2015 Regular Session

HOUSE BILL NO. 512

BY REPRESENTATIVE GAROFALO

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana. PUBLIC EMPLOYEES: Provides relative to payroll withholdings for public employees

| 1 | AN ACT |
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| 2 | To amend and reenact R.S. 17:438(A), R.S. 23:890(F), and R.S. 42:456(A)(1), relative to |
| 3 | authorized payroll deductions; to provide for payroll deductions for public |
| 4 | employees, teachers, school board employees, and charter school employees; and to |
| 5 | provide for related matters. |
| 6 | Be it enacted by the Legislature of Louisiana: |
| 7 | Section 1. R.S. 17:438(A) is hereby amended and reenacted to read as follows: |
| 8 | §438. Permitted withholdings; exceptions |
| 9 | A. Any teacher or other employee of a parish or city school board, charter |
| 10 | school, or any organization or entity with authority over employment decisions at a |
| 11 | charter school, may authorize his employing school board or governing entity to |
| 12 | deduct and withhold from his earnings a specific amount for such pay periods as may |
| 13 | be designated, for the payment of regular dues owed by such the teacher or other |
| 14 | employee to any organization of teachers or other school employees. |
| 15 | * * * |
| 16 | Section 2. R.S. 23:890(F) is hereby amended and reenacted to read as follows: |
| 17 | §890. Labor policy |
| 18 | * * * |

Page 1 of 3

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

| 1 | F. Employees of such publicly owned and/or or operated transportation |
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| 2 | systems hereafter acquired may authorize and upon such authorization the aforesaid |
| 3 | municipality, transit authority, or other authority organized for the purpose may |
| 4 | make deductions from wages and salaries of such employees: |
| 5 | (1) Pursuant to a collective bargaining agreement with a duly designated or |
| 6 | certified labor organization for the payment of union dues, fees, or assessments. |
| 7 | (2) For the payment of contributions pursuant to any health and welfare plan |
| 8 | or pension or retirement plan , and. |
| 9 | (3) For any purposes for which deductions may be authorized by employees |
| 10 | of any private employer. |
| 11 | * * * |
| 12 | Section 3. R.S. $42:456(A)(1)$ is hereby amended and reenacted to read as follows: |
| 13 | §456. Permitted withholdings |
| 14 | A. Payroll deductions shall be authorized only for the following: |
| 15 | (1) Mandated federal or state income withholdings, credit unions, |
| 16 | garnishments, liens, union dues, savings bonds programs, qualified United Way |
| 17 | entities, health and life insurance products offered through the Office of Group |
| 18 | Benefits, and products having state participating contributions that are sponsored by |
| 19 | the Office of Group Benefits, which qualify and are offered under Section 125 of the |
| 20 | Internal Revenue Code (Cafeteria Plan). |
| 21 | * * * |

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)]

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Abstract: Allows certain authorized payroll withholdings for public employees, teachers, and charter school employees.

<u>Present law</u> (R.S. 17:438) provides that any teacher or school board employee may authorize the school board to deduct organization dues from his earnings.

<u>Proposed law</u> adds charter school employees and employees of any entity with authority over employment decisions at a charter school to the parties permitted to withhold organization dues.

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

<u>Present law</u> 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 makes technical changes and otherwise retains present law.

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, and products having state participating contributions that are 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 makes technical changes and otherwise retains present law.

(Amends R.S. 17:438(A), R.S. 23:890(F), and R.S. 42:456(A)(1))