

STATE OF DELAWARE



EXECUTIVE DEPARTMENT  
DOVER

EXECUTIVE ORDER  
NUMBER FORTY-NINE

TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES  
FROM: AMENDMENT TO EXECUTIVE ORDER NUMBER THIRTY-SIX

WHEREAS, Governor Pierre S. du Pont promulgated Executive Order Number Thirty-Six regarding the establishment of uniform leave rules for exempt employees on November 23, 1977; and

WHEREAS, Paragraph 2C(2) restricts the right of exempt employees to receive payment for unused sick leave in very limited circumstances; and

WHEREAS, said paragraph 2C(2) has been found to work a possible and unreasonable hardship on those who have accrued unused sick leave as employees covered by the classified system, and who have thereafter become exempt employees.

NOW, THEREFORE, I, PIERRE S. du PONT, IV, by virtue of the authority vested in me as Governor of the State of Delaware, do hereby declare and order as follows:

1. Paragraph 2C(2) of Executive Order Number Thirty-Six is rescinded in its entirety, and in lieu thereof shall be a new paragraph 2C(2) which paragraph shall read as follows:

"(2) No exempt employee shall receive payment for unused sick leave except as specified in paragraph 2C(1)(b) and (c) hereof, except that any exempt employee who has served in an exempt position for less than two years, but who prior thereto was a State employee under the classified system, shall be entitled to receive as part of his terminal pay an amount equal to his sick leave as accrued to a maximum of forty-five (45) days at the time of the termination of his status as a classified employee."

2. All other provisions of Executive Order Number Thirty-Six dated November 23, 1977, are hereby republished in

their entirety and shall continue in full force and effect until rescinded.

APPROVED this *14th* day of  
*March*, 1978.

*R. S. Roark*  
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Governor

ATTEST:

*M. C. Kent*  
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Secretary of State

