

## MEMORANDUM

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TO: Louisiana School Bus Operator's Association  
FROM: Top Drawer Strategies LLC, Mary-Patricia Wray  
DATE: July 20, 2022  
RE: Multi-Year Summary, RS 2022 and Next Steps

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### **INTRODUCTION:**

The LSBOA had a successful legislative session. Together, we continued to build the policy-focused brand of the organization among legislators and worked to pass important bills that move our mission of service forward. This report contains information on the 2022 Legislative Session as well as the accomplishments of the organization over the past few years.

### ***Owner Operator Pay:***

Our primary focus since 2019 has been on increasing School Bus Operator Compensation. In 2020, we passed HCR20, which created a task force that studied compensation to make legislative recommendations. When HCR20 was passed, it was an uphill climb just to \*study\* the issue. At the end of 2020, the task force, including transportation directors from heavy owner operator districts, began its work. In February of 2021, it issued final recommendations which suggested that the legislature increase owner-operator compensation. In 2021, State Rep. Malinda White filed our bill, but due to some late opposition from a few rogue school boards, it failed to pass the Senate after making it through the house. Another year of education for legislators, as well as pushing for another important author, Senator Patrick McMath, helped put the effort over the top.

In 2022 SB57 by McMath became Act 661. HB215 by White became Act 449. Having been signed by the governor, both bills became law. Both bills amend La. R.S. 17:497 to accomplish the following:

- Prior law provided a schedule of compensation rates to be paid to school bus operators for the transportation of public school students. Provided for varying rates based on distance traveled and length of bus. Specified that the compensation shall be paid for a minimum of 180 days during a nine-month school year and for the number of days of actual operation of a summer semester.
- New law changes the compensation rates to consider capacity instead of length. Provides a minimum of \$1.4683 per mile of paid mileage for school buses with capacities of 48 or fewer passengers and a minimum of \$1.756 per mile of paid mileage for school buses with capacities greater than 48 passengers.
- New law provides that, for buses equipped with lift and mobility device securement systems, the manufacturer's rated capacity shall be determined by the rated capacity of a bus of equal length that is designed to transport only ambulatory passengers.
- New law clarifies operators shall be paid for the number of days of actual operation but not less than 180 days during the school year calendar, as adopted by the public school

governing authority, and the number of days of actual operation during a summer semester.

- New law deletes prior law provisions requiring the State Board of Elementary and Secondary Education (BESE) to establish a uniform method for computing bus length.
- New law defines "paid mileage" as the distance of a bus route beginning when the first student is picked up and ending when the bus reaches the final student discharge destination or school on both morning and afternoon routes.
- New law requires a public school governing authority to establish supplemental payments for a school bus operator who is required to purchase certain equipment or supplies related to transporting students with disabilities or air conditioning equipment.
- New law requires the new compensation rates to be implemented beginning with the 2022- 2023 school year.

### ***Pay and Pensions:***

Since Top Drawer began advocating for LSBOA there have been 5 permanent pay raises and 6 COLA's. Pay still lags behind the southern regional average. But in 2022, we were able to finally change the trigger level of successful investments for COLAs to be granted such that they are more likely to be granted annually in the future, barring a particularly bad investment year.

Only Congress has the power to deal with issues related to the Government Pension Offset and Windfall Elimination Provision. But we support state resolutions each year that urge and request Congress take action. Rep. Garret Graves of Baton Rouge is leading the charge to get enough supportive signatures in the current congress to provide relief on this front finally.

### ***Return to Work:***

More than 15 bills have been passed in recent years that impact the return to work for different categories of school employees and members of both TRSL and LSERS. We continue to work to improve return-to-work policies to increase experienced employees' ability to contribute without forfeiting retirement benefits while doing so.

### ***Sick Leave and Tenure:***

In 2012 the legislature enacted terrible bills that left School Bus Operators as the only school employees with no pathway to earn tenure, essential protection from unfair firing without due process. Those bills also changed how sick leave donations and sick leave banks work. Since then, districts have interpreted the sick leave law differently, most opting to read in a way that harms employees but prevents excess liabilities on the district's books under their accounting methods.

HB349(2022) was supported by LSBOA, and it became law. The bill allows for less restrictive timelines in requesting a hearing on school bus operator discipline. This bill was a useful tool to engage with legislators and educate them on just how terrible due process conditions are for our members.



HB977(2022) also made a slight change to sick leave law: Present law authorizes school boards to adopt rules and regulations relative to the use of sick leave for emergencies. The proposed law authorizes this for special circumstances as well as emergencies. This bill, which is now effective, will allow for more appropriate sick leave usage policies at the local school board level, giving them autonomy to more widely define “special circumstances.”

We have a lot of work to do on tenure and sick leave, and our brand and power at the Capitol are growing. Each of these efforts can take multiple years, which is why I feel so honored that you trust me to fight for you all. I know your organization’s investment in my services is a big one. I’m proud to fight for you every step of the way.

***CONCLUSION and MISC.:***

As we discuss priorities for the coming year, and think about 2023 elections which will mean every member of the legislature and statewide office is up for re-election, we can narrow down our scope and goals. It’s important to note that there will likely be a deficit in the coming year, so pushing for bills that cost money for the state or local governments may mean it’s a “rebuilding year” rather than a year in which passage is extremely likely. I look forward to what we will accomplish on the horizon.