

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

**WORKERS COMPENSATION. Provides with respect to variable wage employment contracts.**

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DIGEST

Present law provides for the determination of the average weekly wage of an injured worker.

Present law provides the method of calculating average weekly wage depending on how an employee was being compensated at the time of injury.

Present law provides definitions.

Proposed law defines "professional athlete" to mean any person who earns wages as a skilled athlete pursuant to a written professional player employment contract.

Proposed law provides that, with regard to professional athletes, any written employment contract that provides for variable wages shall calculate the average weekly wages based upon the employee's actual earnings at the time of his injury.

Proposed law provides that the average weekly wage shall be based on the wages the professional athlete has earned prior to the time of the injury, or if greater, then based on the professional athlete's gross earnings earned prior to the time of injury under the contract for the league year in which the injury occurred.

(Amends R.S. 23:1021(13)(e)-(g); Adds R.S. 23:1021(13)(h) and (14))

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

- 1. Specified that the variable wage contracts in proposed law apply to professional athletes.
- 2. Defined "professional athlete" to mean any person who earns wages as a skilled athlete pursuant to a written professional player employment contract.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Labor and Industrial Relations to the re-reengrossed bill

- 1. Deletes actual contractual wage rate for the week of injury as the average weekly wage.
- 2. Bases the average weekly wage on prior wages or gross earnings earned prior to the time of injury under the contract for the league year.