

1980 WL 120753 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 27, 1980

***1 RE: Joint Resolution, R632, H3874**

Jack S. Mullins, Ph.D.
Director
Personnel Division
State Budget and Control Board
1205 Pendleton Street
Columbia, South Carolina 29211

Dear Dr. Mullins:

You have recently addressed two questions to this Office which concern the above-referenced recently enacted statute on the subject of compensatory time for inclement weather days. The first question is whether an employee is entitled to compensatory time if the employee worked in an area that had good weather on any or all of the four days referred to in the Act. The second question is whether an employee would be entitled to compensatory time if the employee were out of state on state business on any of those four days.

The Act provides:

Notwithstanding any other provision of law, any state employee or employee of a state-supported college or university who worked on February 6, February 7, March 3 or March 4, 1980, or any part thereof, shall be authorized compensatory time for the hours worked on those inclement weather days.

When a statute is plain and unambiguous the words in the statute must be given a literal interpretation. [University of South Carolina v. Batson](#), 271 S.C. 242, 244, 246 S.E.2d 882, 883 (1978); [Green v. Zimmerman](#), 269 S.C. 535, 538, 238 S.E.2d 323, 325 (1977), and [McMillen Feed Mills, Inc. v. Mayer](#), 265 S.C. 500, 510, 220 S.E.2d 221, 226 (1975). Accordingly any state employee who worked on the four days referred to in the Act is entitled to compensatory time covering the hours worked.

Sincerely,

Barbara J. Hamilton
Assistant Attorney General

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