

GREEN SHEET REDIGEST

HB 352

2024 Regular Session

Tarver

**EMPLOYMENT: Provides relative to the final payment after termination of employment.**

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DIGEST

Proposed law provides that for the purpose of proposed law and present law, compensation available in the form of commission, incentive pay, or bonus shall be considered an amount then due only if, at the time of separation, the compensation has been earned and not modified or extinguished in accordance with a written policy addressing the commission, incentive pay, or bonus.

Proposed law provides that the following shall be lawful:

- (1) A policy requiring the laborer or employee to be employed on the date, according to the policy, the payment is due without regard for the reason the laborer or employee separated.
- (2) A policy providing for adjustments to the amount based on changes to the order generating a commission which affects the amount of the commission.
- (3) A policy providing that a payment to the laborer or employee is not earned unless and until the employer has received the payment which generates the commission, incentive pay, or bonus.

Proposed law provides that, in the case of a bonus, the amount of which is determined by financial information reflecting the employer's performance on an annual, quarterly, or other periodic basis, a reasonable amount of time shall be allowed based on standard accounting practices used by the employer to make the determination as to whether a bonus is due and the amount thereof.

(Adds R.S. 23:631(E))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Labor and Industrial Relations to the engrossed bill

- 1. Remove the policy requirement that a laborer or employee be employed on the date the payment is due without regard for the reason the laborer or employee separated.
- 2. Make technical changes.