genetic discrimination

genetics in the workplace

Louisiana law forbids genetic discrimination and limits genetic testing in the workforce.

definitions

Key terms are used to establish specific genetic discrimination and privacy protections. They are as follows:

1. Genetic monitoring is regular examinations of employees to evaluate changes to their genetic material that may have developed in the course of employment due to toxic substances in the workplace.
2. Genetic services are defined as health services for genetic education or counseling.
3. A genetic test is the analysis of human heritable diseases. It must be accepted in the scientific and medical communities to qualify under this definition.
4. Protected genetic information is information about the occurrence of a disease, medical condition or disorder in the individual and the individual's family members.

nondiscrimination

Louisiana law also provides that an employer, labor organization or employment agency shall not discriminate on the basis of protected genetic information, and an employer, labor organization or joint labor management committee controlling apprenticeship, on-the-job training or other training program shall not discriminate on the basis of protected genetic information.

exceptions

An employer, labor organization or employment agency may request protected genetic information with an offer of employment. They may request, collect or purchase protected genetic information if there is a request for, or receipt of, genetic services and the effect of genetic monitoring of toxic substance shall be permitted in the workplace.

This notice must be posted in a conspicuous place, setting forth information to effectuate this purpose. (Amends R.S. 23:302; adds R.S. 23:368 and 369) Revised 12-02

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