

2017 Regular Session

HOUSE BILL NO. 543

BY REPRESENTATIVE AMEDEE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

SCHOOLS/EMPLOYEES: Limits authorized payroll withholdings for teachers and other school employees to nonunion dues only and eliminates required request for deduction

1 AN ACT

2 To amend and reenact R.S. 17:438(A) and (B), relative to dues withholdings from payroll
3 of school board employees; to limit such withholdings to nonunion dues; to provide
4 for authorization requirements; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 17:438(A) and (B) are hereby amended and reenacted to read as
7 follows:

8 §438. Permitted withholdings; exceptions

9 A. Any teacher or other employee of a parish or city school board may
10 authorize his employing school board to deduct and withhold from his earnings a
11 specific amount for such pay periods as may be designated, for the payment of
12 regular dues owed by such teacher or other employee to any nonunion organization
13 of teachers or other school employees.

14 B. No deduction shall be made from the earnings of any teacher or other
15 employee for the purpose permitted by this Section unless ~~fifty or more teachers or~~
16 ~~other employees or ten percent of the total number of employees, including teachers,~~
17 ~~whichever is less have requested such deduction be made and the deduction is~~
18 specifically and voluntarily authorized in writing by the teacher or other employee.

19 If such authority is provided and a request for such deduction made, the school board

1 shall honor the request and provide for the deduction; however, if any system
 2 documents, to the satisfaction of the State Board of Elementary and Secondary
 3 Education, that it has already acquired payroll checks that will not accommodate the
 4 request, the school board shall provide for such deduction as soon as possible but;
 5 in no case later than the beginning of the school year following the request.

6 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 543 Original

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Amedee

Abstract: Limits permitted withholdings from school employee earnings to nonunion dues only and eliminates required request for deduction by a minimum number of employees.

Present law provides that a teacher or other school board employee may authorize his employer to deduct and withhold from his earnings the payment of regular dues owed to any organization of teachers or school employees for designated pay periods. Proposed law limits such withholdings to dues for nonunion organizations.

Present law further provides that no such deduction shall be made unless 50 or more teachers or employees, or 10% of the total number of employees, whichever is less, have requested such deduction be made and the deduction is specifically and voluntarily authorized in writing by the teacher or employee. Proposed law eliminates this requirement. Proposed law retains present law requiring written authorization by the employee of such deductions.

(Amends R.S. 17:438(A) and (B))