

Bond Case Briefs

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EMPLOYMENT - LOUISIANA

Jackson v. St. John Baptist Parish School Bd.

Court of Appeal of Louisiana, Fifth Circuit - October 14, 2015 - So.3d - 2015 WL 6081000 - 15-254 (La.App. 5 Cir. 10/14/15)

Former school bookkeeper filed petition for payment of sick leave and restoration of sick leave days against school board, following diagnosis of anxiety disorder stemming from incident where student struck her on school campus. The District Court rendered judgment in favor of bookkeeper and awarded her \$9,105.71, plus interest and costs. School board appealed.

The Court of Appeal held that bookkeeper was not required to have diagnosis by licensed psychiatrist or psychologist to receive sick leave benefits.

Former school bookkeeper was not required to have a diagnosis by a licensed psychiatrist or psychologist to receive sick leave benefits from school board that employed her, following diagnosis of anxiety disorder stemming from incident where student struck her on school campus. While workers' compensation statute defining injury required clear and convincing evidence of a mental injury and a diagnosis by licensed psychiatrist or psychologist, bookkeeper sought sick leave benefits, not workers' compensation benefits, statute governing sick leave for school employees only required physician to certify an injury or disability, and bookkeeper provided school board with letter from her physician certifying that she was under his care for anxiety disorder and that it was his opinion that she should not return to work environment for foreseeable future.