

ENGROSSED HOUSE
BILL NO. 2016

By: Boyd (Betty) of the
House

and

Williams and Long of the
Senate

An Act relating to schools; amending 70 O.S. 1991,
Section 35f, as last amended by Section 2, Chapter
252, O.S.L. 1996 (70 O.S. Supp. 1996, Section 35f),
which relates to sick and personal leave benefits
for public school employees; setting limitations on
certain employee benefits; providing an effective
date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 1991, Section 35f, as last
amended by Section 2, Chapter 252, O.S.L. 1996 (70 O.S. Supp. 1996,
Section 35f), is amended to read as follows:

Section 35f. A. Any public school teacher, school
administrator or other school personnel employee, who is unable to
continue his or her contract of employment as a result of injury
sustained in the reasonable performance of his or her duties from:

1. Assault by a pupil, relative of a pupil or person of the
pupil's household, or
2. Injury sustained as a result of quelling or attempting to
quell or stop a fight, disorder or any disturbance related to a
school function or activity,

shall be paid his or her full contract salary for the remainder of that school year or contract year or period, whichever is applicable, or for such period of time thereof as he or she is prevented from teaching or working as a result of the injuries sustained or job loss caused by such injuries during said school year or contract year or period for which he or she had been employed and during which he or she was injured not to exceed in any event the term of the contract; and directing that such school district paying the balance of the contract payments, may file suit against such person or persons or their guardian or guardians for reimbursement of payments so made.

B. Employees of the public schools of this state who suffer job-related injuries, other than those enumerated in subsection A of this section, which qualify for temporary total disability benefits under the Workers' Compensation Act, Section 1 et seq. of Title 85 of the Oklahoma Statutes, may utilize accumulated sick leave or personal leave on a prorated basis as follows:

At the option of the employee, temporary total disability benefits shall be supplemented by any sick leave or personal leave, or fractional use thereof, available to the injured employee, to the extent that the injured employee shall receive full wages during the employee's temporary absence. The sum of all temporary total disability payments and any sick leave or personal leave shall in no case combine to exceed one hundred percent (100%) of the employee's net pay as it existed prior to injury.

C. Nothing in the provisions of this section shall effect the right of the employee or the employer pursuant to the Workers' Compensation Act.

SECTION 2. This act shall become effective July 1, 1997.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby

declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 27th day of February, 1997.

Speaker of the House of Representatives

Passed the Senate the ____ day of _____, 1997.

President of the Senate