

2015 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 169

BY REPRESENTATIVES COX AND BROADWATER

A CONCURRENT RESOLUTION

To urge and request the Louisiana Workforce Commission to provide information regarding gender discrimination by pay disparity and to make the information available to employers for the purpose of educating employees regarding intentional discrimination laws and on the procedures in place for violations of those laws.

WHEREAS, the issue of gender discrimination by pay disparity has been at the forefront in recent legislative sessions in Louisiana and around the nation with legislation filed to ensure that employees are paid equally for the same work regardless of gender; and

WHEREAS, the pay disparity between men and women in the state of Louisiana is significant and leads to a higher poverty rate in our state due to the number of households led by a single mother; and

WHEREAS, R.S. 23:332 prohibits intentionally paying wages to an employee at a rate less than that of another employee of the opposite sex for equal work on a job in which their performance requires equal skill, effort, and responsibility and which are performed under similar working conditions; and

WHEREAS, in the event of discrimination, complaints for an investigation may be filed with the federal Equal Employment Opportunity Commission, pursuant to 42 U.S.C. 2000e, et seq., or with the Louisiana Commission of Human Rights, pursuant to Chapter 38 of Title 51 of the Louisiana Revised Statutes of 1950, or a civil cause of action may be filed pursuant to R.S. 23:303 with penalties when appropriate; and

WHEREAS, with proper knowledge and notice, employees within our state can be aware of this law and of their rights; and

WHEREAS, the Louisiana Workforce Commission (commission) is charged by R.S. 23:1 with the administration and enforcement of all labor laws, rules, policies, and regulations as well as the responsibility to meet the needs of employees, job-seekers, and employers seeking to hire a skilled workforce; and

WHEREAS, R.S. 23:15 requires that every employer keep conspicuously posted in or about the premises wherein any worker is employed, a printed copy or abstract of those labor laws which the executive director of the commission may designate, in a form to be furnished by the executive director; and

WHEREAS, the commission maintains an internet webpage on which employers can view and download the posters mandated by state and federal law; and

WHEREAS, although not a mandatory poster, if made available on the webpage, a poster containing the laws regarding gender discrimination by pay disparity and the remedies for any violations can be viewed by employers when employers visit the commission's web page to obtain mandatory posters; and

WHEREAS, chambers of commerce serve to promote business interests and disseminate information to member businesses; and

WHEREAS, a poster made available to chambers of commerce can be distributed to member businesses to further ensure that businesses throughout our state are provided with information that is important for their protection and for that of their employees; and

WHEREAS, it is in the best interest of the state's employers and workforce to be informed of the prohibition against intentional discrimination in employment by pay disparity based on gender.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the Louisiana Workforce Commission to create a poster and make it available to employers and chambers of commerce to ably inform employees of their rights and the procedures to remedy any violation of those rights regarding gender discrimination by pay disparity.

BE IT FURTHER RESOLVED that the poster be available on the commission's webpage so that it is readily available to all employers and employees within the state.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the Louisiana Commission on Human Rights and the Louisiana Workforce Commission.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE