

sated, whether from appropriations by the municipality, or from revenue derived by The Sewerage Authority from the operation of its system. The Legislature could have provided either method of compensation.

I am, therefore, of opinion that employees of The Beverly Sewerage Authority are subject to the jurisdiction of your Commission.

Very truly yours,

THEODORE D. PARSONS,  
*Attorney General*

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APRIL 11, 1949.

DR. WILLIAM S. CARPENTER, *President*,  
*Department of Civil Service*,  
State House.

FORMAL OPINION—1949. No. 32.

DEAR SIR:

I have your memorandum of the 6th instant, with respect to the proper interpretation of the statute respecting vacation leave and sick leave, both of which are provided for by R. S. 11:14-1 and R. S. 11:14-2, as said sections were amended by Chapter 233 of the Laws of 1939.

The question submitted by you, if I understand it correctly, is whether vacation time accrues during the period when a State employee is away on accumulated sick leave.

It is my view that vacation leave continues to accumulate while a State employee is on sick leave, and it is my understanding that this matter was fully considered and passed upon by this department, without formal opinion, some years ago. The sick leave may be accumulated over a period of years, and the duration of such sick leave depends upon length of service. Not so, however, with vacation leave, because it does not accumulate except in those instances where the vacation leave was not granted by reason of pressure of State business, in which event the leave accumulates and shall be granted during the next succeeding calendar year.

To state the matter succinctly, in my opinion, vacation leave may not be offset as against sick leave.

Very truly yours,

THEODORE D. PARSONS,  
*Attorney General*