J. J. Keller & Associates, Inc.® Since 1953

LABOR LAWS

FEDERAL | LOUISIANA

FED

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE
$7.25 PER HOUR
BEGINNING JULY 24, 2009

The law requires employers to display this poster where employees can readily see it.

OVERTIME PAY

At least 1½ times the regular rate of pay for all hours worked over 40 in a workweek.

CHILD LABOR

An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment.

TIP CREDIT

Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least $2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least $2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.

NURSING MOTHERS

The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA's overtime requirements in order for the employee to express breast milk for her nursing child for one year after the child's birth each time such employee has a need to express breast milk. Employers are also required to provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

ENFORCEMENT

The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA.

ADDITIONAL INFORMATION

- Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions.
- Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.
- Some state laws provide greater employee protections; employers must comply with both.
- Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not.
- Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

DEPARTMENT OF LABOR UNITED STATES OF AMERICA — WHD — WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd

WH1088

REV. 07/2016

FED

YOUR RIGHTS UNDER USERRA
THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

REEMPLOYMENT RIGHTS

You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:

- you ensure that your employer receives advance written or verbal notice of your service;
- you have five years or less of cumulative service in the uniformed services while with that particular employer;
- you return to work or apply for reemployment in a timely manner after conclusion of service; and
- you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

If you:

- are a past or present member of the uniformed service;
- have applied for membership in the uniformed service; or
- are obligated to serve in the uniformed service;

then an employer may not deny you:

- initial employment;
- reemployment;
- retention in employment;
- promotion; or
- any benefit of employment

because of this status.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

HEALTH INSURANCE PROTECTION

- If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military.
- Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

ENFORCEMENT

- The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.
- For assistance in filing a complaint, or for any other information on USERRA, contact VETS at **1-866-4-USA-DOL** or visit its website at https://www.dol.gov/agencies/vets/. An interactive online USERRA Advisor can be viewed at https://webapps.dol.gov/elaws/vets/userra.
- If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation.
- You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: https://www.dol.gov/agencies/vets/programs/userra/poster Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.

U.S. Department of Labor • 1-866-487-2365 U.S. Department of Justice Office of Special Counsel
Employer Support of the Guard and Reserve • 1-800-336-4590

REV. 05/2022

FED

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

LEAVE ENTITLEMENTS

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

BENEFITS & PROTECTIONS

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

ELIGIBILITY REQUIREMENTS

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

*Special "hours of service" requirements apply to airline flight crew employees.

REQUESTING LEAVE

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

EMPLOYER RESPONSIBILITIES

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

ENFORCEMENT

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

DEPARTMENT OF LABOR UNITED STATES OF AMERICA — WHD

For additional information or to file a complaint:
1-866-4-USWAGE
(1-866-487-9243) TTY: 1-877-889-5627
www.dol.gov/whd

U.S. Department of Labor • Wage and Hour Division • WH1420

REV. 04/2016

LA

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 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.

1. 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.
2. 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.
3. 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.
4. 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;
10. As a driver of any motor vehicle on a public road if they are 16 years of age or younger. Minors 17 years of age or older may be 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 225-342-7824.)**
11. In the operation of passenger or freight elevators or hoisting machines;
12. In spray painting or in occupations involving exposure to lead or its compounds, or to dangerous or poisonous dyes and chemicals;
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 retail dealer's alcoholic 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 minor'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.

Specific Violations: Penalty

Any Person Who:

1. Employs, permits or suffers a minor to work in violation of the provision of this part; or
2. 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 of their duties; or
3. 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
4. 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 months, or both.
5. 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.

Continuing Violations: Penalty

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**.

R.S. 23:241

Louisiana Workforce Commission
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)

REV. 08/18/2011

LA

Independent Contractor or Employee?

ATTENTION ALL EMPLOYEES, EMPLOYERS, INDEPENDENT CONTRACTORS AND SUBCONTRACTORS:

The law says that you are an employee unless:

- 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.

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.

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.

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 penalties, 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 UITaxfraud@lwc.la.gov.

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 independent contractor 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.

This notice must be posted in a conspicuous place, setting forth information to effectuate this purpose.
R.S. 23:1711

Louisiana Workforce Commission
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)

REV. 09/2021

FED

U.S. Equal Employment Opportunity Commission

Know Your Rights: Workplace Discrimination is Illegal

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help.

Who is Protected?

- Employees (current and former), including managers and temporary employees
- Job applicants
- Union members and applicants for membership in a union

What Organizations are Covered?

- Most private employers
- State and local governments (as employers)
- Educational institutions (as employers)
- Unions
- Staffing agencies

What Types of Employment Discrimination are Illegal?

Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of:

- Race
- Color
- Religion
- National origin
- Sex (including pregnancy and related conditions, sexual orientation, or gender identity)
- Age (40 and older)
- Disability
- Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)
- Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding.

What Employment Practices can be Challenged as Discriminatory?

