

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 556** HLS 17RS 1032
 Bill Text Version: **REENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

| | |
|-------------------------------------|-------------------------------|
| Date: May 24, 2017 6:18 PM | Author: PEARSON |
| Dept./Agy.: School Employees | Analyst: Jodi Mauroner |
| Subject: Sick Leave | |

SCHOOLS/EMPLOYEES RE SEE FISC NOTE LF EX See Note Page 1 of 1

Provides relative to sick leave granted to school bus operators, teachers, and other public school employees in certain instances

Present law provides extended sick leave for school bus operators, members of the teaching staff of public schools, and other public school employees as follows: School Bus Operator injured or incapacitated 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 while incapacitated; Teaching Staff 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; or as a result of physical contact with a student while assisting the student to prevent danger or injury to the student, he shall receive sick leave for up to one calendar year without reduction in pay and without reduction in accrued sick leave. School Employee 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; or as a result of physical contact with a student while assisting the student to prevent danger or injury to the student he shall receive sick leave for up to 90 days without reduction in pay and without reduction in accrued sick leave. Proposed law provides for such sick leave only if the employee is disabled. Provides that employee pay or accrued sick leave shall not be reduced due to absence while seeking medical attention or treatment.

| EXPENDITURES | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 | 5 -YEAR TOTAL |
|---------------------|----------------|----------------|----------------|----------------|----------------|----------------------|
| State Gen. Fd. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Agy. Self-Gen. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Ded./Other | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Federal Funds | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Local Funds | UNKNOWN | UNKNOWN | UNKNOWN | UNKNOWN | UNKNOWN | |
| Annual Total | | | | | | |

| REVENUES | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 | 5 -YEAR TOTAL |
|---------------------|----------------|----------------|----------------|----------------|----------------|----------------------|
| State Gen. Fd. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Agy. Self-Gen. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Ded./Other | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Federal Funds | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Local Funds | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | \$0 |
| Annual Total | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |

EXPENDITURE EXPLANATION

There is an indeterminable impact to local school districts as a result of the proposed changes to sick leave. The exact impact will vary across school districts and will be determined by the number of teachers, school employees, and school bus drivers involved in qualifying events, the frequency of such events, and the severity and certification of the injuries sustained.

Changing the injury from incapacitated to disabled would appear to increase the severity of the injury required in order to grant the additional leave, thereby reducing costs. However, school districts indicated the term disabled has been interpreted liberally by physicians. Furthermore, their use of the resolution process for challenges currently available to teachers (and extended to all other employees in the proposed legislation) as to whether individuals were actually disabled proved to be unsuccessful in both the district courts and the workers' compensation courts. Further the cost of any such challenges must be borne by the school district. Thus it is indeterminable to what extent costs will actually be reduced.

Further, proposed legislation prohibits reductions in pay or accrued sick leave for employees absence due to medical treatment and for continued leave if the board does not allow the employee to return to work with restrictions. These provisions could result in an increase in costs for districts.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

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