

Louisiana



LABOR LAW POSTINGS

Louisiana Labor Law Postings

Thank you for using GovDocs! This file contains the following state postings:

Name of Posting	Posting Code	Posting Requirements	Agency Responsible
Notice to Workers (Unemployment Benefits)	LLA01	All employers	LA Office of Employment Security
Notice of Compliance to Employees (Workers' Compensation)	LLA02	All employers	Workers' Compensation Administration
Minor Labor Law	LLA03	All employers	Department of Labor
Sickle Cell Anemia	LLA04	All employers	Civil Rights Bureau, Dept of Social Services
Workers' Compensation Fraud	LLA05	Recommended	Workers' Compensation Administration
Out-Of-State Motor Vehicles	LLA06	All employers	Louisiana Statute 47:501.1
Discrimination in Employment (Genetic Testing)	LLA07	All employers	Department of Labor
Equal Opportunity	LLA09	Required only if operation receives federal funds	Department of Labor
National Guard	LLA08	All employers	Department of Labor
Timely Payment of Wages	LLA10	All employers	Department of Labor
No Smoking Allowed	LLA12	All employers who prohibit smoking in and/or around business	Department of Labor
Age Discrimination	LLA13	All employers	Department of Labor, Office of Workforce Development
Earned Income Credit	LLA14	All employers	Department of Labor, Office of Workforce Development
Whistleblower Protection	LLA27	Employers who employ more than ten public employees in a single building	Department of Labor, Office of Workforce Development
Independent Contractor or Employee?	LLA28	All employers	Department of Labor, Workforce Commission
E-Verify	LLA30	All employers who participate in E-Verify IMPORTANT: DO NOT POST IF YOU DO NOT USE E-VERIFY	Dept of Homeland Security
E-Verify (Spanish)	LLA31	All employers who participate in E-Verify IMPORTANT: DO NOT POST IF YOU DO NOT USE E-VERIFY	Dept of Homeland Security
Right to Work	LLA32	All employers who participate in E-Verify IMPORTANT: DO NOT POST IF YOU DO NOT USE E-VERIFY	Dept of Justice
Right to Work (Spanish)	LLA33	All employers who participate in E-Verify IMPORTANT: DO NOT POST IF YOU DO NOT USE E-VERIFY	Dept of Justice

To Print and Post:

This file is print ready, according to size requirements from the issuing agency. To ensure compliance, print all postings as provided. Postings requiring different paper size and/or color print are noted below as exceptions. Please note: In some cases, individual postings are set up to print on multiple pages.

- 1.) This file is formatted to print each of the postings listed above on 8.5"x11" paper.
- 2.) For multiple-page postings, we recommend taping the pages together before displaying.
- 3.) Review each posting and its requirements carefully to check for applicability to your business.
- 4.) Postings applicable to your business should be made accessible to all employees (common display locations include an employee lounge, a break room, or a cafeteria).

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

Revised January 2009



www.laworks.net

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 to the right.

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.

Revised May 2003



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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 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

Revised August 18, 2011



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

Revised April 2010



www.laworks.net

Is someone you know **cheating** the system?



Everyone pays the price for
**Workers'
Compensation
Fraud**

**Nationwide Toll-Free
Fraud Hotline**

1.800.201.3362
(all information remains anonymous)



Louisiana
Workforce
Commission

www.LAWORKS.net

Office	225.342.7558
Fax	225.342.1880
Email	WCFraud@ldol.state.la.us

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

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

Revised July 2004



www.laworks.net

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

Revised April 2010





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.



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

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

LLA08



GovDocs
Print Date: 2/12

Equal Opportunity for All

Discrimination Has No Place

Equal opportunity is the law. It is against the law for recipients of Federal financial assistance to discriminate on the basis of the following:

1. Against any individual in the United States, on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief; and
2. Against any beneficiary of any program financially assisted under Title I of the Workforce Investment Act of 1998 (WIA) on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or on the basis of his/her participation in any Louisiana Workforce Commission (LWC) program or activity.

The recipient must not discriminate in any of the following areas:

1. Deciding who will be admitted or who will have access to any LWC financially assisted program or activity,
2. Providing opportunities in, or treating any person with regard to, such a program or activity,
3. Making employment decisions in the administration of, or in connection with, such a program or activity.

What to Do

If you think that you have been subjected to discrimination under a WIA Title I financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation.

If you elect to file your complaint with the State Equal Opportunity (EO) Officer or with this office, you must wait until the recipient issues a decision or until 90 days have passed, whichever is sooner, before filing with Civil Rights Center (CRC) (*see address to the right*).

If the state EO Officer or this office has not provided you with a written decision within 90 days of the filing of the complaint, you need not wait for a decision to be issued, but may file a complaint with CRC within 30 days of the expiration of the 90 day period. (In other words, within the 120 days after the day on which you filed your complaint with the recipient.)

If the State EO Officer or this office does give you a Written Notice of Final Action on your complaint, but you are dissatisfied with the recipient's resolution of your complaint, you may file a complaint with CRC. Such complaints must be filed within 30 days of the date you received the Written Notice of Final Action.

