

2022 Regular Session

HOUSE BILL NO. 980

BY REPRESENTATIVE FREEMAN

STATE EMPLOYEE/LEAVE: Provides relative to the state employee leave transfer program

1 AN ACT

2 To amend and reenact R.S. 42:441(3), 442, 443(D), 444(introductory paragraph), and
3 445(A) and (B) and to repeal R.S. 42:441(4), relative to the state employee leave
4 transfer program; to provide for qualification for the state employee leave transfer
5 program; to provide relative to parental leave; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 42:441(3), 442, 443(D), 444(introductory paragraph), and 445(A)
8 and (B) are hereby amended and reenacted to read as follows:

9 §441. Definitions

10 For the purposes of this Part, the following words and terms, when used in
11 this Part, shall have the following meanings:

12 * * *

13 (3) "Leave recipient" means a full-time employee of an employing agency
14 who has a ~~personal emergency and is selected~~ need to receive annual, sick, or
15 compensatory leave from the pool leave account of his employing agency and who
16 meets one the following qualifying circumstances:-

17 ~~(4) "Personal emergency" means (a)~~ The employee experiences a
18 catastrophic illness or serious injury, that prevents the employee from performing his
19 duties for a period of more than ten consecutive days that the employee is scheduled

1 §444. Pool account leave request
2 Employees of a state agency requesting leave from the pool leave account ~~for~~
3 ~~a personal emergency~~ under the provisions of this Part, ~~must~~ shall submit a written
4 leave request to the employing agency with the following information included:

5 * * *

6 §445. Agency procedures

7 A. The employing agency shall monitor the status of the ~~personal emergency~~
8 qualifying circumstance affecting the leave recipient and establish procedures to
9 ensure that transferred annual, sick, or compensatory leave from the pool is not used
10 after a ~~personal emergency~~ such circumstance ceases to exist.

11 B. A ~~personal emergency~~ qualifying circumstance affecting a leave recipient
12 terminates when the employing agency determines that the ~~personal emergency~~
13 qualifying circumstance no longer exists or the leave recipient's employment
14 terminates.

15 * * *

16 Section 2. R.S. 42:441(4) is hereby repealed in its entirety.

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 980 Engrossed 2022 Regular Session Freeman

Abstract: Expands the state employee leave transfer program to include parental leave.

Present law authorizes the State Civil Service Commission and the State Police Commission to establish a leave transfer program allowing full-time employees to pool unused leave for use by a participating employee who has used all of his leave.

Present law provides that an employee may receive leave from the employing agency's leave transfer program if the employing agency finds that the employee, the employee's spouse, or the minor child of the employee has suffered a catastrophic illness or serious injury which prevents the employee from performing his duties for a period of more than 10 consecutive days which the employee is scheduled to work and the employee does not have sufficient annual, sick, or compensatory leave.

Proposed law retains present law and provides that such employee may also receive leave from the leave transfer program to cover six weeks of parental leave immediately after the birth or adoption of a child. Additionally provides that an employee may request leave from the leave transfer program if a child who is still supported by the employee, a significant

other, or a dependent parent for whom the employee is the primary caregiver experiences catastrophic illness or serious injury.

(Amends R.S. 42:441(3), 442, 443(D) and (E), 444(intro. para.), and 445(A) and (B); Repeals R.S. 42:441(4))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill:

1. Remove repeal of a provision of present law regarding an employer's discretion in considering a request to use leave from the pool.