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## 2022 Louisiana Legislative Session Update

We just wrapped up the sixth week of session, and things are finally heating up. Bills are moving through committee, activists from all sides are showing up to express their opinions, and legislators are starting to sweat over some tough upcoming votes.

Week six included several victories for ABC of Louisiana. Wednesday was a busy day in the House Committee on Labor & Industrial Relations. The committee passed five of Representative Frieman's bills to amend several aspects of Workers' Compensation litigation. **ABC of Louisiana supported all five bills.** The committee also voted down two bills by Representative Gaines that would have provided unnecessary burdens on employers involved in Workers' Compensation suits. **ABC of Louisiana opposed these two bills.** Representative Frieman added to the day's victory by overriding Chairwoman Carpenter's move to have Rep. Gaines' bills voluntarily deferred, meaning that Rep. Gaines will not have the opportunity to have his bills voted on again.

On Thursday the Senate Committee on Labor & Industrial Relations voted down Senator Barrow's proposed constitutional amendment to provide Louisiana with a minimum wage with annual wage increases aligned with the Consumer Price Index. Many of the activists who showed up in support of the legislation expressed frustrations while opponents testified against the bill. **ABC of Louisiana opposed this bill.** Senator Luneau brought back his bill to require certain contractors to designate at least 2% of all man-hours worked to registered apprentices. We had the vote ticked heavily in our favor, so Senator Luneau opted to pass on the bill. **ABC of Louisiana opposed this bill.**

Senator Womack had two bills heard on Thursday in the Senate Committee on Transportation, Highways and Public Works. These bills sought to prevent public entities from unduly burdening contractors bidding or working on public works. **ABC of Louisiana supported both bills.**

### See below for individual explanations of this week's bills

HB 93, by Representative Frieman, provides that if parties to a Workers' Compensation case agree to a continuance of a mediation, hearing, or trial by filing a joint or uncontested motion to continue then the judge shall grant the continuance. HB 93 reported favorably out of the House Committee on Labor & Industrial Relations and is awaiting action on the House floor. **ABC-LA supports HB 93.**

HB 97, by Representative Magee, removed the sunset provision applicable to levee restoration or rehabilitation work not publicly bid. ABC of Louisiana opposed the bill as written but succeeded in obtaining an amendment to extend the sunset. HB 97 passed off the House floor 98-0. **ABC-LA is monitoring HB 97.**

HB 176, by Representative Frieman, provides that if there is a dispute as to an employee's condition with relation to a Workers' Compensation claim, an independent medical examination shall be ordered upon the application of either party. HB 176 reported favorably out of the House Committee on Labor & Industrial Relations and is awaiting action on the House floor. **ABC-LA supports HB 176.**

HB 239, by Representative Frieman, provides that upon an uncontested motion to stay or a joint motion to stay of the parties, the workers' compensation judge shall order a stay. HB 239 reported favorably out of the House Committee on Labor & Industrial Relations and is awaiting action on the House floor. **ABC-LA supports HB 239.**

HB 457, by Representative Carpenter, requires that 10% of EBR Parish contracts go to socially and economically disadvantaged businesses. HB 457 reported favorably out of the House Committee on Municipal, Parochial & Cultural Affairs and is awaiting action on the House floor. **ABC-LA opposes HB 457.**

HB 467, by Representative Frieman, eliminates Workers' Compensation payments for dependents of the deceased if the dependents are not the decedent's spouse, child, parents, or siblings. HB 467 reported favorably out of the House Committee on Labor & Industrial Relations and is awaiting action on the House floor. **ABC-LA supports HB 467.**

HB 480, by Representative Gaines, provides for a rebuttable presumption of compensability in Workers' Compensation cases. HB 480 was involuntarily deferred in the House Committee on Labor & Industrial Relations. **ABC-LA opposes HB 480.**

HB 502, by Representative Gaines, provides fines and penalties against employers who fail to authorize treatment approved by the Louisiana Workers' Compensation medical director within 60 days of the director's approval of such treatment. HB 502 was involuntarily deferred in the House Committee on Labor & Industrial Relations. **ABC-LA opposes HB 502.**

SB 269, by Senator Barrow, provides for a constitutional amendment to institute a state minimum wage of \$10.25 per hour, and index annual wage increases according to the Consumer Price Index. SB 269 was involuntarily deferred in the Senate Committee on Labor & Industrial Relations. **ABC-LA opposes SB 269.**

SB 248, by Senator Luneau, requires that certain contractors designate at least 2% of all man-hours worked to registered apprentices. Senator Luneau voluntarily deferred this bill after its initial hearing during week 5 of session, and then Senator Luneau passed on the bill this week after it was clear that he did not have the votes to pass it. **ABC-LA opposes SB 248.**

SB 271, by Senator Womack, provides that public entities may not consider information not included in the Louisiana Uniform Bid Form when reviewing bids for public works. SB 271 reported favorably out of the Senate Committee on Transportation, Highways & Public Works. **ABC-LA supports SB 271.**

SB 310, by Senator Luneau, provides for a cost of living increase for disabled recipients of Workers' Compensation payments. SB 310 was amended to apply only to completely and permanently disabled workers and then reported favorably out of the Senate Committee on Labor & Industrial Relations. **ABC-LA opposes SB 310.**

SB 429, by Senator Womack, provides that a public entity shall publish and furnish to the contractor on a public works project with an itemized list of the remaining matters to be finished, errors to be remedied, or any inconsequential matters, within 10 days of substantial completion of the public works. The public entity may amend the punch list within 14 days after initial publication. SB 429 reported favorably out of the Senate Committee on Transportation, Highways & Public Works. **ABC-LA supports SB 429.**

We've had a successful session so far, but we have several big fights ahead of us. This includes ensuring that the Governor's ITEP EO is not enshrined in the constitution, limiting unnecessary restrictions on skilled workers, and providing public employees with reasonable opportunity to opt out of union membership. I'm confident that our strong coalitions, relationships with legislators, and member support will pave the way to victory on these issues.

Thank you all for supporting the merit shop. If you have any questions or concerns, please feel free to contact me at any time.

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