

2018 Regular Session

HOUSE BILL NO. 626

BY REPRESENTATIVE NANCY LANDRY

PUBLIC EMPLOYEES: Provides for authorized payroll withholdings for public employees

1 AN ACT

2 To amend and reenact R.S. 42:456(A)(1) and 457, relative to public employee payroll
3 withholdings; to charge an administrative fee to recover the cost of the withdrawal
4 of union and professional organization dues; to provide with respect to competing
5 unions; to provide an effective date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 42:456(A)(1) and 457 are hereby amended and reenacted to read as
8 follows:

9 §456. Permitted withholdings

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

11 (1) Mandated federal or state income withholdings, credit unions,
12 garnishments, liens, union dues, dues to professional associations, professional
13 organizations, savings bonds programs, qualified United Way entities, health and life
14 insurance products offered through the Office of Group Benefits, and products
15 having state participating contributions, sponsored by the Office of Group Benefits,
16 which qualify and are offered under Section 125 of the Internal Revenue Code
17 (Cafeteria Plan).

18 * * *

19 §457. Union dues for professional organizations

1 A. Any state, parish, or city employee may authorize his employing
2 department, board, or agency to withhold from his salary a specific amount for such
3 pay periods as may be designated, for payment of his dues to any labor organization,
4 professional association, or professional organization to which he belongs and which
5 he designates therein. In such cases, the employee must voluntarily execute and
6 furnish to the employing department, board, or agency a written and specific
7 authorization for such ~~deductions; however, the~~ deductions. The employing
8 authority may elect whether or not to make such deductions, however if an
9 employing authority elects to make deductions for one union, professional
10 association, or professional organization, it shall make deductions for all competing
11 unions, professional associations, or professional organizations that are operating
12 lawfully. Any amount withheld in accordance with the provisions of this Section
13 shall be remitted on a regularly scheduled basis as prescribed by rules promulgated
14 by the Division of Administration and administered by the state payroll office to the
15 organization designated.

16 B. Any employing authority may retain an administrative fee equal to up to
17 three percent of the amount withheld to cover related administrative costs incurred.
18 If any union, association, or professional organization is assessed an administrative
19 fee, the same administrative fee shall be assessed for all competing unions,
20 associations, and professional organizations.

21 C. Any collective bargaining agreement or other contract entered into on or
22 after the effective date of this Act that conflicts with the provisions of this Section
23 shall be void in its entirety.

24 Section 2. This Act shall become effective on July 1, 2018.

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 626 Original

2018 Regular Session

Nancy Landry

Abstract: Establishes an administrative fee for the costs associated with the withholding of certain authorized payroll deductions.

Present law (R.S. 42:456) 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 which have been evaluated and approved in accordance with rules and procedures promulgated by the commissioner of administration.

Proposed law retains present law and adds dues to professional associations and professional organizations to the list of authorized payroll withholdings.

Present law (R.S. 42:457) 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 clarifies that present law withholds union dues for professional organizations.

Proposed law requires that an administrative fee of up to 3% be withheld from any authorized payroll withholding for any professional organization or union dues to recover any costs associated with making the withholding.

Proposed law requires that if an employing authority elects to make deductions for one union, professional association, or professional organization, it shall make deductions for all competing unions, professional associations, or professional organizations, collecting the administrative fee for each.

Proposed law provides that any collective bargaining agreement contrary to proposed law is void in its entirety.

Effective July 1, 2018.

(Amends R.S. 42:456(A)(1) and 457)