

2017 Regular Session

HOUSE BILL NO. 222

BY REPRESENTATIVES MORENO AND HUNTER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

EMPLOYMENT: Prohibits employer retaliation against an employee who discusses wage information

1 AN ACT

2 To enact R.S. 23:643, relative to the payment of employees; to provide for transparency
3 regarding wage information between employees; to prohibit discipline, retaliation,
4 or discrimination for the disclosure of wage information; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 23:643 is hereby enacted to read as follows:

8 §643. Wage disclosure

9 A. No employer shall require, as a condition of employment, that an
10 employee refrain from disclosing the amount of his wages, or to sign a waiver,
11 nondisclosure, or other document that denies the employee the right to disclose the
12 amount of his wages.

13 B. No employer shall retaliate, discipline, discharge, or take any other
14 adverse employment action against an employee who has discussed or disclosed his
15 own wage information or inquired about or discussed wage information with another
16 person.

17 C.(1) Nothing in this Section shall be construed to create an obligation for
18 an employee to disclose his wage information.

19 (2) The protections provided in this Section do not apply to any employee
20 with access to wage information as part of his job function unless the employee is

1 making a disclosure of his own wage information or wage information as required
2 pursuant to a charge, complaint, investigation, court order, proceeding, or hearing.

3 D. The provisions of this Section shall apply to any employer who employs
4 twenty or more employees.

5 Section 2. This Act shall become effective on January 1, 2018.

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)]

HB 222 Original

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Abstract: Prohibits an employer from retaliating against an employee for discussing wage information.

Proposed law allows, but does not require, an employee to disclose wage information without fear of reprisal from his employer.

Proposed law does not extend protections afforded by proposed law to an employee who has access to wage information as part of his job function and discloses the information except in response to a charge, complaint, investigation, court order, proceeding, or hearing.

Proposed law applies to employers who employ at least 20 employees.

Effective Jan. 1, 2018.

(Adds R.S. 23:643)