LOUISIANA LABOR LAW POSTINGS



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 R.S. 29:401 eseq. (MSRA), if you feel that you have been 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.

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

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

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

agreement, you must first lodge a complaint with him.

Workforce Commission

WORKFORCE COMMISSION



Pregnancy Rights of Employees

Assistance with manual labor and limits on lifting;
 Temporarily transferring the employee to a less strenuous or hazardous vacant position, if qualified;
 Providing job restructuring or light duty, if available;
 Acquiring or modifying equipment or devices necessary for performing essential job functions; or Modifying work schedules;

Complaints arising from these provisions of law may be made to the Louisiana Commission on Human Rights (LCHR). To learn more or to file a complaint online please visit the following site:

La. R.S. 23:342 states that this notice shall be posted in a conspicuous place in an area that is accessible to employees in an employer's place of business.

WORKFORCE EOMIMISSION

to get ans

online, visi at <u>www.la</u>

WORKFORCE COMMISSION

www.laworks.ne

-vouce snall be given by delivering it or sending it by certified mail or return receipt requested to:

WORKFORC

idbirth, or

Non-Discrimination

Louisiana employers who employ more than twenty-five employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year are prohibited from discriminating against an applicant for employment or an employee with medical needs causing limitations arising from pregnancy, childbirth, and related medical pregnancy,

Reasonable Accommodations

iana employers have a general duty to nably accommodate an employee's physical lions caused by her pregnancy, unless the oyer can demonstrate the accommodation would as undue hardship on the operation of its ess. "Reasonable accommodation" may include ut is not limited to: Making existing facilities readily accessible to and usable by an applicant or employee with covered

- lated medical incondition, together any not-Refuse to promote her: Refuse to promote her: Refuse to select her for a training program leading to promotion, provided she is able to complete the training program at least three months prior to the anticipated date of departure for her pregnancy leave; Discharge her from employment or from a training Discriminate againsh her in compensation or in terms, conditions, or privileges of employment: Deven the same benefits and privileges of employment given other non-pregnant persons, including the taking of disability or scik leave made available to temporarily disabiled employees; Davy leaves to ther for to a less termous on fazardous position, if so requested and if a policy, practice, or collective bargetianing agreement is in place authorizing such a transfer.

Employer Obligations

UNEMPLOYMENT INSURANCE

Penalties

If you fail to

For any week with respect to which the Administrator finds that your unemployment is due to a labor strike which is in active progress at the factory, establishment or other premises at which you are or were last employed, and in which you are participating, or in which you are interested.

of II writer you as interest. For any week with respect to which or a part of which you have received or are seeking unemployment benefits under a unemployment insurance law of another state or the United S

3 For any week with respect to which or a part of which you are receiving or have received other remuneration (i.e., Workers' and the second secon

Unemployment Insurance

Notice to Workers				
INOTICE TO VVORKERS				
Your employer is subject to the Louisiana Employment Security, Law and is required to post this notice in a complexious place. Nor 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 may be eligible to receive unemployment insurance benefits provided:				

You have registered for wor You are able to work, av a search for work.

Disgualification

You have left work voluntarily without good cause attributable t a substantial change made to the employment by the employer You have been di You fail without work, (b) acce

ATTENTION ALL EMPLOYEES,

EMPLOYERS. INDEPENDENT

CONTRACTORS AND

SUBCONTRACTORS:

You are free from direction and control in performing your job, AND

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

You are customarily engaged in an independently established trade, occupation, profession or business

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

Your employer cannot consider you to be an indepen contractor unless all three of these facts apply to you

that you are an employee unless:

WORKERS' COMPENSATION

Workers' Compensation

Reporting Injury Occupational Disease or Death n case of an occupational disease, all claims a mployee files a claim with his/her employee Physicians Formal Claim the employee knows or has reasonable grounds to the date of death Information Filing Notice Name and Address of Insurance Company

INDEPENDENT CONTRACTOR

Independent Contractor or Employee?

Employee Rights

- If you are an employee, you are entitled to Unemployment benefits, if unemployed through no fault of your own, able to work, and meet other eligibility requirements.
- Workers' Compensation benefits for on-the-job injuries.

on-the-job injuries. It is a violation of this law for employers to retaliate against anyone who asserts their rights under the law. Retaliation subjects an employer to civil penalites, a lawsuit or both. If you have questions about whether you are an employee or independent contractor, or you want to file a complaint, call the Louisiana Workforce Commission Fraud Hotline at 1-(833)-708-2866 or email UlTaxfraud@lwclagov.

Independent Contractors If you are an independent contractor, you must pay all taxes required by Louisiana and Federal Law.

Employer Consequences:

Pursuant to Louisiana Employment Security Law R.S. 23:1711 (G): Penalties for misclassifying a worker as an ctor include Fines of up to \$2500 per misclassified worker per instance.

 Imprisonment for up to 90 days. Prohibited from contracting with any state agency or political subdivision of the state for three years.

