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HOUSE BILL NO. 2426

Offered January 20, 1997

A BILL to amend the Code of Virginia by adding a section numbered 2.1-114.7:2, relating to the Virginia Personnel Act.

Patrons—Hall, Abbitt, Armstrong, Barlow, Brickley, Christian, Clement, Councill, Cranwell, Crittenden, Croshaw, Cunningham, Darner, DeBoer, Deeds, Diamonstein, Dickinson, Heilig, Hull, Jackson, Johnson, Jones, D.C., Keating, McEachin, Moss, Murphy, Phillips, Plum, Robinson, Scott, Shuler, Stump, Tate, Thomas, Van Landingham, Van Yahres, Watts and Woodrum; Senators: Couric, Edwards, Houck, Lambert, Marsh, Marye, Miller, Y.B., Reynolds, Ticer and Walker

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:**1. That the Code of Virginia is amended by adding a section numbered 2.1-114.7:2 as follows:**

§ 2.1-114.7:2. Rights of state employees on leave without pay-layoff.

A. Effective January 1, 1995, any employee of the Commonwealth who is placed on leave without pay-layoff shall be permitted to displace an employee with less seniority if he is deemed qualified pursuant to policies adopted by the Department of Personnel and Training. An employee whose reassignment within his agency is not possible because (i) there is no available position for which the employee is qualified or (ii) the position offered to the employee requires relocation or a reduction in salary, shall be entitled to exercise his preferential employment rights for any vacant position in his agency for which he is minimally qualified so long as he applies for the position and presents his preferential hiring form on or before the closing date for applications.

B. An employee on leave without pay-layoff shall be hired for the position if he is deemed qualified and the agency does not select one of its current employees to fill the position. In the event that more than one employee on leave without pay-layoff exercises his preferential employment rights, the position shall be awarded to the most senior, qualified employee.

C. Preferential hiring rights pursuant to this section shall exist until the earlier of (i) one calendar year from the date the employee is placed on leave without pay-layoff or (ii) the date the employee is rehired by the agency from which he was laid off.

INTRODUCED

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