

2020 Regular Session

HOUSE BILL NO. 802

BY REPRESENTATIVE JEFFERSON

WORKERS COMPENSATION: Provides relative to reprisal under workers' compensation

1 AN ACT

2 To enact R.S. 23:1201.2, relative to workers' compensation; to prohibit reprisal; to provide  
3 for reporting unsafe working conditions or injuries under workers' compensation; to  
4 provide for a definition; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 23:1201.2 is hereby enacted to read as follows:

7 §1201.2. Freedom from reprisal; disclosure of unsafe working conditions; report of  
8 injury; immigration status

9 A.(1) Any employee who reports to a person or entity of competent authority  
10 or jurisdiction, information which he reasonably believes indicates a violation of law,  
11 rule, order, or regulation, or unsafe working conditions shall not be subject to reprisal  
12 or threat of reprisal by the employer for reporting such acts.

13 (2) Any employee who in good faith reports a work injury for purposes of  
14 receiving workers' compensation benefits, shall not be subject to reprisal or threat of  
15 reprisal by the employer for reporting the injury.

16 B. For the purposes of this Section, "reprisal" shall mean any discipline or  
17 punishment, or the act of an employer reporting to the authorities that the employee  
18 is not lawfully permitted to work in the United States, in retaliation for the employee  
19 reporting any violation of law, rule, order, regulation, or unsafe working conditions

1           or for filing a workers' compensation claim for being injured during the course and  
2           scope of his employment.

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## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 802 Original

2020 Regular Session

Jefferson

**Abstract:** Provides for the prohibition against reprisal for reporting unsafe working conditions or work injuries under workers' compensation.

Proposed law provides that any employee shall not be subject to reprisal or threat or reprisal when he reports to a person or entity of competent authority or jurisdiction, information which he reasonably believes indicates violation of law, rule, order, regulation, or unsafe working conditions.

Proposed law provides that any employee who in good faith reports a work injury for purposes of receiving workers' compensation benefits, shall not be subject to reprisal or threat of reprisal for reporting the injury.

Proposed law provides that "reprisal" shall mean any discipline or punishment, or the act of an employer reporting to the authorities that the employee is not lawfully permitted to work in the United States, in retaliation for the employee reporting any violation of law, rule, order, regulation, or unsafe working conditions or for filing a workers' compensation claim for being injured during the course and scope of his employment.

(Adds R.S. 23:1201.2)