

Regular Session, 2014

HOUSE BILL NO. 1059

BY REPRESENTATIVE TALBOT

PUBLIC EMPLOYEES: Provides relative to authorized payroll withholdings for public employees

1 AN ACT

2 To amend and reenact R.S. 23:890(F) and R.S. 42:456(A)(1) and to repeal R.S. 17:438 and
3 R.S. 42:457, relative to public employee and teacher and school board employee
4 payroll withholdings; to remove authority for certain payroll withholdings; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 23:890(F) is hereby amended and reenacted to read as follows:

8 §890. Labor policy

9 * * *

10 F. Employees of such publicly owned ~~and/or~~ or operated transportation
11 systems hereafter acquired may authorize and upon such authorization the
12 municipality, transit authority, or other authority organized for the purpose may
13 make deductions from wages and salaries of such employees for either of the
14 following purposes:

15 (1) ~~Pursuant to a collective bargaining agreement with a duly designated or~~
16 ~~certified labor organization for the payment of union dues, fees or assessments.~~

17 (2) For the payment of contributions pursuant to any health and welfare plan
18 or pension or retirement plan, ~~and~~.

19 (3) (2) For any purposes for which deductions may be authorized by
20 employees of any private employer.

21 * * *

1 Section 2. R.S. 42:456(A)(1) is hereby amended and reenacted to read as follows:

2 §456. Permitted withholdings

3 A. Payroll deductions shall be authorized only for the following:

4 (1) Mandated federal or state income withholdings, credit unions,
5 garnishments, liens, ~~union dues~~, savings bonds programs, qualified United Way
6 entities, health and life insurance products offered through the Office of Group
7 Benefits, and products having state participating contributions, sponsored by the
8 Office of Group Benefits, which qualify and are offered under Section 125 of the
9 Internal Revenue Code (Cafeteria Plan).

10 * * *

11 Section 3. R.S. 17:438 and R.S. 42:457 are hereby repealed in their entirety.

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)]

Talbot

HB No. 1059

Abstract: Removes authority for teachers, school board employees, and public employees to withhold payroll deductions for union fees.

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

Present law allows that employees of the acquired facility may 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 removes union dues as an authorized deduction.

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, products having state participating contributions, 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 removes union dues as an authorized payroll withholding.

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

Present law (R.S. 17:438) provides that no deductions can be made unless 50 such employees or 10% of the total number of employees (whichever is less) request the deduction.

Proposed law repeals present law.

Present law (R.S. 42:457) authorizes any state, parish, or city employee to withhold from his salary a specific amount for payment of his dues to any labor organization to which he belongs.

Proposed law repeals present law.

(Amends R.S. 23:890(F) and R.S. 42:456(A)(1); Repeals R.S. 17:438 and R.S. 42:457)