

CHAPTER 3

Exempt Employees

SECTIONS

- § 301. **Definitions.**
- § 302. **Annual leave.**
- § 303. **Sick leave.**
- § 304. **Compassionate leave.**
- § 305. **Compensatory time.**
- § 306. **Discretion to grant leave.**
- § 307. **Transition provision.**

§ 301. Definitions.

In this chapter, unless the context otherwise requires, the following definitions shall apply:

- (1) “Annual leave” means vacation or home leave or the total hours of leave with pay due an employee annually, excluding other forms of leave with pay.
- (2) “Compassionate leave” means the hours of leave with pay due an employee, per occurrence, for imminent death or death in the immediate family.
- (3) “Compensatory time” means those hours worked by an employee outside established work hours and for which the employee is credited in the form of leave with pay.
- (4) “Exempt employees” means those employees of the National Government exempted by law from the provisions of the National Public Service System Act, section 111 et seq. of title 52 of this code.
- (5) “Sick leave” means the hours of leave with pay due an employee because of personal illness or disability.

Source: PL 3-16 § 1.

§ 302. Annual leave.

No exempt employee may receive or be credited with annual leave.

Source: PL 3-16 § 2.

§ 303. Sick leave.

No exempt employee may receive or be credited with sick leave.

Source: PL 3-16 § 3.

§ 304. Compassionate leave.

No exempt employee may receive or be credited with compassionate leave.

Source: PL 3-16 § 4.

§ 305. Compensatory time.

No exempt employee may receive or be credited with compensatory time.

Source: PL 3-16 § 5.

§ 306. Discretion to grant leave.

(1) Notwithstanding the provisions of sections 302, 303, and 304 of this chapter, exempt employees may take annual leave, sick leave, and compassionate leave at the discretion of the President or his designee, if the employees are employed by the Executive Branch, the Speaker for those employed by the Congress, and the Chief Justice for those employed by the Supreme Court.

(2) No exempt employee may receive credit, compensation, reimbursement, or moneys for any accumulation or waiver of any untaken leave.

Source: PL 3-16 § 6.

Cross-reference: The statutory provisions on the President and the Executive are found in title 2 of this code. The statutory provisions on the FSM Congress are found in title 3 of this code. The statutory provisions on the FSM Supreme Court and the Judiciary are found in title 4 of this code.

§ 307. Transition provision.

Exempt employees entitled by contract existing at the effective date of the Act codified in this chapter to annual, sick, compassionate, or compensatory leave shall not be affected by the provisions of this chapter for the duration of that contract only. All such contracts entered into after the effective date of the act codified in this chapter shall conform to the provisions of this chapter.

Source: PL 3-16 § 7.