

Regular Session, 2012

HOUSE BILL NO. 698

BY REPRESENTATIVE ANDERS

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 \* \* \*

19 §442. Leave transfer pools; establishment

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

1 §443. Pool leave account; participation; use

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

7 \* \* \*

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

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

15 \* \* \*

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

20 \* \* \*

21 §445. Agency procedures

22 A. The employing agency shall monitor the status of the personal emergency  
23 affecting the leave recipient and establish procedures to ensure that transferred  
24 annual, ~~or sick, or compensatory~~ leave from the pool is not used after a personal  
25 emergency ceases to exist.

26 \* \* \*

27 §447. Leave remaining after termination of personal emergency

28 Transferred annual, ~~or sick, or compensatory~~ leave remaining to the credit of  
29 a leave recipient when the personal emergency terminates must be restored to the  
30 pool account.

1           Section 2. This Act shall become effective upon signature by the governor or, if not  
2 signed by the governor, upon expiration of the time for bills to become law without signature  
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
5 effective on the day following such approval.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_