

HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 1121 by Representative James

EMPLOYMENT: Provides for access to employee records

Synopsis of Senate Amendments

1. Changes the requirement that "employee's wage and employment information" be made available to the "employee's wage and employer information" be made available.
2. Restricts the release of the information to lending purposes, tenant screening, and insurance underwriting only.
3. Removes the stipulation that data shall not be reported or maintained with federal Fair Credit Reporting Act data specifically, and adds a requirement that the data shall not be maintained or reported with any other data.
4. Provides that the only records that shall be made available are records that would otherwise be available to the employee who signed a written authorization for those records, and shall in no circumstances breach the firewall or secure environment of the LWC computer systems.
5. Provides that the data shall be exchanged in secure conditions and destroyed after its legitimate use.
6. Prohibits any secondary use of the data, and provides that any violation shall be subject to penalties as provided in R.S. 23:75(C)(3), which provides that in addition to any other civil or criminal penalties, any person found in violation shall be fined not less than \$500 nor more than \$2,000 for each offense.
7. Establishes jurisdiction and venue for any cause of action brought pursuant to proposed law. Provides for the payment of damages, attorney fees, and court costs associated with such a cause of action.

Digest of Bill as Finally Passed by Senate**James****HB No. 1121**

Proposed law allows an employee, or the employees representative, to request his wage and employer information from the La. Workforce Commission (LWC).

Proposed law restricts the release of the information for lending purposes, tenant screening, and insurance underwriting only.

Proposed law provides that LWC may transmit the records electronically, directly to the employee, or to a qualified third-party vendor, as defined by the administrator, at the request of the employee.

Proposed law requires that the records shall only be provided on a case-by-case basis and shall not be maintained or reported with any other data.

Proposed law provides that any costs incurred by LWC by providing the records to a third party shall be assessed to that third party.

Proposed law allows LWC to promulgate rules for the implementation of proposed law, as

well as rules and regulations for the assurance of the security of the data.

Proposed law provides that the only records that shall be made available are records that would otherwise be available to the employee who signed a written authorization for those records, and shall in no circumstances breach the firewall or secure environment of the LWC computer systems.

Proposed law provides that the data shall be exchanged in secure conditions and destroyed after its legitimate use.

Proposed law prohibits any secondary use of the data, and provides that any violation shall be subject to penalties as provided in R.S. 23:75(C)(3), which provides that in addition to any other civil or criminal penalties, any person found in violation shall be fined not less than \$500 nor more than \$2,000 for each offense.

Proposed law establishes jurisdiction and venue for any cause of action brought pursuant to proposed law. Provides for the payment of damages, attorney fees, and court costs associated with such a cause of action.

(Adds R.S. 23:905)