

2024 Regular Session

HOUSE BILL NO. 352

BY REPRESENTATIVE TARVER

1 AN ACT

2 To enact R.S. 23:631(E), relative to employment; to provide for the payment of
3 compensation; to provide for payment after termination of employment under certain
4 circumstances; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 23:631(E) is hereby enacted to read as follows:

7 §631. Discharge or resignation of employees; payment after termination of
8 employment

9 * * *

10 E. (1) For purposes of this Section and R.S. 23:634, compensation available
11 in the form of commission, incentive pay, or bonus shall be considered an amount
12 then due only if, at the time of separation, the compensation has been earned and not
13 modified in accordance with a written policy addressing the commission, incentive
14 pay, or bonus.

15 (2) The following provisions shall be lawful:

16 (a) A policy providing for adjustments to the amount based on changes to the
17 order generating a commission which affects the amount of the commission.

18 (b) A policy providing that a payment to the laborer or employee is not
19 earned unless and until the employer has received the payment which generates the
20 commission, incentive pay, or bonus.

21 (3) In the case of a bonus, the amount of which is determined by financial
22 information reflecting the employee's or employer's performance on an annual,

1 quarterly, or other periodic basis, a reasonable amount of time, not to exceed one
2 hundred twenty calendar days from the end of such periodic basis, shall be allowed
3 based on standard accounting practices used by the employer to make the
4 determination as to whether a bonus is due and the amount thereof.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____