

ADMINISTRATIVE PROCEDURE

ASSAULT LEAVE

4154

Procedure No.

July 1, 2013

Date

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- I. **PURPOSE:** To provide information for entitlement to paid leave time for employees of the Prince George's County Public Schools for an assault occurring within the scope of employment.

 - II. **INFORMATION:** Employees of the Board of Education of Prince George's County whose absence is due to a physical disability resulting from an unprovoked assault occurring within the scope of their employment, shall be entitled to full pay status, instead of sick leave or Sick Leave Bank participation, provided they comply with all of the procedures cited hereafter.

 - III. **PROCEDURES:**
 - A. The procedures described in Administrative Procedure 4146.1 shall govern, except as modified or supplemented in Section B. hereafter.

 - B. Instructions Pertaining to the Assaulted Employee for Qualification for Assault Leave.
 1. An employee must notify his principal or immediate supervisor of the incident of an unprovoked assault prior to the close of the school or working day when the assault occurred. Any employee who does not fulfill this requirement on the day of the occurrence is ineligible for Assault Leave. If the assault occurs while the employee is working away from his/her school or department, he/she should report the incident of assault to the principal or supervisor at the location where he/she is working. In the absence of a principal or supervisor, police reports and witness statements must support the assault that occurred.

 2. In addition to the forms that are presently required to report on-the-job injuries pursuant to Administrative Procedure 4146.1, the employee, in order to qualify for Assault Leave, must file a security incident report on a form to be provided indicating the circumstances pertaining to the assault. It should be noted that in connection with the filing of the incident report an investigation must be conducted by the Department of School Security.

 3. A member of a recognized law-enforcement agency must be called immediately upon the incident's occurrence. Such assaulted employee must cooperate fully with the law enforcement agency.

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4. If the assailant is known, the assaulted employee must have sworn out a warrant or filed a complaint against the accused. When the assailant is not known, witness statements to the occurrence will aide in (their) possible identification.
 5. The injured employee of the Board of Education must have consulted with a physician or emergency room at a hospital within twenty-four (24) hours of the incident.
 6. No request for Assault Leave will be processed until the Attending Physician's Statement, Initial Report of Injury and Incident Report are received in the Risk Management and Workers Compensation Office. During the time an employee's request for Assault Leave is being processed, he/she will be charged sick, annual, or personal leave, or be placed on leave without pay. Upon approval or disapproval of the employee's entitlement to Assault Leave, the employee and his/her school or department will be so notified by the Risk Management and Workers Compensation Office.
 7. The Risk Management and Workers Compensation Office may, because of extenuating circumstances, waive any of the requirements set forth herein.
 8. When an employee returns to work from the incident for which Assault Leave was originally authorized, no additional Assault Leave shall be granted for follow-up treatments. This does not preclude the employee for applying for disability leave pursuant to the provisions of Administrative Procedure 4146. 1.
- IV. **EXCLUSIONS:** These procedures apply only to permanent employees. Any other employee's unprovoked assault, while within the scope of the Board's employment, shall be paid in accordance with the provisions of the State Workers' Compensation Act.
- V. **RELATED PROCEDURE AND LAW:** Administrative Procedure 4146.1, Workers' Compensation and Disability Leave; Maryland Annotated Code, Education Article, Section 6 – 111; and Maryland Annotated Code, Education Article, Section 7 – 303.
- VI. **MAINTENANCE AND UPDATE OF THESE PROCEDURES:** These

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procedures originate with the Risk Management and Workers Compensation Office. Regular updating of procedures will be accomplished when changes are required.

- VII. **CANCELLATIONS AND SUPERSEDURES:** This Administrative Procedure cancels and supersedes Administrative Procedure 5154, dated July 1, 2005.
- VIII. **EFFECTIVE DATE:** July 1, 2013.

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