

2016 Regular Session

HOUSE BILL NO. 462

BY REPRESENTATIVE ARMES

SCHOOLS/EMPLOYEES: Provides relative to sick leave and extended sick leave for school employees

1 AN ACT

2 To amend and reenact R.S. 17:1206.1(B) and 1206.2(A)(1) and (E)(1)(a), relative to school  
3 employees; to revise certain sick leave and extended sick leave provisions applicable  
4 to school employees; to extend the number of sick leave days an employee may take  
5 under certain circumstances involving disability or injury while acting in his official  
6 capacity; to authorize additional extended sick leave under certain circumstances for  
7 an employee who has been granted maternity leave; to provide for a physician's  
8 statement with respect to extended sick leave; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 17:1206.1(B) and 1206.2(A)(1) and (E)(1)(a) are hereby amended  
11 and reenacted to read as follows:

12 §1206.1. School employees; sick leave

13 \* \* \*

14 B. Any employee of the parish or city school boards of this state, as the word  
15 "employee" is defined in R.S. 17:1205, who is injured or disabled while acting in his  
16 official capacity as a result of physical contact with a student while providing  
17 physical assistance to a student to prevent danger or risk of injury to the student,  
18 shall receive sick leave for a period up to ~~ninety days~~ one calendar year without

1 reduction in pay and without reduction in accrued sick leave days while injured or  
2 disabled as a result of rendering such assistance. Such employee shall be required  
3 to present a certificate from a physician certifying such injury or disability. Nothing  
4 in this Section shall prohibit a city or parish school board from extending this period  
5 beyond ~~ninety days~~ one calendar year.

6 §1206.2. Employees; extended sick leave

7 A.(1) Every city, parish, and other local public school board shall permit  
8 each employee, as defined in R.S. 17:1205, ~~to~~ in each six-year period of  
9 employment:

10 (a) To take up to ninety days of extended sick leave in each six-year period  
11 of employment which may be used for a medical necessity in the manner provided  
12 in this Section at any time that the employee has no remaining regular sick leave  
13 balance.

14 (b) To take, in the manner provided in this Section, up to thirty days of  
15 additional extended sick leave for personal reasons relating to pregnancy, illness of  
16 an infant, or required medical visits certified by a physician as relating to infant or  
17 maternal health if the employee has been granted maternity leave and has no  
18 remaining sick leave balance available.

19 \* \* \*

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

26 \* \* \*

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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)]

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HB 462 Original

2016 Regular Session

Armes

**Abstract:** Revises sick leave and extended sick leave provisions applicable to school employees.

Present law, for the purposes of sick leave provisions, defines "school employee" as any person in a local public school board's employ who is not a teacher or a bus driver and whose employment does not require the holding of a teacher's certificate. Proposed law revises certain provisions relative to sick leave and extended sick leave for school employees, as follows:

**Regular Sick Leave**

Present law provides that if a school employee is injured or disabled while acting in his official capacity as a result of physical contact with a student while providing physical assistance to a 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. Provides that nothing in present law shall prohibit a school board from extending this period beyond 90 days.

Proposed law increases the maximum amount of leave permitted in this scenario (and the period beyond which the board may extend the leave) from 90 days to one calendar year.

**Extended Sick Leave**

Present law requires school boards to allow each school employee to take up to 90 days of extended sick leave in each six-year employment period, to be used for a medical necessity, if he has no remaining regular sick leave balance.

Proposed law additionally requires school boards to allow an employee who has been granted maternity leave and has no remaining sick leave balance available to take up to 30 days of extended sick leave in each such employment period for reasons relating to pregnancy, illness of an infant, or required medical visits certified by a physician as relating to infant or maternal health.

Present law requires that on every occasion that a school employee uses extended sick leave, he shall present a statement from a licensed physician certifying that it is a medical necessity prior to the extension of such leave. Proposed law retains present law.

Relative to the content of the physician's statement, present law specifies that it certify that it is a medical necessity for the employee to be absent for at least 10 consecutive work days. Proposed law deletes this specification while retaining the general requirement that the physician certify that it is a medical necessity. Adds, as an alternative to being a medical necessity, that the statement certify that it is for personal illness relating to pregnancy, for the illness of an infant, or for required medical visits related to infant or maternal health.

(Amends R.S. 17:1206.1(B) and 1206.2(A)(1) and (E)(1)(a))