All aspects of employment, including:

- Discharge, firing, or lay-off
- Harassment (including unwelcome verbal or physical conduct)
- Hiring or promotion
- Assignment
- Pay (unequal wages or compensation)
- Failure to provide reasonable accommodation for a disability or a sincerely-held religious belief, observance or practice
- Benefits
- Job training
- Classification
- Referral
- Obtaining or disclosing genetic information of employees
- Requesting or disclosing medical information of employees
- Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or proceeding.

What can You Do if You Believe Discrimination has Occurred?

Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:

Submit	an inquiry through the EEOC's public portal: *https://publicportal.eeoc.gov/Portal/Login.aspx*
Call	1–800–669–4000 (toll free) 1–800–669–6820 (TTY) 1–844–234–5122 (ASL video phone)
Visit	an EEOC field office (information at *www.eeoc.gov/field-office*)
E-Mail	*info@eeoc.gov*

Additional information about the EEOC, including information about filing a charge of discrimination, is available at *www.eeoc.gov*.

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action commitments of companies doing business with the Federal Government. If you are applying for a job with, or are an employee of, a company with a Federal contract or subcontract, you are protected under Federal law from discrimination on the following bases:

Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin

Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

Asking About, Disclosing, or Discussing Pay

Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees.

Disability

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

Protected Veteran Status

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.

Retaliation

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors under these Federal laws.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP)
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, D.C. 20210
1–800–397–6251 (toll-free)

If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at *https://ofccphelpdesk.dol.gov/s/*, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at *https://www.dol.gov/agencies/ofccp/contact*.

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Race, Color, National Origin, Sex

In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

Individuals with Disabilities

Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

REV. 10/20/2022

LA

Earned Income Credit *EIC 2022*

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

If you make $53,000* or less, your employer should notify you at the time of hiring of the potential availability of Earned Income Tax 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:

- $53,057 ($59,187 married filing jointly) with three or more qualifying children
- $49,399 ($55,529 married filing jointly) with two qualifying children
- $43,492 ($49,622 married filing jointly) with one qualifying child
- $16,480 ($22,610 married filing jointly) with no qualifying children

You may claim the Earned Income Credit on Form 1040 and add Schedule EIC if you have children.

If you need more information regarding the EITC or to check on updates, 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

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

Every employer shall keep conspicuously posted in or about the premises wherein any worker is 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.

R.S. 23:15, 23:1018.2

Louisiana Workforce Commission
The Department of Labor
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)

Rev. 04/2022

LA

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 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 Commission on Human Rights at 1-888-248-0859 or visit us at www.gov.state.la.us/HumanRights/humanrightshome.htm.

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

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

Louisiana Workforce Commission
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)

REV. 04/2010

LA

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 may be eligible to receive unemployment insurance benefits provided:

1. You are unemployed.
2. You have registered for work.
3. You are able to work, available for work, and actively conducting a search for work.
4. 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 may be disqualified from drawing benefits on your claim if:

1. You have left work voluntarily without good cause attributable to a substantial change made to the employment by the employer.
2. You have been discharged for misconduct connected with your work.
3. You fail 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.
4. You have been discharged for the use of illegal drugs.

You may also be disqualified:

1. 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.
2. For any week with respect to which or a part of which you have received or are seeking unemployment benefits under an unemployment insurance law of another state or the United States.
3. For any week with respect to which or a part of which you are receiving or have received other remuneration (i.e., Workers' Compensation, pensions, vacation pay, wages in lieu of notice, or severance pay).

Penalties

If you make a false statement knowing it to be false or intentionally fail to disclose an important fact in order to receive or increase a benefit amount, you shall be disqualified for not more than the 52 weeks which immediately follow the week in which such determination is made and shall not be entitled to further benefits until cash repayment has been made or the claim for repayment has prescribed.

In addition, the law provides: Whoever makes a false statement or representation to the Agency knowing it to be false, or knowingly fails to disclose a material fact to obtain or increase any benefit or other payment under this Chapter, or under an employment security law of any other State, or the Federal Government, or of a foreign government, either for himself or for any other person, shall be guilty of a misdemeanor, and shall be fined not less than $50 nor more than $1,000 or imprisoned for not less than 30 days nor more than 90 days, or both, in the discretion of the court. Each such false statement or representation or failure to disclose a material fact shall constitute a separate offense.

To file a new unemployment claim, reopen an existing claim, file for weekly unemployment benefits, or to get answers about your Unemployment Insurance online, visit us on the Web at www.laworks.net.

If you do not have access to the internet, or prefer to manage your Unemployment Insurance claim by phone, call the Unemployment Insurance Call Center at 1-866-783-5567.

This notice must be posted in a convenient and conspicuous place in the employer's place of business.

R.S. 23:1621

Louisiana Workforce Commission
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)

REV. 01/2009

FED

EMPLOYEE RIGHTS
EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.

PROHIBITIONS

Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

EXEMPTIONS

Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities.

The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers.

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.

The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.

EXAMINEE RIGHTS

Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

ENFORCEMENT

The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions.

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

DEPARTMENT OF LABOR UNITED STATES OF AMERICA — WHD — WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd

WH1462

LA

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 to refer 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 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 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 such 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 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

If you believe you have been discriminated against, please contact the Louisiana Commission on Human Rights at 1-888-248-0859 or visit us at www.gov.state.la.us/HumanRights/humanrightshome.htm.

