
DIGEST

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HB 519 Original

2018 Regular Session

Smith

Abstract: Creates the La. Wage Payment Act.

Present law requires that upon separation of employment, an employer pay his employee the amount owed in the usual fashion on or before the next payday, or within 15 days, whichever is sooner.

Present law provides that in the case of a dispute of the amount of wages due, the employer shall pay the undisputed amount and that the employee may file a wage claim for the balance in question.

Proposed law provides that if an employee is still employed with the employer and has not received wages, that he may make a written demand to which the employer shall answer within seven days.

Proposed law provides that after termination, if a former employee is not paid as required by proposed law that he must make a written demand to which the employer shall respond within seven days with reasons for nonpayment.

Proposed law retains present law by requiring that the employer pay any wages not in dispute at the time of demand.

Proposed law provides for civil remedies and damages for nonpayment of wages when appropriate.

Present law requires that employers post a notice indicating that the employer has a duty to notify each employee as to the terms of his employment including his wage rate, method, and place of payment. Proposed law retains present law regarding the notice and further provides a form outlining the basic terms of employment so that expectations are clear for both parties.

Proposed law requires that the employer maintain the records for a period of three years total for a period of at least five years after termination.

Proposed law provides that paid leave is considered a wage due if it has been earned and accrued and unused.

Proposed law provides technical amendments and instructions to the Louisiana State Law Institute to redesignate and reorganize parts of present law.

(Amends R.S. 23:631-634; Repeals R.S. 23:635 and 636)