RESOLUTION

concerning

PROPOSED STATUTORY CHANGES RELATIVE TO RETIREMENT CREDIT FOR TEN-MONTH INSTRUCTIONAL FACULTY

January 9, 1976

WHEREAS, The General Statutes presently make no clearly defined provision for the accumulation of retirement credit by ten-month instructional faculty who are members of the State Employees' Retirement System, and

WHEREAS, Problems arising from this lack of clarity are greatly magnified by procedural changes necessary for compliance with the provisions of subsection (b) of Section 3-119 of the General Statutes, and

WHEREAS, The Board of Trustees for State Colleges desires that ten-month instructional faculty should retain their present benefit of twelve months of retirement credit for completion of each two hundred and seventeen (217) day period of obligation or for a proportional amount of credit for any lesser period, and

WHEREAS, The Trustees believe that this objective can best be attained through cooperation with the State Retirement Commission and its staff, be it

RESOLVED, That the proposed statutory changes, as set forth in the addendum to this resolution, be transmitted to the State Retirement Commission with the request that they be reviewed for comments and suggestions and with the further request that the Commission lend its support to the Trustees in this effort.

A Certified True Copy:

James A. Frost
Executive Secretary
Interdepartment Message

To
Henry J. Rigney
Chief, Retirement Division
30 Trinity St., Hartford, Conn.

From
Arnold W. Boynton
Associate for Fiscal Affairs
P.O. Box 2008, New Britain, Conn. 06050

Subject:
Retirement Credit, Ten-month Instructional Faculty

As a result of the several conversations we have had concerning the above-stated subject, the following material was developed.

It then was considered by appropriate administrative officers of the State College System and was approved by the Board of Trustees for transmission to the State Retirement Commission.

In order that the ten-month instructional faculty of the State Colleges, at the time of retirement, may terminate under similar procedures and receive benefits comparable to those of other employees, the Board of Trustees for State Colleges is suggesting the following statutory changes.

There should be added to subsection (m) of Section 5-154 an item somewhat as follows:

"State service" includes the full period of time, as required by subsection (b) of Section 3-119, over which salaries are scheduled to be paid to full-time permanent employees who are employed on less than a twelve-month basis.

This change is intended to affirm a long-standing policy of the State Retirement Commission which provides twelve months of retirement credit to any employee who is required to work nine or ten months as a year's assignment and to relate such retirement credit to the period over which salaries are scheduled to be paid in compliance with the provisions of subsection (b) of Section 3-119.
Section 5-252 should be extended to read as follows:

Any state employee leaving state service shall receive a lump sum payment for accrued vacation time as prescribed under rules and regulations to be promulgated by the personnel policy board. Any state employee who is paid under the provisions of subsection (b) of Section 3-119, when leaving state service, shall receive a lump sum payment equivalent to the amount of his unpaid earnings at the date of termination.

This change is intended to set up a parallel provision for lump sum payment at termination to employees who are subject to the requirements of subsection (b) of Section 3-119.

Subsection (b) (added by Public Act No. 75-510) of Section 3-119 should be extended to read about as follows:

Salaries of full-time permanent employees who are employed on a less than twelve-month basis shall be prorated and paid bi-weekly on a twelve-month basis, except at termination of state service, at which time any such employee shall receive a lump sum payment for all earnings for which payment has not been received.

This change is intended to make the requirements of subsection (b) of Section 3-119 consistent with the requirements of Section 5-252.

Enclosed is a copy of a resolution passed by the Board of Trustees on January 9, 1976. It would be appreciated if, as noted therein, you would review these proposed changes and advise this office regarding any comments and suggestions, and, further, if you would bring these proposals to the attention of the State Retirement Commission together with the Trustee's request for the support of the Commission.

Arnold W. Boynton
Associate for Fiscal Affairs

AWB: pm
encl.
cc: J. Edward Caldwell, State Comptroller
Proposed material to be incorporated into letter to Henry J. Rigney, Chief, Retirement Division

Subject: Retirement Credit, Ten-month Instructional Faculty

In order that the ten-month instructional faculty of the State Colleges may, at the time of retirement, receive their full twelve months of credit on a basis comparable to that provided for other employees who retire with accrued vacation time, we are suggesting the following statutory changes for your reaction.

There should be added to subsection (m) of Section 5-154 an item somewhat as follows:

"State service" includes the full period of time, as required by subsection (b) of Section 3-119, over which salaries are scheduled to be paid to full-time permanent employees who are employed on less than a twelve-month basis.

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Your comments and suggestions will be appreciated.

CO - 1/6/76
Section 5-104
STATE EMPLOYEES

PUBLIC ACT NO. 75-510
PUBLIC ACTS

Sec. 2. Subsection (a) of section 16-50m of the general statutes, as amended by substitute senate bill 994 of the current session is repealed and the following is substituted in lieu thereof:

(a) Subsection (c) of section 16-50m of the general statutes is repealed and the following is substituted in lieu thereof:

Sec. 5-250. Vacations. (a) Each appointing authority shall grant to each full-time permanent employee in the state service, who has worked at least one full calendar year, an annual vacation with pay of twenty-one consecutive calendar days or its equivalent. Each such employee who has completed twenty years of service shall be entitled to one additional working day for each additional year up to twenty-five years of service, and each such employee with twenty-five or more years of service shall be entitled to not more than four calendar weeks' vacation, subject to regulations issued by the personnel policy board. Any permanent full-time employee in the state service with less than one full calendar year's service shall be granted vacation accrued and prorated in accordance with regulations issued by the personnel policy board.

(b) An appointing authority may permit a full-time permanent employee in the state service to accumulate vacation days with pay up to a maximum of one hundred twenty vacation days, subject to regulations issued by the personnel policy board.

(c) In addition to annual vacation, each appointing authority shall grant to each full-time permanent employee in the state service three days of personal leave of absence with pay in each calendar year. Personal leave of absence shall be for the purpose of conducting private affairs, including observance of religious holidays, and shall not be deducted from vacation or sick leave credits.

(d) Vacation accruals earned by employees in the unclassified service, in accordance with administrative practice or internal departmental policy, which accrual practice or policy was included, by the appointing authority, in the terms of employment of the basis on which such employees were employed prior to July 1, 1972, and which accruals have not been used and which can be verified by written attendance records, remain to the credit of such employees for use as vacation time or for payment as provided in section 5-252, as the case may be.

Sec. 5-251. Accrual of sick leave and vacation credits while receiving compensation. Any state employee receiving compensation benefits in accordance with section 5-142 or 5-143 shall continue to accrue sick leave credits as provided in section 5-247 and vacation credits as provided in section 5-250 for the first twelve months of any such period of compensation in accordance with regulations issued by the personnel policy board.

Sec. 5-252. Payment for accrued vacation time on leaving state service. Any state employee leaving state service shall receive a lump sum payment for accrued vacation time as prescribed under rules and regulations to be promulgated by the personnel policy board.