

EXTENDED SICK LEAVE POLICY FOR SCHOOL BUS OPERATORS

- A. Every parish and city school board shall permit each school bus operator to take up to ninety (90) days of extended sick leave in each six year period of employment which may be used for personal illness or illness of an immediate family member in the following manner provided at any time that the school bus operator has no remaining sick leave balance.
- B. The following terms shall have the following meanings:
1. **Child** – means a biological son or daughter, an adopted son or daughter, a foster son or daughter, a stepson or daughter, or a legal ward of a school bus operator standing in *loco parentis* to that ward who is either under the age of eighteen (18), or who is eighteen (18) years of age but under twenty-four (24) years of age and is a full-time student, or who is nineteen (19) years of age or older and incapable of self-care because of a mental or physical disability.
 2. **Immediate family member** – means a spouse, parent, or child of a school bus operator.
 3. **Parent** – means the biological parent of a school bus operator or an individual who stood in *loco parentis* to the school bus operator.
- C. Unused days during any six-year period of employment shall not cumulate or carry forward into the next six-year period of employment.
- D. The balance of days of extended leave available to a school bus operator shall transfer with such school bus operator from one public school employer to another without loss of days and without restoration of days.
- E. Interruptions of service between periods of employment with a public school employer shall not be included in any calculation of a six-year period, such that any employment with any public school employer, regardless of when it occurs, shall be included in any determination of the balance of days of extended sick leave available to a school bus operator.
- F. Any school bus operator on extended sick leave shall be paid sixty-five (65%) percent of the salary paid to him at the time the extended sick leave begins.
- G. No school bus operator may undertake additional gainful employment while on extended sick leave, unless all of the following conditions are met:

1. The school bus operator can demonstrate that he will be working not more than twenty (20) hours a week in a part-time job that he has been working for not less than one hundred and twenty (120) days prior to the beginning of any period of extended sick leave.
 2. The physician who certifies the medical necessity of the leave indicates that such part-time work does not impair the purpose for which the extended leave is required.
- H. Any violation of this prohibition may require the school bus operator to return to the employer all compensation paid during any week of extended leave in which the school bus operator worked more than twenty (20) hours and to reimburse the employer all related employment costs attributable to such period as calculated by the employer, without any restoration of such days.
- I. On every occasion when a school bus operator uses extended sick leave, a statement from a licensed physician certifying that the leave is medically necessary for the school bus operator or that the immediate family member's illness is serious and requires the presence of the school bus operator shall be presented prior to the extension of such leave. The physician statement required by this paragraph may be presented and the extended leave may be requested subsequent to the school bus operator's return to service. In cases where leave is requested subsequent to the bus operator's return to service, the application for extended sick leave and the physician's statement must be presented to the Human Resources Department within three (3) working days after the bus operator returns to service.
- J. If the Board, upon review of the application, questions the validity or accuracy of the certification, the employer may require the school bus operator or the immediate family member, as a condition for continued extended leave, to be examined by a licensed physician selected by the employer. In such a case, the employer shall pay all costs of the examination and any tests determined to be necessary. If the physician selected by the employer finds medical necessity, the leave shall be granted.
- K. If the physician selected by the public school employer disagrees with the certification of the physician selected by the school bus operator or the immediate family member, then the employer may require the school bus operator or the immediate family member, as a condition for continued extension of sick leave, to be examined by a third licensed appropriate physician whose name appears next in the rotation of physicians on a list established by the local medical society for such purpose and maintained by the board.

All costs of an examination and any required tests by a third doctor shall be paid by the employer. The opinion of the third physician shall be determinative of the issue. The opinion of all physicians consulted as provided above shall be submitted to the board in the form of a sworn statement which shall be subject to the provisions of R.S. 14:125. All information contained in any statement from a physician shall be confidential and shall not be subject to the public records law.

LEGAL REF.: LSA-R.S. 14:125

Adopted: 11/03/99

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