**Superintendent of Public Instruction**] *Secretary of Education*. Leaves shall be accumulated so that no one shall lose entitlement because of failure to use leave, but no one shall be entitled to use more than forty weeks of the accumulated leave in succession. The [**superintendent**] *president* of the Thaddeus Stevens [**Trade School**] *State School of Technology* may be granted a leave of absence on the same basis as faculty members, as defined in this act. Notwithstanding any of the foregoing provisions, the Thaddeus Stevens [**Trade School**] *State School of Technology* shall grant leaves of absence to at least two persons in each semester, if there be two qualified persons requesting leave.

No leave of absence shall be granted unless such person shall agree in writing to return to his or her employment with the Thaddeus Stevens [**Trade School**] *State School of Technology* for a period of not less than one year immediately following the expiration of such leave of absence.

No such leave of absence shall be considered a termination or breach of the contract of employment and the person on leave of absence shall be returned to the same position he or she occupied prior thereto.

Every employe while on such leave of absence shall be considered to be in regular full-time daily attendance in the position from which the leave was taken during the period of said leave, for the purpose of determining the employe's length of service and the right to receive increments as provided by law.

Every person on leave of absence shall retain the right to make contributions as a member of either the State Employees' Retirement Fund or the Public School Employees' Retirement Fund and continue his or her membership therein in whichever system he currently holds membership.

Nothing in this section shall be construed to prevent any person on leave of absence from receiving a grant for further study from any institution of learning.

The Trustees of the Thaddeus Stevens [**Trade School**] *State School of Technology* shall have the right to make such regulations as they may deem necessary to make sure that employes on leave shall utilize such leave properly for the purpose for which it was granted, requiring reports from the employe or employes on leave in such manner as they may deem necessary.

Section 6. Whenever in any law reference is made to the Thaddeus Stevens Industrial and Reform School of Pennsylvania or the Thaddeus Stevens Trade School it shall be deemed to refer to and include the Thaddeus Stevens State School of Technology.

Section 7. This act shall take effect immediately.

APPROVED—The 30th day of November, A. D. 1976.

MILTON J. SHAPP