

## **House Committee on Labor and Industrial Relations**

Minutes of Meeting  
2016 Regular Session  
March 31, 2016

### **I. CALL TO ORDER**

Representative Patrick O. Jefferson, chairman of the House Committee on Labor and Industrial Relations, called the meeting to order at 9:31 a.m. in Room 5, in the State Capitol in Baton Rouge, Louisiana. The secretary called the roll.

### **II. ROLL CALL**

#### **MEMBERS PRESENT:**

Representative Patrick O. Jefferson, chairman  
Representative Lawrence A. "Larry" Bagley  
Representative Kenny R. Cox  
Representative Gregory Cromer  
Representative Dodie Horton  
Representative Marcus L. Hunter  
Representative Edward C. "Ted" James, II  
Representative Jack G. McFarland  
Representative Blake Miguez  
Representative Vincent J. Pierre  
Representative Edward J. Price  
Representative Alan Seabaugh  
Representative Scott M. Simon

#### **MEMBERS ABSENT:**

Representative Chris Broadwater, vice chairman  
Representative Reid Falconer

#### **STAFF MEMBERS PRESENT:**

Shana Veade, attorney  
Alana C. Madison, secretary  
Nikita Garner, clerk  
Vivan Hurst, sergeant at arms

### III. DISCUSSION OF LEGISLATION

#### **House Bill No. 545 by Representative Hunter**

Representative Hunter presented House Bill No. 545, which prohibits discrimination in employment of victims of domestic abuse, dating violence, or family violence.

Representative Price offered technical amendments to House Bill No. 545. Representative Price offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Jefferson, Bagley, Cox, Cromer, Horton, Hunter, McFarland, Miguez, Price, Seabaugh, and Simon voted yea.

Mariah Wineski, LA Coalition Against Domestic Violence, P.O. Box 77308, Baton Rouge, LA 70879, spoke in support of House Bill No. 545.

Representative Pierre offered a motion to report House Bill No. 545 with amendments, to which Representative Seabaugh objected. The secretary called the roll, and by a vote of 6 yeas and 6 nays, the motion failed to pass. Representatives Jefferson, Cox, Horton, Hunter, Pierre, and Price voted yea. Representatives Bagley, Cromer, McFarland, Miguez, Seabaugh, and Simon voted nay.

Witness cards submitted by individuals who did not speak are as follows: 19 in support, 6 in opposition, and 0 for information only. Witness cards are included in the committee records.

#### **House Bill No. 661 by Representative Hunter**

Representative Hunter presented House Bill No. 661, which provides with respect to the illegal employment of aliens unauthorized to work in the United States.

Representative Hunter offered amendments in the form of a substitute bill. Representative Hunter offered a motion to adopt the substitute bill. Without objection, the substitute bill was adopted by a vote of 12 yeas and 0 nays. Representatives Jefferson, Bagley, Cox, Cromer, Horton, Hunter, McFarland, Miguez, Pierre, Price, Seabaugh, and Simon voted yea.

Rob Tasman, Louisiana Conference of Catholic Bishops, 2431 S. Acadian Thrwy., Suite #250, Baton Rouge, LA 70808, (225) 344-7120 (primary), (225) 326-9513 (cell), [robtasman@cox.net](mailto:robtasman@cox.net), spoke in opposition to House Bill No. 661.

Jim Patterson, LA Association of Business and Industry, 313 Valley Creek Dr., Baton Rouge, LA 70808, (225) 928-5388 (primary), (225) 324-6985 (cell), [jimp@labi.org](mailto:jimp@labi.org), spoke in opposition to House Bill No. 661.

Representative Cromer offered an amendment which provides for a warning on a first time offense. Representative Cromer offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Jefferson, Bagley, Cox, Cromer, Horton, Hunter, McFarland, Miguez, Pierre, Price, Seabaugh, and Simon voted yea.

