

CHAPTER 2012-166

Committee Substitute for House Bill No. 285

An act relating to sick leave for school district employees; amending s. 1012.61, F.S.; authorizing each district school system to provide a policy allowing the donation of accrued sick leave to any district employee; providing standards for a sick leave transfer policy; providing an effective date.

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

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

1012.61 Sick leave.—

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

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

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

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

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

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

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

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

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

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

Approved by the Governor April 27, 2012.

Filed in Office Secretary of State April 27, 2012.