

Regular Session, 2012

HOUSE BILL NO. 698

BY REPRESENTATIVE ANDERS

STATE EMPLOYEE/LEAVE: Adds compensatory time to the type of leave which may be transferred for purposes of the Crisis Leave Pool

1 AN ACT

2 To amend and reenact R.S. 42:441(2) and (3), 442, 443(A), (C), (D), and (F), 445(A), and
3 447, relative to the state employee leave transfer program; to allow for the donation,
4 receipt, and use of compensatory leave; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 42:441(2) and (3), 442, 443(A), (C), (D), and (F), 445(A), and 447
7 are hereby amended and reenacted to read as follows:

8 §441. Definitions

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

11 * * *

12 (2) "Leave donor" means a full-time employee of an employing agency
13 whose voluntary written request for transfer of annual, ~~or sick, or compensatory~~
14 leave to the pool leave account of his employing agency is granted.

15 (3) "Leave recipient" means a full-time employee of an employing agency
16 who has a personal emergency and is selected to receive annual, ~~or sick, or~~
17 compensatory leave from the pool leave account of his employing agency.

18 * * *

1 §442. Leave transfer pools; establishment

2 The State Civil Service Commission and the State Police Commission may
3 establish a plan for the participation in the leave-transfer program, allowing full-time
4 employees to pool their annual, ~~and sick, and compensatory~~ leave and allowing any
5 leave thus pooled to be used by any participating employee for a personal
6 emergency, when that employee has used all annual, sick, and compensatory leave
7 that has been personally accrued by him.

8 §443. Pool leave account; participation; use

9 A. Any full-time employee of an employing agency may request voluntarily,
10 in writing, that a specified number of hours of his accrued annual, ~~or sick, or~~
11 compensatory leave or ~~both~~ any combination thereof be transferred from his annual,
12 ~~or sick, or compensatory~~ leave account to a pool account the agency establishes to
13 distribute leave pursuant to the provisions of this Part.

14 * * *

15 C. Annual, ~~or sick, or compensatory~~ leave transferred under this Part may
16 be substituted retroactively for periods of leave without pay or used to liquidate an
17 indebtedness for advanced annual, ~~or sick, or compensatory~~ leave granted.

18 D. A leave recipient approved for participation under the pool account may
19 use annual, ~~or sick, or compensatory~~ leave from the pool account in the same manner
20 for a personal emergency as if the recipient had accrued the leave in the manner
21 provided by law, rule, regulation, or policy.

22 * * *

23 F. Transferred annual, ~~or sick, or compensatory~~ leave from the pool account
24 remaining to the credit of a leave recipient when his employment terminates shall not
25 be transferred to another employee, included in a lump-sum payment for accrued
26 leave, or included in the total service for retirement computation.

27 * * *

1 §445. Agency procedures

2 A. The employing agency shall monitor the status of the personal emergency

3 affecting the leave recipient and establish procedures to ensure that transferred

4 annual, ~~or sick, or compensatory~~ leave from the pool is not used after a personal

5 emergency ceases to exist.

6 * * *

7 §447. Leave remaining after termination of personal emergency

8 Transferred annual, ~~or sick, or compensatory~~ leave remaining to the credit of

9 a leave recipient when the personal emergency terminates must be restored to the

10 pool account.

11 Section 2. This Act shall become effective upon signature by the governor or, if not

12 signed by the governor, upon expiration of the time for bills to become law without signature

13 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

14 vetoed by the governor and subsequently approved by the legislature, this Act shall become

15 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)]

Anders HB No. 698

Abstract: Provides for the donation, receipt, and use of compensatory leave by participants in the state employee leave transfer program

Present law authorizes the State Civil Service Commission and the State Police Commission to establish programs to allow full-time employees to pool certain types of leave and to allow any leave pooled under present law to be used by any participating employee for a personal emergency, when that employee has used all annual, sick, and compensatory leave that has been personally accrued by him. Further establishes procedures and requirements for, as well as considerations authorized to be taken into account when, granting use of the pooled leave to an employee. Proposed law retains present law.

Present law authorizes the donation, receipt, and use of annual and sick leave by participants in the program. Proposed law retains present law and further authorizes the donation, receipt, and use of compensatory time by participants in the program.

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

(Amends R.S. 42:441(2) and (3), 442, 443(A), (C), (D), and (F), 445(A), and 447)