

2003 SESSION

INTRODUCED

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HOUSE BILL NO. 2065

Offered January 8, 2003

Prefiled January 7, 2003

A BILL for the relief of Sergeant Kermit Johnson.

Patron—Dudley

Referred to Committee on Appropriations

Whereas, Sergeant Kermit Johnson (Sgt. Johnson) was hired in 1986 as a patrol officer with the Virginia Department of State Police (DSP); and

Whereas, on September 14, 1987, while on duty on Interstate 95 in Fairfax County, Sgt. Johnson was injured; and

Whereas, as a result of the injuries that he suffered, Sgt. Johnson was granted disability retirement in April 1988; and

Whereas, Sgt. Johnson was subsequently able to return to work on September 16, 1990; and

Whereas, Sgt. Johnson continued to serve in the DSP for over eight years building an excellent record of service and attaining the rank of Sergeant; and

Whereas, in May 1998, Sgt. Johnson learned that he would have to undergo major surgery to address medical problems connected to his original injury that would require him to be absent from work for at least six weeks; and

Whereas, upon learning that an extended absence was required for his surgery, Sgt. Johnson contacted DSP's personnel office to determine if he would be covered under his time loss benefits for the six-week period; and

Whereas, Sgt. Johnson was informed by the personnel office that he would have to use his existing sick leave for the entire six-week period because his time loss benefits had expired; and

Whereas, the personnel office informed Sgt. Johnson that his benefits would still be available if he had missed at least one day of work per year; and

Whereas, in addition to the operation that occurred in 1998, Sgt. Johnson has been required to have several operations over the past three years; and

Whereas, over this period, Sgt. Johnson has had to use over 1700 hours of sick leave; and

Whereas, the most recent operation will require him to miss work until mid-January, 2002; and

Whereas, Sgt. Johnson's continued use of sick leave to receive needed medical care over this extended period has placed his sick leave balance extremely low and in jeopardy of being exhausted completely; and

Whereas, Sgt. Johnson is in this situation as a direct result of the injuries he suffered as a State Trooper while engaged in the performance of his public safety duties to the people of the Commonwealth of Virginia; and

Whereas, Sgt. Kermit Johnson has no other means to obtain adequate relief except by action of this body; now, therefore,

Be it enacted by the General Assembly of Virginia:

1. § 1. That the following relief shall be granted to Sergeant Kermit Johnson upon execution of a release of all claims he may have against the Commonwealth or any agency, instrumentality, office, employee or political subdivision in connection with the aforesaid occurrence: (i) the Superintendent of the Virginia State Police is directed to restore the sick and annual leave balances of Sergeant Kermit Johnson to the amount existing as of May 15, 1998 and (ii) that Sergeant Kermit Johnson shall have all benefits provided pursuant to the Virginia Workers' Compensation Act (§ 65.2-100 et seq.).

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