

House Committee on Labor and Industrial Relations

Minutes of Meeting
2019 Regular Session
May 16, 2019

I. CALL TO ORDER

Representative Patrick O. Jefferson, chairman of the House Committee on Labor and Industrial Relations, called the meeting to order at 9:04 a.m. in Room 5, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Patrick O. Jefferson, chairman
Representative Beryl A. Amedée
Representative Lawrence A. "Larry" Bagley
Representative Kenny R. Cox
Representative Raymond J. Crews
Representative Royce Duplessis
Representative Reid Falconer
Representative Dodie Horton
Representative Edward C. "Ted" James, II
Representative Ed Larvadain III
Representative Jack G. McFarland
Representative Blake Miguez, vice chairman
Representative Vincent J. Pierre
Representative Alan Seabaugh
Representative Scott M. Simon

MEMBERS ABSENT:

None

STAFF MEMBERS PRESENT:

Shayla Cockerm, attorney
Shenae Graves, secretary

ADDITIONAL ATTENDEES PRESENT:

Faye Talbot, sergeant at arms
Ebony Ward, clerk

III. DISCUSSION OF LEGISLATION

Representative Bagley offered a motion to invoke the three minute rule for debate. There were no objections, and the motion passed by a vote of 15 yeas and 0 nays. Representatives Jefferson, Amedee, Bagley, Cox, Crews, Duplessis, Falconer, Horton, James, Larvadain, McFarland, Miguez, Pierre, Seabaugh, and Simon voted yea.

House Bill No. 422 by Representative Duplessis

Representative Duplessis presented House Bill No. 422, which authorizes parishes and municipalities to provide relative to the local economy.

Levette Fuller, 519 Kirby Place, Shreveport, LA, (319) 550-1535, spoke in support of House Bill No. 422.

Davante Lewis, Louisiana Budget Project, 619 Jefferson Hwy Ste. 1-D, Baton Rouge, LA 70806, spoke in support of House Bill No. 422.

Erika L. Green, Council District S-East Baton Rouge, 3535 Riley St., (225) 803-1333, Baton Rouge, LA, spoke in support of House Bill No. 422.

Caleb Holmes, Unleash Local, 9250 Dean Rd. Apt 2221, Shreveport, LA, (318) 638-9500, spoke in support of House Bill No. 422.

Joe Fuller, City of Alexandria, 3512 Royal Dr., Alexandria, LA, (318) 613-4941, spoke in support of House Bill No. 422.

Kenya Slaughter, Unleash Local, 2427 Midway St., Alexandria, LA 71301, (318) 290-8242, spoke in support of House Bill No. 422.

Julian Bourg, Communication Workers of America, 106 Westside Blvd., Houma, LA 70364, (985) 257-0091, spoke in support of House Bill No. 422.

Matt Wood, Communication Workers of America, 1200 Marshall St., Shreveport, LA, (318) 465-2092, spoke in support of House Bill No. 422.

President Spiller, Jefferson Parish Unleash Local, NAACP P.O. Box 165, Westwego, LA 70096, (504) 222-1213, spoke in support of House Bill No. 422.

Ashley Hebert, American Heart Association, 3644 S. Sherwood Forest Suite 108, Baton Rouge, LA 70816, (337) 298-1778, spoke in support of House Bill No. 422.

Jason Hughes, Capitol City Collision Center, 6164, Stratford Ave, Baton Rouge, LA 70808, (225) 304-1643, spoke in support of House Bill No. 422.

Natalia Quip, Congress of Day Laborers/New Orleans Workers Center, no address or phone number was provided, spoke in support of House Bill No. 422.

Pastor Errol Dominique Domain, Unleash Local, 1069 N. 38th St., Baton Rouge, LA, (225) 343-7865, spoke in support of House Bill No. 422.

Representative Barbara Norton, District 3, 3243 Hollywood St., (318) 632-5887, spoke in support of House Bill No. 422.

Shelia Carpenter, 313 East 2nd, Shreveport, LA, (318) 352- 8971, spoke in support of House Bill No. 422.

