



# Louisiana Labor Law Postings

Must be posted in a conspicuous place for convenient viewing by all employees and applicants.



Guaranteed protection against changing laws.  
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## EMPLOYER SUPPORT OF THE GUARD AND RESERVES



### In the national guard, reserves, or on active duty?

You have certain protected employment and re-employment rights, freedom from discrimination rights, and civil relief rights. Under 38 U.S.C. 4301 et seq. (USERRA) and 50 U.S.C. 3901 et seq. (SCRA) and state law RS. 29-401 et seq. (MSRA), if you feel that you are being discriminated against or denied such rights on account of your service in the uniformed services, contact the Employer Support of the Guard and Reserve Committee at 1-800-336-4590, or log on to www.ESGR.org, or e-mail questions to questions@LAESGR.com.



Honoring your service.

Support your uniformed services, and place this poster in a conspicuous place as required by law.

An Equal Opportunity Employer Program. Auxiliary aids and services are available upon request to individuals with disabilities. 1-800-259-5154 (TDD)

## UNEMPLOYMENT INSURANCE

### Unemployment Insurance

#### Notice to Workers

Your employer is subject to the Louisiana Employment Security Law and is required to post this notice in a conspicuous place. Your employer has contributed to the Louisiana Trust Fund from which benefits are paid. No amount of contributions to the Trust Fund is deductible from your earnings.

#### Total Unemployment

- You are unemployed.
- You have registered for work.
- You are able to work, available for work, and actively conducting a search for work.
- You have been paid wages by employers subject to the Louisiana Employment Security Law during your base period in an amount sufficient to qualify you under the law.

#### Disqualification

- You have left work voluntarily without good cause attributable to a substantial change made to the employment by the employer.
- You have been discharged for misconduct connected with your work.
- You did without good cause to: (a) apply for available suitable work, (b) accept suitable work when offered, or (c) return to your customary self-employment when directed.
- You have been discharged for the use of illegal drugs.

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## WORKERS' COMPENSATION

### Workers' Compensation

#### Reporting Injury

You should report to your employer any occupational disease or personal injury that is work-related, even if it may be minor.

#### Occupational Disease or Death

- In case of an occupational disease, all claims are barred unless the employer files a claim with higher employer within one year of the date that: 1. the disease manifests itself, 2. the employee is disabled as a result of the disease, 3. the employee knows or has reasonable grounds to believe that the disease is occupationally related.
- In case of death arising from an occupational disease, all claims are barred unless the dependent(s) file a claim with the deceased employer's employer within one year of: 1. the date of death, 2. the date the claimant has reasonable grounds to believe that the death resulted from occupational disease.

#### Filing Notice

In case of injury or death caused by a work-related accident, an injured employee or any person claiming to be entitled to compensation either as a claimant or as a representative of a person claiming to be entitled to compensation, must give notice to the employer within 30 days of the injury. If notice is not given within 30 days, no payments will be made for such injury or death. In addition, in any event where the employee, employee, or any other person for the purpose of obtaining or deferring any benefit or payment of workers' compensation shall subject such person to criminal as well as civil liabilities.

The above mentioned notice should be filed with the employer at the address shown on the right.

Name and Address of Insurance Company

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## CHILD LABOR

### Louisiana Minor Labor Law Placard Title 23, Chapter 3 of Revised Statutes of 1950 as Amended

No minor under the age of 18 years shall be employed until the employer has procured and has on file an employment certificate for such minor issued by the city or parish superintendent of schools. No minor under the age of 14 years may be employed, permitted, or suffered to work except as provided in RS 23:151. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs under the following conditions, if no more than: 3 hours on a school day or 18 hours in a school week; 8 hours on a non-school day or 40 hours in a non-school week. Also, work may not begin before 7 a.m. or end after 7 p.m., except from June 1 through Labor Day, when evening hours are extended to 9 p.m. No minor under the age of 18 years may be employed, permitted, or suffered to work for any five hour period without one interval of at least thirty minutes within such period for meals. Such interval shall not be included as part of the working hours of the day. There are no time standards for minors 16 and 17 years of age regarding the number of hours worked per day or per week, however, minors shall receive an eight hour rest break at the end of each work day, before the commencement of the next day of work.

