
DIGEST

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Stokes

HB No. 956

Abstract: Provides that pay inequality in employment is a discriminatory practice.

Present law provides that it is unlawful discrimination in employment for an employer to intentionally refuse to hire, discharge an individual, or otherwise discriminate against an individual on the basis of race, color, religion, sex, or national origin.

Present law prohibits employers from intentionally segregating, limiting, or classifying individuals on the basis of race, color, religion, sex, or national origin in any way that would deprive the individual of employment opportunities.

Proposed law provides that it shall be unlawful to pay an individual less than another individual on the basis of sex, when both individuals work on jobs that require equal skill, effort, and responsibility, and which are performed under similar working conditions.

Proposed law requires that an employer may not reduce the wages of any other employee in order to comply with proposed law.

Present law provides that pay differentials based on a merit or seniority system, or a system that measures earnings by quantity or quality are not unlawful.

Present law further provides that it is not unlawful discrimination to pay employees differently based on location.

Present law provides that as long as the differences in present law are not as a result of intentional discrimination based on race, color, religion, sex, or national origin, the pay differential is not unlawful.

Proposed law adds to the list of factors that constitute discrimination outlined in present law, any other differential based on any factor other than sex.

(Amends R.S. 23:332(A) and (H)(3))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Labor and Industrial Relations to the original bill.

1. Added a provision that it shall not be unlawful discrimination for an employer to apply different standards of pay if the differences are not the result of an intention to discriminate because of any other differential based on any factor other than sex.

House Floor Amendments to the engrossed bill.

1. Added technical amendments.
2. Removed the reference to employees in the same establishment to provide that it is unlawful to intentionally pay wages to an employee at a rate less than that of another employee for equal work.