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

DIGEST

SB 49 Engrossed

2021 Regular Session

Carter

Proposed law establishes a state minimum wage and provides that beginning January 1, 2022, the state minimum wage shall be set at \$15 per hour. Every employer in the state shall pay to each employee wages at a rate of not less than \$15 per hour for hours worked in a pay period, regardless of how the time at work is measured.

Proposed law provides that beginning January 1, 2023, and each January first thereafter, the minimum wage shall be increased by the percentage increase of the Consumer Price Index for all Urban Consumers (CPI-U), or its successor index, as calculated by the U.S. Department of Labor, or its successor agency, for the 12 months preceding the previous September first. Proposed law provides the minimum wage shall be rounded off to the nearest five cents.

Proposed law provides that if there is a CPI-U decrease, the minimum wage shall not be decreased.

Proposed law provides that the secretary of the La. Workforce Commission (commission) shall calculate the increase to the minimum wage annually and, by October first of each year, publish on the commission's website the new minimum wage effective January first of the next year.

Proposed law provides that if, at any time, the federal minimum hourly wage rate is raised to a level higher than the state minimum wage rate, then the state minimum wage rate shall be increased to the federal level.

Proposed law provides that if there is an increase in the state minimum wage, Medicaid reimbursement for home and community-based services will increase at a comparable rate.

Proposed law provides that an employee shall have the right to file an action to enforce a wage claim against the employer through a summary proceeding as provided by the La. Code of Civil Procedure.

Proposed law provides relative to venue and damages.

Proposed law provides for a prescriptive period of three years from the date that an employee becomes aware that the employer violated the minimum wage law.

Proposed law provides that the clerk of each court shall maintain a docket for the record of cases filed pursuant to proposed law and requires these dockets be submitted to the commission monthly.

Proposed law requires that beginning January 1, 2023, the commission shall compile an annual report containing certain information from the preceding calendar year and shall submit the report to the legislature and governor on or before March first of each year.

Proposed law does not apply to a student learner, defined by federal law, who is employed by any of the following:

- (1) The state.
- (2) State colleges and universities.
- (3) A private employer.

Proposed law provides that the minimum wage for student learners shall not be less than 75% of the minimum wage rate in effect in the state.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 23:671-676)

Summary of Amendments Adopted by Senate

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

1. Increases the amount of Medicaid reimbursement for home and community-based services if there is an increase in the state minimum wage.