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MEMORANDUM NO. 2007-31

September 7, 2007

TO THE HEADS OF ALL STATE AGENCIES

Attention:; Chief Administrative and Fiscal Officers, Business Managers, and Payroll and Personnel Officers

Subject: Equivalent Leave and Maximum Leave Waiver for State Employees Serving in the Military

I. AUTHORITY

Public Act 07-112 adds Operation Jump Start to the list of covered operations and ensures that state employees who are called to active military service in the armed forces of any state or the United States for Operation Enduring Freedom, Operation Noble Eagle, a related emergency operation, or a related emergency operation or military operation whose mission was substantially changed as a result of the attacks of September 11, 2001, or for federal action or state action authorized by the Governor in support of the federal Department of Homeland Security's Operation Liberty Shield, military operations that are authorized by the President of the United States that entail military action against Iraq, or federal action or state action authorized by the Governor to combat terrorism within the United States, or federal action or state action authorized by the Governor or the President of the United States that entails service or military action as part of Operation Jump Start at the border of the United States and Mexico will continue to accrue all vacation, sick time and equivalent leave time.

II. UPDATED BENEFITS PROVIDED

Effective immediately this is to be applied to any covered state employee who was on active military duty on or after September 11, 2001. The following additional benefits are to be provided to employees as defined above, who are in support of Operation Enduring Freedom, Operation Noble Eagle, Operation Liberty Shield, Operation Jump Start, or a qualifying operation as listed above and Public Act 07-112.

Vacation, Equivalent Leave and Sick Accruals - State employees who have been activated in the military will continue to accrue all vacation time, equivalent leave time, and sick leave time to which the employee would be entitled if he or she had continued working in his or her state position during the time of such active service, except that if the accrual of such vacation time while on active service would cause the employee to exceed any limit on leave time pursuant to any provision of the general statutes, the regulations of Connecticut state agencies or a collective bargaining agreement; the limit shall be temporarily waived to allow the employee to use the excess leave time before the later of the following:

- (a) from the date of the state employee's discharge from active service until the state employee returns to state employment

(b) not later than one hundred twenty calendar days after the state employee returns to state employment

(c) not later than one hundred twenty calendar days after the state employee is credited with such excess leave time. This benefit will be applied retroactively to all state employees who have been activated in the military as defined above.

As used in this section, “equivalent leave time” means leave time classified as other than vacation time or sick time and includes, but is not limited to, leave time classified as recess rather than vacation time. Personal Leave time, Comp time or Holiday Comp time is not included.

No employee shall be deemed ineligible for any benefit under this section or under any other provision of this chapter solely because such employee's leave time is classified as recess or other equivalent leave time rather than vacation time pursuant to the provisions of a collective bargaining agreement, including a collective bargaining agreement covering a state employee in a teaching, instructional or professional position in the Unifies School District 1, 2 or 3.

In order to qualify, an employee must have been called to active duty for participation in a qualifying operation. Employees taking military leave for training or other military activations not related to the subject conflict would not qualify for the additional benefits.

If an eligible employee has retired prior to this benefit, any additional accrual time may impact their service credit. The former employing agency should contact the Retirement & Benefit Services Division with any questions.

III. PROCEDURES

The crediting of retroactive vacation and sick leave accruals should have been implemented in 2006 for employees who had completed their service prior to the passage of Public Act 06-146 (See OSC Memorandum 2006-26).

The agency should continue to credit all accruals and equivalent leave time while the employee is on active duty. Upon the employee's discharge from active duty, the agency should notify the employee as soon as possible of his/her leave balances and their use as stated in Section II.

Agencies will need to calculate the vacation, equivalent leave and sick time due to employees who have been activated in the military (as defined in Section I) and credit the leave balances with the vacation, equivalent leave and sick accruals that the employee did not receive while out on military leave.

The dates prior to the inception of Core-CT will have to be calculated manually with information from the BOSS Time and Attendance System or any other system the agency used to track employee accrued time. The BOSS System is still available for reporting by agency individually. The agency needs to gather the military time, and then manually calculate the accruals owed to these employees and make the balance adjustment in the current cycle in Core-CT.

The Core-CT HRMS team will establish procedures that will allow the system to continue to accrue the affected employee's vacation time. Further instructions will be announced in a Daily mail.

IV. GENERAL INFORMATION

The Office of Labor Relations has issued General Notice 2007-15, dated August 7, 2007 concerning Public Act 07-112.

Employees with questions as to whether they are eligible to receive the benefits should contact their Agency Human Resources Office.

Questions concerning this memorandum should be directed to the Fiscal Policy Division at (860) 702-3440.

Questions concerning payroll procedures should be directed to the Payroll Division at (860) 702-3463.

Questions concerning retirement impact procedures should be directed to the Retirement & Benefit Services Division at (860) 702-3521.

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