

Regular Session, 2010

HOUSE BILL NO. 1478 (Substitute for House Bill No. 1296 by Representative Schroder)

BY REPRESENTATIVE SCHRODER

HOLIDAYS: Provides relative to unpaid holidays for state employees

1 AN ACT

2 To enact R.S. 1:55(B)(6), relative to days of public rest and legal holidays; to provide for
3 unpaid holidays for employees of state departments when ordered by the governor;
4 to provide for implementation and effectiveness; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 1:55(B)(6) is hereby enacted to read as follows:

7 §55. Days of public rest, legal holidays, and half-holidays

8 * * *

9 B. Legal holidays shall be observed by the departments of the state as
10 follows:

11 * * *

12 (6)(a) When the governor determines that it is in the best interests of the
13 efficient and economic administration of the state, he may order that one or more
14 legal holidays provided for in Subparagraph (1)(a) of this Subsection and one or
15 more holidays proclaimed by the governor pursuant to Paragraph (2) or (3) of this
16 Subsection shall be unpaid holidays. Employees of the departments of the state who
17 are not required to work on a holiday included in such an order shall not be paid for
18 such holiday. The governor may include in such order one or more holidays
19 provided for pursuant to Subsection F of this Section, and in such case employees

1 of the respective higher education institution who are not required to work on a
2 holiday included in such an order shall not be paid for such holiday.

3 (b) Prior to issuance of an order of the governor pursuant to this Paragraph,
4 the commissioner of administration shall prepare a plan for implementing such
5 unpaid holiday or holidays, which shall include at a minimum the holidays on which
6 employees who are not required to work will not be paid and the organizational units
7 and employees affected. The plan shall also state the dollar amount of anticipated
8 savings to be realized directly as a result of implementation of the plan and provide
9 information relative to other indirect and long-term savings anticipated to result from
10 plan implementation.

11 (c) The provisions of this Paragraph shall not be applicable unless the
12 Revenue Estimating Conference has declared that a budget deficit exists.

13 * * *

14 Section 2. The provisions of Section 1 of this Act shall become effective on August
15 15, 2010, and shall be null and void and have no effect on August 15, 2011, and thereafter
16 unless reenacted by the Legislature of Louisiana.

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)]

Schroder

HB No. 1478

Abstract: Provides for unpaid holidays for employees of state departments when ordered by the governor.

Present law (R.S. 1:55(B)(1)) provides that the following legal holidays shall be observed by the departments of the state insofar as may be practicable for the administration of the government: New Year's Day; Dr. Martin Luther King, Jr.'s Birthday which shall be observed on the third Monday of Jan. of each year or in conjunction with the day of the federal observance; Mardi Gras Day; Good Friday; Independence Day; Labor Day; Veterans' Day; Thanksgiving Day; Christmas Day; Inauguration Day once in every four years in the city of Baton Rouge; and General Election Day every two years. Present law (R.S. 1:55(B)(2) & (3)) provides that Robert E. Lee Day, Washington's Birthday, National Memorial Day, Confederate Memorial Day, and Huey P. Long Day shall be observed only in such manner as the governor may proclaim and that not more than two of these days shall be proclaimed in any one year, one of which shall be National Memorial Day. Authorizes the governor, to authorize the observance of other holidays and half-holidays. Provides that when he declares the Friday after Thanksgiving Day in November a holiday it is designated as Acadian Day. Present law (R.S. 1:55(F)) provides that each institution of higher

education, through a representative appointed by it, shall designate a maximum of 14 legal holidays per calendar year to be observed by all of its employees.

Proposed law authorizes the governor, when he determines it is in the best interests of the efficient and economic administration of the state, to order that one or more holidays shall be unpaid holidays. Includes among those holidays the governor may order unpaid: legal holidays provided by law for state departments, holidays proclaimed by the governor pursuant to law, and holidays designated for higher education institutions pursuant to law. Provides that employees of the departments of the state who are not required to work on a holiday included in such an order shall not be paid for such holiday. Provides that when the governor includes holidays for employees of higher education institutions in such an order, they shall not be paid for such holiday.

Proposed law requires that, prior to issuance of such an order, the commissioner of administration shall prepare an implementation plan for such unpaid holiday(s). Provides that the plan include (at a minimum) the holidays designated, the organizational units and employees affected, the dollar amount of direct anticipated savings, and information relative to other anticipated indirect and long-term savings.

Proposed law specifies that it is only applicable when the Revenue Estimating Conference has declared that a budget deficit exists.

Effective Aug. 15, 2010, and made null and void on Aug. 15, 2011, and thereafter unless reenacted by the legislature.

(Adds R.S. 1:55(B)(6))