

SUBJECT: Relating to leave for certain veterans returning to state employment

COMMITTEE: Defense and Veterans' Affairs — committee substitute recommended

VOTE: 5 ayes — Menéndez, Farias, R. Miller, Moody, Zedler

2 nays — Frank, Schaefer

2 absent — R. Sheffield, Collier

SENATE VOTE: On final passage, April 4 — 31-0, on Local and Uncontested Calendar

WITNESSES: No public hearing

DIGEST: CSSB 442 would amend Government Code, ch. 661, to revise military leave provisions for state employees.

A state employee would be entitled to leave if the person was a member of a reserve unit of U.S. military, including the National Guard, that was ordered to federal active duty for at least 180 days during a war or conflict or to support a stability operation that followed a war or conflict.

The bill also would ensure that such a member of the military who was re-employed by a state agency would be granted leave without a deduction in salary or loss of vacation time, sick leave, earned overtime, or state compensatory time to tend to a matter related to their military service or reintegration into civilian life, which would include obtaining medical or mental health care and receiving counseling. This leave could not exceed 15 days and would have to be used before the first anniversary of the day the reservist or guardsperson was re-employed by the state agency.

The administrative head of a state agency could grant additional days of leave to the state employee.

The bill would take effect September 1, 2013.

SUPPORTERS SAY: CSSB 442 would ensure that military reservists and members of the National Guard who returned to their state agency jobs had available leave

time to tend to the matters that often crop up when transitioning back to civilian life.

Allowing these citizen soldiers, marines, sailors, and airmen up to 15 days of leave following their active-duty service would minimize any financial hardship military service might cause them. The effects of fighting in a war can cause reservists and guardsmen to continue to seek health care well after they have been released and returned to their employers. CSSB 442 would ensure that an appointment at a Veterans Affairs clinic or any other reintegration matter would not cost a state employee to lose out in salary, vacation time, or sick leave.

Additionally, the bill would ensure that only those who fought in a conflict were allowed this leave, and it would require an agency's director to grant any additional time off from work if these 15 days of leave were exhausted within a year of the service member's return to employment. This provision would ensure that such leave was used sparingly but it also would give discretion to an agency's administrator to allow for a necessary absence.

**OPPONENTS
SAY:**

CSSB 442 is unnecessary because the military does not simply release a service member who has a serious disability that requires medical care. Although Texas should make a priority of honoring state employees who serve in our military, it should not expend important resources to do so.