

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 352

2024 Regular Session

Tarver

EMPLOYMENT: Provides relative to the final payment after termination of employment

Synopsis of Senate Amendments

1. Removes provisions of proposed law concerning employment policies in place that require a laborer or employee to be employed on the date that payment of compensation is due, regardless of the reason the employee or laborer separated.
2. Adds that any bonuses awarded to an employee shall also reflect the employer's performance.
3. Revises the time frame for when an employer needs to determine if a bonus is owed and, if applicable, the amount that is owed.
4. Makes technical changes.

Digest of Bill as Finally Passed by Senate

Proposed law provides that for the purpose of proposed law and present law, compensation available in the form of commission, incentive pay, or bonus shall be considered an amount then due only if, at the time of separation, the compensation has been earned and not modified in accordance with a written policy addressing the commission, incentive pay, or bonus.

Proposed law provides that the following shall be lawful:

- (1) A policy providing for adjustments to the amount based on changes to the order generating a commission which affects the amount of the commission.
- (2) A policy providing that a payment to the laborer or employee is not earned unless and until the employer has received the payment which generates the commission, incentive pay, or bonus.

Proposed law provides that, in the case of a bonus, the amount of which is determined by financial information reflecting the employee's or employer's performance on an annual, quarterly, or other periodic basis, a reasonable amount of time, not to exceed 120 calendar days from the end of such periodic basis, shall be allowed based on standard accounting practices used by the employer to make the determination as to whether a bonus is due and the amount thereof.

(Adds R.S. 23:631(E))