

SENATE BILL NO. 437

BY SENATORS JACKSON, BARROW, BOUIE, CARTER, CATHEY, CLOUD, FIELDS, HARRIS, HEWITT, JOHNS, MCMATH, MILLIGAN, ROBERT MILLS AND SMITH AND REPRESENTATIVES ADAMS, BRASS, BRYANT, CARPENTER, GARY CARTER, WILFORD CARTER, COX, ILLG, JEFFERSON, JENKINS, TRAVIS JOHNSON, JONES, LYONS, MARCELLE, MARINO, MCFARLAND, MOORE, CHARLES OWEN, PHELPS, PIERRE, PRESSLY, SELDERS, STAGNI, THOMAS AND THOMPSON

1 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 (8), 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 (8) 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**
18 **with the provisions of R.S. 17:2149.**

19 * * *

20 §2149. Use of sick leave, non-teaching personnel

21 A.(1) ~~Sick leave may be used as follows for non-teaching personnel:~~

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

3 (a) Illness or injury which prevents performance of his usual duties.

4 (b) Medical, dental, or optical consultation or treatment.

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

6 **(d) Accompanying an immediate family member to a medical, dental, or**
7 **optical consultation or treatment.**

8 **(2) As used in this Subsection, "immediate family member" means a**
9 **spouse, parent, or child of an employee.**

10 ~~(2)~~**B.** The minimum charge for sick leave shall be four hours (½ day) and if
11 more, shall be charged in hour increments to the nearest hour.

12 ~~(3)~~**C.** The employee may use sick leave for maternity purposes when
13 postnatal or prenatal condition of the employee prevents the performance of usual
14 duties provided the employee has sufficient sick leave credit. The limit to the use of
15 sick leave for a postnatal condition is six weeks except if a physician certifies
16 inability to return to work.

17 ~~(4)~~**D.(1)** An appointing authority may advance sick leave with pay in an
18 amount not exceeding twenty-two working days to an unclassified employee who
19 has exhausted all his sick leave.

20 ~~(5)~~**(2)** The value of any advanced sick leave which has not been repaid at the
21 time of the employee separation from the unclassified service shall be deducted from
22 his last paycheck ~~and/or~~ **or** paid in cash to the appointing authority unless the
23 separation is for the purpose of moving to another state agency, in which case the
24 advanced sick leave shall be forwarded to the agency accepting him as an employee.

25 ~~(6)~~**(3)** Upon separation caused by disability, death or retirement, all advanced
26 sick leave shall be cancelled.

27 ~~(7)~~**E.** Upon death or retirement of an unclassified employee, sick leave
28 accrued to his credit shall be computed and the value thereof shall be paid to him
29 provided that the sick leave had been accrued under established leave regulations and
30 a daily attendance record has been maintained for the employee by his supervisor,

1 Section 2. This Act shall become effective upon signature by the governor or, if not
2 signed by the governor, upon expiration of the time for bills to become law without signature
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
5 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____