Shelneka Adams, Scotlandville Magnet School, 9870 Scotland Ave., Baton Rouge, LA, (225) 772-3715, spoke in support of House Bill No. 422.

Dawn Starns, NFID, 530 Lakeland, Baton Rouge, LA, (225) 218-6847, spoke in opposition to House Bill No. 422.

Jim Patterson, LABI, P.O. Box 80258, Baton Rouge, LA 70898, (225) 928-5388, spoke in support of House Bill No. 422.

Representative Larvadain moved to report House Bill No. 422 favorably, to which Representative Miguez objected. Representative Miguez offered a substitute motion to involuntarily defer action on House Bill No. 422 to which Representative James objected. The secretary called the roll and House Bill No. 422 was involuntarily deferred by a vote of 9 yeas and 6 nays. Representatives Amedee, Bagley, Crews, Falconer, Horton, McFarland, Seabaugh, and Simon voted yea. Representatives Jefferson, Cox, Duplessis, James, Larvadain, and Pierre voted nay.

Witness cards submitted by individuals who did not speak are as follows: 88 in support, 5 in opposition, and 0 for informational only. Witness cards are included in the committee record.

Senate Bill No. 88 by Senator Luneau

Senator Luneau presented Senate Bill No. 88, which provides relative to the workers' compensation medical treatment schedule.

Sheral Keller, OWCA, 1001 N. 23rd St., Baton Rouge, LA 70708, (225) 342-7561, spoke for information only on Senate Bill No. 88.

Trey Mustian, Insured Workers, 3117 22nd St. Suite 6, Metairie, LA, 70002, (504) 831-0666, spoke in support of Senate Bill No. 88.

Charles Davoli, Insured Workers, 6513 Perkins Rd., Baton Rouge, LA 70808, (225) 757-8908, spoke in support of Senate Bill No. 88.

Wayne Fontana, LABI, 1515 Poydras St. Suite 2330, New Orleans, LA, (504) 680-0156, spoke in opposition to Senate Bill No. 88.

Patrick Robinson, Allen & Gooch, 3850 N. Causeway Ste. 630, Metairie, LA 70002, (504) 836-5211, spoke in opposition to Senate Bill No. 88.

Representative Cox offered a motion to report Senate Bill No. 88 with amendments, to which Representative Seabaugh objected. The secretary called the roll, and Senate Bill No. 88 was reported with amendments by a vote of 9 yeas and 5 nays. Representatives Jefferson, Bagley, Cox, Duplessis, Falconer, Horton, Larvadain, McFarland, and Pierre voted yea. Representatives Miguez, Amedee, Crews, Seabaugh, and Simon voted nay.

Witness cards submitted by individuals who did not speak are as follows: 8 in support, 5 in opposition, and 0 for informational only. Witness cards are included in the committee record.

Senate Bill No. 107 by Senator Gatti

Senator Gatti presented Senate Bill No. 107, which adds post traumatic stress disorder to the list of injuries which are compensable for injured public employees.

Representative Miguez in the chair.

Matt Kinney, PFFA, 411 S. Elm, Haughton, LA, (316) 458-5655, spoke in support of Senate Bill No. 107.

Autry Lowry, PFFA, 1034, Crossmont St., Bossier, LA 71111, (318) 426-2331, spoke in support of Senate Bill No. 107.

Chairman Jefferson in the chair.

Clay Morgan, Mound Five District/NCLAFF, 1893, Hwy 583 Rayville, LA, 71267, (318) 417-0166, spoke in support of Senate Bill No. 107.

Derek Lowe, PFFA, 1352 Soldiers St., New Orleans, LA 70122, (504) 415-5477, spoke in support of Senate Bill No. 107.

Danny Adams, First Responders, 37267 S. Lakeshore Ave., Prairieville, LA 70769, (225) 924-1458, spoke in support of Senate Bill No. 107.

Mark Stewart, Louisiana Fire Chiefs Association, 14517 Hwy. 73, Prairieville, LA 70769, (225) 603-0091, spoke in support of Senate Bill No. 107.

