

~~(2)~~ (3) SUBJECT TO THIS SECTION, THE DEPARTMENT SHALL ADOPT REGULATIONS GOVERNING THE TIMING AND GRANTING OF REQUESTS FOR SEASONAL AND FAMILY LEAVE, AND MAY REQUIRE THAT ACCRUED LEAVE BE EXHAUSTED BEFORE SEASONAL OR FAMILY LEAVE IS TAKEN;

~~(3)~~ (4) The period of ~~-{seasonal}-~~ OR FAMILY leave may not be counted as time in State service for retirement or other purposes;

~~(4)~~ (5) ~~-{Seasonal}-~~ OR FAMILY leave may not be granted to an employee who has not completed a probationary period; and

~~(5)~~ (6) [Health care and other benefits] ALL BENEFITS, INCLUDING HEALTH CARE, shall be suspended for the period of the ~~-{seasonal}-~~ OR FAMILY leave; provided, however, that the employee may continue such benefits, AS PERMITTED BY LAW OR REGULATION, by paying their full cost, including the share ordinarily paid by the State.

(e) A State [employer] EMPLOYEE may not [require a State employee] BE REQUIRED to take ~~-{seasonal}-~~ OR FAMILY leave without pay.

(F) THE EMPLOYER SHALL ASSURE THAT THE EMPLOYEE'S POSITION IS AVAILABLE AFTER THE EMPLOYEE HAS USED THE APPROVED SEASONAL OR FAMILY LEAVE.

37D.

STATE EMPLOYEES MAY BE ENTITLED TO THE FOLLOWING LEAVES OF ABSENCE PURSUANT TO RULES PROMULGATED BY THE SECRETARY OF PERSONNEL:

(1) A LEAVE OF ABSENCE WITHOUT PAY FOR A PERIOD NOT TO EXCEED 2 YEARS;

(2) A LEAVE OF ABSENCE WITH PAY FOR JURY SERVICE;

(3) A LEAVE OF ABSENCE WITH PAY FOR LEGAL ACTIONS WHEN THE EMPLOYEE IS SUMMONED TO APPEAR IN A COURT ACTION, BEFORE A GRAND JURY, BEFORE AN ADMINISTRATIVE AGENCY, OR FOR A DEPOSITION AND THE EMPLOYEE IS NEITHER A PARTY TO THE ACTION NOR A PAID WITNESS; AND

(4) A LEAVE OF ABSENCE WITH PAY TO ATTEND CERTAIN EMPLOYEE ORGANIZATION EVENTS DESIGNATED BY THE SECRETARY OF PERSONNEL.

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~~(b) -- "Grievance" -- means -- any -- cause -- of -- complaint -- unless otherwise provided for under -- this -- article -- arising -- between -- an~~