

BILL ANALYSIS

Senate Research Center
87R27773 JES-D

C.S.H.B. 1068
By: Allen et al. (Lucio)
Education
5/21/2021
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Many public school district employees, such as custodial staff and bus drivers, receive an hourly wage, and their earnings are tied to the number of days they work. As part of their compensation scheme, these employees receive five paid personal leave days per year that they may use for any reason. They may only use these paid personal leave days, though, on days they may actually work. Currently, if an employee works every workday and does not use their paid personal leave days, they lose these days, depriving them of this benefit.

H.B. 1068 would allow public school district employees to use paid personal leave days on unpaid holidays. Employees would be able to take advantage of their benefits without missing days of work. This bill removes the incentive to take unnecessary paid personal leave days, boosting productivity, and ensures that employees are compensated as stated in their contracts.

(Original Author's / Sponsor's Statement of Intent)

C.S.H.B. 1068 amends current law relating to the use of personal leave during school holidays by certain school district employees.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 22.003, Education Code, by adding Subsection (g), as follows:

(g) Provides that a school district employee with available personal leave under Section 22.003 (Minimum Personal Leave Program) is entitled to use the leave for compensation for a day designated as a school holiday for which the employee would otherwise not receive compensation. Prohibits an employee from using more than the number of personal leave days provided to the employee per year under this section or by the school district for days designated as school holidays during that year. Provides that this subsection applies only to a school district employee who is not exempt from the overtime provisions of the federal Fair Labor Standards Act of 1938 (29 U.S.C. Section 201 et seq.) and who is not employed on a salaried basis.

SECTION 2. Effective date: September 1, 2021.