The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Yoursheka Butler.

DIGEST 2022 Regular Session

SB 410 Original

Jackson

<u>Proposed law</u> provides that it is an unlawful employment practice for any employer to inquire about or rely on the wage history of an applicant for an offer of employment by doing any of the following:

- (1) Screening job applicants based on the applicant's current or prior wages, benefits or other compensation, or salary histories.
- (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.

<u>Proposed law</u> prohibits discrimination, retaliation, or any other adverse employment action, including but not limited to termination or other forms of discrimination, by an employer against any employee for inquiring, disclosing, comparing, or discussing the employee's wages or any other employee's wages, or aiding or encouraging any other employee to exercise the same actions.

<u>Proposed law provides that proposed law protections do not apply to an employee who already has access to the wage information of other employees because it is an essential part of the employee's job function.</u>

<u>Present law</u> provides that it is unlawful for an employer to interfere with, restrain, or deny the exercise of, or attempt to exercise, any right provided under <u>present law</u>. Further, <u>present law</u> provides that it is unlawful for any employer to discriminate, retaliate, or take any adverse employment action, including but not limited to termination or other forms of discrimination, against any employee for inquiring, disclosing, comparing, or discussing the employee's wages or another employee's wages, or aiding or encouraging any other employee to exercise his or her rights under <u>present law</u>.

<u>Proposed law</u> retains <u>present law</u> and provides that protections do not apply to an employee who already has access to the wage information of other employees because it is an essential part of the employee's job function.

Effective upon the signature of the governor or lapse of time for gubernatorial action.

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