



SENATE OF PENNSYLVANIA BILL SUMMARY

Senate Bill 229 Printer's No. 212

Prime Sponsor: Eichelberger
Committee: Education

SYNOPSIS:

Senate Bill 229 would eliminate the statutory mandates imposed on school boards with regard to sick leave, bereavement leave, and sabbaticals, and return those items to the collective bargaining process.

SUMMARY/ANALYSIS:

Currently, the Public School Code of 1949 provides a very specific and detailed scheme of mandates on common employment matters. For example, Section 1154 provides, without regard to the manner or time of separation, "Professional and temporary professional employees who sever their employment with one school district and enter into employment with another school district *shall* be entitled to *all* accumulated leave..." It also provides: "...there *shall* be no deduction in the salary ... for absence on the day of the funeral. A near relative shall be defined as a first cousin, grandfather, grandmother, grandchild, aunt, uncle, niece, nephew, son-in-law, daughter-in-law, brother-in-law or sister-in-law."

Section 1166 of the Public School Code provides that "*Any* person employed in the public school system for 10 years as a professional employe or member of the supervisory, instructional or administrative staff, or as a commissioned officer, of any board of school directors, county board of school directors, or any other part of the public school system of the Commonwealth, *shall* be entitled to a leave of absence for professional development or a sabbatical leave for restoration of health or, at the discretion of the board of school directors, for other purposes....Thereafter, one leave of absence for professional development or a sabbatical leave for restoration of health shall be allowed after each seven years of service."

Senate Bill 229 repeals these specific requirements in Sections 1154, 1154.1, and 1166, however it does not prohibit them. The legislation provides that: "Nothing in this act shall be construed to supersede or preempt any provision of a collective bargaining agreement negotiated by a school entity and an exclusive representative of the employees in accordance with the act of July 23, 1970 (P.L.563, No.195), known as the Public Employe Relations Act, and in effect on the effective date of this section."

EFFECTIVE DATE:

The Act would take effect in 60 days.

Prepared by Derr 1/30/17