

ENROLLED
CS/HB 285

2012 Legislature

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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
26 the 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

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29 the recipient to participate in the sick leave program.

30 c. Require that any unused transferred sick leave shall 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 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.