HLS 201ES-435

2020 First Extraordinary Session

HOUSE RESOLUTION NO. 49

BY REPRESENTATIVE JAMES

EMPLOYMENT: Requests the Louisiana Workforce Commission to study and determine new parameters of what constitutes good cause for job separation and suitable work protections

1	A RESOLUTION
2	To urge and request the Louisiana Workforce Commission to study and clarify new
3	parameters of what constitutes good cause for job separation and suitable work
4	protections.
5	WHEREAS, pursuant to the Louisiana Homeland Security and Emergency
6	Assistance and Disaster Act, La. R.S. 29:721 et seq., the governor declared a public health
7	emergency in Proclamation Number 25 JBE 2020; and
8	WHEREAS, COVID-19 poses an extreme risk of person-to-person transmission
9	throughout the United States and Louisiana and significantly threatens the safety, health, and
10	security of the residents of this state; and
11	WHEREAS, the state of Louisiana moved into Phase 2 of recovery on Friday, June
12	5, 2020; and
13	WHEREAS, with the reopening of businesses, there is a need for employees to return
14	to their jobs to restore their livelihoods and reboot our state's economy; and
15	WHEREAS, Louisianans must return to work in a safe environment to prevent a
16	second wave of infections; and
17	WHEREAS, the Centers for Disease Control and Prevention reports that
18	immunocompromised individuals, which include those groups at higher risk of severe illness
19	or death from COVID-19, are those over 65 years of age and people of any age who have
20	certain chronic underlying health conditions; and

1 WHEREAS, the COVID-19 pandemic has posed a critical threat to workers who are 2 immunocompromised or have a household with immunocompromised individuals; and 3 WHEREAS, the COVID-19 pandemic has caused some workers who are 4 immunocompromised or have a household with immunocompromised individuals to take 5 necessary measures such as taking leave or resigning from their place of employment; and 6 WHEREAS, these workers have to take these necessary measures because their 7 employers fail to uphold the Centers for Disease Control and Prevention's recommendations, 8 such as enacting workplace policies that encourage social distancing and providing adequate 9 personal protective equipment (PPE); and 10 WHEREAS, the term "good cause" for job separation is defined as when a worker 11 takes leave or resigns from his place of employment because he is immunocompromised or 12 has a household member who is immunocompromised and the worker's employer does not 13 have adequate PPE available; and 14 WHEREAS, other states have created policies and safety measures redefining good 15 cause for workers who resign from their place of employment and enacted suitable work 16 protections for workers who are looking to safely return to the workforce; and 17 WHEREAS, the National Domestic Violence Hotline has recognized that for 18 survivors of domestic violence, any external factors, including a national health concern such 19 as COVID-19, that add stress and financial strain can negatively impact survivors and create circumstances where their safety is further compromised; and 20 21 WHEREAS, an employee may be deemed to have left his most recent employment 22 during the pandemic with "good cause" if he leaves his employment to protect his family 23 from domestic violence abuse; and 24 WHEREAS, an employee may have small children who require care while the 25 employee is at work, and the COVID-19 pandemic has impacted childcare by forcing 26 schools and daycares across the state of Louisiana to close; and 27 WHEREAS, these closures force an employee to voluntarily leave his employment 28 in order to care for his children when there are no other practical alternatives for childcare; 29 and

HLS 201ES-435

1	WHEREAS, "suitable work protections" is determined by whether a workplace has
2	complied with the local health department's and Louisiana Department of Health's
3	recommendations and guidelines to prevent exposure and has considered the needs of
4	high-risk employees; and
5	WHEREAS, the Louisiana Workforce Commission is charged with examining
6	employment policies and procedures; and
7	WHEREAS, the Louisiana Workforce Commission's guidance is needed in these
8	unprecedented times to help enact policies and procedures to ensure the safety of both
9	employees and employers; and
10	WHEREAS, the Louisiana Workforce Commission has the authority to promulgate
11	future rules and regulations that determine what constitutes good cause and suitable work
12	protections in this new workforce environment created by the COVID-19 pandemic.
13	THEREFORE, BE IT RESOLVED that the House of Representatives of the
14	Legislature of Louisiana does hereby urge and request the Louisiana Workforce Commission
15	to study and determine new parameters of what constitutes good cause and suitable work
16	protections as they relate to the COVID-19 pandemic.
17	BE IT FURTHER RESOLVED that the Louisiana Workforce Commission shall
18	report its findings and recommendations to the House of Representatives of the Legislature
19	of Louisiana no later than September 1, 2020.
20	BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
21	secretary of the Louisiana Workforce Commission.

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)]

HR 49 Original	2020 First Extraordinary Session	James
----------------	----------------------------------	-------

Requests the Louisiana Workforce Commission (LWC) to study and clarify new parameters of what constitutes good cause for job separation and suitable work protections.

The LWC shall report its findings and recommendations to the House of Representatives of the Legislature of Louisiana no later than Sept. 1, 2020.