

2022 Regular Session

HOUSE BILL NO. 1013

BY REPRESENTATIVE WHITE

STATE EMPLOYEES: Provides relative to the minimum wage of state employees

1 AN ACT

2 To enact Chapter 10 of Title 42 of the Louisiana Revised Statutes of 1950, comprised of
3 R.S. 42:541 through 545, relative to compensation of state employees; to establish
4 a minimum wage for state employees; to provide for civil remedies and recovery of
5 damages; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Chapter 10 of Title 42 of the Louisiana Revised Statutes of 1950,
8 comprised of R.S. 42:541 through 545, is hereby enacted to read as follows:

9 CHAPTER 10. MINIMUM WAGE

10 §541. Minimum wage; established

11 A. Except as otherwise provided by this Chapter, no state employee shall be
12 paid at a rate of less than nine dollars per hour. This minimum rate applies
13 regardless of how the time at work is measured.

14 B. If federal or state law requires a minimum rate of pay for a state employee
15 that is higher than the rate required by this Section, the law requiring the higher rate
16 shall apply to compensation of the employee.

17 §542. Civil remedy

18 A. In addition to any other remedy provided by law, an employee shall have
19 a civil right of action for damages against an employer for a violation of the
20 provisions of R.S. 42:541.

1 B. Venue for such a civil action shall be proper in the Nineteenth Judicial
2 District Court in East Baton Rouge Parish.

3 §543. Damages

4 An employer that violates the provisions of R.S. 42:541 is liable to the
5 affected employee in the amount of the difference between the amount that the
6 employee was paid and the amount the employer was statutorily obligated to pay
7 pursuant to R.S. 42:541 plus reasonable attorney fees and court costs associated with
8 the civil action.

9 §544. Limitation of action

10 A civil action filed to recover wages for a violation of this Chapter shall be
11 commenced within three years from the date that an employee becomes aware that
12 the employer is in violation of this Chapter.

13 §545. Definition

14 For purpose of this Chapter, "state employee" means a person who is
15 employed by an agency or instrumentality of the state of Louisiana, including the
16 executive, legislative, and judicial branches of state government.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 1013 Original

2022 Regular Session

White

Abstract: Establishes a minimum wage of \$9.00 per hour for state employees.

Proposed law provides that no employee of any agency or instrumentality of the state shall be paid at a rate of less than \$9.00 per hour. Provides that if federal or state law requires a minimum rate of pay for a state employee that is higher than the rate required by proposed law, the higher rate shall apply to the employee.

Proposed law provides that in addition to any other remedy provided by law, an employee shall have a civil right of action for damages against an employer for a violation of proposed law. Further provides that an employer that violates proposed law shall be liable in the amount of the difference between the amount that the employee was paid and the amount the employer was statutorily obligated to pay plus reasonable attorney fees and court costs. Proposed law requires that an action pursuant to proposed law be commenced within three years from the date that an employee becomes aware that the employer is in violation of proposed law.

(Adds R.S. 42:541-545)