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

CHILD LABOR

10. As a driver of any motor vehicle on a public road if they are 16

In spray painting or in occupations involving exposure to lead or its compounds, or to dangerous or poisonous dyes and

continuous, 13. In any place or establishment in which the sale of alcoholic beverages, as defined in R.S. 26:241, constitutes its main business, unless the minor is a musician performing in a band on the premises under written contract with the holder of the alcoholic beverage permit for a specified time period and is under direct supervision of his parent or legal guardian during such time. Any place or establishment holding a duly issued such time. Any place or establishment holding a duly issued such time. Any place or establishment holding a duly issued

such time. Any piace or establishment houling a duy issued retail dealer's actoholic beverage permit or license, for which the sale of alcoholic beverage does not constitute the main business of the establishment may employ anyone under the age of 18 provided the mimor's employment does not involve the sale, mixing, dispensing, or serving of alcoholic beverages for consumption on the premises.

14. In any other place of employment or in any other occupation that the Director of Workforce Development shall, after public hearing thereon determine hazardous or injurious to the life, health, safety or welfare of such minors.

Employs, permits or suffers a minor to work in violation of the provision of this part; or

Refuses to the Director of Workforce Development or authorized representatives admission to the premises where minors are employed, or otherwise obstructs the Director of Workforce Development or representatives in the performance

Hides or causes any minor to escape or gives him warning of the approach of any officer charged with the enforcement of the provision of this Part; or

Violates any other provisions of this Part for which a penalty is not otherwise provided, shall be fined not less than one

hundred dollars (\$100) nor more than five hundred (\$500), or imprisoned for not less than thirty (30) days nor more than six

Any person who violates these provisions shall, in addition to the criminal penalty provided above, be liable for a civil penalty not to exceed five hundred dollars (\$500) for each violation which occurs.

Each day during which any violation of these provisions continues shall constitute a separate offense and the employment of any minor in violation of these provisions shall, with respect to such minor, constitute a separate offense.

11. In the operation of passenger or freight elevators or

isting machines

Specific Violations: Penalty

of their duties; or

months, or both.

Continuing Violations: Penalty

Any Person Who:

2

5.

R.S. 23:241

chemicals;

As a driver of any motor vehicle on a public road if they are 16 years of age or younger. Minor 17 years of age or older may b employed, permitted, or suffered to work as a driver of a motor vehicle only under certain restrictions. (For an explanation of these restrictions contact the Louisiana Workforce Commission at 225-219-2889.)

may be

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, permittee 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 numbers 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 Normal and a for a solution of the second of the gradient form 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 Chapter 4 of Revised Statutes, Title 23) shall not be employed permitted, or suffered to work in the following occupations:

- In oiling, cleaning, or wiping machinery or shafting, or in applying belts to pulleys;
- In or about any mine or quarry
- In or about places where stone cutting or polishing is done In or about any plant manufacturing explosives or articles containing explosive components, or in the use or transportation of the same;
- In or about iron or steel manufacturing plants, ore reduction works, smelters, foundries, forging shops, hot rolling mills, or any other place in which the heat treatment of metals is done
- In the operation of machinery used in the cold rolling of heavy netals, or in operation of power-driven machinery for punching shearing, stamping, bending, or planing metals;
- In or about sawmills or cooperage stock mills;
- In the operation of power-driven woodworking machines or off-bearing from circular saws;
- In logging operations;
- LOUISIANA WORKFORCE

Revised September 27, 2022

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Out-of-State Motor Vehicles

Duties of employees and employers

- 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 ned forces of the United States

LOUISIANA COMMISSION

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ilities. 1-800-259-5154 (TDD)

FEDERAL EARNED INCOME TAX CREDIT

Earned Income Credit EIC2022

Honoring your service.

SG

This notice must be posted in a conspicuous place, setting forth information to effectuate this

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R.S. 23:633(D)

Notice to Employees of Federal Earned Income Tax Credit (EIC) If you make \$53,000* or less,

You may claim the Earned Income Credit on Visit the IRS on the Web at www.irs.gov or call toll-free at Form 1040 and add Schedule EIC if you have children. 1-800-829-1040.

If you need more information regarding the EITC

WORKFORCE

AGE DISCRIMINATION Age Discrimination

Acts 1993, No. 765, §1

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: Fail or refuse to hire, or to discharge, any individual or otherwise discriminate against any individual with respect to

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 such individual, member or applicant for mombership has manda extrace. Itsefide, assisted, or participant desisted, or applicant for applicant for mombership has manda extrace.