For purposes of the following items, a day during which school is in session will be that designated as such by the local school superintendent for the school district in which the minor resides.

- No minor 16 years of age who has not graduated from high school shall be employed, or permitted, or suffered to work between the hours of 11:00 p.m. and 5:00 a.m. prior to the start of any school day.
- No minor 17 years of age who has not graduated from high school shall be employed, or permitted, or suffered to work between the hours of 12:00 a.m. and 5:00 a.m. prior to the start of any school day.
- No minor under 16 years of age who has not graduated from high school shall be employed, or permitted, or suffered to work between the hours of 7:00 p.m. and 7:00 a.m., except from June 1 through Labor Day, at which time the permissible hours are extended to 9:00 p.m.
- No minor under the age of 16 years shall be employed, permitted, or suffered to work more than three hours each day on any day when school is in session, nor more than eighteen hours in any week when school is in session.

#### Prohibited Employment

- Minors (except those indentured as apprentices in accordance with Chapter 4 of Revised Statutes, Title 23) shall not be employed, permitted, or suffered to work in the following occupations: 1. In oiling, cleaning, or wiping machinery or shafting, or in applying belts to pulleys; 2. In or about any mine or quarry; 3. In or about places where stone cutting or polishing is done; 4. In or about any plant manufacturing explosives or articles containing explosive components, or in the use or transportation of the same; 5. In or about iron or steel manufacturing plants, ore reduction works, smelters, foundries, forging shops, hot rolling mills, or in any other place in which the heat treatment of metals is done; 6. In the operation of machinery used in the cold rolling of heavy metals, or in operation of power-driven machinery for punching, shearing, stamping, bending, or planing metals; 7. In or about sawmills or cooperage stock mills; 8. In the operation of power-driven woodworking machines, or off-bearing from circular saws; 9. In logging operations;

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## PAYMENT OF WAGES

### Timely Payment of Wages

Your employer has a duty to inform you at the time of your hire what your wage rate will be, how often you will be paid and how you will be paid, and of any subsequent changes thereto.

If your employer should, for reasons within his control, fail to pay you according to that agreement, you must first lodge a complaint with him.

If no action is taken to resolve your complaint, you may report the violation to the Louisiana Workforce Commission.

This notice must be posted in a conspicuous place, setting forth information to effectuate this purpose. R.S. 23:633(D)

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## INDEPENDENT CONTRACTOR

### Independent Contractor or Employee?

#### ATTENTION ALL EMPLOYEES, EMPLOYERS, INDEPENDENT CONTRACTORS AND SUBCONTRACTORS:

- The law says that you are an employee unless: 1. You are free from direction and control in performing your job, AND 2. You perform work that is not part of the usual work done by the business that hired you OR is not performed on the business's premises, AND 3. You are customarily engaged in an independently established trade, occupation, profession or business.

Your employer cannot consider you to be an independent contractor unless all three of these facts apply to your work.

#### IT IS AGAINST THE LAW FOR AN EMPLOYER TO MISCLASSIFY EMPLOYEES AS INDEPENDENT CONTRACTORS OR PAY EMPLOYEES OFF THE BOOKS.

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## OUT-OF-STATE MOTOR VEHICLES

### Out-of-State Motor Vehicles

#### Duties of employees and employers

- A. Any person who is a resident of a state which requires registration of the motor vehicle or motor vehicles of a person who is employed in that state within thirty days of such employment, and who is employed in and maintains a residence in Louisiana and who operates one or more vehicles on the public streets and roads in Louisiana shall apply for a certificate of registration for each of those vehicles within thirty days of the date on which the person was employed in Louisiana.
- B. Each employer in this state shall notify each person employed by that employer of the requirement of Subsection A of this Section. The notice shall be by direct communication at the time of employment and by posting a notice in a prominent location at the place of employment.
- C. The provisions of this Section shall not be applicable to members actively serving in the armed forces of the United States.

