

Regular Session, 2014

SENATE BILL NO. 172

BY SENATOR CORTEZ

TEACHERS. Provides relative to sick leave for teachers and other school employees.
(8/1/14)

1 AN ACT

2 To amend and reenact R.S. 17:1201(C)(1)(a) and (D) and 1206.1(A)(1), relative to sick
3 leave for teachers and other school employees; to provide relative to sick leave
4 granted as a result of assault or battery by a student or other person as it relates to
5 retirement; to provide for worker's compensation benefits; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:1201(C)(1)(a) and (D) and 1206.1(A)(1) are hereby amended and
9 reenacted to read as follows:

10 §1201. Amount of sick leave; reimbursement; injury on the job

11 * * *

12 C.(1)(a) Any member of the teaching staff of the public schools who is
13 injured or disabled while acting in his official capacity as a result of assault or
14 battery by any student or person shall receive sick leave without reduction in pay and
15 without reduction in accrued sick leave days while disabled as a result of such assault
16 or battery. However, such member of the teaching staff shall be required to present
17 a certificate from a physician certifying such injury and disability. **If the member**

1 **of the teaching staff who is receiving sick leave without reduction as provided**
 2 **in this Section begins to draw his benefit from the Teachers' Retirement System**
 3 **of Louisiana, the leave shall cease.**

4 * * *

5 D.(1) Any member of the teaching staff in the public schools who is injured
 6 or disabled while acting in his official capacity shall be entitled to weekly wage
 7 benefits under the worker's compensation law of the state of Louisiana and/or to sick
 8 leave benefits under ~~Subpart B of Part X of this Chapter~~ **Subsection A of this**
 9 **Section**, at his option, but in no event shall such benefits exceed the total amount of
 10 the regular salary the member of the teaching staff was receiving at the time the
 11 injury or disability occurred.

12 (2) In any case in which a member of the teaching staff ~~supplements~~
 13 **personally elects to supplement** worker's compensation with accumulated ~~or~~
 14 ~~extended~~ sick leave, the amount of sick leave used shall be calculated on an hourly
 15 basis.

16 * * *

17 §1206.1. School employees; sick leave

18 A.(1) Any employee of the parish or city school boards of this state, as the
 19 word "employee" is defined in R.S. 17:1205, who is injured or disabled while acting
 20 in his official capacity as a result of assault or battery by any student or person, shall
 21 receive sick leave without reduction in pay and without reduction in accrued sick
 22 leave days while injured or disabled as a result of such assault or battery; however,
 23 when such employee is absent for six or more consecutive days as a result of such
 24 injury or disability, he shall be required to present a certificate from a physician
 25 certifying such injury or disability. **If the employee of the parish or city school**
 26 **board who is receiving sick leave without reduction as described in this Section**
 27 **begins to draw his benefit from the Teachers' Retirement System of Louisiana**
 28 **or the Louisiana School Employees' Retirement System, the leave shall cease.**

29 * * *

The original instrument was prepared by Alan Miller. The following digest, which does not constitute a part of the legislative instrument, was prepared by Mary Dozier O'Brien.

DIGEST

Present law provides that any member of the teaching staff of the public schools who is injured or disabled while acting in his official capacity as a result of assault or battery by any student or person shall receive sick leave without reduction in pay and without reduction in accrued sick leave days while disabled as a result of such assault or battery.

Proposed law retains present law, but further provides that if the member of the teaching staff who is receiving sick leave without reduction begins to draw his benefit from the Teachers' Retirement System of Louisiana (TRSL), then such leave shall cease.

Present law provides that any member of the teaching staff in the public schools who is injured or disabled while acting in his official capacity shall be entitled to weekly wage benefits under the worker's compensation law and/or to sick leave benefits, at his option, but in no event shall such benefits exceed the total amount of the regular salary the member of the teaching staff was receiving at the time the injury or disability occurred. In any case in which a member of the teaching staff supplements worker's compensation with accumulated or extended sick leave, the amount of sick leave used shall be calculated on an hourly basis.

Proposed law retains present law but specifies that the teacher may personally elect to supplement workers compensation with accumulated sick leave only, not extended sick leave.

Present law provides that any employee of a parish or city school board in this state, who is injured or disabled while acting in his official capacity as a result of assault or battery by any student or person, shall receive sick leave without reduction in pay and without reduction in accrued sick leave days while injured or disabled as a result of such assault or battery; however, when such employee is absent for six or more consecutive days as a result of such injury or disability, he shall be required to present a certificate from a physician certifying such injury or disability.

Proposed law retains present law, but further provides that if the employee who is receiving sick leave without reduction begins to draw his benefit from the TRSL or the Louisiana School Employees' Retirement System, then such leave shall cease.

Effective August 1, 2014.

(Amends R.S. 17:1201(C)(1)(a) and (D) and 1206.1(A)(1))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Clarified provisions regarding sick leave for teachers and other school employees when the teacher or employee is receiving sick leave as a result of an assault or battery by a student or other person.
2. Explains that the teacher receiving workers' compensation benefits may personally elect to supplement such payments by use of accumulated sick leave, but not by employing extended sick leave.