

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 2** SLS 17RS 94

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 10, 2017	11:21 AM	Author: MORRELL
Dept./Agy.: Statewide		Analyst: Patrice Thomas
Subject: LA Equal Pay Act		

EMPLOYMENT EG SEE FISC NOTE GF EX See Note Page 1 of 1
Provides that the Louisiana Equal Pay Act be applicable to men and private employers and requires government contractors to verify equal pay practices. (8/1/17)

Proposed law renames present law to LA Equal Pay Act and extends the Act to all employees (men and women) in the state. Proposed law extends the definition of employer to include local governments and political subdivisions as well as any individual, partnership, corporation, association, business, trust, person, labor organization, or entity for whom 50 or more full-time equivalent employees as well as any local government or political subdivision. Proposed law expands the definition of employee and adds unpaid wages. Proposed law states an employee's agreement to work at a lower rate is not a defense under the LA Equal Pay Act. Under proposed law, intentional or unintentional discrimination is disallowed. The proposed law changes the complaint process as follows: if the remedy is not to the employee's satisfaction, within 60 days the employee may bring an action to the Commission on Human Rights, and the Commission is allowed 180 days to decide on the dispute. Proposed law provides that employee may file suit in a district court of competent jurisdiction. Proposed law provides for unpaid wages, interest, attorney fees, reinstatement of employment, promotion, or compensation for lost benefits.

EXPENDITURES	2017-18	2018-19	2019-20	2020-21	2021-22	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

REVENUES	2017-18	2018-19	2019-20	2020-21	2021-22	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

This proposed legislation may increase state and judiciary expenditures by an indeterminable amount as a result of complaints filed with the LA Commission on Human Rights and/or civil suits filed in district courts by employees (men or women) towards an employer alleging pay inequality and seeking monetary damages under this measure. The magnitude of the proposed legislation is dependent upon the number of employees that actually file complaints and/or civil suits, which is indeterminable. To the extent the proposed legislation increases the number of pay inequality lawsuits filed in district courts, an increase in court costs associated with judicial workload, time and attendance (presence of judges, clerks, bailiffs, counsel, etc.) may result.

Note: Information provided by the Louisiana Commission on Human Rights indicates any significant increase in complaints may result in an additional investigator costing \$63,000 annually (\$45,000 salary and \$18,000 related benefits).

REVENUE EXPLANATION

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

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux

Evan Brasseaux
Staff Director