

By the Committee on Education Pre-K - 12; and Senator Benacquisto

581-03006-12

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1                                   A bill to be entitled  
 2           An act relating to sick leave for school district  
 3           employees; amending s. 1012.61, F.S.; authorizing each  
 4           district school system to provide a policy allowing  
 5           the donation of accrued sick leave to any district  
 6           employee; providing standards for a sick leave  
 7           transfer policy; providing an effective date.

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 9 Be It Enacted by the Legislature of the State of Florida:

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 11           Section 1. Paragraph (e) of subsection (2) of section  
 12           1012.61, Florida Statutes, is amended to read:

13           1012.61 Sick leave.—

14           (2) PROVISIONS GOVERNING SICK LEAVE.—The following  
 15           provisions shall govern sick leave:

16           (e) *Use by family member or other district employee.*—

17           1. Each district school system must provide a policy under  
 18           which a district employee may authorize his or her spouse,  
 19           child, parent, or sibling who is also a district employee to use  
 20           sick leave that has accrued to the authorizing employee.

21           2. Each district school system may provide a policy under  
 22           which a district employee may authorize any district employee to  
 23           use sick leave that has accrued to the authorizing employee. The  
 24           district policy must:

25           a. Require that the recipient provide documentation, by the  
 26           treating physician, of the illness, accident, or injury for  
 27           which leave is otherwise authorized under subsection (1).

28           b. Establish a minimum number of sick leave days needed by  
 29           the recipient to participate in the sick leave program.

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30       c. Require that any unused transferred sick leave be  
31 returned to the authorizing employee whose donated sick leave  
32 has not yet been used.

33       d. Establish the minimum number of sick leave days that an  
34 authorizing employee must retain.

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36 In developing the policy, the district school board must provide  
37 that the recipient may not use the donated sick leave until all  
38 of his or her sick leave has been depleted, excluding sick leave  
39 from a sick leave pool, if the recipient participates in a sick  
40 leave pool. Donated sick leave under this paragraph shall have  
41 no terminal value as provided in this subsection.

42       Section 2. This act shall take effect July 1, 2012.