

House Committee on Labor and Industrial Relations

Minutes of Meeting
2021 Regular Session
May 6, 2021

I. CALL TO ORDER

Representative Barbara W. Carpenter, chairman of the House Committee on Labor and Industrial Relations, called the meeting to order at 9:38 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 Kenny R. Cox
Representative Raymond J. Crews
Representative Michael Charles Echols
Representative Lawrence "Larry" Frieman
Representative Valarie Hodges, vice chairman
Representative Dodie Horton
Representative Ed Larvadain, III
Representative Robert "Bob" Owen
Representative Tammy T. Phelps

MEMBERS ABSENT:

Representative Mack Marcel Cormier

STAFF MEMBERS PRESENT:

Jurissa McGuire, attorney
Johnna Johnson, committee administrative assistant
Nevonda S. Reed, director
Felicie Jackson, executive assistant

ADDITIONAL ATTENDEES PRESENT:

Mia Ditta, clerk
Faye Talbot, sergeant at arms

III. DISCUSSION OF LEGISLATION

House Bill No. 439 by Representative Newell

Representative Newell presented House Bill No. 439, which provides relative to certain pre-dispute arbitration agreements in the workplace.

John K. Pierre, Southern University Law Center, 2 Roosevelt Steptoe Drive, Baton Rouge, LA 70813, (225) 771-2555, spoke for information only on House Bill No. 439.

Representative Cox offered a motion to report House Bill No. 439 favorably, to which Representative Frieman objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 4 yeas and 6 nays. Representatives Carpenter, Cox, Larvadain, and Phelps voted yea. Representatives Amedée, Crews, Frieman, Hodges, Horton, and Robert Owen voted nay.

Witness cards are submitted by individuals who did not speak are as follows: 10 in support and 1 in opposition. Witness cards are included in the committee records.

House Bill No. 151 by Representative Riser

Representative Riser presented House Bill No. 151, which provides for an increase in the administrative penalties assessed for the misclassification of employees.

Jim Patterson, Louisiana Association of Business & Industry (LABI), 500 Main Street, Baton Rouge, LA 70802, (225) 928-5388, spoke in support of House Bill No. 151.

Julie Cherry, American Federation of Labor & Congress Industrial Organization, 429 Government Street, Baton Rouge, LA 70802, (225) 383-5741, spoke in support of House Bill No. 151.

Erika Zucker, Workplace Justice Project, 540 Broadway Street, New Orleans, LA 70118, (504) 252-0506, spoke for information only on House Bill No. 151.

Andrea Agee, Workplace Justice Project, 540 Broadway Street, New Orleans, LA 70118, (504) 361-5510, spoke for information only on House Bill No. 151.

Representative Horton offered amendments to House Bill No. 151 in the form of a substitute bill. Representative Horton offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Carpenter, Amedée, Crews, Frieman, Hodges, Horton, Larvadain, Robert Owen, and Phelps voted yea.

Representative Frieman offered amendments to House Bill No. 151 to:

- (1) Make technical changes.
- (2) Provide that the proposed law is not applicable to a motor carrier performing the services of a motor carrier pursuant to a contract with an owner-operator.

Representative Frieman 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, Amedée, Cox, Echols, Frieman, Hodges, Horton, Larvadain, Robert Owen, and Phelps voted yea.

Representative Frieman offered amendments to House Bill No. 151 that would delete the requirement that the misclassification of each employee would constitute a separate offense. Representative Frieman 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, Amedée, Cox, Echols, Frieman, Hodges, Horton, Larvadain, Robert Owen, and Phelps voted yea.

Representative Larvadain offered a motion to report House Bill No. 151 by substitute. Without objection, House Bill No. 151 was reported by substitute by a vote of 8 yeas and 0 nays. Representatives Carpenter, Amedée, Cox, Frieman, Hodges, Larvadain, Robert Owen, and Phelps voted yea.

Witness cards are submitted by individuals who did not speak are as follows: 10 in support. Witness cards are included in the committee records.

Senate Bill No. 61 by Senator Carter

Senator Carter presented Senate Bill No. 61, which prohibits race discrimination based on natural hairstyles.

Representative Carpenter offered amendments to Senate Bill No. 61 to:

- (1) Make technical changes.
- (2) Add that this Act shall be known and may be cited as the "Crown Act".

Representative Carpenter offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Carpenter, Amedée, Cox, Crews, Echols, Frieman, Hodges, Horton, Larvadain, Robert Owen, and Phelps voted yea.

Representative Tammy Phelps, District No. 3, 810 E. 70th Street, Suite A, Shreveport, LA 71106, (318) 862-3080, spoke in support of Senate Bill No. 61.

Representative C. Denise Marcelle, District No. 61, 1824 N. Acadian Thruway W., Baton Rouge, LA 70802, (225) 359-9362, spoke in support of Senate Bill No. 61.

Representative Cox offered a motion to report Senate Bill No. 61 with amendments, to which Representative Amedée objected. The administrative assistant called the roll, and Senate Bill No. 61 was reported with amendments by a vote of 7 yeas and 4 nays. Representatives Carpenter, Cox, Echols, Horton, Larvadain, Robert Owen, and Phelps voted yea. Representatives Amedée, Crews, Frieman, and Hodges voted nay.

Witness cards are submitted by individuals who did not speak are as follows: 15 in support. Witness cards are included in the committee records.

Representative Hodges in the chair.

House Bill No. 245 by Representative Carpenter

Representative Carpenter presented House Bill No. 245, which provides relative to employment practices related to wage history, wage disclosure, and retaliation.

Michael Williamson, United Way of Southeast Louisiana, 2515 Canal Street, New Orleans, LA 70119, (504) 827-6840, spoke in support of House Bill No. 245.

