SLS 20RS-630 **ORIGINAL**

2020 Regular Session

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SENATE BILL NO. 437

BY SENATOR JACKSON

COLLEGES/UNIVERSITIES. Provides relative to postsecondary education management board sick leave policies. (gov sig)

AN ACT

2	To amend and reenact R.S. 17:2148(A)(4), 2149, and 3311(A)(4), and to enact R.S.
3	17:3312(A)(1)(c), (d), and (e), relative to postsecondary education management
4	board sick leave policies; to provide for the definition of sick leave; and to provide
5	for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 17:2148(A)(4), 2149, and 3311(A)(4) are hereby amended and
8	reenacted and R.S. 17:3312(A)(1)(c), (d), and (e) are hereby enacted to read as follows:
9	§2148. Sick leave for unclassified, nonteaching, academic leave
10	The appropriate management boards shall recognize the following sick leave
11	policy for unclassified, nonteaching, academic personnel:
12	A. Employees, work weeks, and definitions.
13	* * *
14	(4) Definition of sick leave:
15	(a) Sick leave is leave with pay granted an employee who is suffering with
16	a disability which prevents his performing his usual duties and responsibilities; who
17	requires medical, dental, or optical consultation or treatment for use in accordance

1	with the provisions of R.S. 17:2149.
2	* * *
3	§2149. Use of sick leave, non-teaching personnel
4	A. Sick leave may be used as follows for non-teaching personnel:
5	(1) Sick leave with pay may be taken by an employee who has sufficient
6	leave to his credit for the following:
7	(a)(1) Illness or injury which prevents performance of his usual duties.
8	(b)(2) Medical, dental, or optical consultation or treatment.
9	(3) Care for an immediate family member who is ill or injured.
10	(4) Accompanying an immediate family member to a medical, dental, or
11	optical consultation or treatment.
12	(5) "Immediate family member" means a spouse, parent, or child of an
13	employee.
14	(2) B. The minimum charge for sick leave shall be four hours ($\frac{1}{2}$ day) and if
15	more, shall be charged in hour increments to the nearest hour.
16	(3)C. The employee may use sick leave for maternity purposes when
17	postnatal or prenatal condition of the employee prevents the performance of usual
18	duties provided the employee has sufficient sick leave credit. The limit to the use of
19	sick leave for a postnatal condition is six weeks except if a physician certifies
20	inability to return to work.
21	(4)D.(1) An appointing authority may advance sick leave with pay in an
22	amount not exceeding twenty-two working days to an unclassified employee who
23	has exhausted all his sick leave.
24	(5)(2) The value of any advanced sick leave which has not been repaid at the
25	time of the employee separation from the unclassified service shall be deducted from
26	his last paycheck and/or paid in cash to the appointing authority unless the separation
27	is for the purpose of moving to another state agency, in which case the advanced sick
28	leave shall be forwarded to the agency accepting him as an employee.
29	(6)(3) Upon separation caused by disability, death or retirement, all advanced

1	sick leave shall be cancelled.
2	(7)E. Upon death or retirement of an unclassified employee, sick leave
3	accrued to his credit shall be computed and the value thereof shall be paid to him
4	provided that the sick leave had been accrued under established leave regulations and
5	a daily attendance record has been maintained for the employee by his supervisor,
6	except that such payment shall not exceed the value of twenty-five working days
7	computed on the basis of a five-day week and on a four-week per month basis for
8	personnel employed on a less than twelve month employment basis and on the basis
9	of a five-day week and fifty-two week year for twelve-month employees. The rate
10	of pay shall be computed utilizing the base rate the employee is receiving at the time
11	of termination.
12	* * *
13	§3311. Sick leave for unclassified; academic personnel
14	Each board vested with management and supervision of colleges and
15	universities shall recognize the following sick leave policy for unclassified and
16	academic personnel:
17	A. Employees, work weeks, and definitions
18	* * *
19	(4) Definition of sick leave: Sick leave is leave with pay granted an employee
20	who is suffering from a disability which prevents his performing his usual duties and
21	responsibilities and who requires medical, dental, or optical consultation or treatment
22	for use in accordance with the provisions of R.S. 17:3312.
23	* * *
24	§3312. Use of sick leave
25	A. Sick leave may be used as follows:

A. Sick leave may be used as follows:

(1) Sick leave with pay may be taken by an employee who has sufficient leave to his credit for the following:

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(c) Care for an immediate family member who is ill or injured.

1	(d) Accompanying an immediate family member to a medical, dental, or
2	optical consultation or treatment.
3	(e) "Immediate family member" means a spouse, parent, or child of an
4	employee.
5	* * *
6	Section 2. This Act shall become effective upon signature by the governor or, if not
7	signed by the governor, upon expiration of the time for bills to become law without signature
8	by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
9	vetoed by the governor and subsequently approved by the legislature, this Act shall become
10	effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Cheryl Serrett.

DIGEST 2020 Regular Session

Jackson

SB 437 Original 2020 Regular Session

<u>Present law</u> requires the postsecondary education management boards to provide for a sick leave policy for unclassified personnel, both nonteaching and academic. Further defines sick leave and provides for the uses of sick leave, all of which are limited to use for personal care.

<u>Proposed law</u> retains <u>present law</u> and further provides that sick leave may be used to care for an immediate family member who is ill or injured or to accompany an immediate family member to a medical, dental, or optical consultation or treatment. Defines "immediate family member" as a spouse, parent, or child of an employee.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends 17:2148(A)(4), 2149, and 3311(A)(4); adds R.S. 17:3312(A)(1)(c), (d), and (e))