

Regular Session, 2012

ACT No. 590

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.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____