

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2410 Session of
1996

INTRODUCED BY LEH, LEVDANSKY, E. Z. TAYLOR, LYNCH, MCGILL,
PETTIT, BROWN, SCHRODER, FICHTER, HERSHEY, LAWLESS AND STISH,
FEBRUARY 16, 1996

REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 16, 1996

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," further providing for payment of
6 salaries in case of sickness, injury or death; and making
7 editorial changes.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 1154(a) of the act of March 10, 1949
11 (P.L.30, No.14), known as the Public School Code of 1949,
12 amended August 18, 1971 (P.L.339, No.88), is amended to read:

13 Section 1154. Payment of Salaries in Cases of Sickness,
14 Injury or Death.--(a) (1) In any school year whenever a
15 professional or temporary professional employee is prevented by
16 illness or accidental injury from following his or her
17 occupation, the school district shall pay to said employee for
18 each day of absence [the full salary to which the employee may be
19 entitled as if said employee were actually engaged in the
20 performance of duty for a period of ten days. Any such unused

1 leave shall be cumulative from year to year in the school
2 district of current employment or its predecessors without
3 limitation. All or any part of such accumulated unused leave may
4 be taken with full pay in any one or more school years.] the
5 amount of salary as established in the collective bargaining
6 agreement between the school entity and employe organization.
7 Provisions regarding accumulation of and payment for any unused
8 sick leave shall be set forth in a collective bargaining
9 agreement between the school entity and employe organization. No
10 employe's salary shall be paid if the accidental injury is
11 incurred while the employe is engaged in remunerative work
12 unrelated to school duties.

13 (2) Whenever the boards of school directors of two or more
14 school districts may establish any joint elementary public
15 school, high school or department, or whenever two or more
16 school districts shall merge or form a union school district or
17 administrative unit in accordance with the provisions of
18 sections 291, 292, 293, 294, 295, 296 and 297 of this act, the
19 professional or temporary professional employes employed by the
20 several boards of school directors establishing such joint
21 school or department or merged or union school district or
22 administrative unit shall [be entitled to the sick leave
23 accumulated in the individual school districts subsequently
24 establishing such joint school or department or merged or union
25 school district or administrative unit.] be entitled to the
26 amount of sick leave acknowledged in a collective bargaining
27 agreement between the school entity and employe organization.

28 [Professional and temporary professional employes who sever
29 their employment with one school district and enter into
30 employment with another school district shall be entitled to all

1 accumulated leave not exceeding a maximum of twenty-five (25)
2 working days acquired during their employment in the school
3 districts of the Commonwealth.]

4 (3) Those provisions set forth in a collective bargaining
5 agreement between the school entity and employe organization
6 shall determine whether new professional and temporary employes
7 who sever their employment with one school district shall be
8 entitled to accumulated sick leave from that school district.

9 (4) The board of school directors may require the employe to
10 furnish a certificate from a physician or other practitioner
11 certifying that said employe was unable to perform his or her
12 duties during the period of absence for which compensation is
13 required to be paid under this section.

14 (5) The board of school directors of each school district
15 shall maintain and supply annually to each professional and
16 temporary professional employe a copy of a cumulative record of
17 sick leave credited to and used by such professional or
18 temporary professional employe. In any case involving a dispute
19 over the amount of accumulated sick leave, a professional or
20 temporary professional employe shall have a right of appeal to
21 the Secretary of Education pursuant to such rules and
22 regulations as he may establish.

23 * * *

24 Section 2. This act shall apply to school years commencing
25 on and after July 1, 1996.

26 Section 3. This act shall take effect immediately.