

VIRGINIA ACTS OF ASSEMBLY -- 2017 SESSION

CHAPTER 632

An Act to amend and reenact § 15.2-1605 of the Code of Virginia, relating to constitutional officers; local leave benefits.

[S 936]

Approved March 20, 2017

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-1605 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-1605. Vacations; sick leave and compensatory time for certain officers and employees.

A. "Employee," as used in this section, means an employee or deputy of the attorney for the Commonwealth, the treasurer, the commissioner of the revenue, the clerk of the circuit court, and the sheriff and shall also include the officers and employees of all courts whose salaries are paid by the Commonwealth.

B. Every county and city for which such employees work shall annually provide for each employee at least two weeks vacation with pay, at least seven days sick leave with pay, and such legal holidays as are provided for in § 2.2-3300. If any employee or deputy is required to work on any legal holiday, he shall receive, in lieu of the holiday, an equal amount of compensatory time with pay in the same calendar year in which such holiday occurs. The county or city may provide that vacation or sick leave may be accumulated or shall terminate within a given period of time; however, such vacation may not be accumulated in excess of six weeks. The cost of providing such benefits shall be borne in the same manner and on the same basis as the costs of the office are shared or as the excess fees therefrom may be shared. *When a county or city has entered into an agreement with a constitutional officer to include his employees under the locality's personnel leave policies, then such employee may accrue and accumulate leave pursuant to such policies instead of under this section, as long as such local benefits are not less than the amounts as set out in this section.*

C. For the purpose of computing the Commonwealth's financial obligations for accumulated vacation time of an employee under this section, the Commonwealth shall pay the lesser, and in any event only its proportional share, of the amount due to an employee for such time when computed (i) under the applicable counties' or cities' personnel policies, regulations and rules, or (ii) by treating the employee as a Commonwealth employee, under its applicable personnel policies, regulations and rules.