

---

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Yoursheka George.

---

DIGEST

SB 287 Original

2020 Regular Session

Barrow

Present law makes the provisions of R.S. 23:341 applicable only to employers who employ more than 25 employees within this state for each working day in each of 20 or more calendar weeks in the current or preceding calendar year.

Proposed law retains present law but makes the provisions of R.S. 23:341 applicable to employers who employ more than 15 employees within this state.

Present law provides that pregnancy, childbirth, and related medical conditions are to be treated as any other temporary disability with the employer being relieved of any responsibility to provide a female employee disability leave for a period exceeding six-weeks following a normal pregnancy, childbirth, or related medical condition.

Proposed law retains present law but adds the caveat that pregnancy-related medical conditions do not have to meet any definition of disability to trigger an employer's obligation to provide reasonable accommodations under R.S. 23:342(B).

Present law makes it an unlawful employment practice for any employer to refuse to promote, compensate, or train any female employee due to pregnancy, childbirth, or a related medical condition.

Present law makes it an unlawful employment practice for any employer to refuse to allow a female employee affected by pregnancy, childbirth, or related medical conditions to receive the same benefits or privileges of employment granted by the employer to other employees who are temporarily disabled.

Proposed law retains present law.

Present law provides that it is an unlawful employment practice for any employer to refuse to temporarily transfer a pregnant female employee to a less strenuous or hazardous position, per the female employee's request and with the advice of her physician, if the transfer can be reasonably accommodated.

Proposed law removes present law.

Proposed law makes it an unlawful employment practice for an employer to refuse to make reasonable accommodations for medical needs arising from pregnancy, childbirth, or related medical conditions for an applicant for employment or an existing employee unless the employer first demonstrates that the accommodation would impose an undue hardship on the operation of the

business.

Proposed law defines the phrases "reasonable accommodation" and "undue hardship".

Proposed law provides that an employer is not required to make certain provisions for a female employee due to pregnancy, childbirth or other medical condition if the employer would not make the same provisions for other employees.

Proposed law requires employers to provide written notice to new and existing employees of their discretionary power to accommodate the medical needs of a female employee arising from pregnancy, childbirth, or related medical conditions.

Effective August 1, 2020.

(Amends R.S. 23:341(A) and (B)(1) and 342; adds R.S. 23:341.1)