Amanda Brunson, Governor's Office on Women's Policy, 900 N. 3rd Street, Baton Rouge, LA 70802, (225) 342-6160, spoke in support of House Bill No. 245.

Jade Brown Russell, JD Russell Consulting, 2401 W. Bend Parkway, New Orleans, LA 70114, (504) 621-8699, spoke in support of House Bill No. 245.

Dawn McVea, National Federation of Independent Business, 301 Main Street, Baton Rouge, LA 70802, (225) 287-4626, spoke in opposition to House Bill No. 245.

Representative Cox offered a motion to report House Bill No. 245 favorably. Without objection, House Bill No. 245 was reported favorably by a vote of 7 yeas and 0 nays. Representatives Carpenter, Amedée, Cox, Echols, Hodges, Larvadain, and Phelps voted yea.

Witness cards are submitted by individuals who did not speak are as follows: 18 in support and 2 in opposition. Witness cards are included in the committee records.

House Bill No. 480 by Representative Willard

Representative Willard presented House Bill No. 480, which provides relative to employment discrimination and creates the Fair Chance Hiring Act.

Jim Patterson, LABI, 500 Main Street, Baton Rouge, LA 70802, (225) 928-5388, spoke in support of House Bill No. 480.

Representative Hodges offered amendments to House Bill No. 480 in the form of a substitute bill. Representative Hodges offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Amedée, Cox, Crews, Echols, Frieman, Hodges, Larvadain, Robert Owen, and Phelps voted yea.

Representative Cox offered a motion to report House Bill No. 480 by substitute. Without objection, House Bill No. 480 was reported by substitute by a vote of 11 yeas and 0 nays. Representatives Carpenter, Amedée, Cox, Crews, Echols, Frieman, Hodges, Horton, Larvadain, Robert Owen, and Phelps voted yea.

Witness cards are submitted by individuals who did not speak are as follows: 25 in support. Witness cards are included in the committee records.

House Bill No. 259 by Representative Horton

Representative Horton presented House Bill No. 259, which provides relative to employment for persons with disabilities.

Representative Carpenter in the chair.

Libby Murphy, Louisiana Association for the Blind, 1750 Claiborne Avenue, Shreveport, LA 71103, (318) 635-6471, spoke in support of House Bill No. 259.

Representative Sam Jenkins, Louisiana State Representative District No. 2, 2419 Kings Highway, Shreveport, LA 71103, (318) 632-5970, spoke in support of House Bill No. 259.

Denny Keeth, Louisiana Association for the Blind, 1750 Claiborne Avenue, Shreveport, LA 71103, (318) 635-6471, spoke in support of House Bill No. 259.

Anne Jayes, Lighthouse Louisiana, 123 State Street, New Orleans, LA 70118, (504) 899-4501, spoke in support of House Bill No. 259.

Representative Larvadain offered amendments to House Bill No. 259 to make technical changes. Representative Larvadain offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Carpenter, Amedée, Cox, Crews, Frieman, Horton, Larvadain, and Phelps voted yea.

Representative Carpenter offered amendments to House Bill No. 259 to change similarly set-aside program to a successor program. Representative Carpenter offered a motion to adopt the proposed

amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Carpenter, Amedée, Crews, Echols, Frieman, Horton, Larvadain, and Phelps voted yea.

Representative Larvadain offered a motion to report House Bill No. 259 with amendments. Without objection, House Bill No. 259 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Carpenter, Amedée, Cox, Crews, Horton, Larvadain, Robert Owen, and Phelps voted yea.

Witness cards are submitted by individuals who did not speak are as follows: 4 in support. Witness cards are included in the committee records.

House Bill No. 459 by Representative Freiberg

Representative Freiberg presented House Bill No. 459, which provides relative to the reporting and sharing of occupational information and employment information.

Kim Hunter Reed, Louisiana Board of Regents, 1201 N. 3rd Street, Suite 6-200, Baton Rouge, LA 70802, (225) 342-4253, spoke for information only on House Bill No. 459.

Renita Ward Williams, Louisiana Workforce Commission, 1001 N. 23rd Street, Baton Rouge, LA 70802, (225) 342-3822, spoke for information only on House No. 459.

Representative Carpenter offered amendments to House Bill No. 459 to make technical changes. Representative Carpenter 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, Amedée, Cox, Crews, Echols, Frieman, Horton, Larvadain, Robert Owen, and Phelps voted yea.

Representative Carpenter offered amendments to House Bill No. 459 to:

- (1) Make technical changes.
- (2) Add that there shall be no penalty assessed against an employer who fails to report or timely report an employee's occupational code or job title or an employee's hourly rate of pay.
- (3) Add that the transmitted employment data shall be aggregated by occupation and designated by municipality, when applicable, and pay by parish.

Representative Carpenter offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 7 yeas and 0 nays. Representatives Carpenter, Amedée, Cox, Echols, Larvadain, Robert Owen, and Phelps voted yea.

Representative Cox offered a motion to report House Bill No. 459 with amendments. Without objection, House Bill No. 459 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Carpenter, Amedée, Cox, Echols, Horton, Larvadain, Robert Owen, and Phelps voted yea.

Witness cards are submitted by individuals who did not speak are as follows: 5 in support and 2 for information only. Witness cards are included in the committee records.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

Representative Larvadain offered a motion to adjourn. Without objection, the motion passed by a vote of 8 yeas and 0 nays. Representatives Carpenter, Amedée, Cox, Echols, Horton, Larvadain, Robert Owen, and Phelps voted yea.

The meeting was adjourned at 1:01 p.m.

Respectfully submitted,

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

Date adopted: 4/7/22