

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 219** SLS 15RS 376

Bill Text Version: **REENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

| | | |
|----------------------------------|----------|--------------------------------|
| Date: May 18, 2015 | 12:20 PM | Author: MURRAY |
| Dept./Agy.: Statewide | | Analyst: Patrice Thomas |
| Subject: LA Equal Pay Act | | |

EMPLOYMENT

RE SEE FISC NOTE See Note

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Provides for equal pay regardless of sex and prohibits discrimination based upon sex. (8/1/15)

Proposed law renames the LA Equal Pay For Women Act to the LA Equal Pay Act and extends the Act to all employees (men and women) in the state. Proposed law extends the definition of employer to include any individual, partnership, corporation, association, business, trust, person, labor organization, or entity for whom 50 or more full-time equivalent employees as well as any local government or political subdivision. Proposed law expands the definition of employee, employer and adds unpaid wages. Proposed law states an employee's agreement to work at a lower rate is not a defense under the LA Equal Pay Act. Under proposed law, intentional or unintentional discrimination is disallowed. The proposed law changes the complaint process as follows: the remedy is to the employee's satisfaction, within 60 days employee may bring an action to the Human Rights Commission, and the Commission is allowed 180 days to decide on the dispute. Proposed law provides that employee may file suit in a district court of competent jurisdiction. Proposed law provides for interest, additional damages of unpaid wages as well as reinstatement of employment, promotion, or compensation for lost benefits.

| EXPENDITURES | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 5 -YEAR TOTAL |
|---------------------|----------------|----------------|----------------|----------------|----------------|----------------------|
| State Gen. Fd. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Agy. Self-Gen. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Ded./Other | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Federal Funds | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Local Funds | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | |
| Annual Total | | | | | | |

| REVENUES | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 5 -YEAR TOTAL |
|---------------------|----------------|----------------|----------------|----------------|----------------|----------------------|
| State Gen. Fd. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Agy. Self-Gen. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Ded./Other | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Federal Funds | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Local Funds | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |
| Annual Total | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |

EXPENDITURE EXPLANATION

This proposed legislation may increase judiciary expenditures by an indeterminable amount as a result of civil suits filed by employees (men or women) towards an employer alleging pay inequality and seeking monetary damages under this measure. The magnitude of the proposed legislation is dependent upon the number of employees that actually file civil suit, which is indeterminable. To the extent the proposed legislation increases the number of pay inequality lawsuits filed in district courts, an increase in court costs associated with judicial workload, time and attendance (presence of judges, clerks, bailiffs, counsel, etc.) may result.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

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| <u>Senate</u> | <u>Dual Referral Rules</u> | <u>House</u> | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S} |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} | | | <input type="checkbox"/> 6.8(F)(2) >= \$500,000 Rev. Red. to State {H & S} |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H} | | | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |

Evan Brasseaux
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Staff Director