

House Committee on Labor and Industrial Relations

Minutes of Meeting
2020 Second Extraordinary Session
October 12, 2020

I. CALL TO ORDER

Representative Barbara W. Carpenter, chairman of the House Committee on Labor and Industrial Relations, called the meeting to order at 11:04 a.m. in Room 5, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Barbara W. Carpenter, chairman
Representative Beryl A. Amedée
Representative Mack Marcel Cormier
Representative Kenny R. Cox
Representative Raymond J. Crews
Representative Michael Charles Echols
Representative Lawrence "Larry" Frieman
Representative Charles Alexander Henry
Representative Valarie Hodges, vice chairman
Representative Dodie Horton
Representative Ed Larvadain, III
Representative Blake Miguez
Representative Robert "Bob" Owen
Representative Tammy T. Phelps

MEMBERS ABSENT:

None

STAFF MEMBERS PRESENT:

Jurissa McGuire, attorney
Felicie Jackson, committee administrative assistant

ADDITIONAL ATTENDEES PRESENT:

Nevonda Reed, division director
Faye Talbot, sergeant at arms
Danny Leming, sergeant at arms

III. DISCUSSION OF LEGISLATION**House Concurrent Resolution No. 20 by Representative Schexnayder**

On behalf of Representative Schexnayder, Representative Echols presented House Concurrent Resolution No. 20, which suspends the unemployment trust fund solvency tax.

Kenneth Burrell, Louisiana Workforce Commission, P.O. Box 94094, Baton Rouge, LA 70804, (225) 342-3001, provided a handout, Exhibit A, which is included in the committee records.

Ava Dejoie, Louisiana Workforce Commission, 1001 N 23rd St, Baton Rouge, LA 70802, (225) 342-3001, spoke for information only on House Concurrent Resolution No. 20.

Representative Frieman offered a motion to report House Concurrent Resolution No. 20 favorably. Without objection, House Concurrent Resolution No. 20 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Carpenter, Amedee, Cormier, Cox, Crews, Echols, Frieman, Henry, Larvadain, Miguez, Robert Owen, and Phelps voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support. Witness cards are included in the committee records.

House Bill No. 70 by Representative Schexnayder

On behalf of Representative Schexnayder, Representative Echols presented House Bill No. 70, which repeals the unemployment trust fund solvency tax.

Ava Dejoie, Louisiana Workforce Commission, 1001 N 23rd St, Baton Rouge, LA 70802, (225) 342-3001, spoke for information only on House Bill No. 70.

Benny Soulier, Louisiana Workforce Commission, 1001 N 23rd St, Baton Rouge, LA 70802, (225) 342-3001, spoke for information only on House Bill No. 70.

Representative Frieman offered a motion to report House Bill No. 70 favorably, to which Representative Phelps objected. The administrative assistant called the roll, and House Bill No. 70 was reported favorably by a vote of 13 yeas and 1 nay. Representatives Carpenter, Amedee,

Cormier, Cox, Crews, Echols, Frieman, Henry, Hodges, Horton, Larvadain, Miguez, and Robert Owen voted yea. Representative Phelps voted nay.

Witness cards submitted by individuals who did not speak are as follows: 3 in support. Witness cards are included in the committee records.

House Bill No. 66 by Representative Beaulieu

Representative Beaulieu presented House Bill No. 66, which provides relative to the state's unemployment insurance program and data sharing.

Ava Dejoie, Louisiana Workforce Commission, 1001 N 23rd St, Baton Rouge, LA 70802, (225) 342-3001, spoke for information only on House Bill No. 66.

Margaret Mabile, Louisiana Workforce Commission, 1001 N 23rd St, Baton Rouge, LA 70802, (225) 242-1286, spoke for information only on House Bill No. 66.

Representative Echols offered amendments which:

1. Make technical changes.
2. Authorize the Louisiana Workforce Commission to use other commercially available database solutions to check new hire records.
3. Require annual reporting of certain indicators to the legislature.

Representative Echols offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Carpenter, Cormier, Cox, Crews, Echols, Horton, Larvadain, Miguez, Robert Owen, and Phelps voted yea.

Representative Echols offered a motion to report House Bill No. 66 with amendments. Without objection, House Bill No. 66 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Carpenter, Amedee, Cormier, Cox, Crews, Echols, Horton, Larvadain, Robert Owen, and Phelps voted yea.

