
DIGEST

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Leger

HB No. 637

Abstract: Provides with respect to human rights and discrimination.

Present law prohibits genetic discrimination in the workplace, which includes the discharge of an employee, the failure to hire an applicant, or the discrimination against an employee because of protected genetic information.

Present law provides exceptions to the nondiscrimination requirements which include the use of information to assess whether further medical evaluation is needed, in cases where the genetic condition could prevent the applicant or employee from performing essential job functions, or for therapeutic purposes.

Present law permits the monitoring of the effects of certain toxic substances in the workplace if the employee authorizes it, is notified when the results are available, and if the monitoring conforms to genetic monitoring regulations as promulgated by the executive director of the La. Workforce Commission.

Proposed law changes the person in charge of promulgating regulations for genetic monitoring from the executive director of the La. Workforce Commission to the chairman of the La. Commission on Human Rights.

Present law (R.S. 51:2231) provides that the state of Louisiana intends to execute the policies embodied in the federal Civil Rights Act and the Age Discrimination in Employment Act to ensure the state has appropriate legislation to prohibit discrimination.

Present law provides that discrimination is prohibited in public accommodations sufficient to justify the deferral of cases by the federal Equal Employment Opportunity Commission, the executive director of the La. Workforce Commission, and the Dept. of Justice pursuant to discrimination statutes.

Proposed law removes the executive director of the Louisiana Workforce Commission.

Present law provides for safeguards from employment discrimination for all individuals because of race, creed, color, religion, sex, age, disability, or national origin.

Proposed law deletes the language in present law and instead refers to present law (Chapter 3-A of Title 23 of the L.R.S. of 1950) which is the employment discrimination statutes, and changes

other citations to refer to proposed law (R.S. 23:2256) and to the discrimination statutes in Title 23 of the L.R.S. of 1950.

Present law (R.S. 23:2256) provides that it is unlawful to retaliate or discriminate against someone because he has opposed a discriminatory practice according to present law.

Proposed law retains present law and adds the employment discrimination chapter of present law (Title 23 of the L.R.S. of 1950).

Present law (Chapter 3-A of Title 23 of the L.R.S. of 1950) prohibits discrimination in employment including discrimination for age, sex, disability, race, color, religion, national origin, pregnancy, childbirth, other health conditions, sickle cell trait, and genetic discrimination.

(Amends R.S. 23:368(E)(3)(c) and R.S. 51:2231(A) and (C) and 2256)