OUT-OF-STATE MOTOR VEHICLES

- A. Any person who is a resident of a state which requires registration of the motor vehicle



This notice must be posted in a conspicuous place, setting fort information to effectuate this purpose. R.S. 47:501.1

Genetic Discrimination	Sickle Cell Trait Discrimination Prohibition of sickle cell trait discrimination;			
GENETIC DISCRIMINATION		SICKLE CELL TRAIT DISCRIMINATION		
An Equal Opportunity Employer Program. Auxiliary aids and services are available upon request to individuals with disabilities. 1-800-259-5154 (TDD)	www.laworks.net	An Equal Opportunity Employer Program. Auxiliary aids and services are available upon	request to individuals with disabilities. 1-800-259-5154 (TDD)	
	The Design of of Jabon	an individual in violation of the provisions herein.		www.laworks.net
	WORKFORCE	individual's age. 3. Cause or attempt to cause an employer to discriminate against an individual in violation of the provisions herein.	Acts 1997, No. 1409	WORKFORCE COMMISSION
 \$16,480 (\$22,610 married filing jointly) with no qualifying children 	R.S. 23:15, 23:1018.2 Revised April 2022	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	employee benefit plan shall excuse the failure to hire any individual. 3. Discharce or otherwise discipline an individual for good cause.	
 \$43,492 (\$49,622 married filing jointly) with one qualifying child 	employed, a printed copy or abstract of those labor laws which the Executive Director may designate, in a form to be furnished by the Executive Director.	 Limit, segregate, or classify its membership, or to classify or fail or refuse to refer for employment any individual, in any way which would deprive or tend to deprive any individual of 	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	R.S. 23:311, 312
\$49,399 (\$55,529 married filing jointly) with two qualifying children	Every employer shall keep conspicuously posted in or about the premises wherein any worker is	 Exclude or expel from its membership, or otherwise to discriminate against any individual because of his age. 	factors other than age. 2. Take any action otherwise prohibited under Subsection A, B, C,	its premises, setting forth information to effectuate this purpose.
 \$53,057 (\$59,187 married filing jointly) with three or more qualifying children 		C. It is unlawful for a labor organization to engage in any of the following practices:	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	agency, and labor organization shall post and keep posted in conspicuous places upon
*Earned Income and adjusted gross income (AGI) must each be less than:		individual because of the individual's age, or to classify or refer for employment any individual on the basis of the individual's 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, 	LSA-R.S. 51:2231(c)
information and forms for these programs can be obtained from your employer or the Internal Revenue Service.		B. It is unlawful for an employment agency to fail or refuse to refer for employment, or otherwise to discriminate against, any	such an employment agency indicating any preference, limitation, specification, or discrimination based on age.	us at www.gov.state.la.us/ HumanRights/humanrights home.htm.
liability for which you may be eligible if you meet certain requirements. Additional information and farms for those preventions and https://www.irs.gov/credits-deductions/individua		employee because of the individual sage. 3. Reduce the wage rate of any employee in order to comply with the requirements herein.	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	been discriminated against, please contact the Louisiana Commission on Human Rights at 1-888-248-0859 or visit
Income Tax Credits. Earned Income Tax at www.irs.gov. Credits are reductions in federal income tax		 Limit, segregate, or classify his employees in any way which would deprive or than to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee because of the individual's ace. 	E. It is unlawful for an employer, labor organization, or employment If you believe you have	
your employer should notify you at the time of hiring of the potential availability of Earned IRS at 1-800-829-1040 or visit the IR:		his compensation, or his terms, conditions, or privileges of employment because of the individual's age.	membership has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or litigation pursuant to the listed herein provisions.	

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 the periodic examination of employees to evaluate changes to their genetic materia that may have developed in the course of employment due to exposure to toxic substances in the workplace
- "Genetic services" are defined as the health services provided to obtain, assess, or interpregenetic information for diagnostic or therapeutic purposes, or for genetic education or counseling
- "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.

over Program. Auxiliary aids and services are available upon request to individuals with disabilities. 1-800-259-5154 (TDD

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 penetic information if there is a request for, or receipt of enetic services and the effect of genetic monitori oxic substance shall be permitted in the workplac

mmission on Hun 1-888-248-0859 (

SA-R.S. 51:2231(c

onspicuous place, setting for formation to effectuate this R.S. 23:302; R.S. 23:368 and 36

LOUISIANA WORKFORCE COMMISSION

www.laworks.net

1-800-259-5154 (TDD)

exceptions

- A. It is unlawful for an employer to engage in any of the
- Fail or refuse to hire, or to discharge, any individual or otherwise discriminate against any individual with respect to hi compensation, terms, conditions, or privileges of employment, because such individual has sickle cell trait. pect to his
- 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 to refer or refuse to refer for employment, or otherwise to discriminate against, any individual because such individual has sickle cell rati, or to classify or refer for employment any individual on the basis that such individual bas sickle cell trat.

- Exclude or expel from its membership, or otherwise discriminate against, any individual because of sickle cell trait.
- Limit, segregate, or classify its membarship, 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 limit such 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 in 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 such individual, member, or quanticant for internetwising because such individual, member, or applicant for membership has a poposed 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 under the movisions berein.
- Provisional networks agency to print or publish, or cause to be printed or published, any notice or advertisement relating to employment by such employee 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 o righto cell trait any preference sickle cell trait.

Acts 1997, No. 1409, §1

LOUISIANA

WORKFORCE COMMISSION

LSA-R.S. 51:2231(c)

Every employer, employment agency, and labor organizatic shall post and keep posted in conspicuous places upon its premises a notice, to be prepared by the Louisiana Workforce Commission, st department deems approprii to effectuate the purposes of this Part.

nplyRight, Inc

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