

Regular Session, 2014

SENATE BILL NO. 440

BY SENATOR MARTINY

PUBLIC EMPLOYEES. Provides relative to authorized payroll withholdings for public employees. (8/1/14)

1 AN ACT

2 To amend and reenact R.S. 23:890(F) and R.S. 42:456(A)(1) and to repeal R.S. 42:457,  
3 relative to public employee payroll withholdings; to remove authority for certain  
4 payroll withholdings; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 23:890(F) is hereby amended and reenacted to read as follows:

7 §890. Labor policy

8 \* \* \*

9 F. Employees of such publicly owned and/or operated transportation systems  
10 hereafter acquired may authorize and upon such authorization the municipality,  
11 transit authority, or other authority organized for the purpose may make deductions  
12 from wages and salaries of such employees **for either of the following purposes:**

13 (1) ~~Pursuant to a collective bargaining agreement with a duly designated or~~  
14 ~~certified labor organization for the payment of union dues, fees or assessments.~~

15 (2) For the payment of contributions pursuant to any health and welfare plan  
16 or pension or retirement plan.

17 (3)**(2)** For any purposes for which deductions may be authorized by

1 employees of any private employer.

2 \* \* \*

3 Section 2. R.S. 42:456(A)(1) is hereby amended and reenacted to read as follows:

4 §456. Permitted withholdings

5 A. Payroll deductions shall be authorized only for the following:

6 (1) Mandated federal or state income withholdings, credit unions,  
7 garnishments, liens, ~~union dues~~, savings bonds programs, qualified United Way  
8 entities, health and life insurance products offered through the Office of Group  
9 Benefits, and products having state participating contributions, sponsored by the  
10 Office of Group Benefits, which qualify and are offered under Section 125 of the  
11 Internal Revenue Code (Cafeteria Plan).

12 \* \* \*

13 Section 3. R.S. 42:457 is hereby repealed in its entirety.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Mary Dozier O'Brien.

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DIGEST

Martiny (SB 440)

Present law provides for the labor policy when a municipality or transit authority acquires or operates a transportation facility.

Present law allows that employees of the acquired facility may authorize deductions of wages and salaries for the following purposes:

- (1) Pursuant to a collective bargaining agreement with a duly designated or certified labor organization for the payment of union dues, fees, or assessments.
- (2) For the payment of contributions pursuant to any health and welfare plan or pension or retirement plan.
- (3) For any purposes for which deductions may be authorized by employees of any private employer.

Proposed law retains present law but removes payment of union dues, fees, or assessments as an authorized deduction.

Present law authorizes state employee payroll withholdings for the following:

- (1) Mandated federal or state income withholdings, credit unions, garnishments, liens, union dues, savings bonds programs, qualified United Way entities, health and life insurance products offered through the office of group benefits, products having state participating contributions, sponsored by the office of group benefits, which qualify and are offered under Section 125 of the Internal Revenue Code (Cafeteria Plan).

- (2) Products offered without state contributory participation that have been evaluated and approved in accordance with rules and procedures promulgated by the commissioner of administration.

Proposed law removes union dues as an authorized payroll withholding.

Present law authorizes any state, parish, or city employee to withhold from his salary a specific amount for payment of his dues to any labor organization to which he belongs.

Proposed law repeals present law.

Effective August 1, 2014.

(Amends R.S. 23:890(F) and R.S. 42:456(A)(1); repeals R.S. 42:457)