Acts 1993, No. 765, §1. LOUISIANA WORKFORCE COMMISSION www.laworks.net

## FEDERAL EARNED INCOME TAX CREDIT

### Earned Income Credit EIC 2020

#### Notice to Employees of Federal Earned Income Tax Credit (EIC)

If you make \$50,000\* or less, your employer should notify you at the time of hiring of the potential availability of Earned Income Tax Credits or Advance Earned Income Credits. Earned Income Tax Credits are reductions in federal income tax liability for which you may be eligible if you meet certain requirements. Additional information and forms for these programs can be obtained from your employer or the Internal Revenue Service.

#### \* Earned Income and adjusted gross income (AGI) must each be less than:

- \$50,594 (\$56,844 married filing jointly) with three or more qualifying children
- \$47,440 (\$53,330 married filing jointly) with two qualifying children
- \$41,756 (\$47,646 married filing jointly) with one qualifying child
- \$15,820 (\$21,710 married filing jointly) with no qualifying children

#### Advance Payments of EITC Eliminated

Effective December 31, 2010, Advanced Federal Earned Income Tax Credit (AEITC) became unavailable to workers. The Education Jobs and Medicaid Assistance Act of 2010 signed into law August 10, 2010 repealed the Advance EITC. It will not be available to workers after December 31, 2010.

Individuals who received Advance EITC in any prior tax year should have filed a tax return to report the payments even if they owed no tax or did not get a refund. Advance EITC, also known as AEITC, allowed certain workers to receive EITC in installments throughout the year, instead of a lump sum during the following filing season. To qualify for Advance EITC, an individual must have had at least one qualifying child. The amount of Advance EITC was limited to 60 percent of the maximum credit payable for a worker with one qualifying child.

If you need more information regarding the EITC or prior Advanced EITC received, you should contact the IRS at 1-800-829-1040 or visit the IRS website at www.irs.gov. Additional EITC resources are also available at the IRS EITC Home page: https://www.irs.gov/Credits-&Deductions/Individuals/Earned-Income-Tax-Credit/EITC-Income-Limits-Maximum-Credit-Amounts-Next-Year.

Visit the IRS on the Web at www.irs.gov or call toll-free at 1-800-829-1040.

Every employer should keep employees advised about the EITC. For more information about the EITC, please contact the Louisiana Workforce Commission on Human Rights at 1-888-248-0859 or visit us at www.gov.state.la.us/HumanRights/humanrights.htm. R.S. 23:15, 23:1618, 23:1619. Revised January 2020

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## AGE DISCRIMINATION

### Age Discrimination

The prohibitions herein listed shall be limited to individuals who are at least forty years of age.

#### A. It is unlawful for an employer to engage in any of the following practices:

- 1. Fail or refuse to hire, or to discharge, any individual or otherwise discriminate against any individual with respect to his compensation, or his terms, conditions, or privileges of employment because of the individual's age.
- 2. Limit, segregate, or classify his employees in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee because of the individual's age.
- 3. Reduce the wage rate of any employee in order to comply with the requirements herein.

#### B. It is unlawful for an employment agency to fail or refuse to refer for employment, or otherwise to discriminate against, any individual because of the individual's age, or to classify or refer for employment any individual on the basis of the individual's age.

#### C. It is unlawful for a labor organization to engage in any of the following practices:

- 1. Exclude or expel from its membership, or otherwise to discriminate against any individual because of his age.
- 2. Limit, segregate, or classify its membership, or to classify or fail to refer to refer for employment any individual, in any way which would deprive or tend to deprive any individual of employment opportunities, or would limit such employment opportunities or otherwise adversely affect his status as an employee or as an applicant for employment, because of the individual's age.
- 3. Cause or attempt to cause an employer to discriminate against an individual in violation of the provisions herein.

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#### D. It is unlawful for an employer to discriminate against any of his employees or applicants for employment, for an employment agency to discriminate against any individual, or for a labor organization to discriminate against any member thereof or applicant for membership because the individual, member, or applicant for membership has opposed any practice made unlawful by this Section, or because the individual, member, or applicant for membership has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or litigation pursuant to the listed herein provisions.

