

---

## 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 529 Original

2024 Regular Session

Crews

**Abstract:** Redefines the term "wages" and provides relative to the determination of the average weekly wage amount earned by a workers' compensation claimant.

Present law defines certain terms, including the term "wages".

Present law provides that the term "wages" means the average weekly wage at the time of the accident. The average weekly wage shall be determined based on the type of wages, which includes hourly wages, monthly wages, annual wages, and other wages.

Proposed law repeals the provisions of present law as they relate to hourly wages, monthly wages, annual wages, and other wages and instead redefines wages to mean any of the following:

- (1) The employee's total earnings paid by the employer during the 52 weeks preceding the date of the work accident and excluding the week of the injury, divided by 52. Such earnings shall include but are not limited to earnings from any of the following:
  - (a) Full-time, part-time, hourly, monthly, annual, or seasonal employment.
  - (b) Paid sick leave, paid vacation, or paid holiday.
  - (c) Unit, odd-lot, or piecework employment.
  - (d) Tips reported to the employer.
  - (e) Commission or bonuses.
  - (f) Earnings received by the employee from any other basis of earning from his employer.
- (2) If the employee has worked less than 52 weeks preceding the date of the work accident, but more than four weeks, the average weekly wage shall be determined by dividing the employee's total earnings by the total number of weeks worked, excluding the week of the injury.
- (3) If the employee has worked less than four weeks, the average weekly wage shall be determined based on the average weekly amount earned by a person in the same or similar job level or classification in the community.

Present law defines "part-time employee".

Proposed law repeals the definition of "part-time employee".

(Amends R.S. 23:1021(13)(a)-(d); Repeals R.S. 23:1021(11))