

By Mr. MacKenzie, a petition (accompanied by bill, Senate, No. 615) of John J. Buckley for legislation to provide creditable service for retirement purposes for unused sick leave. Public Service.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Four.

AN ACT PROVIDING CREDITABLE SERVICE FOR RETIREMENT PURPOSES FOR UNUSED SICK LEAVE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Subdivision (1) of Section 4 Chapter 32 of the
2 General Laws is hereby amended by adding the following
3 paragraph:

4 (O) Any "employee" as defined in Section 1 of this Chap-
5 ter who at the time of his retirement has accumulated sick
6 leave credits as approved by the appropriate authority and
7 certified to the applicable retirement board shall be entitled
8 to count such sick leave as creditable service, provided, how-
9 ever, that such service shall not be used in determining
10 whether or not an employee has completed the twenty years
11 of service required for termination retirement under the pro-
12 visions of paragraph (a) of subdivision (2) of section ten nor
13 in determining the average annual rate of regular compensa-
14 tion as provided for in paragraph (a) of subdivision (2) of
15 section five. For the purposes of this paragraph two hundred
16 and sixty days of accumulated sick leave shall constitute one
17 year of creditable service. The credit provided for in this
18 paragraph shall also be allowed in the computation of a sur-
19 vivor's allowance under option (d) of subdivision (2) of sec-
20 tion twelve.

1 SECTION 2. Paragraph (c) of subdivision (2) of section 5
2 of said chapter 32 is hereby amended by inserting after the
3 word "greater", in line 9, as appearing in section 1 of chapter
4 190 of the acts of 1961, the words: — except in the case of a

5 member who, at the time of retirement, has completed a suf-
6 ficient number of years of creditable service, without con-
7 sidering creditable service allowed under paragraph (O) of
8 subdivision (1) of section four, to be entitled to receive the
9 maximum allowance as provided in this paragraph; in which
10 case the member shall be entitled to receive in an allowance
11 consisting of the maximum allowance as provided in this para-
12 graph and in addition shall receive an allowance computed by
13 applying the percentage factor for his attained age at the time
14 of retirement as provided in the table contained in paragraph
15 (a) above to the number of years and months of creditable
16 service provided in said paragraph (O) and applying the re-
17 sulting percentum to the three year average rate of compensa-
18 tion as provided in paragraph (a) of subdivision (2) of this
19 section.

1 SECTION 3. Any such employee who is retired for reasons
2 of disability under the provisions of section 6 or section 7 of
3 chapter 32 of the General Laws shall be entitled to remain on
4 the payroll and receive full salary for as many days of sick
5 leave as he has credited to him as certified by the appropriate
6 authority and his effective date of retirement shall be estab-
7 lished as of the close of business on the last day on which his
8 name appears on said payroll

1 SECTION 4. Subdivision (2) of section 5 of chapter 32 of the
2 General Laws is hereby amended by inserting in paragraph
3 (a) following the words "creditable service at the time of his
4 retirement", the following: — except that if the creditable
5 service is increased by one year or more by accumulated sick
6 leave under the provisions of section 4 of this chapter, the
7 percentage determined from the following table shall be in-
8 creased to the percentage of the next older age, but in no
9 event shall exceed 2.5.