

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE BILL 977

Short Title: Modify School Sick Leave Bank Provisions.

(Public)

Sponsors: Senator Boseman.

Referred to: Education/Public Instruction.

March 20, 2007

1 A BILL TO BE ENTITLED
2 AN ACT MODIFYING THE LAW REGARDING SICK LEAVE BANKS FOR
3 PUBLIC SCHOOL EMPLOYEES.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 115C-336 reads as rewritten:

6 "**§ 115C-336. Sick leave.**

7 (a) All public school employees shall be permitted a minimum of five days per
8 school term of sick leave, pursuant to rules and regulations promulgated by the State
9 Board of Education as provided in G.S. 115C-12(8).

10 (b) The State Board of Education shall adopt rules and regulations for the
11 establishment of voluntary sick leave banks by local boards of education, from which an
12 employee, upon exhaustion of accumulated sick leave and annual leave, when
13 allowable, may withdraw sick leave days in the event of emergency or catastrophic
14 illness. These rules may include, but not be limited to, (i) requirements of minimum
15 service and minimum balance of sick leave before an employee may join the sick leave
16 bank, (ii) enrollment periods for present employees and new hires, (iii) time limits for
17 rejoining the sick leave bank, (iv) limitation on number of days which can be withdrawn
18 by any employee, (v) waiting period before being eligible to withdraw sick leave, (vi)
19 exclusion of illness or injury covered by Workers' Compensation Benefits, (vii)
20 certification by physician attesting to member's illness or accident, (viii) administration
21 of each sick leave bank by a Sick Leave Bank Committee to be made up of
22 representatives of different classifications of employees, and (ix) other requirements to
23 prevent any adverse selection by employees. The rules concerning the establishment of
24 sick leave banks shall include provisions ~~for notifying for~~:

25 (1) Notifying employees who donate sick leave to and employees who
26 withdraw sick leave from the sick leave bank, of the State retirement
27 credit consequences as to the donated sick ~~leave~~leave;

- 1 (2) Notifying employees upon retirement of the amount of sick leave that
2 could be donated to the sick leave bank, without any State retirement
3 consequences;
4 (3) Automatically crediting to the sick leave bank the accumulated sick
5 leave of any former employee whose leave time would otherwise be
6 forfeited; and
7 (4) Forbidding any mandatory donations of sick leave.
8 (c) The State Board of Education shall also adopt rules and regulations to
9 authorize an employee who requires a substitute to use annual leave on days that
10 students are in attendance if the employee has exhausted all of the employee's sick leave
11 and if the employee's absence is due to the catastrophic illness of the employee. The
12 employee shall not be required to pay the substitute."
13 **SECTION 2.** This act becomes effective July 1, 2007.