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

Every employer, employment agency, and labor organization shall post and keep posted in conspicuous places upon its premises a notice, to be prepared by the Louisiana Workforce Commission, setting forth information as the department deems appropriate to effectuate the purposes of this Part.

R.S. 23:352, 354

Louisiana Workforce Commission
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)

REV. 04/2010

LA

Workers' Compensation

Reporting Injury

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

Occupational Disease or Death

In case of an occupational disease, all claims are barred unless the employee files a claim with his/her 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 employee'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, any fraudulent action by the employer, employee, or any other person for the purpose of obtaining or defeating 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.

A notice so given shall not be held invalid because of any inaccuracy in stating the time, place, nature or cause of injury, or otherwise, unless it is shown that the employer was in fact misled to his detriment thereby. Failure to give notice may not harm the employee if the employer knew of the accident or if the employer was not prejudiced by the delay or failure to give notice.

Physicians

In the event you are injured, you are entitled to select a physician of your choice for treatment. The employer may choose another physician and arrange an examination which you would be required to attend.

Formal Claim

In order to preserve your right to benefits under the Louisiana Workers' Compensation Law, you must file a formal claim with the Office of Workers' Compensation Administration within one year after the accident if payments have not been made or within one year after the last payment of weekly benefits.

Information

If you desire any information regarding your rights and entitlement to benefits as prescribed by law, you may call or write to the Office of Workers' Compensation Administration, Post Office Box 94040, Baton Rouge, Louisiana 70804-9040 or telephone (225) 342-7555.

Name and Address of Insurance Company ____________________

____

____

Notice shall be given by delivering it or sending it by certified mail or return receipt requested to:

Employer Representative ____________________

Employer ____________________

R.S. 23:1302 states that this notice should be posted in a convenient and conspicuous place in the employer's place of business.

Louisiana Workforce Commission
www.laworks.net

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REV. 05/2003

LA

Pregnancy Rights of Employees

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 conditions.

Reasonable Accommodations

Louisiana employers have a general duty to reasonably accommodate an employee's physical limitations caused by her pregnancy, unless the employer can demonstrate the accommodation would pose an undue hardship on the operation of its business. "Reasonable accommodation" may include but is not limited to:

- Making existing facilities readily accessible to and usable by an applicant or employee with covered limitations;
- Providing scheduled and more frequent or longer compensated break periods;
- Providing more frequent bathroom breaks;
- Providing a private place, other than a bathroom stall, for the purpose of expressing breast milk;
- Modifying food or drink policy;
- Providing seating or allowing the employee to sit more frequently if the job requires the employee to stand;
- 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.

Employer Obligations

In addressing an employee's pregnancy, childbirth, or related medical condition, Louisiana employers may not:

- 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 program leading to promotion;
- Discriminate against her in compensation or in terms, conditions, or privileges of employment;
- Deny the same benefits and privileges of employment given other non-pregnant persons, including the taking of disability or sick leave made available to temporarily disabled employees;
- Deny leave to her for a reasonable amount of time;
- Refuse to transfer her to a less strenuous or hazardous position, if so requested and if a policy, practice, or collective bargaining agreement is in place authorizing such a transfer.

The provisions of law detailed herein may be found in La. R.S. 23:341 and 23:342.

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: https://gov.louisiana.gov/page/lchr.

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.

LOUISIANA
WORKFORCE
COMMISSION
The Department of Labor
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)

REV. 11/2021

LA

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.

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

Louisiana Workforce Commission
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)

REV. 07/2004

LA

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)

Louisiana Workforce Commission
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)

REV. 01/2016

LA

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 or refuse 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.

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 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

If you believe you have been discriminated against, please contact the Louisiana Commission on Human Rights at 1-888-248-0859 or visit us at www.gov.state.la.us/HumanRights/humanrightshome.htm.

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

Every employer, employment agency, and labor organization shall post and keep posted in conspicuous places upon its premises, setting forth information to effectuate this purpose.

R.S. 23:311, 312

Louisiana Workforce Commission
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)

REV. 04/2010

LA

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 state and federal law, 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.

Honoring your service.

ESGR
EMPLOYER SUPPORT OF THE GUARD AND RESERVE

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

Louisiana Workforce Commission

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

U.S. Department of Labor — OSHA® Occupational Safety and Health Administration

Job Safety and Health
IT'S THE LAW!

All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

Employers must:

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations.

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.

This poster is available free from OSHA.

Contact OSHA. We can help.

1-800-321-OSHA (6742) • TTY 1-877-889-5627 • www.osha.gov

OSHA 3165-04R 2019

TWO ways to verify poster compliance!
QR CODE — Scan with phone camera:
—OR—
ONLINE — Go to: **JJKeller.com/LLPverify** Enter this code: **62816-102022**

To update your labor law posters contact J. J. Keller & Associates, Inc. JJKeller.com/laborlaw 800-327-6868

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