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

DIGEST

Cortez (SB 172)

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 on the date of retirement.

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 limits the teacher's recovery to worker's compensation benefits in the event that the teacher is injured or disabled while acting in his official capacity, eliminating any entitlement to sick leave benefits.

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 on the date of retirement.

Effective August 1, 2014.

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