To file your complaint contact:
Louisiana Equal
Opportunity Officer
Compliance Programs Director
Louisiana Workforce
Commission
Post Office Box 94094
1001 North 23rd Street
Baton Rouge, LA 70804-9094
Phone (225) 342-3075
Fax (225) 342-7961
TDD 1-800-259-5154

Or you may file at this office:
Director of the
Civil Rights Center
U. S. Department of Labor
200 Constitution Avenue NW
Room N-4123
Washington, DC 20210

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

R.S. 23:314

Revised June 2009



www.laworks.net

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.

Complaints regarding this law may be directed to Attorney General, James D. “Buddy” Caldwell at 1-800-351-4889.

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

R.S. 23:633(D)

Revised January 2008



NO SMOKING



**Smoking is PROHIBITED in accordance with the
Louisiana Smoke-Free Air Act (Act 815).**

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

Revised April 2010



www.laworks.net

Earned Income Credit *EIC 2015*

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

If you make \$47,000* 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:

- \$47,747 (\$53,267 married filing jointly) with three or more qualifying children
- \$44,454 (\$49,974 married filing jointly) with two qualifying children
- \$39,131 (\$44,651 married filing jointly) with one qualifying child
- \$14,820 (\$20,330 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: <http://www.irs.gov/Credits-&-Deductions/Individuals/Earned-Income-Tax-Credit>

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

January 2015





WHISTLEBLOWER PROTECTION for Public Employees

FREEDOM FROM REPRISAL FOR DISCLOSURE OF IMPROPER ACTS – LSA-R.S. 42:1169

Louisiana law protects public employees who report information which they reasonably believe is a violation of any provision of law, or any other acts of impropriety related to the scope or duties of public employment, to their agency heads, the Louisiana Board of Ethics, or any person or entity of competent authority or jurisdiction. Any public employee who reports a potential violation shall be free from discipline or reprisal from his employer. This law (R.S. 42:1169) is enforced by the Louisiana Board of Ethics. A public employee who is wrongfully suspended, demoted, or dismissed due to the reporting of any act of wrongdoing shall be entitled to reinstatement of his employment, as well as the receipt of any lost income or benefits.

Who is a public employee?

A "public employee" means anyone, whether compensated or not, who is:

- (a) an administrative officer or official of a governmental entity who is not filling an elective office;
- (b) appointed by any elected official when acting in an official capacity, and the appointment is to a post or position wherein the appointee is to serve the governmental entity or an agency thereof, either as a member of an agency, or as an employee thereof;
- (c) engaged in the performance of a governmental function; or,
- (d) under the supervision or authority of an elected official or another employee of the governmental entity. R.S. 42:1102(18).

Pursuant to LSA-R.S. 42:1169G, this notice must be posted in a conspicuous place in each building where more than ten public employees are employed.

Penalties

Any person who violates this provision, by a majority vote of the Board of Ethics, may be censured, removed, suspended, demoted, or ordered a reduction in pay, or fined up to \$10,000, or both. R.S. 42:1169E & 42:1153.

Complaints and Inquiries

This information sheet is a summary of the law and does not fully reflect the law. In order to receive additional information as to the protections contained in R.S. 42:1169, please contact the staff of the Louisiana Board of Ethics at (225) 219-5600 or 1-800-842-6630. The complete text of R.S. 42:1169 may be viewed on the Board's website at www.ethics.state.la.us. Complaints must be in writing, signed, and filed with the Louisiana Board of Ethics at P.O. Box 4368, Baton Rouge, LA 70821.

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 inquiries.

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-(800)-201-3362**.

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 \$500 per 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

September 2012



www.laworks.net

This Organization Participates in E-Verify



This employer will provide the Social Security Administration (SSA) and, if necessary, the Department of Homeland Security (DHS), with information from each new employee's Form I-9 to confirm work authorization.

IMPORTANT: If the Government cannot confirm that you are authorized to work, this employer is required to give you written instructions and an opportunity to contact DHS and/or the SSA before taking adverse action against you, including terminating your employment.

Employers may not use E-Verify to pre-screen job applicants and may not limit or influence the choice of documents you present for use on the Form I-9.

To determine whether Form I-9 documentation is valid, this employer uses E-Verify's photo matching tool to match the photograph appearing on some permanent resident cards, employment authorization cards, and U.S. passports with the official U.S. government photograph. E-Verify also checks data from driver's licenses and identification cards issued by some states.

If you believe that your employer has violated its responsibilities under this program or has discriminated against you during the employment eligibility verification process based upon your national origin or citizenship status, please call the Office of Special Counsel at 800-255-7688, 800-237-2515 (TDD) or at www.justice.gov/crt/osc.

E-Verify Works for Everyone

For more information on E-Verify, please contact DHS:

888-897-7781

www.dhs.gov/E-Verify

NOTICE:

Federal law requires all employers to verify the identity and employment eligibility of all persons hired to work in the United States.