#### E. It is unlawful for an employer, labor organization, or employment agency to print or publish, or cause to be printed or published, any notice or advertisement relating to employment by the employer or membership in or any classification or referral for employment by such an employment agency indicating any preference, limitation, specification, or discrimination based on age.

#### F. It is not unlawful for an employer, employment agency, or labor organization to engage in any of the following practices:

- 1. Take any action otherwise prohibited under Subsection A, B, C, or E, where age is a bona fide occupational qualification reasonably necessary for the normal operation of the particular business, or where the differentiation is based on reasonable factors other than age.
- 2. Take any action otherwise prohibited under Subsection A, B, C, or E to observe the terms of a bona fide employee benefit plan, such as retirement, pension, or insurance plan, which is not a subterfuge to evade the purpose herein except that no such employee benefit plan shall excuse the failure to hire any individual.
- 3. Discharge or otherwise discipline an individual for good cause.

Acts 1997, No. 1409

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## GENETIC DISCRIMINATION

### Genetic Discrimination

#### Genetics in the Workplace

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

#### Definitions

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

- 1. "Genetic monitoring" is the periodic examination of employees to evaluate changes to their genetic material that may have developed in the course of employment due to exposure to toxic substances in the workplace.
- 2. "Genetic services" are defined as the health services provided to obtain, assess, or interpret genetic information for diagnostic or therapeutic purposes, or for genetic education or counseling.
- 3. "Genetic test" means the analysis of human DNA, RNA, chromosomes, and those proteins and metabolites used to detect heritable or some somatic disease-related genotypes or karyotypes for clinical purposes. It must be generally accepted in the scientific and medical communities to qualify under this definition.
- 4. "Protected genetic information" is information about the genetic tests of an individual or that of an individual's family members, or the occurrence of a disease, or medical condition or disorder in family members of the individual.

#### 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.

If you believe you have been discriminated against, please contact the Louisiana Workforce Commission on Human Rights at 1-888-248-0859 or visit us at www.gov.state.la.us/HumanRights/humanrights.htm. LSA-R.S. 51:2231(A)

This notice must be posted in a conspicuous place, setting forth information to effectuate this purpose. R.S. 23:302, R.S. 23:368 and 369

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## SICKLE CELL TRAIT DISCRIMINATION

### Sickle Cell Trait Discrimination

#### Prohibition of sickle cell trait discrimination; exceptions

#### A. It is unlawful for an employer to engage in any of the following practices:

- 1. Fail or refuse to hire, or to discharge, any individual or otherwise discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because such individual has sickle cell trait.
- 2. Limit, segregate, or classify his employees in any way which would deprive or tend to deprive any individual of employment opportunities, or otherwise adversely affect his status as an employee, because such individual has sickle cell trait.
- 3. Reduce the wage rate of any employee in order to comply with the provisions herein.

#### B. It is unlawful for an employment agency to fail or refuse to refer for employment, or otherwise to discriminate against, any individual because such individual has sickle cell trait, or to classify or refer for employment any individual on the basis that such individual has sickle cell trait.

#### C. It is unlawful for a labor organization to engage in any of the following practices:

- 1. Exclude or expel from its membership, or otherwise discriminate against, any individual because of sickle cell trait.
- 2. Limit, segregate, or classify its membership, or classify or fail to refer or refuse to refer for employment any individual in any way which would deprive or tend to deprive any individual of employment opportunities, or otherwise adversely affect his status as an employee or as an applicant for employment, solely because such individual has sickle cell trait.
- 3. Cause or attempt to cause an employer to discriminate against an individual in violation of the provisions herein.

#### D. It is unlawful for an employer to discriminate against any of his employees or applicants for employment, for an employment agency to discriminate against any individual, or for a labor organization to discriminate against any member thereof or applicant for membership because the individual, member, or applicant for membership has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or litigation under the provisions herein.

#### E. It is unlawful for an employer, labor organization, or employment agency to print or publish, or cause to be printed or published, any notice or advertisement relating to employment by such employer or membership in or any classification or referral for employment by such a labor organization, or relating to any classification or referral for employment by such employment agency indicating any preference, limitation, specification, or discrimination based on sickle cell trait.

Acts 1997, No. 1409, §1

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