Witness cards submitted by individuals who did not speak are as follows: 5 in support and 1 in opposition. Witness cards are included in the committee records.

House Bill No. 88 by Representative Duplessis

Representative Duplessis presented House Bill No. 88, which provides relative to the unemployment trust fund.

Montrell McGraw, Step Up Louisiana, 1342 Pauline St, New Orleans, LA 70117, (504) 900-6998, spoke in support of House Bill No. 88.

LaTanya Howard, Step Up Louisiana, 2632 Lamanche St, New Orleans, LA 70117, (504) 941-2238, spoke in support of House Bill No. 88.

Neva Butkus, Louisiana Budget Project, 619 Jefferson Hwy, Baton Rouge, LA 70806, (847) 602-1828, spoke in support of House Bill No. 88.

Ericka Zucker, Workplace Justice Project, Loyola Law Clinic, 540 Broadway St, New Orleans, LA 70118, (504) 861-5746, spoke in support of House Bill No. 88.

Jim Patterson, Louisiana Association of Business & Industry, 500 Main St, Baton Rouge, LA 70802, (225) 928-5388, spoke in opposition to House Bill No. 88.

Representative Larvadain offered a motion to report House Bill No. 88 favorably, to which Representative Amedee objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 5 yeas and 9 nays. Representatives Carpenter, Cormier, Cox, Larvadain, and Phelps voted yea. Representatives Amedee, Crews, Echols, Frieman, Henry, Hodges, Horton, Miguez, and Robert Owen voted nay.

Witness cards submitted by individuals who did not speak are as follows: 25 in support, 2 in opposition, and 1 for information only. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 1 in support. Copies of these statements are included in the committee records.

House Bill No. 93 by Representative Willard

Representative Willard presented House Bill No. 93, which creates a work-sharing program.

Representative Cox offered amendments which:

1. Make technical changes.
2. Delete that an employer has to certify that he will not hire a new employee or transfer an employee in an affected unit.
3. Delete that an employer has to certify that he will not layoff a participating employee.

4. Delete that a work-sharing employer will not be subject to partial unemployment compensation benefits under the same provisions of law as regular unemployment compensation benefits.
5. Delete that wages earned by an employee from other than the work-sharing employer will be disregarded.

Representative Cox offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Carpenter, Amedee, Cormier, Cox, Crews, Echols, Frieman, Henry, Horton, Larvadain, Miguez, Robert Owen, and Phelps voted yea.

Representative Cox offered amendments which make technical changes. Representative Cox offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Carpenter, Amedee, Cormier, Cox, Crews, Echols, Frieman, Henry, Horton, Larvadain, Miguez, Robert Owen, and Phelps voted yea.

Representative Crews offered amendments which require an annual report by the Louisiana Workforce Commission to be provided to the legislature.

Representative Crews offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Carpenter, Amedee, Cormier, Cox, Crews, Echols, Frieman, Henry, Horton, Larvadain, Miguez, Robert Owen, and Phelps voted yea.

Representative Echols offered amendments in concept to change the expiration of the plan from 12 months to six months. Representative Echols offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Carpenter, Amedee, Cormier, Cox, Crews, Echols, Frieman, Henry, Horton, Larvadain, Miguez, Robert Owen, and Phelps voted yea.

Ava Dejoie, Louisiana Workforce Commission, 1001 N 23rd St, Baton Rouge, LA 70802, (225) 342-3001, spoke for information only on House Bill No. 93

Neva Butkus, Louisiana Budget Project, 619 Jefferson Hwy, Baton Rouge, LA 70806, (847) 602-1828, spoke in support of House Bill No. 88.

Representative Cox offered a motion to report House Bill No. 93 with amendments. Without objection, House Bill No. 93 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Carpenter, Amedee, Cormier, Cox, Crews, Echols, Frieman, Henry, Horton, Larvadain, Robert Owen, and Phelps voted yea.

Witness cards submitted by individuals who did not speak are as follows: 6 in support. Witness cards are included in the committee records.

House Bill No. 34 by Representative Landry

Representative Carpenter announced that action on House Bill No. 34, which provides for an increase in the administrative penalties assessed for the misclassification of employees, was voluntarily deferred.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 1:44 p.m.

Respectfully submitted,

Chairman Barbara W. Carpenter
House Committee on Labor and Industrial Relations

Date adopted: April 29, 2021