

By: Barrientos

S.B. No. 1513

A BILL TO BE ENTITLED

AN ACT

relating to various state workforce issues.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 659.254, Government Code, is amended to read as follows:

Sec. 659.254. REALLOCATION OR RECLASSIFICATION OF A CLASSIFIED POSITION [~~REALLOCATED OR RECLASSIFIED TO A DIFFERENT SALARY GROUP~~]. (a) This section applies only to positions classified under the state's position classification plan.

(b) In this section:

(1) "higher salary group" means a salary group with a higher minimum salary rate; ~~and~~

(2) "lower salary group" means a salary group with a lower minimum salary rate ~~[ ]~~; and

(3) "same salary group" means a salary group with the same minimum salary rate.

(c) An employee whose classified position is reallocated by the General Appropriations Act or reclassified under Chapter 654 to a higher salary group will be paid at the minimum salary rate in the higher salary group or at the salary rate the employee would have received without the reallocation or reclassification, whichever rate is higher, except to maintain desirable salary relationships among employees in the affected positions, the salary may be adjusted up to a percentage above the minimum of the new salary rate

1 in the new salary group equivalent to the corresponding percentage  
2 of the salary rate held by the employee before the reallocation or  
3 the reclassification~~[not more than:~~

4 ~~(1) two steps higher, if the employee's salary group is~~  
5 ~~divided into steps by the General Appropriations Act, or~~

6 ~~(2) 6.8 percent higher, if the employee's salary group~~  
7 ~~is not divided into steps by the General Appropriations Act].~~

8 (d) An employee whose classified position is reallocated by  
9 the General Appropriations Act or reclassified under Chapter 654 to  
10 a lower salary group will be paid at the salary rate that the  
11 employee would have received had the position not been reallocated  
12 or reclassified, not to exceed the maximum rate of the lower salary  
13 group.

14 (e) To maintain desirable salary relationships among  
15 employees in the affected positions, an employee whose classified  
16 position is reclassified to another position in the same salary  
17 group may be paid at any rate within the salary group range.

18 SECTION 2. Section 659.260, Government Code, is amended to  
19 read as follows:

20 Sec. 659.260. TEMPORARY ASSIGNMENT. ~~[(a) This section~~  
21 ~~applies only to an employee whose permanent position is classified~~  
22 ~~under the state's position classification plan.]~~

23 (a) ~~[(b)]~~ To facilitate a state agency's work during an  
24 emergency or other special circumstance, an employee may be  
25 temporarily assigned to other duties for a period not to exceed six  
26 months. The employee is entitled to receive during the period of  
27 reassignment at least the same rate of pay that the employee

1 received immediately before the reassignment. An employee may not  
2 be temporarily assigned under this subsection to a position  
3 classified in a salary group with a lower minimum salary rate.

4 (b) [~~(c)~~] An employee may not be assigned temporary duties  
5 under this section for more than six months during a twelve-month  
6 period.

7 (c) [~~(d)~~] An employee temporarily designated to act as the  
8 administrative head of a state agency may continue to receive a  
9 salary for a classified position in an amount not to exceed the  
10 amount established by the General Appropriations Act for the  
11 administrative head of the agency.

12 (d) [~~(e)~~] While the employee is temporarily assigned under  
13 this section, the state agency may not:

14 (1) award a merit salary increase to the employee; or

15 (2) promote or demote the employee.

16 SECTION 3. Subsection (e), Section 661.152, Government  
17 Code, is amended to read as follows:

18 (e) In this subsection, "duty" means an employee's last  
19 physical day on the job. An employee accrues vacation leave at the  
20 applicable rate beginning on the first day of state employment and  
21 ending on the last duty day of state employment. An employee  
22 accrues and is entitled to be credited for one month's vacation  
23 leave for each month of employment with the state beginning on the  
24 first day of employment with the state and on the first calendar day  
25 of each succeeding month of state employment. An employee who is  
26 employed by the state during any part of a calendar month accrues  
27 vacation leave entitlement for the entire calendar month.

1 SECTION 4. Subsection (b), Section 661.202, Government  
2 Code, is amended to read as follows:

3 (b) In this subsection, "duty" means an employee's last  
4 physical day on the job. An employee accrues sick leave beginning  
5 on the first day of state employment and ending on the last duty day  
6 of state employment. An employee is entitled to be credited for one  
7 month's accrual of sick leave at the rate specified by Subsection  
8 (c) for each month of employment with the state beginning on the  
9 first day of employment with the state and on the first calendar day  
10 of each succeeding month of state employment.

11 SECTION 5. Subsection (b), Section 661.206, Government  
12 Code, is amended to read as follows:

13 (b) An employee may use up to eight hours of sick leave each  
14 fiscal [~~calendar~~] year to attend parent-teacher conference  
15 sessions for the employee's children.

16 SECTION 6. Section 662.010, Government Code, is amended to  
17 read as follows:

18 Sec. 662.010. HOLIDAY BEFORE WORK BEGINS OR AFTER WORK  
19 ENDS. (a) An individual must be a state employee on the workday  
20 before and after a state or national holiday in order to be paid for  
21 that holiday, unless the holiday falls on the employee's first or  
22 last workday of the month~~[who is not a state employee on the last~~  
23 ~~workday before a state or national holiday but who is a state~~  
24 ~~employee on the first workday after the holiday may not be paid for~~  
25 ~~the holiday if it occurs during the same month as the last workday~~  
26 ~~before the holiday.~~

27 ~~(b) An individual who is a state employee on the last~~

1 ~~workday before a state or national holiday but who is not a state~~  
2 ~~employee on the first workday after the holiday may not be paid for~~  
3 ~~the holiday if it occurs before the first workday of a month and~~  
4 ~~during that month.].~~

5       (b) [~~(c)~~] In this section, "state employee":

6               (1) includes an individual who uses paid leave from a  
7 state agency; and

8               (2) does not include an individual who uses unpaid  
9 leave from a state agency.

10       SECTION 7. This Act takes effect September 1, 2003.