Chad Major, PFFA, address not provided, (225) 572-8483, spoke in support of Senate Bill No. 107.

Sheral Kellar, OWCA, 1001 N. 23rd St., Baton Rouge, LA 70804, (225) 342-7561, spoke for information only on Senate Bill No. 107.

Wayne Fontana, LABI, 1515 Poydras St. Suite 2330, New Orleans, LA, (504) 680-0156, spoke in opposition to Senate Bill No. 107.

Karen White, LA Municipal Association, 700 N. 10th St., Baton Rouge, LA 70802, (225) 344-5001, spoke in opposition to Senate Bill No. 107.

Representative Cox offered an amendment to make technical changes which changes "post traumatic" to "posttraumatic".

Representative Seabaugh offered amendments which:

1. Specify that the posttraumatic stress injury shall be caused by an event occurring in the course and scope of employment and which the preponderance of evidence indicates that the event was a substantial contributing factor.
2. Remove the determination and factors of whether the evidence presented to determine if an employee has a posttraumatic stress injury has successfully rebutted the presumptions provided for posttraumatic stress injury.

Representative Jefferson offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Jefferson, Amedee, Bagley, Cox, Crews, Duplessis, Falconer, Horton, James, Larvadain, McFarland, Pierre, Seabaugh, and Simon voted yea.

Representative Miguez offered amendments which add that a posttraumatic stress injury that arises solely from a legitimate personnel action such as a transfer, promotion, demotion, or termination, is not a compensable injury under present law.

Representative Miguez offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Jefferson, Miguez, Amedee, Bagley, Cox, Crews, Duplessis, Falconer, Horton, Larvadain, McFarland, Pierre, Seabaugh, and Simon voted yea.

Representative Cox offered a motion to report Senate Bill No. 107 with amendments. Without objection, Senate Bill No. 107 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Jefferson, Miguez, Amedee, Bagley, Cox, Crews, Duplessis, Falconer, Horton, Larvadain, McFarland, Pierre, Seabaugh, and Simon voted yea.

Witness cards submitted by individuals who did not speak are as follows: 23 in support, 4 in opposition, and 0 for informational only. Witness cards are included in the committee record.

House Bill No. 289 by Representative Norton

Representative Norton presented House Bill No. 289, which provides relative to equal pay for women.

Vivian Guillory, AAUW of LA, 7212, Government St., Baton Rouge, LA 70806, (225) 205-1544, spoke in support of House Bill No. 289.

Tammy Savoie, Legislative Agenda for Women, 500 Turquoise St., New Orleans, LA 0124, (650) 862-7280, spoke in support of House Bill No. 289.

Melissa Flournoy, LA Progress Actions, 650 N. 6th St., Baton Rouge, LA 70806, (225) 936-7200, spoke in support of House Bill No. 289.

Representative Simon offered a motion to involuntarily defer action on House Bill No. 289, to which Representative Cox objected. Representative James offered a substitute motion to report House Bill No. 289 favorably, to which Representative Crews objected. The secretary called the roll and the substitute motion to report House Bill No. 289 favorably failed by a vote of 6 yeas and 9 nays. Representatives Jefferson, Cox, Duplessis, James, Larvadain, and Pierre voted yea. Representatives Amedee, Bagley, Crews, Falconer, Horton, McFarland, Miguez, Seabaugh, and Simon voted nay.

The original motion to involuntarily defer action on House Bill No. 289 was considered. There were no objections, and action on House Bill No. 289 was involuntarily deferred by a vote of 15 yeas and 0 nays. Representatives Jefferson, Amedee, Bagley, Cox, Crews, Duplessis, Falconer, Horton,

James, Larvadain, McFarland, Miguez, Pierre, Seabaugh, and Simon voted yea.

Witness cards submitted by individuals who did not speak are as follows: 21 in support, 4 in opposition, and 0 for informational only. Witness cards are included in the committee record.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no other announcements.

VI. ADJOURNMENT

The meeting was adjourned at 1:42 p.m.

Respectfully submitted,

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

Date adopted: