

Regular Session, 2014

HOUSE BILL NO. 956

BY REPRESENTATIVES STOKES, BROADWATER, HODGES, AND SIMON AND
SENATOR BUFFINGTON

EMPLOYMENT/WAGES: Provides with respect to pay equality

1 AN ACT

2 To amend and reenact R.S. 23:332(A) and (H)(3), relative to employment discrimination;
3 to provide with respect to wage discrimination; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 23:332(A) and (H)(3) are hereby amended and reenacted to read as
6 follows:

7 §332. Intentional discrimination in employment

8 A. It shall be unlawful discrimination in employment for an employer to
9 engage in any of the following practices:

10 (1) Intentionally fail or refuse to hire or to discharge any individual, or
11 otherwise to intentionally discriminate against any individual with respect to ~~his~~
12 compensation, or ~~his~~ terms, conditions, or privileges of employment, because of the
13 individual's race, color, religion, sex, or national origin.

14 (2) Intentionally limit, segregate, or classify ~~his~~ employees or applicants for
15 employment in any way which would deprive or tend to deprive any individual of
16 employment opportunities, or otherwise adversely affect ~~his~~ the individual's status
17 as an employee, because of the individual's race, color, religion, sex, or national
18 origin.

19 (3) Intentionally pay wages to an employee in any establishment at a rate less
20 than that of another employee of the opposite sex in such establishment for equal

Present law provides that pay differentials based on a merit or seniority system, or a system that measures earnings by quantity or quality are not unlawful.

Present law further provides that it is not unlawful discrimination to pay employees differently based on location.

Present law provides that as long as the differences in present law are not as a result of intentional discrimination based on race, color, religion, sex, or national origin, the pay differential is not unlawful.

Proposed law adds to the list of factors that constitute discrimination outlined in present law, any other differential based on any factor other than sex.

(Amends R.S. 23:332(A) and (H)(3))

Summary of Amendments Adopted by House

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

1. Added a provision that it shall not be unlawful discrimination for an employer to apply different standards of pay if the differences are not the result of an intention to discriminate because of any other differential based on any factor other than sex.