

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) and 446, relative to the state employee
4 leave transfer program; to provide for qualification for the state employee leave
5 transfer program; to provide relative to parental leave; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

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

10 §441. Definitions

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

13 * * *

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

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

1 to work, and the employee does not have sufficient annual, sick, or compensatory
2 leave credited to the employee personally to cover the entire period of illness or
3 injury to a full-time state employee participating in the employing agency's leave-
4 transfer program, or to the employee's spouse or a

5 (b) The employee has a significant other, minor child, child who is still
6 financially supported by the employee, or dependent parent for whom the employee
7 is the primary caregiver who experiences a catastrophic illness or serious injury of
8 the employee, which that prevents the employee from performing his duties for a
9 period of more than ten consecutive days which that the employee is scheduled to
10 work, and the employee does not have sufficient annual, sick, or compensatory leave
11 credited to the employee personally to cover the entire period of illness or injury.

12 (c) The employee experiences the birth or adoption of a child and does not
13 have sufficient annual, sick, or compensatory time to cover a minimum of six weeks
14 of parental leave immediately following the birth or adoption.

15 §442. Leave transfer pools; establishment

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

22 §443. Pool leave account; participation; use

23 * * *

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

28 * * *

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

Present law allows the employing agency to consider the likely impact on morale and efficiency within the agency in considering a leave recipient's request to use leave transferred from the pool account, except the request involves a medical condition affecting the leave recipient.

Proposed law removes this provision.

(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) and 446)