

Regular Session, 2014

SENATE BILL NO. 172

BY SENATOR CORTEZ

TEACHERS. Provides relative to sick leave for teachers and other school employees.
(8/1/14)

1 AN ACT

2 To amend and reenact R.S. 17:1201(C)(1)(a) and (D) and 1206.1(A)(1), relative to sick
3 leave for teachers and other school employees; to provide for sick leave as a result
4 of assault or battery by a student as it relates to retirement; to provide for worker's
5 compensation benefits; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:1201(C)(1)(a) and (D) and 1206.1(A)(1) are hereby amended and
8 reenacted to read as follows:

9 §1201. Amount of sick leave; reimbursement; injury on the job

10 * * *

11 C.(1)(a) Any member of the teaching staff of the public schools who is
12 injured or disabled while acting in his official capacity as a result of assault or
13 battery by any student or person shall receive sick leave without reduction in pay and
14 without reduction in accrued sick leave days while disabled as a result of such assault
15 or battery. However, such member of the teaching staff shall be required to present
16 a certificate from a physician certifying such injury and disability. **If the member**
17 **of the teaching staff who is receiving sick leave without reduction as described**

1 in this Section begins to draw his benefit from the Teachers' Retirement System
2 of Louisiana, said leave shall cease on the date of retirement.

3 * * *

4 D.(1) Any member of the teaching staff in the public schools who is injured
5 or disabled while acting in his official capacity shall be entitled to weekly wage
6 benefits under the worker's compensation law of the state of Louisiana ~~and/or to sick~~
7 ~~leave benefits under Subpart B of Part X of this Chapter, at his option, but in no~~
8 ~~event shall such benefits exceed the total amount of the regular salary the member~~
9 ~~of the teaching staff was receiving at the time the injury or disability occurred.~~

10 (2) ~~In any case in which a member of the teaching staff supplements worker's~~
11 ~~compensation with accumulated or extended sick leave, the amount of sick leave~~
12 ~~used shall be calculated on an hourly basis.~~

13 * * *

14 §1206.1. School employees; sick leave

15 A.(1) Any employee of the parish or city school boards of this state, as the
16 word "employee" is defined in R.S. 17:1205, who is injured or disabled while acting
17 in his official capacity as a result of assault or battery by any student or person, shall
18 receive sick leave without reduction in pay and without reduction in accrued sick
19 leave days while injured or disabled as a result of such assault or battery; however,
20 when such employee is absent for six or more consecutive days as a result of such
21 injury or disability, he shall be required to present a certificate from a physician
22 certifying such injury or disability. **If the employee of the parish or city school**
23 **board who is receiving sick leave without reduction as described in this Section**
24 **begins to draw his benefit from the Teachers' Retirement System of Louisiana**
25 **or the Louisiana School Employees' Retirement System, said leave shall cease**
26 **on the date of retirement.**

27 * * *

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))