E-VERIFY IS A SERVICE OF DHS AND SSA

The E-Verify logo and mark are registered trademarks of Department of Homeland Security. Commercial sale of this poster is strictly prohibited.

Esta organización participa en E-Verify



Este empleador proporcionará a la Administración del Seguro Social (SSA, por sus siglas en inglés) y, de ser necesario, al Departamento de Seguridad Nacional (DHS, por sus siglas en inglés) la información incluida en el Formulario I-9 de todo empleado nuevo con el propósito de confirmar su autorización de trabajo.

IMPORTANTE: Si el gobierno no puede confirmar que usted tiene autorización para trabajar, el empleador debe suministrarle las instrucciones por escrito y darle la oportunidad de ponerse en contacto con DHS o SSA antes de sancionarlo de cualquier forma o finalizar la relación laboral.

Los empleadores no pueden utilizar E-Verify para realizar preselecciones de solicitantes y no pueden limitar ni influenciar la selección de los documentos que usted presente para su inclusión en el Formulario I-9.

Para determinar si los documentos incluidos en el Formulario I-9 son válidos, este empleador utiliza la técnica de comparación fotográfica para comparar la fotografía que aparece en las Tarjetas de Residente Permanente, Tarjetas de Autorización de Empleo y pasaportes de los EE. UU. con la fotografía oficial del gobierno de los EE. UU. Asimismo, E-Verify verifica los datos incluidos en licencias de conducir y tarjetas de identificación emitidas por algunos estados.

Si considera que su empleador ha infringido sus responsabilidades en virtud de este programa o lo ha discriminado durante el proceso de verificación de la elegibilidad de empleo por su origen nacional o estatus de ciudadanía, comuníquese con la Oficina del Consejero Especial llamando al 800-255-7688, 800-237-2515 (para personas con impedimentos auditivos) o visitando www.justice.gov/crt/osc.

E-Verify funciona para todos

Para obtener más información sobre E-Verify, comuníquese con DHS al:

888-897-7781

www.dhs.gov/E-Verify

AVISO:

La ley federal exige a todos los empleadores que verifiquen la identidad y la elegibilidad de empleo de todas las personas contratadas en los Estados Unidos.



E-VERIFY IS A SERVICE OF DHS AND SSA

El logotipo y la marca de E-Verify son marcas registradas del Departamento de Seguridad Nacional. Queda estrictamente prohibida la venta comercial de este afiche.

IF YOU HAVE THE RIGHT TO WORK, Don't let anyone take it away.



If you have the legal right to work in the United States, there are laws to protect you against discrimination in the workplace.

You should know that –

- In most cases, employers cannot deny you a job or fire you because of your national origin or citizenship status or refuse to accept your legally acceptable documents.
- Employers cannot reject documents because they have a future expiration date.
- Employers cannot terminate you because of E-Verify without giving you an opportunity to resolve the problem.
- In most cases, employers cannot require you to be a U.S. citizen or a lawful permanent resident.

If any of these things have happened to you, contact the Office of Special Counsel (OSC).

For assistance in your own language:
Phone: 1-800-255-7688 or
(202) 616-5594
For the hearing impaired:
TTY 1-800-237-2515 or
(202) 616-5525

E-mail: oscrt@usdoj.gov

Or write to:
U.S. Department of Justice – CRT
Office of Special Counsel – NYA
950 Pennsylvania Ave., NW
Washington, DC 20530

**U.S. Department of Justice
Civil Rights Division**

**Office of Special Counsel for
Immigration-Related Unfair
Employment Practices**



www.justice.gov/crt/about/osc

SI USTED TIENE DERECHO A TRABAJAR, no deje que nadie se lo quite.



Si usted tiene el derecho a trabajar legalmente en los Estados Unidos, existen leyes que lo protegen contra la discriminación en el trabajo.

Usted debe saber que:

- En la mayoría de los casos, los empleadores no pueden negarle un empleo o despedirlo debido a su país de origen o estatus migratorio, o negarse a aceptar sus documentos válidos y legales.
- Los empleadores no pueden rechazar documentos por que tienen una fecha de vencimiento futura.

- Los empleadores no pueden despedirlo debido a E-Verify, sin darle una oportunidad de resolver el problema.
- En la mayoría de los casos, los empleadores no pueden exigir que usted sea ciudadano estadounidense o residente legal permanente.

Si usted se ha encontrado en alguna de estas situaciones, contacte a la Oficina del Consejero Especial (OSC).

Para ayuda en su propio idioma:

Teléfono: 1-800-255-7688 o
202-616-5594

Para las personas con discapacidad auditiva:

TTY 1-800-237-2515 o
202-616-5525

E-mail: oscrt@usdoj.gov

O escriba a:

U.S. Department of Justice - CRT
Office of Special Counsel- NYA
950 Pennsylvania Avenue, NW
Washington, DC 20530

Departamento de Justicia de EE.UU.

División de Derechos Civiles

Oficina del Consejero Especial Para Prácticas Injustas en el Empleo Relacionadas a Inmigración



www.justice.gov/crt/about/osc