

Regular Session, 2014

HOUSE BILL NO. 451

BY REPRESENTATIVE SEABAUGH

PUBLIC EMPLOYEES: Provides relative to authorized payroll withholdings for public employees

1 AN ACT

2 To amend and reenact R.S. 23:890(F), R.S. 42:456(A)(1) and 457.1 and to repeal R.S.
3 42:457, relative to public employee payroll withholdings; to remove authority for
4 certain payroll withholdings; to provide for certain withholdings for professional law
5 enforcement officers and firefighters; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 23:890(F) is hereby amended and reenacted to read as follows:

8 §890. Labor policy

9 * * *

10 F. Employees of such publicly owned ~~and/or~~ or operated transportation
11 systems hereafter acquired may authorize and upon such authorization the aforesaid
12 municipality, transit authority or other authority organized for the purpose may make
13 deductions from wages and salaries of such employees:

14 (1) ~~Pursuant to a collective bargaining agreement with a duly designated or~~
15 ~~certified labor organization for the payment of union dues, fees or assessments.~~

16 (2) For the payment of contributions pursuant to any health and welfare plan
17 or pension or retirement plan, ~~and~~.

18 (3) (2) For any purposes for which deductions may be authorized by
19 employees of any private employer.

20 * * *

1 Section 2. R.S. 42:456(A)(1) and 457.1 are hereby amended and reenacted to read
2 as follows:

3 §456. Permitted withholdings

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

5 (1) Mandated federal or state income withholdings, credit unions,
6 garnishments, liens, ~~union dues~~, savings bonds programs, qualified United Way
7 entities, health and life insurance products offered through the office of group
8 benefits, and products having state participating contributions, sponsored by the
9 office of group benefits, which qualify and are offered under Section 125 of the
10 Internal Revenue Code (Cafeteria Plan).

11 * * *

12 §457.1. Professional law enforcement and firefighter association dues

13 Any employee of the state or of any political subdivision of the state may
14 authorize his employer to withhold from his salary a specific amount for such pay
15 periods as may be designated, for payment of his dues to any professional state or
16 local law enforcement or firefighter association or union which is located or is
17 operating a chapter within the respective jurisdiction and to which the employee
18 belongs. The employee ~~must~~ shall voluntarily execute and furnish to the employer
19 a written and specific authorization for such deduction. Upon receipt of such
20 authorization, and in accordance with the instructions contained therein, the
21 employer shall begin to make such deductions. The amounts withheld shall be
22 remitted forthwith to the organization designated by the employee. The provisions
23 of this Section shall not apply to any employee of the local sheriff's office or parish
24 law enforcement district.

25 Section 3. R.S. 42:457 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)]

Seabaugh

HB No. 451

Abstract: Removes authority for public employees to withhold payroll deductions for union fees. Authorizes union dues as a payroll deduction for law enforcement and firefighters.

Present law (R.S. 23:890) provides for the labor policy when a municipality or transit authority acquires or operates a transportation facility.

Present law allows employees of the acquired facility to authorize deductions of wages and salaries for the following purposes:

- (1) Pursuant to a collective bargaining agreement with a duly designated or certified labor organization for the payment of union dues, fees, or assessments.
- (2) For the payment of contributions pursuant to any health and welfare plan or pension or retirement plan.
- (3) For any purposes for which deductions may be authorized by employees of any private employer.

Proposed law removes union dues as an authorized deduction.

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 removes union dues as an authorized payroll withholding.

Present law (R.S. 42:457.1) authorizes professional law enforcement and firefighter association payroll withholdings for the payment of dues to any professional state or local law enforcement or firefighter association which is located or is operating a chapter within the respective jurisdiction, and to which the employee belongs.

Proposed law adds union dues as an authorized payroll withholding for professional law enforcement and firefighters.

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 repeals present law.

(Amends R.S. 23:890(F), R.S. 42:456(A)(1) and 457.1; Repeals R.S. 42:457)