

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **HB 1045** HLS 16RS 1632

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> May 2, 2016	1:33 PM	<b>Author:</b> MILLER, D.
<b>Dept./Agy.:</b> Education		<b>Analyst:</b> Jodi Mauroner
<b>Subject:</b> Teacher Overtime Pay		

TEACHERS/SALARY OR INCREASE LF EX See Note Page 1 of 1  
Provides relative to teacher pay for hours worked beyond the regular school day

Present law provides that teachers shall work not less than 182 days per school year and that no fewer than 177 of such days shall be used to provide instruction to students. Proposed law further provides: (1) A public school teacher shall not be required to work for more than 185 days during any school year, without receiving additional compensation; no more than 180 days may be used to provide instruction to students and no more than five days may be used for non-instructional purposes. (2) A public school teacher shall not be required to work more than 480 minutes per day, without receiving the additional compensation provided pursuant to proposed law. No more than 360 minutes may be used to provide instruction to students and no more than 120 minutes may be used for non-instructional purposes. Provides the calculation methodology and timing for overtime pay. Finally, provides that proposed law shall not preclude any contract between a local public school board and a teacher or any collective bargaining agreement which provides for additional compensation for duties of a teacher related to extracurricular activities beyond the maximum teaching requirements.

<b>EXPENDITURES</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
<b>Annual Total</b>						

<b>REVENUES</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

There will be an indeterminable increase in expenditures of local school districts due to compensation for teachers who work hours beyond the regular school day. The increase will depend upon the number of teachers who may work overtime, the amount of overtime actually worked, and the base salary of each teacher.

There are approximately 48,300 public school teachers with an average salary of \$48,372. If 10% of these teachers (4,830) worked one hour of overtime each, districts would incur additional costs of \$157,844.

Federal overtime provisions are contained in the Fair Labor Standards Act (FLSA). The term "exempt" is used to refer to employees and/or jobs that do not qualify for overtime protections, while "non-exempt" refers to employees and/or jobs that are eligible for overtime. FLSA classifies teachers and academic administrative personnel in elementary and secondary schools as "exempt" from both minimum wage and overtime pay requirements. State laws on wages and hours also apply to employment subject to this Act. When both the FLSA and a state law apply, the law setting the higher standards must be observed. Currently, Louisiana does not have overtime laws that are different from federal law.

**REVENUE EXPLANATION**

There is no anticipated direct material effect on governmental revenues as a result of this measure.

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| <u>Senate</u>  | <u>Dual Referral Rules</u>   | <u>House</u> |
| <input checked="" type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}                    |              |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}      | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |              |

*Evan Brasseaux*  
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