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EDUCATION Elementary and Secondary Education: Provide Seven Days of Paid Leave for Teacher Absent Because of Physical Assault While Performing Job

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EDUCATION

Elementary and Secondary Education: Provide Seven Days of Paid Leave for Teacher Absent Because of Physical Assault While Performing Job

CODE SECTION:	O.C.G.A. § 20-2-850 (amended)
BILL NUMBER:	HB 164
ACT NUMBER:	169
GEORGIA LAWS:	2001 Ga. Laws 298
SUMMARY:	The Act provides that teachers and other school personnel who are physically assaulted while they are performing their job duties will not have to take sick leave for the first seven days of their absence due to the injury. Additionally, the absent teacher or other personnel will not have their pay reduced or be required to pay for a substitute during that time.
EFFECTIVE DATE:	July 1, 2001

History

Lawmakers introduced this bill when the Professional Association of Georgia Educators (PAGE) informed them that teachers who were assaulted on the job were required to take sick leave while they were recovering—meaning that they were not paid during their absence.¹ After the first seven days of absence, workers' compensation begins paying the teacher, but school systems were not paying the teacher during the seven-day period from the time the teacher was assaulted on the job to the time when workers' compensation benefits commenced.²

1. See Telephone Interview with Rep. Greg Morris, House District No. 155 (Oct. 5, 2001); Telephone Interview with Rep. Jeanette Jamieson, House District No. 22 (Apr. 3, 2001) [hereinafter Jamieson Interview].

2. See Jamieson Interview, *supra* note 1 (stating she was "amazed" this policy even existed).

HB 164

Representatives Greg Morris, Jeanette Jamieson, Maretta Mitchell Taylor, DuBose Porter, and Kathy Ashe of the 155th, 22nd, 134th, 143rd, and 46th Districts, respectively, sponsored HB 164.³ The bill was introduced January 12, 2001, and the House Speaker assigned the bill to the Education Committee.⁴ The Committee favorably reported the bill on February 7, 2001 without changes.⁵ The House unanimously passed the bill on February 16, 2001 with no changes.⁶

On February 20, 2001, the Senate referred HB 164 to its Education Committee.⁷ On March 13, 2001, the Committee favorably reported the bill without changes.⁸ The Senate unanimously passed the bill with no changes on March 14, 2001.⁹ Governor Roy E. Barnes signed the bill into law on April 18, 2001.¹⁰

The Act

The Act adds a new subsection to Code section 20-2-850, outlining that if a teacher or other school personnel is physically assaulted while performing their job duties, they will not be required to use their sick leave for the first seven days' absence.¹¹ The Act also states that neither a teacher nor any other school personnel who is absent due to such an injury is to have their pay reduced or be required to pay the cost of a substitute during such absence.¹²

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3. See HB 164, as introduced, 2001 Ga. Gen. Assem.
 4. See State of Georgia Final Composite Status Sheet, HB 164, Mar. 21, 2001.
 5. See State of Georgia Final Composite Status Sheet, HB 164, Mar. 21, 2001.
 6. See Georgia House of Representatives Voting Record, HB 164 (Feb. 16, 2001).
 7. See State of Georgia Final Composite Status Sheet, HB 164, Mar. 21, 2001.
 8. See State of Georgia Final Composite Status Sheet, HB 164, Mar. 21, 2001.
 9. Compare HB 164, as introduced, 2001 Ga. Gen. Assem.; with HB 164, as passed, 2001 Ga. Gen. Assem. See Georgia Senate Voting Record, HB 164 (Mar. 14, 2001).
 10. See 2001 Ga. Laws 298, § 2, at 299.
 11. Compare 1991 Ga. Laws 1546, § 9, at 1576 (formerly found at O.C.G.A. § 20-2-850 (1996)), with O.C.G.A. § 20-2-850 (2001).
 12. Compare 1991 Ga. Laws 1546, § 9, at 1576 (formerly found at O.C.G.A. § 20-2-850 (1996)), with O.C.G.A. § 20-2-850 (2001).