
DIGEST

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HB 238 Original

2020 Regular Session

Duplessis

Abstract: Provides requirements for discrimination in employment and creates the Louisiana Employment Non-Discrimination Act (LENDAs).

Present law provides definitions for employee, employer, employment agency, genetic monitoring, genetic services, genetic test, labor organization, and protected genetic information.

Proposed law retains present law and adds definitions for sexual orientation and gender identity.

Present law provides that it shall be unlawful for an employer to discriminate against any individual based on race, color, religion, sex, or national origin.

Proposed law retains present law and adds that it is unlawful for an employer to also discriminate against any individual based on age, sexual orientation, and gender identity.

Present law provides that it shall not be unlawful for an employer to discriminate against any individual based on religion, sex, or national origin in certain instances where religion, sex, or national origin is a bona fide occupational qualification that is reasonably necessary for that particular business or enterprise.

Proposed law retains present law and adds that it is not unlawful under those circumstances for an employer to discriminate against any individual based on age, sexual orientation, and gender identity.

Present law provides for the prohibition of discrimination in selection of medication attendants based on race, color, creed, religion, disability, or national origin.

Proposed law retains present law and prohibits discrimination based on age, sex, sexual orientation, and gender identity.

Present law provides that application for licensure shall not be denied based on race, religion, creed, national origin, sex, or physical impairment.

Proposed law retains present law to add no application for licensure shall be denied for age, sexual orientation, gender identity, or disability.

Proposed law provides that no provision of present law or proposed law regarding intentional discrimination in employment shall be interpreted to infringe upon the freedom of expression,

association, or the free exercise of religion.

Proposed law exempts religious corporations, associations, educational institutions or in situations of learning or society that employs an individual of a particular religion to perform work connected to a religious activity.

Proposed law provides that proposed law shall be called the "Louisiana Employment Non-Discrimination Act" or "LENDA".

(Amends R.S. 23:332(A)(1) and (2), (B), (C)(1) and (2), (D), (E), (H)(1), (3) and (4), R.S. 37:1025(B), 1107(C), 1360.23(H), 1437(D), 2719, 3425(C), 3447(C), and R.S. 40:1133.1(C); Adds R.S. 23:302(9) and (10), and 332 (I) and (J))