

§§ 60m, 60n. Repealed. Pub. L. 104-1, title V, § 504(b), Jan. 23, 1995, 109 Stat. 41

Section 60m, Pub. L. 103-3, title V, § 501, Feb. 5, 1993, 107 Stat. 27; Pub. L. 103-283, title III, § 312(f)(4), July 22, 1994, 108 Stat. 1447, related to family and medical leave for certain Senate employees. See section 1301 et seq. of this title.

Section 60n, Pub. L. 103-3, title V, § 502, Feb. 5, 1993, 107 Stat. 28, related to family and medical leave for certain employees of House of Representatives. See section 1301 et seq. of this title.

SAVINGS PROVISION

Section 504(b) of Pub. L. 104-1 provided in part that sections 60m and 60n of this title are repealed, except as provided in section 1435 of this title.

§ 60o. Lump sum payment for accrued annual leave of House employees

(a) Approval; amount; source of payments

Upon the approval of the appropriate employing authority, an employee of the House of Representatives may be paid a lump sum for the accrued annual leave of the employee or for any other purpose. The lump sum—

(1) shall be paid in an amount not more than the lesser of—

(A) the amount of the monthly pay of the employee, as determined by the Chief Administrative Officer of the House of Representatives; or

(B) in the case of a lump sum payment for the accrued annual leave of the employee, the amount equal to the monthly pay of the employee, as determined by the Chief Administrative Officer of the House of Representatives, divided by 30, and multiplied by the number of days of the accrued annual leave of the employee;

(2) shall be paid—

(A) for clerk hire employees, from the clerk hire allowance of the Member;

(B) for committee employees, from amounts appropriated for committees; and

(C) for other employees, from amounts appropriated to the employing authority; and

(3) shall be based on the rate of pay in effect with respect to the employee on the last day of employment of the employee.

(b) Regulations

The Committee on House Oversight shall have authority to prescribe regulations to carry out this section.

(c) “Employee of the House of Representatives” defined

As used in this section, the term “employee of the House of Representatives” means an employee whose pay is disbursed by the Clerk of the House of Representatives or the Chief Administrative Officer of the House of Representatives, as applicable, except that such term does not include a uniformed or civilian support employee under the Capitol Police Board.

(d) Separations after June 30, 1995

Payments under this section may be made with respect to separations from employment taking place after June 30, 1995.

(Pub. L. 104-53, title I, § 109, Nov. 19, 1995, 109 Stat. 522; Pub. L. 105-55, title I, § 103(a), Oct. 7, 1997, 111 Stat. 1183.)

CODIFICATION

Section is from the Congressional Operations Appropriations Act, 1996, which is title I of the Legislative Branch Appropriations Act, 1996.

AMENDMENTS

1997—Subsec. (a). Pub. L. 105-55, § 103(a)(1), (2), in introductory provisions, struck out “who is separated from employment,” after “House of Representatives” and substituted “of the employee or for any other purpose” for “of the employee”.

Subsec. (a)(1)(B). Pub. L. 105-55, § 103(a)(3), substituted “in the case of a lump sum payment for the accrued annual leave of the employee, the amount” for “the amount”.

CHANGE OF NAME

Committee on House Oversight of House of Representatives changed to Committee on House Administration of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

EFFECTIVE DATE OF 1997 AMENDMENT

Section 103(b) of Pub. L. 105-55 provided that: “The amendments made by subsection (a) [amending this section] shall apply to fiscal years beginning on or after October 1, 1997.”

LUMP SUM PAYMENT FOR ACCRUED ANNUAL LEAVE OF SENATE EMPLOYEES

Pub. L. 106-554, § 1(a)(2) [title I, § 6], Dec. 21, 2000, 114 Stat. 2763, 2763A-97, provided that:

“(a) The head of the employing office of an employee of the Senate may, upon termination of employment of the employee, authorize payment of a lump sum for the accrued annual leave of that employee if—

“(1) the head of the employing office—

“(A) has approved a written leave policy authorizing employees to accrue leave and establishing the conditions upon which accrued leave may be paid; and

“(B) submits written certification to the Financial Clerk of the Senate of the number of days of annual leave accrued by the employee for which payment is to be made under the written leave policy of the employing office; and

“(2) there are sufficient funds to cover the lump sum payment.

“(b)(1) A lump sum payment under this section shall not exceed the lesser of—

“(A) twice the monthly rate of pay of the employee; or

“(B) the product of the daily rate of pay of the employee and the number of days of accrued annual leave of the employee.

“(2) The Secretary of the Senate shall determine the rates of pay of an employee under paragraph (1)(A) and (B) on the basis of the annual rate of pay of the employee in effect on the date of termination of employment.

“(c) Any payment under this section shall be paid from the appropriation account or fund used to pay the employee.

“(d) If an individual who received a lump sum payment under this section is reemployed as an employee of the Senate before the end of the period covered by the lump sum payment, the individual shall refund an amount equal to the applicable pay covering the period between the date of reemployment and the expiration of the lump sum period. Such amount shall be deposited to the appropriation account or fund used to pay the lump sum payment.

“(e) The Committee on Rules and Administration of the Senate may prescribe regulations to carry out this section.

“(f) In this section, the term—

“(1) ‘employee of the Senate’ means any employee whose pay is disbursed by the Secretary of the Sen-