

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2005

Legislative Fiscal Note

BILL NUMBER: House Bill 452 (First Edition)

SHORT TITLE: State Employee Adverse Weather Leave.

SPONSOR(S): Representative Miller

FISCAL IMPACT					
	Yes ()	No ()	No Estimate Available (X)		
	<u>FY 2005-06</u>	<u>FY 2006-07</u>	<u>FY 2007-08</u>	<u>FY 2008-09</u>	<u>FY 2009-10</u>
REVENUES:	n/a	n/a	n/a	n/a	n/a
EXPENDITURES:	No Estimate Available				
POSITIONS (cumulative):					
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED: State departments, agencies, institutions, and Universities who employ individuals subject to the State Personnel Act.					
EFFECTIVE DATE: July 1, 2005					

BILL SUMMARY:

Provides each full-time State employee up to two days of paid adverse weather leave to be used only when the Governor declares inclement weather conditions have rendered travel within part or all of the State unsafe. Unused adverse weather leave may not be shared or transferred nor paid out upon a termination of employment.

ASSUMPTIONS AND METHODOLOGY:

No fiscal estimate is available because there is no data available regarding past State declared adverse weather events. The Governor’s Office does not maintain records of instances where the Governor has declared travel within part or all of the State unsafe. Likewise, the Office of State Personnel does not maintain records of when the Adverse Weather and Emergency Closings Policy has been in effect. We, thus, have no basis to determine a fiscal impact.

The State's current Adverse Weather and Emergency Closings Policy permits an employee to use vacation leave, bonus leave, compensatory leave, take leave without pay, or to make up time whenever adverse weather or other conditions of a serious nature causes an employee absence. Given current policy, the fiscal impact may be limited only to situations whereby an employee would choose to take a leave without pay as opposed to signing leave or electing to make up the lost time.

The most probable impact of this legislation could be lost productivity as employees would have up to two additional leave days to use for an adverse weather event. Employees, who would otherwise have exhausted leave under the current Adverse Weather and Emergency Closings Policy, would have up to two additional leave days to use at a later time (by not having to exhaust their vacation, bonus, or compensatory leave). Likewise, employees, who would have otherwise made up time under current policy, would choose to use the adverse weather days instead.

SOURCES OF DATA: The Office of State Personnel, The Governor's Office, The State Personnel Manual, and Crime Control and Public Safety's web site

TECHNICAL CONSIDERATIONS:

The language of the Bill is unclear as to whether the adverse weather leave is a one-time grant of two days or a grant of two days each year. Likewise, the language does not specify whether the adverse weather leave may be carried over from year to year or whether the adverse weather leave expires at the end of each year, if unused.

The Bill does specify that "...adverse weather leave may only be taken when the Governor declares that inclement weather conditions have rendered travel within part or all of the State unsafe..." This language, however, does not clearly state whether the use of adverse weather leave is limited to the declaration of unsafe travel within the specific geographic areas in which an employee resides and/or works.

Lastly, the Bill makes no provisions as to how the adverse weather leave may apply to essential State personnel.

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DATE: May 2, 2005

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