

2024 Regular Session

SENATE BILL NO. 205

BY SENATORS MIGUEZ, EDMONDS, JACKSON-ANDREWS AND MIZELL AND REPRESENTATIVES AMEDEE, BRYANT, CARPENTER, FREIBERG, HUGHES, MELERINE AND SCHLEGEL

SCHOOLS. Requires additional compensation for teachers and other school employees under certain circumstances. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 17:418(A), relative to the compensation of teachers and other
3 school employees; to provide for additional compensation for overtime work and for
4 work beyond prescribed duties under certain circumstances; to provide for
5 compensation for planning time for teachers; to provide for applicability; to provide
6 for the rate of such compensation; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:418(A) is hereby amended and enacted to read as follows:

9 §418. Salaries; teachers and other school employees; **additional compensation**

10 A.(1) The governing authority of each local public elementary and secondary
11 school, the state special schools, and the schools and programs administered through
12 the special school district shall establish salary schedules by which to determine the
13 salaries to be paid to teachers and all other school employees. ~~The salaries as
14 provided therein shall be considered as full compensation for all work required and
15 performed within each employee's prescribed scope of duties and responsibilities.~~

16 (2) Such salary schedules shall be established and published not later than
17 ~~January 1, 2013, and shall become effective for all employees not later than the~~

1 ~~beginning of the 2013-2014 each school year~~ **June thirtieth annually and shall**
2 **apply during the school year that begins that year.**

3 **(3)(a) The salaries provided in the salary schedules shall be considered**
4 **compensation for the work performed by each employee within his prescribed**
5 **duties and responsibilities, which include only those specifically identified and**
6 **described in the employee's job description. Additional compensation shall be**
7 **provided as follows:**

8 **(i) Compensation for overtime work of nonexempt employees under the**
9 **Fair Labor Standards Act, 29 U.S.C. 201 et seq., shall be paid in accordance**
10 **with that Act.**

11 **(ii) Compensation for a teacher's planning time as provided in R.S.**
12 **17:434 shall be paid at the effective hourly rate of the employee for the number**
13 **of hours worked rounded to the nearest tenth of an hour. An employee's**
14 **effective hourly rate, for the purposes of this Subsection, shall be calculated by**
15 **dividing the employee's annual salary by one thousand four hundred fifty-six.**

16 **(iii) Each governing authority shall consult with the various professional**
17 **organizations that represent the teachers or other school employees in that**
18 **school system, regarding compensation to be paid to employees for work beyond**
19 **the scope of their prescribed duties and responsibilities, in an attempt to reach**
20 **an agreement concerning the duties and responsibilities for which additional**
21 **compensation will be paid and the method of calculating the additional**
22 **compensation.**

23 **(iv) If no agreement is reached between the governing authority and**
24 **professional organizations, compensation for work of employees beyond the**
25 **scope of their prescribed duties and responsibilities, including participation of**
26 **employees, other than coaches, in after-school activities directly involving**
27 **students, shall be paid at the effective hourly rate of the employee for the**
28 **number of hours worked rounded to the nearest tenth of an hour. An**
29 **employee's effective hourly rate, for the purposes of this Subsection, shall be**

1 calculated by dividing the employee's annual salary by two thousand.

2 **(b) The provisions of Subparagraph (a) of this Paragraph do not apply**
 3 **to the teachers and other employees of the state special schools or the schools**
 4 **and programs administered through the special school district.**

5 **(c) The provisions of this Subsection shall not be inferred in any manner**
 6 **to require nor be constructed to constitute collective bargaining.**

7 * * *

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

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Michael Bell.

DIGEST

SB 205 Engrossed

2024 Regular Session

Miguez

Present law requires public school governing authorities to establish salary schedules for teachers and other school employees. Requires schedules to have been established and published not later than Jan. 1, 2013, and to become effective no later than the beginning of the 2013-2014 school year.

Proposed law retains present law except provides for the establishment and publication of schedules by June 30th annually and for applicability to the next school year.

Present law provides that the salaries provided in the salary schedules must be considered full compensation for all work required and performed within each employee's prescribed scope of duties and responsibilities.

Proposed law provides for the following:

- (1) That the salaries provided in the salary schedules must be considered full compensation for all work required and performed by each employee within their prescribed duties and responsibilities, including only those specifically identified and described in their job description.
- (2) That additional compensation must be provided as follows:
 - (a) Overtime work of nonexempt employees under the federal Fair Labor Standards Act to be paid in accordance with that federal law.
 - (b) Planning time as provided in present law and work of employees beyond the scope of their prescribed duties and responsibilities, including participation of employees other than coaches in after-school activities directly involving

students, to be paid at the effective hourly rate of the employee; an employee's effective hourly rate to be calculated by dividing the employee's annual salary by 1,456.

- (3) That each governing authority must consult with the various professional organizations that represent the teachers or other school employees in that school system, regarding compensation to be paid and the method of calculating the additional compensation to employees for work beyond the scope of their prescribed duties and responsibilities.
- (4) That if an agreement is not reached for additional compensation pay and the calculation method, then the employees, excluding coaches, must be paid at the effective hourly rate of the employee for the number of hours worked, rounded to the nearest tenth of an hour. Furthermore, an employee's effective hourly rate will be calculated by dividing the employee's annual salary by 2,000.
- (5) That teachers and other employees of the state special schools or the schools and programs administered through the special school district be exempt from proposed law relative to additional compensation.
- (6) That proposed law cannot be inferred nor construed in any manner to constitute collective bargaining.

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

(Amends R.S. 17:418(A))