
DIGEST

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HB 283 Original

2023 Regular Session

LaFleur

Abstract: Prohibits an employer from engaging in certain employment practices involving wage history, wage disclosure, and retaliation for disclosing wages.

Proposed law prohibits an employer from doing any of the following in order to inquiry about or rely on the applicant's wage history:

- (1) Screening a job applicant based on the applicant's current or prior wages, benefits or other compensation, or salary history.
- (2) Relying on the applicant's wage history in deciding whether to offer employment to an applicant or to determine the applicant's salary, benefits, or other compensation.
- (3) Refusing to hire or otherwise disfavor, injure, or retaliate against an applicant for not disclosing his wage history.

Proposed law prohibits an employer from discriminating, retaliating, or taking any adverse employment action against an employee, who inquires, discloses, compares, or otherwise discusses his wages, another employee's wages, or aids or encourages any other employee to exercise the same actions.

Proposed law provides that the protections provided for in proposed law shall not be applicable when an employee, who has access to the wage information of other employees as a part of his essential job function, discloses the wages of other employees to individuals who do not have access to such information, unless the disclosure is required by law.

Present law provides that it shall be unlawful for an employer to interfere with, restrain, or deny the exercise of, or attempt to exercise, any right provided under present law.

Present law further provides that it shall be unlawful for any employer to discriminate, retaliate, or take any adverse employment action against an employee, who inquires, discloses, compares, or discusses his wages, another employee's wages, or aids or encourages any other employee to exercise the same rights.

Proposed law retains present law and also provides that the protections provided for under present law shall not apply to an employee, who has access to other employees' wage information as a part of his essential job function and who discloses the wage information to individuals who do not have

access to such information, unless the disclosure is required by law.

(Amends R.S. 23:664(D); Adds R.S. 23:333 and 664(F))