

Regular Session, 2014

HOUSE BILL NO. 831

BY REPRESENTATIVE ADAMS

WORKERS COMPENSATION: Provides relative to exclusion of supplemental pay

1 AN ACT

2 To amend and reenact R.S. 23:1021(13)(e) and R.S. 33:2004(D), relative to workers'
3 compensation; to provide with respect to municipal and parish fire department
4 employees; to provide with respect to the computation of benefits; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 23:1021(13)(e) is hereby amended and reenacted to read as follows:

8 §1021. Terms defined

9 As used in this Chapter, unless the context clearly indicates otherwise, the
10 following terms shall be given the meaning ascribed to them in this Section:

11 * * *

12 (13)

13 * * *

14 (e) Exceptions.

15 (i) For municipal police officers, additional compensation paid by the state
16 pursuant to R.S. 33:2218.4 shall not be included in the calculation and computation
17 of total salary or average weekly wage to the extent such officer continues to receive
18 such additional compensation during the period of his disability.

19 (ii) For municipal and parish fire department employees, additional
20 compensation paid by the state pursuant to R.S. 33:2004 shall not be included in the

1 calculation and computation of total salary or average weekly wage to the extent
2 such employee continues to receive such additional compensation during the period
3 of his disability.

4 * * *

5 Section 2. R.S. 33:2004(D) is hereby amended and reenacted to read as follows:

6 §2004. Warrants

7 * * *

8 D. The additional compensation paid by the state to municipal or parish fire
9 department employees as provided by this Subpart shall be included in the
10 calculation and computation of the total wages paid to the employee in the
11 determination of employer contributions to any retirement system or pension fund
12 of which such employee may be a member as well as in the determination of
13 retirement eligibility and benefits which may accrue to the employee under any
14 retirement system or pension fund, as well as in the determination of any other
15 employee benefits, sick leave, or disability pay to which the employee might be
16 entitled with the exception of workers' compensation benefits paid pursuant to R.S.
17 23:1020.1 et seq.

18 * * *

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)]

Adams

HB No. 831

Abstract: Excludes workers' compensation in the calculation of total salary and average weekly wage for municipal and parish fire department employees.

Present law (R.S. 23:1021) provides that additional compensation paid by the state to municipal police officers shall not be included in the calculation and computation of total salary or average weekly wage to the extent that the officer receives the additional compensation during his period of disability.

Proposed law provides that additional compensation paid by the state to municipal and parish fire department employees shall not be included in the calculation and computation of total salary or average weekly wage to the extent that the officer receives the additional compensation during his period of disability.

Present law (R.S. 33:2004) provides that additional compensation provided to municipal or parish fire department employees is included in the calculation of total wages in the determination of employer contributions and any benefits to which the employee may be entitled such as retirement benefits, other employee benefits, sick leave, or disability pay.

Proposed law excludes workers' compensation benefits paid from the calculation of total salary or average weekly wage.

(Amends R.S. 23:1021(13)(e) and R.S. 33:2004(D))