October 20, 2014

The Honorable Gibson T. Siba
Speaker
Tenth Kosrae State Legislature
Tofol, Kosrae FM 96944

Dear Mr. Speaker.

Kulo nu sin God ke moul lasr. Paing kom a members ke Sroasr Masap kewa.

Wangin pa pusra yok lasr nuke sripa yok lun L.B. No. 10-157, Oinge nga fulela lusen len 30 la in eis comments nuka, panang oru el putatyang nuke pusren masap su orala Kosrae State Law No. 10-142.

" TO FURTHER AMEND SECTION 18.608 OF TITLE 18 OF THE KOSRAE STATE CODE, AS AMENDED, TO ALLOW DONATION OF SICK LEAVE TO EMPLOYEES WITH SERIOUS ILLNESS; AND FOR OTHER PURPOSES."

Certified copy ke Masap se inge pa attached nuke letter luk.

Lyndon H. Jackson
Governor

/mct
Tenth Kosrae State Legislature  
P. O. Box 187  
Tofol, Kosrae State  
Federated States of Micronesia 96944  
Telephone: (691) 370-3019/3177 * Fax: 370-2177  
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September 16, 2014

The Honorable Lyndon H. Jackson  
Governor  
State of Kosrae  
Kosrae, FM 96944

Dear Governor Jackson:

I have the honor to transmit herewith for your consideration and action  
L. B. NO. 10-157, TO FURTHER AMEND SECTION 18.608 OF  
TITLE 18 OF THE KOSRAE STATE CODE, AS AMENDED, TO  
ALLOW DONATION OF SICK LEAVE TO EMPLOYEES WITH  
SERIOUS ILLNESS; AND FOR OTHER PURPOSES.; which  
passed the Legislature, Eighth Regular Session, by two-thirds of the  
members of the Legislature, a quorum being present.

Respectfully yours,

[Signature]

Tosie K. Elley  
Chief Clerk  
Tenth Kosrae State Legislature

Enclosures
A BILL FOR AN ACT

TO FURTHER AMEND SECTION 18.608 OF TITLE 18 OF THE KOSRAE STATE CODE, AS AMENDED, TO ALLOW DONATION OF SICK LEAVE TO EMPLOYEES WITH SERIOUS ILLNESS; AND FOR OTHER PURPOSES.

INTRODUCED Senator Bob H. Skilling

DATE: July 18, 2013

ACTION BY THE LEGISLATURE

PASSED FIRST READING: September 3, 2014

REFERRING TO: Committee on H&SA
SCR. No. 10-296 – A – 09/03/14

PASSED SECOND READING: September 9, 2014

Tosie K. Elley
Chief Clerk
KOSRAE STATE LEGISLATURE
TENTH KOSRAE STATE LEGISLATURE
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LEGISLATIVE BILL NO. 10-157

We hereby certify that the foregoing Bill has passed Second and Final Readings in the Legislature, Eighth Regular Session, 2014, by two-thirds of the members of the Tenth Kosrae State Legislature, a quorum being present.

Gibson T. Siba
Speaker
Tenth Kosrae State Legislature

Tosie K. Elley
Chief Clerk
Tenth Kosrae State Legislature
A BILL FOR AN ACT

To further amend Section 18.608 of Title 18 of the Kosrae State Code, as amended, to allow donation of sick leave to employees with serious illness; and for other purposes.

BE IT ENACTED BY THE KOSRAE STATE LEGISLATURE

Section 1. Section 18.608 of Title 18 of the Kosrae State Code, as amended by S. L. No. 8-117, is hereby further amended to read as follows:

"Section 18.608. Leave.

(1) Paid Annual Leave. Permanent employees may take twenty-five (25) days or two hundred (200) hours of paid annual leave, effective the first day of each fiscal year. Paid annual leave does not accrue from year to year.

(2) Sick leave. All permanent employees may take earned sick leave as follows:

a. All permanent employees of the Public Service System shall earn sick leave at the rate of three (3) hours per pay period. There shall be no waiting period for new employees.

b. to be eligible for sick leave, a permanent employee (i) must be injured or ill and (ii) must have accumulated earned sick leave.

c. A permanent employee is required to notify the Administrative Officer as soon as possible on the first day sick leave is taken. If an emergency prevents notification on the first day sick leave is taken, or the permanent employee has no access to a telephone, then the permanent employee must notify the Administrative Officer as soon as he or
she is able to do so.

d. When a permanent employee takes sick leave for more than three (3) consecutive working days, a written explanation bearing a doctor's signature or other form of evidence must be presented to the Administrative Officer. The Administrative Officer may require written evidence of illness from a doctor when taking sick leave appears chronic or excessive.

e. All sick leaves shall be accumulated from year to year.

f. Strictly there will be no form of compensation nor sanction bestowed upon any accumulated sick leaves.

(3) ...

(8) Donation of Sick Leave.

a. For compassionate reasons and not for pecuniary gain, an employee may donate his unused earned accumulated sick leave which has not been advanced to him to another employee who has entirely used up his accumulated sick leave and is suffering from a catastrophic illness. The donation shall be voluntary and no employee shall be coerced in any way to donate his unused earned accumulated sick leave.

b. The effect of donating sick leave shall be the same as if the donor employee had used the donated sick leave himself. Once a donor employee has donated sick leave, the donated sick leave becomes the sick leave of the employee and is no longer available to the donor employee, regardless of whether the donee employee is able to make use of the
donated sick leave. Nothing in this paragraph shall be construed to prevent a donor employee
from becoming a donee employee, provided that he becomes eligible to receive donated sick
leave by suffering a catastrophic illness and using up all his accumulated sick leave.

c. The donor employee shall complete a leave request indicating the
amount of sick leave to be donated and the name of the donee employee. The Director of
Administration and Finance or his designee shall prescribe the form of the leave request. At a
minimum, the form shall indicate the name of the donor employee, the name of the donor
employee, the number of hours of sick leave being donated, and an acknowledgment signed by
the donor employee that he or she freely and willingly and not for pecuniary gain forfeits all
rights to the donated sick leave.

d. For purposes of this subsection, a catastrophic illness is one which
prevents the employee from returning to his duties for a period of 30 consecutive days or more as
certified by qualified medical personnel. A donee employee may receive no more than 180 days
of donated sick leave per year in total from donor employees.”

Section 2. Effective Date. This act shall become law upon approval by the Governor or
upon its becoming law without such approval.

PASSED BY THE TENTH KOSRAE STATE LEGISLATURE ON THE 9TH DAY OF
SEPTEMBER, 2014.
L. B. No. 10-157

Gibson T. Siba  
Speaker, Tenth Kosrae State Legislature

Attested by:  
Chief Clerk

Lyndon H. Jackson  
Governor, State of Kosrae  

Date: ____________________