



1 approximately fifty thousand dollars in taxes to the state of Louisiana. This represents a  
2 fraction of total unpaid wages just in the city of New Orleans. The total unpaid revenues for  
3 the entire state is unknown but could be many times this amount; and

4 WHEREAS, unpaid wages are bad for business because law-abiding businesses and  
5 employers must compete with businesses that do not pay their fair share, leaving an unfair  
6 playing field for honest business people. Local business suffers when workers and their  
7 families have no money to spend; and

8 WHEREAS, communities suffer when working families are forced to rely on public  
9 assistance or charities to survive or are forced to leave their homes to seek other work  
10 because of unpaid wages; and

11 WHEREAS, most wage and hour disputes brought in Louisiana are resolved through  
12 private litigation, where only twenty-five percent of wages are actually collected; and

13 WHEREAS, the option of filing liens has been available for construction workers,  
14 mechanics, and other tradespeople with success over a long period of time; and

15 WHEREAS, construction liens filed for wages owed by contractors consistently  
16 result in a more successful rate of recovery than private litigation; and

17 WHEREAS, despite statutes governing the treatment of workers' pay dating back to  
18 1920, the current law in Louisiana anticipates litigation but offers no non-litigation remedy  
19 for unpaid wages outside of the construction lien; and

20 WHEREAS, the option of filing a lien for wages would create an alternative to  
21 litigation and could reduce the cost of litigation for Louisiana businesses.

22 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby  
23 urge and request the Louisiana State Law Institute to study all options, specifically lien  
24 rights, and make specific recommendations for legislation to provide an effective remedy  
25 for unpaid wages that will be an efficient tool to obtain wrongfully withheld wages without  
26 requiring expensive litigation, and that such legislation clearly establish that violations of  
27 workplace laws are against the public policy of the state.

28 BE IT FURTHER RESOLVED that a suitable copy of this Resolution be transmitted  
29 to the director of the Louisiana State Law Institute and that the Louisiana State Law Institute

- 1 report its findings and recommendations in the form of specific proposed legislation to the
  - 2 Legislature of Louisiana on or before January 1, 2014.
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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)]

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Smith

HCR No. 76

Requests the La. State Law Institute to study all options, specifically lien rights, and make specific recommendations for legislation to provide an effective remedy for unpaid wages.