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Assault and Intervention Leave

These types of leave are not, strictly speaking, part of the Workers' Compensation statute. However, by their very nature, these types of leaves are impacted by the Workers' Compensation claim. Assault leave is contained in § 6-111 of the Education Article. Intervention leave is contained in § 7-307 of the Education Article.

Assault leave applies to any employee of a board of education who is injured from an assault while in the scope of his or her employment with the board. The amount and eligibility requirements are to be set by the individual board, so reference must be made to the contract. While an employee is on assault leave, that employee is to be on **full pay** status during the period of absence as a result of the assault. Any assault that qualifies for Workers' Compensation will qualify for assault leave.

Intervention leave may be a little broader. This leave applies to any board employee who is injured "while taking preventative action or intervening in a fight. . . ." Not only are the medical bills to be paid under this section, but, like assault leave, the employee is to be on full pay status. This leave is **not** governed by the contract; an employee who qualifies for this leave will get it under the language of the statute.

It is important to note that, with both of these types of leaves, the assailant(s) do not need to be students. These sections apply to fights or assaults by anyone. So long as the employee is in the course of his or her duties, when the incident occurs, these sections apply.