

Regular Session, 2010

HOUSE BILL NO. 739

BY REPRESENTATIVE HOFFMANN

TEACHERS: Provides relative to the employment as a full-time teacher of a member of the Teachers' Retirement System of La. who is retired

1 AN ACT

2 To amend and reenact R.S. 11:710(D); to provide relative to the employment as a full-time
3 teacher of a member of the Teachers' Retirement System of Louisiana who is retired;
4 to provide relative to salary determinations; to provide relative to employment
5 contracts; to provide limitations; to provide relative to the dismissal or discharge of
6 the reemployed retiree; to provide effectiveness; to provide an effective date; and to
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 11:710(D) is hereby amended and reenacted to read as follows:

10 §710. Employment of retirees

11 * * *

12 D.(1)(a) Except as otherwise provided in Subparagraph (b) of this
13 Paragraph, The the salary of any retiree who is reemployed as a full-time teacher
14 pursuant to the provisions of this Section shall be based on the salary schedule which
15 accounts for all prior years of teaching service and pertinent experience.

16 (b)(i) Notwithstanding any law, rule, or regulation to the contrary, the salary
17 of any retiree who is first reemployed on or after July 1, 2010, as a full-time teacher
18 pursuant to the provisions of this Section shall be an amount that is negotiated and
19 agreed to in writing by the retiree and the employer. Such amount need not be based

1 on a salary schedule which accounts for all prior years of teaching service and
2 pertinent experience.

3 (ii) Notwithstanding any law, rule, or regulation to the contrary, the salary
4 of any retiree first reemployed prior to July 1, 2010, as a full-time teacher pursuant
5 to the provisions of this Section and who remains so employed with the same
6 employer shall be governed by the provisions of Subparagraph (a) of this Paragraph
7 or the provisions of Item (i) of this Subparagraph as determined in writing by the
8 reemployed retiree by not later than July 1, 2011.

9 (2)(a) Except as otherwise provided in Subparagraph (b) of this Paragraph,
10 ~~The~~ the status of any retiree who is reemployed pursuant to the provisions of this
11 Section shall be the same as a full-time active employee and shall be governed by the
12 applicable rules, procedures, policies, and statutes that apply to all such full-time
13 active employees.

14 (b)(i) Notwithstanding any law, rule, or regulation to the contrary, any retiree
15 who is first reemployed on or after July 1, 2010, as a full-time teacher pursuant to
16 the provisions of this Section shall be employed in accordance with an employment
17 contract and such contract shall terminate not later than the end of the school year.
18 The reemployed retiree and his employer may enter into such a contract for a
19 subsequent school year. During the term of the employment contract, the
20 reemployed retiree may be dismissed or discharged in the same manner as provided
21 by law for a teacher serving a probationary term of employment.

22 (ii) The provisions of Item (i) of this Subparagraph shall not be applicable
23 to any retiree who is first reemployed prior to July 1, 2010, as a full-time teacher
24 pursuant to the provisions of this Section and who remains so employed with the
25 same employer unless the reemployed retiree determines otherwise in writing by not
26 later than July 1, 2011.

27 Section 2. This Act shall become effective upon signature by the governor or, if not
28 signed by the governor, upon expiration of the time for bills to become law without signature
29 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

- 1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.

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)]

Hoffmann

HB No. 739

Abstract: Regarding the employment (on or after July 1, 2010) as a full-time teacher of a member of TRSL who is retired, provides relative to salary amounts, the use of employment contracts, and dismissal or discharge. Provides certain options on such matters to a retiree reemployed prior to July 1, 2010, and provides that such option shall be exercised by not later than July 1, 2011.

Relative to the employment of retirees in the Teachers' Retirement System of La. (TRSL):

Present law (R.S. 11:710(D)(1)) provides that the salary of any retiree who is reemployed as a full-time teacher shall be based on the salary schedule which accounts for all prior years of teaching service and pertinent experience.

Proposed law retains present law. Provides additionally that the salary of any retiree who is first reemployed on or after July 1, 2010, as a full-time teacher shall be an amount that is negotiated and agreed to in writing by the retiree and the employer. Specifies that such amount need not be based on a salary schedule which accounts for all prior years of teaching service and pertinent experience.

Proposed law also provides that the salary of any retiree first reemployed prior to July 1, 2010, as a full-time teacher and who remains so employed with the same employer shall be governed by the provisions of present law or the provisions of proposed law as determined in writing by the reemployed retiree by not later than July 1, 2011.

Present law (R.S. 11:710(D)(2)) provides that the status of any retiree who is reemployed shall be the same as a full-time active employee and shall be governed by the applicable rules, procedures, policies, and statutes that apply to all such full-time active employees.

Proposed law retains present law. Provides additionally that any retiree who is first reemployed on or after July 1, 2010, as a full-time teacher shall be employed in accordance with an employment contract and that such contract shall terminate not later than the end of the school year. Allows the reemployed retiree and his employer to enter into such a contract for a subsequent school year. Specifies that during the term of the employment contract, the reemployed retiree may be dismissed or discharged in the same manner as provided by law for a teacher serving a probationary term of employment.

Proposed law also provides that its provisions shall not be applicable to any retiree who is first reemployed prior to July 1, 2010, as a full-time teacher and who remains so employed with the same employer unless the reemployed retiree determines otherwise in writing by not later than July 1, 2011.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 11:710(D))