

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 334** SLS 14RS 647
 Bill Text Version: **ENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: April 24, 2014 12:33 PM	Author: PETERSON
Dept./Agy.: LA Commission on Human Rights (Governor's Office)	Analyst: Travis McIlwain
Subject: LA Equal Pay	

EMPLOYMENT EG SEE FISC NOTE GF EX See Note Page 1 of 1

Provides that the Louisiana Equal Pay for Women Act be applicable to men, private employers and requires government contractors to verify equal pay practices. (8/1/14)

Proposed law makes the LA Equal Pay Act applicable to men, local governmental employees, private employers and requires government contractors to verify equal pay practices. Proposed bill defines employer to be any organizational unit of the state, any local governmental entity, and any person or other legal entity that pays 20 or more individuals to work within the state. Proposed law provides that when a lawsuit is filed on the basis on sex discrimination pursuant to the LA Employment Discrimination Law against a private sector, local government, or political subdivision employer, the venue of the lawsuit will be in the parish where the employee is domiciled or the proper venue of the employer pursuant to the Code of Civil Procedure. Proposed bill provides for additional damages for an employer who violates the provisions of the proposed legislation to include being liable for liquidated damages up to the amount of unpaid wages and shall be liable for the reinstatement, promotion, benefits lost or not received, front pay, any combination of these and any other relief that the court in its discretion determines is necessary. Effective August 1, 2014.

EXPENDITURES	2014-15	2015-16	2016-17	2017-18	2018-19	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

REVENUES	2014-15	2015-16	2016-17	2017-18	2018-19	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

To the extent that equal pay practices are not currently followed by local governmental entities, this bill could result in an indeterminable increase in local expenditures. The specific impact to local governments as a result of this bill is indeterminable.

There is no anticipated direct material effect on governmental expenditures of the Louisiana Commission on Human Rights as a result of this measure. The Louisiana Commission on Human Rights handles complaints of employment discrimination based on race, color, religion, sex, disability, age, sickle cell trait, pregnancy, child birth and related medical conditions. The proposed bill places in statute additional discriminatory items that could result in additional complaints processed by the agency. In FY 13 the agency investigated 145 complaints received. The LFO is unable to determine the increase in the number of complaints that may be received by the agency as a result of the this bill. However, any complaints that are received could result in additional civil suits brought before a court in the employee's domicile. To the extent this occurs, the respective court system may experience an additional workload. The magnitude of the workload increase is dependent upon the number of complaints that actually result in a civil suit, which is indeterminable.

In addition, this bill provides that a public entity may not enter into a contract for goods or services with any private employer unless the private employer provides a sworn affidavit attesting that the pay practices of the private employer comply with this bill. To the extent a private contractor doing business with a public entity violates the pay practices outlined within this this bill, there may be additional costs incurred by the public entity as a result of contract cancellation. The specific cost increases as result of such cancellations is indeterminable.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate <u>Dual Referral Rules</u> <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}	House <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S} <input type="checkbox"/> 6.8(F)(2) >= \$500,000 State Rev. Reduc. {H & S} <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}	 John D. Carpenter Legislative Fiscal Officer
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