Representative Hunter offered a motion to report House Bill No. 661 by substitute, to which Representative Seabaugh objected. The secretary called the roll, and House Bill No. 661 was reported by substitute by a vote of 7 yeas and 6 nays. Representatives Jefferson, Cox, Cromer, Hunter, James, Pierre, and Price voted yea. Representatives Bagley, Horton, McFarland, Miguez, Seabaugh, and Simon voted nay.

Witness cards submitted by individuals who did not speak are as follows: 0 in support, 9 in opposition, and 0 for information only. Witness cards are included in the committee records.

The committee recessed at 10:59 a.m. The committee reconvened at 11:02 a.m.

#### **House Bill No. 665 by Representative Smith**

Representative Smith presented House Bill No. 665, which provides for an increase in the administrative penalties assessed for the misclassification of employees.

Representative Jefferson offered technical amendments to House Bill No. 665. Representative Jefferson offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Jefferson, Bagley, Cox, Cromer, Horton, Hunter, James, McFarland, Miguez, Pierre, Price, Seabaugh, and Simon voted yea.

Representative Price offered amendments which would require that the misclassification of employees by an employer be knowing and willful. Representative Price offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Jefferson, Bagley, Cox, Cromer, Horton, Hunter, James, McFarland, Miguez, Pierre, Price, Seabaugh, and Simon voted yea.

Renita Ward Williams, Louisiana Workforce Commission, 1001 N. 23<sup>rd</sup> St., Baton Rouge, LA 70802, (225) 342-2905, [rwilliams1@lwc.la.gov](mailto:rwilliams1@lwc.la.gov), spoke for information only on House Bill No. 665.

Julie Cherry, LA AFL-CIO, 429 Government St., Baton Rouge, LA 70802, (225) 383-571, spoke in support to House Bill No. 665.

Jim Patterson, LA Association of Business and Industry, 313 Valley Creek Dr., Baton Rouge, LA 70808, (225) 928-5388 (primary), (225) 324-6985 (cell), [jimp@labi.org](mailto:jimp@labi.org), spoke in opposition to House Bill No. 665.

Jason Engels, Central South Carpenters Regional Council, 2850 Massachusetts Ave., Metairie, LA 70003, (225) 279-0369, [jengels@cscouncil.net](mailto:jengels@cscouncil.net), spoke in support of House Bill No. 665.

Representative Cromer offered amendments to clarify which penalty is for an initial, second, or subsequent offenses. Representative Cromer offered a motion to adopt the proposed amendments, to which Representative Price objected. The secretary called the roll, and by a vote of 6 yeas and 7 nays, the motion failed to pass. Representatives Cromer, Horton, McFarland, Miguez, Seabaugh, and Simon voted yea. Representatives Jefferson, Bagley, Cox, Hunter, James, Pierre, and Price voted nay.

Representative James offered amendments to prohibit an employer who has misclassified employees on two or more occasions from receiving any state tax rebate. Representative James offered a motion to adopt the proposed amendments, to which Representative Seabaugh objected. The secretary called the roll, and the amendments were adopted by a vote of 10 yeas and 3 nays. Representatives Jefferson, Cox, Cromer, Horton, Hunter, James, McFarland, Miguez, Pierre, and Price voted yea. Representatives Bagley, Seabaugh, and Simon voted nay.

Representative James offered a motion to report House Bill No. 665 with amendments, to which Representative Miguez objected. The secretary called the roll, and House Bill No. 665 was reported with amendments by a vote of 7 yeas and 6 nays. Representatives Jefferson, Bagley, Cox, Hunter, James, Pierre, and Price voted yea. Representatives Cromer, Horton, McFarland, Miguez, Seabaugh, and Simon voted nay.

Witness cards submitted by individuals who did not speak are as follows: 19 in support, 6 in opposition, and 0 for information only. Witness cards are included in the committee records.

#### **IV. OTHER BUSINESS**

#### **V. ANNOUNCEMENTS**

#### **VI. ADJOURNMENT**

The meeting was adjourned at 11:44 a.m.

Respectfully submitted,

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Chairman Patrick O. Jefferson  
House Committee on Labor and Industrial Relations

Date adopted: