

RÉSUMÉ DIGEST

ACT 744 (SB 157)

2026 Regular Session

Jenkins

Prior law provided relative to maternal leave and adoptive leave for public school teachers, school employees, and school bus operators, as well as extended sick leave for personal illness related to pregnancy, illness of an infant, or required medical visits related to infant or maternal health.

New law provides for paid parental leave, applicable to eligible employees at all public schools, including charter schools.

New law applies parental leave requirements to qualifying events, defined as any of the following:

- (1) Before and after the birth of a child, including but not limited to prenatal and postnatal appointments.
- (2) Pregnancy loss, including stillbirth.
- (3) Placement of a child with the employee for adoption.
- (4) Placement of a child with the employee for foster care.

New law requires each city, parish, or other local public school board to do the following:

- (1) Grant paid parental leave to an eligible employee who experiences a qualifying event, and as of the date of the qualifying event has been employed for at least 12 months.
- (2) Allow the position to be filled by the appointment of teachers or substitute teachers when it has been temporarily vacated by a teacher who has been granted paid parental leave.
- (3) Restore an eligible employee to the same position and same assignment at the same school held before the taking of paid parental leave upon return from such leave.
- (4) Allow an eligible employee to use paid parental leave continuously or intermittently, provided that the paid parental leave is used within 12 weeks of the qualifying event.
- (5) Prohibit an eligible employee who takes fewer than six weeks, or 240 hours, of paid parental leave from reserving his remaining weeks of paid parental leave for a subsequently occurring qualifying event.
- (6) Compensate a full-time employee at the rate of 100% of the employee's base pay for a period not to exceed six weeks during the available leave period.
- (7) Compensate a part-time employee at the rate of 100% of the employee's base pay for a period not to exceed six weeks, based on a prorated basis corresponding to the percentage of hours the employee normally works.
- (8) Prohibit the donation of paid parental leave to another employee or leave pool.
- (9) Allow both parents, if they are eligible employees, paid parental leave to be taken concurrently, consecutively, or at a different time as the other eligible employee.
- (10) Prohibit requiring the use of an eligible employee's sick, annual, or other accrued leave before taking paid parental leave.

New law provides that at least 12 months must elapse from the beginning of one parental leave period before an employee is eligible for another parental leave period and that for a new parental leave period, there must be a new qualifying event on or after the 12 month waiting period.

New law provides that it is unlawful for:

- (1) A local education agency or any other person to commit interference or restrain or deny the exercise of, or the attempt to exercise, any right protected under new law.
- (2) A local education agency's absence control policy to count paid parental leave as an absence that may lead to or result in discipline, discharge, demotion, suspension, or any other adverse action.

New law provides that:

- (1) The granting of paid parental leave can not affect any of the tenure rights or privileges which the eligible employee may have acquired.
- (2) New law can not diminish an employer's obligation to comply with a collective bargaining agreement, an employer policy, an employment contract, or any applicable local, state, or federal law that provide more generous leave or more generous benefits.
- (3) An individual's rights, privileges, or remedies to paid parental leave and benefits can not be diminished by a collective bargaining agreement entered into, retained, amended, or renewed, or an employer policy adopted, amended, or retained, after the effective date of new law.
- (4) New law can not diminish an individual's rights, privileges, or remedies under a collective bargaining agreement, employer policy, or employment contract, as applicable.
- (5) Any agreement by an individual to waive the individual's rights under new law is null and void as against public policy.

New law requires each city, parish, or other local public school board to adopt policies and procedures to give effect to the intent and purposes of new law; provides, however, unless as otherwise indicated, the following applies:

- (1) Prior to taking paid parental leave, an eligible employee must submit the request for paid parental leave form 30 days before the qualifying event to the local education agency; or give written notice as soon as reasonably possible if the eligible employee learns of the qualifying event less than 30 days in advance of the qualifying event.
- (2) Employees must complete a request for leave form developed by the superintendent prior to the granting of leave.
- (3) A local education agency must require an employee requesting paid parental leave to produce supporting documents of his request.
- (4) Each local education agency must provide written notice to each employee upon hiring and annually thereafter of all of the following:
 - (a) Its policies and procedures.
 - (b) The employee's right to parental leave benefits under new law and the terms under which it may be used.
 - (c) The amount of parental leave benefits available to the employee.
 - (d) The procedure for applying for parental leave.
 - (e) That discrimination and retaliatory actions against an employee, for requesting, applying for, or using parental leave benefits, are prohibited by new law.
 - (f) That the employee has a right to file a grievance against a local education agency for violating new law.

New law provides that any eligible employee who believes that his rights under new law have been violated, restrained, or denied or that he has been discharged or otherwise discriminated against, may within 24 months after the violation occurs, or the employee

should reasonably have known that the violation occurred, file a grievance pursuant to existing law.

New law requires, with exceptions, each local education agency to display and maintain a poster in a place accessible to employees at the employer's place of business that contains the information required by new law in a form approved by the state Dept. of Education (DOE).

New law establishes, as a special fund in the state treasury, the Paid Parental Leave for Educators Fund. Provides for appropriation to the La. Dept. of Education to fund the costs associated with reimbursing local education agencies for substitute employees to fill the position of an eligible employee on paid parental leave.

New law requires, subject to the availability of funds, in a fiscal year, DOE must reimburse a local education agency, from the Paid Parental Leave for Educators Fund, in an amount equal to the cost of substitute employees required to fill the position of an eligible employee on parental leave not to exceed six weeks. Requires DOE to use existing communication methods to inform workers and employers regarding the availability of paid parental leave benefits.

New law provides that the rules and regulations necessary for the implementation of new law must be adopted and promulgated by Nov. 1, 2026.

New law provides that implementation is subject to the appropriation of funds by the legislature for this purpose.

Effective June 2, 2026.

(Adds R.S. 17:1214, 1214.1, and 3996(B)(92); repeals R.S. 17:48, 500.2(A)(1)(b), 1202(A)(1)(b), 1206.2(A)(1)(b), and 1211)