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1 A bill to be entitled 2 An act relating to military affairs; creating s. 3 115.135, F.S.; providing that an employee of the state 4 or any county, municipality, or other political 5 subdivision who is the spouse of a military 6 servicemember may not be compelled to work overtime or 7 extended work hours during active duty deployment of 8 his or her spouse; prohibiting the imposition of a 9 sanction or penalty upon such employee for failure or refusal to work overtime or extended work hours during 10 11 the period of his or her spouse's active duty 12 deployment; providing for applicability; requiring an employing authority to grant a request by such 13 employee for unpaid leave for specified purposes 14 15 during the active duty deployment; providing a 16 limitation on such unpaid leave; providing that the 17 act fulfills an important state interest; providing an effective date. 18 19 20 Be It Enacted by the Legislature of the State of Florida: 21 22 Section 1. Section 115.135, Florida Statutes, is created 23 to read: 24 115.135 Overtime and leave considerations; spouses of 25 military servicemembers on active duty.-

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municipality, or other political subdivision who is the spouse

of a servicemember of the United States Armed Forces may not be

(1) (a) An employee of the state or any county,

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compelled by his or her employing authority to work overtime or extended work hours during a period in which his or her spouse is deployed on active duty military service.

- (b) An employing authority may not impose a sanction or penalty upon an employee who is the spouse of a servicemember of the United States Armed Forces for failure or refusal to work overtime or extended work hours during a period in which his or her spouse is deployed on active duty military service.
- (c) This subsection applies exclusively to employees entitled to overtime protection under the federal Fair Labor Standards Act, 29 U.S.C. ss. 201 et seq.
- (2) An employing authority shall grant a request by an employee who is the spouse of a servicemember of the United States Armed Forces deployed on active duty military service for unpaid leave not to exceed 4 working days for the purpose of attending to matters directly related to the implementation of deployment orders of his or her spouse.

Section 2. To support members of the United States Armed
Forces and their families, the Legislature finds that a proper
and legitimate state purpose is served by prohibiting the state
or any county, municipality, or other political subdivision from
requiring an employee entitled to overtime protection under the
federal Fair Labor Standards Act whose spouse is deployed on
active duty military service from working overtime or extended
hours. To support members of the United States Armed Forces and
their families, the Legislature also finds that a proper and
legitimate state purpose is served by permitting any employee of
the state or any county, municipality, or other political

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57	subdivision whose spouse is deployed on active duty military
58	service to take unpaid leave to attend to matters directly
59	related to the implementation of the deployment orders.
60	Therefore, the Legislature determines and declares that this act
61	fulfills an important state interest.
62	Section 3. This act shall take effect July 1, 2013.

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