

HOUSE BILL No. 4991

July 17, 2003, Introduced by Reps. Byrum, Jamnick, Tobocman, Accavitti, Bieda and Hardman and referred to the Committee on Local Government and Urban Policy.

A bill to require public employers to grant public employees a leave of absence to serve as precinct election inspectors without loss of pay or benefits; to impose certain duties on public employees who request a leave of absence to serve as precinct election inspectors; and to impose certain duties on certain public officials.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "public employee precinct election inspector leave of absence
3 act".

4 Sec. 3. As used in this act:

5 (a) "Person" means an individual, sole proprietorship,
6 partnership, corporation, association, or any other legal
7 entity.

8 (b) "Precinct election inspector" means a person appointed as

1 a precinct election inspector under section 674 of the Michigan
2 election law, 1954 PA 116, MCL 168.674.

3 (c) "Public employee" means a person employed by this state
4 or a political subdivision of this state. Public employee
5 includes a member of the state classified civil service system.

6 (d) "Public employer" means this state or a political
7 subdivision of this state.

8 Sec. 5. (1) A public employee who is appointed to serve as
9 a precinct election inspector may request a leave of absence
10 under this act from his or her public employer for the entire
11 24-hour period of the election day in which that public employee
12 serves as a precinct election inspector.

13 (2) Subject to any applicable collective bargaining
14 agreement, a public employer may grant to each public employee
15 appointed to serve as a precinct election inspector who requests
16 a leave of absence under this act a leave of absence for the
17 entire 24-hour period of the election day in which that public
18 employee serves as a precinct election inspector.

19 (3) Except as otherwise provided in section 7, a public
20 employer shall not reduce the salary, wages, or benefits that a
21 public employee would have received if the public employee had
22 not taken a leave of absence under this act. A public employer
23 shall not impose any penalty on a public employee who requests a
24 leave of absence under this act. A leave of absence under this
25 act shall not reduce a public employee's accrual of seniority or
26 longevity benefits.

27 (4) A public employee shall request a leave of absence under

1 this act not less than 7 days prior to the election day in which
2 that public employee will serve as a precinct election
3 inspector.

4 (5) The board of election commissioners that appointed a
5 public employee as a precinct election inspector shall provide
6 all of the following in writing upon the request of a public
7 employer:

8 (a) Verification of the public employee's appointment as a
9 precinct election inspector.

10 (b) Confirmation of the public employee's service as a
11 precinct election inspector.

12 (c) Certification of the amount of compensation that the
13 public employee received for his or her service as a precinct
14 election inspector.

15 Sec. 7. Upon receipt of the certification of the amount of
16 compensation that a public employee received for his or her
17 service as a precinct election inspector under section 5(5)(c), a
18 public employer shall deduct the amount certified from the public
19 employee's salary or wages earned during the public employee's
20 leave of absence under this act.