

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

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

New 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.

New 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.

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

New law allows LWC to promulgate rules for the implementation of new law, as well as rules and regulations for the assurance of the security of the data.

New 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.

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

New 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.

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

Effective August 1, 2012.

(Adds R.S. 23:905)