AN ACT

To amend and reenact R.S. 42:441(3), 442, 443(D), 444(introductory paragraph), 445(A) and (B), and 446 and to repeal R.S. 42:441(4), relative to the state employee leave transfer program; to provide for qualification for the state employee leave transfer program; to provide relative to parental leave; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 42:441(3), 442, 443(D), 444(introductory paragraph), 445(A) and (B), and 446 are hereby amended and reenacted to read as follows:

§441. Definitions

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

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

(4) "Personal emergency" means (a) The employee experiences a catastrophic illness or serious injury; that prevents the employee from performing his duties for a period of more than ten consecutive days that the employee is scheduled to work, and the employee does not have sufficient annual, sick, or compensatory leave credited to the employee personally to cover the entire period of illness or injury to a full-time state employee participating in the employing agency's leave-transfer program, or to the employee's spouse or a...
(b) The employee has a significant other, minor child, child who is still financially supported by the employee, or dependent parent for whom the employee is the primary caregiver who experiences a catastrophic illness or serious injury of the employee, which prevents the employee from performing his duties for a period of more than ten consecutive days which the employee is scheduled to work, and the employee does not have sufficient annual, sick, or compensatory leave credited to the employee personally to cover the entire period of illness or injury.

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

§442. Leave transfer pools; establishment

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

§443. Pool leave account; participation; use

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

§444. Pool account leave request

Employees of a state agency requesting leave from the pool leave account for a personal emergency under the provisions of this Part, must submit a written leave request to the employing agency with the following information included:
§445. Agency procedures

A. The employing agency shall monitor the status of the personal emergency qualifying circumstance affecting the leave recipient and establish procedures to ensure that transferred annual, sick, or compensatory leave from the pool is not used after the personal emergency such circumstance ceases to exist.

B. A personal emergency qualifying circumstance affecting a leave recipient terminates when the employing agency determines that the personal emergency qualifying circumstance no longer exists or the leave recipient's employment terminates.

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§446. Agency considerations

Unless a personal emergency the qualifying circumstance is the birth or adoption of a child or directly involves a medical condition affecting the leave recipient, the employing agency may 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.

Section 2. R.S. 42:441(4) is hereby repealed in its entirety.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: ____________________

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