

2023 Regular Session

HOUSE BILL NO. 21

BY REPRESENTATIVES STAGNI AND COX

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

SCHOOLS/EMPLOYEES: Provides relative to extended leave for school bus operators and public school employees

1 AN ACT

2 To amend and reenact R.S. 17:500.2(A)(1) and (2)(c) and (d) and (E)(1) and 1206.2(A)(1)
3 and (2)(c) and (d) and (E)(1)(a) and to enact R.S. 17:500.2(A)(2)(e) and
4 1206.2(A)(2)(e), relative to extended sick leave for certain school employees; to
5 provide relative to requirements of sick leave related to pregnancy and infant care
6 for school bus operators and public school employees; to provide definitions; and to
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:500.2(A)(1) and (2)(c) and (d) and (E)(1) and 1206.2(A)(1) and
10 (2)(c) and (d) and (E)(1)(a) are hereby amended and reenacted and R.S. 17:500.2(A)(2)(e)
11 and 1206.2(A)(2)(e) are hereby enacted to read as follows:

12 §500.2. School bus operators; extended sick leave

13 A.(1)(a) Every city, parish, and other local public school board shall permit
14 each school bus operator to take up to ninety days of extended sick leave in each six-
15 year period of employment, which may be used for a medical necessity in the
16 manner provided in this Section, at any time that the school bus operator has no
17 remaining regular sick leave balance.

18 (b) If a school bus operator exhausts the sick leave available pursuant to the
19 provisions of Subparagraph (a) of this Paragraph, such school bus operator may be
20 granted, if school board policy provides for such leave, up to thirty additional days

1 of extended sick leave in each six-year period of employment for personal illness
2 related to pregnancy, illness of an infant, or required medical visits certified by a
3 physician as relating to infant or maternal health.

4 (2) As used in this Section, the following terms shall have the following
5 meanings:

6 * * *

7 (c) "Infant" means a child under one year of age.

8 (d) "Medical necessity" means the result of catastrophic illness or injury, a
9 life threatening condition, a chronic condition, or an incapacitating condition, as
10 certified by a physician, of a school bus operator or an immediate family member.

11 ~~(d)~~ (e) "Parent" means the biological parent of a school bus operator or an
12 individual who stood in loco parentis to the school bus operator.

13 * * *

14 E.(1)~~(a)~~ On every occasion that a school bus operator uses extended sick
15 leave, a statement from a licensed physician certifying that it is for personal illness
16 relating to pregnancy, illness of an infant, or required medical visits related to infant
17 or maternal health or that it is a medical necessity ~~for the school bus operator to be~~
18 ~~absent for at least ten consecutive work days~~ shall be presented prior to the extension
19 of such leave.

20 * * *

21 §1206.2. Employees; extended sick leave

22 A.(1)(a) Every city, parish, and other local public school board shall permit
23 each employee, as defined in R.S. 17:1205, to take up to ninety days of extended sick
24 leave in each six-year period of employment which may be used for a medical
25 necessity in the manner provided in this Section at any time that the employee has
26 no remaining regular sick leave balance.

27 (b) If an employee exhausts the sick leave available pursuant to the
28 provisions of Subparagraph (a) of this Paragraph, such employee may be granted, if
29 school board policy provides for such leave, up to thirty additional days of extended

1 sick leave in each six-year period of employment for personal illness related to
2 pregnancy, illness of an infant, or required medical visits certified by a physician as
3 relating to infant or maternal health.

4 * * *

5 (2) As used in this Section the following terms shall have the following
6 meanings:

7 * * *

8 (c) "Infant" means a child under one year of age.

9 (d) "Medical necessity" means the result of catastrophic illness or injury, a
10 life threatening condition, a chronic condition, or an incapacitating condition, as
11 certified by a physician, of an employee or an immediate family member.

12 (d) (e) "Parent" means the biological parent of an employee or an individual
13 who stood in loco parentis to the employee.

14 * * *

15 E.(1)(a) On every occasion when an employee uses extended sick leave, a
16 statement from a licensed physician certifying that it is for personal illness relating
17 to pregnancy, illness of an infant, or required medical visits related to infant or
18 maternal health or that it is a medical necessity for the employee to be absent for at
19 least ten consecutive work days shall be presented prior to the extension of such
20 leave.

21 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 21 Reengrossed

2023 Regular Session

Stagni

Abstract: Provides relative to extended sick leave related to pregnancy and infant care for certain school employees.

Present law requires public school boards to permit teachers, school bus operators, and other school board employees to take up to 90 days of extended sick leave in each six-year period of employment for a medical necessity when the person has no remaining regular sick leave balance. Proposed law retains present law.

Present law requires public school boards to grant leaves of absence to regularly employed women teachers for a reasonable time before and after the birth of a child and to teachers after the legal adoption of a child.

Present law additionally *requires* school boards to permit a teacher who has been granted maternity leave pursuant to present law and who has no remaining extended sick leave balance to take up to 30 additional days of extended sick leave in each six-year period of employment for personal illness relating to pregnancy, illness of an infant, or for required medical visits certified by a physician as relating to infant or maternal health.

Proposed law *authorizes* school boards to permit a school bus operator or other employee who has no remaining extended sick leave balance to take, if school board policy provides for such leave, up to 30 additional days of extended sick leave for maternal and child health.

(Amends R.S. 17:500.2(A)(1) and (2)(c) and (d) and (E)(1) and 1206.2(A)(1) and (2)(c) and (d) and (E)(1)(a); Adds R.S. 17:500.2(A)(2)(e) and 1206.2(A)(2)(e))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the original bill:

1. Stipulate that school employees may take extended sick leave only if school board policy authorizes such leave.