

LOUISIANA



LOUISIANA & FEDERAL LABOR LAW POSTER

EEOC - KNOW YOUR RIGHTS: WORKPLACE DISCRIMINATION IS ILLEGAL

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 (full-time and part-time), including managers and temporary employees

• Job applicants

• Union members and officials 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 federal EEOC laws, an employer may not discriminate against you regardless of your immigration status, on the basis of:

• Race

• Color

• National origin

• Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, gender identity)

• Age (40 and older)

• Disability

Genetic information (including employer requests for or purchase or use of genetic tests, genetic services, or family medical history)

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

Protected Veteran Status The Vietnam Era Veterans Readjustment Assistance Act of 1974 (VEVRAA), Title 3, prohibits employment discrimination against veterans, 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), and disabled spouses of veterans. Employment discrimination is prohibited against a person who files a complaint of discrimination, participates in an EOCPP proceeding, or otherwise opposes discrimination by Federal contractors under these laws. Affirmative action obligations under OFCCP's authorities should contact immediately.

The Office of Federal Contract Compliance Programs (OFCCP) protects applicants and employees of Federal contractors from discrimination based on inquiries about race, color, sex, national origin, disability, or age. Contractors are required to provide reasonable accommodation for qualified individuals with disabilities.

Asking About, Disclosing, or Discussing Pay Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiries about race, color, sex, national origin, disability, or age. Contractors are required to provide reasonable accommodation for qualified individuals with disabilities.

Employment Protection Act of 1978 Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure opportunity of equal 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 inquiries about race, color, sex, national origin, disability, or age. Contractors are required to provide reasonable accommodation for qualified individuals with disabilities.

Program of Activities Section 304 of the Rehabilitation Act of 1973, as amended, prohibits discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment, including hiring, promotion, pay, fringe benefits, job training, classification, referral, and other aspects of employment. To file a complaint of discrimination, please contact the Office of Civil Rights (OCR) by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor and OFCCPs "Contact Us" webpage at www.dol.gov/gis/ocrc/contact.

Race, Color, National Origin, Sex In addition to the protections of Title VI of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1966, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Discrimination is prohibited in all aspects of employment, including hiring, promotion, pay, fringe benefits, job training, classification, referral, and other aspects of employment. To file a complaint of discrimination, please contact the Office of Civil Rights (OCR) by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor and OFCCPs "Contact Us" webpage at www.dol.gov/gis/ocrc/contact.

Employee Polygraph Protection Act Certain employers are prohibited from requiring or requesting any employee to take a lie detector test or from discriminating, disciplining or terminating an employee or prospective employee for refusing to take a lie detector test. Employers are prohibited from requiring or requesting any employee to take a lie detector test or from discriminating, disciplining or terminating an employee or prospective employee for refusing to take a lie detector test.

Employers' Obligation to Display This Poster Where Employees and Job Applicants Can Read It

It is illegal to discriminate against authorized individuals. Employers CANNOT specify which documents they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination. For information, please contact

The Office of Special Counsel for Immigration Related Unfair Employment Practices Office at 800-255-7688.

ANTI-DISCRIMINATION NOTICE

It is illegal to discriminate against authorized individuals. Employers CANNOT specify which documents they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination. For information, please contact

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NO SMOKING NOTICE

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

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INDEPENDENT CONTRACTOR OR EMPLOYEE

ATTENTION ALL EMPLOYERS, 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 are not employed by the business that hired you OR is not performed on the business' premises; AND

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

Your employer must be able to show that you are 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:

• 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.

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

PAYMENT OF WAGES ACT

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 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.

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NATIONAL GUARD RESERVE RIGHTS

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

You have certain protected employment and re-employment rights, freedom from discrimination rights, and civil relief rights. Under 38 U.S.C. 4301 et seq. (USERRA) and 50 U.S.C. 3901 et seq. (SCRA) and state law R.S. 29:40 et seq. (MSRA), if you feel that you have been discriminated against or denied such rights on account of your service in the uniformed services, contact the Employer Support of the Guard and Reserve Committee at 1-800-333-4590, or log on to www.ESGR.mil or e-mail questions to questions@LAESGR.com.

ATTENTION GUARD AND RESERVE MEMBERS:

It is a violation of this law for employers to retaliate against anyone who asserts their rights under SCRA or MSRA. It is also a violation of this law for employers to discriminate against anyone who asserts their rights under SCRA or MSRA.

Independent Contractors:

• 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 misclassification of a worker as an independent contractor include:

• Fines of up to \$1,000 for each misclassified worker per instance.

• 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 Revised 2021

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Workers' Compensation Fraud

Fraud

To Report Workers' Compensation Fraud Contact

Louisiana Workforce Commission

Workers' Compensation Fraud

Office of Fair Housing

1-800-201-3362

(All information remains anonymous)

R.S. 23:621 Revised January 2009

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 Unemployment Fund and is required to contribute to the Trust Fund is deductible from your earnings.

Total Unemployment You may be eligible to receive unemployment compensation benefits provided:

1 You are unemployed.

2 You have registered for work.

3 You are able to work available for work, and actively conduct 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 at least equal to your weekly wage rate.

Disqualification You may be disqualified from drawing benefits on your claim if:

1 You have quit 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 employment.

3 You fail without good cause to: (a) apply for offered work, (b) accept suitable work when offered, or (c) return to work after being discharged for misconduct connected with your employment.

4 You have been discharged for the use of illegal drugs.

You may also be disqualified:

1 For purposes of unemployment compensation, 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.

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Federal Minimum Wage

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE \$7.25 BEGINNING JULY 24, 2009

Notice to Workers Your employer is subject to display this poster where workers pay for regular time for hours worked for pay rates of at least \$7.25 per hour.

Notice to Employers Your employer must pay non-exempt workers at least \$7.25 per hour for regular time worked.

Notice to Employees You are entitled to overtime pay for time worked over 40 hours in a week.

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Notice to Employers You must pay overtime pay for time

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NATIONAL GUARD RESERVE RIGHTS



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



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

SICKLE CELL 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.
 - (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, or other organization, against any individual, or for a labor organization, to discriminate against any member thereof or applicant for membership, because such individual has sickle cell trait.
- 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 any classification or referral for employment by such a labor organization, or relating to any classification or referral for employment by such an employment agency indicating any preference, limitation, specification, or discrimination based on sickle cell trait. Acts 1997, No. 1409, §1

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WORKERS' COMPENSATION FRAUD

Workers' compensation fraud is punishable by Louisiana law

The Louisiana Workforce Commission is working with law enforcement to find and prosecute Workers' Compensation Fraud.

WHAT IS WORKERS' COMPENSATION FRAUD

Common forms of workers' compensation fraud include:

- Faking an injury or illness in order to collect workers' compensation benefits
- Claiming that a work-related injury or illness is more severe than it really is
- Collecting workers' compensation benefits long after an injury has healed

These actions are illegal. Under the Louisiana Workers' Compensation law (Louisiana Revised Statutes, Section 23:1208), it is unlawful:

- For any person, for the purpose of counseling or defeating any workers' compensation benefit payment for themselves (himself) or another person, to willfully make a false statement or representation.
- For any person, either directly or indirectly, to aid and abet an employer or claimant or counsel an employer or claimant to willfully make a false statement or representation.

WHAT IS WORKERS' COMPENSATION FRAUD

Any person who violates these provisions of the Workers' Compensation law will be subject to punishment based on the value of the benefits or payment obtained. [L.R.S. Section 23:1208(C)]

\$10,000 or more: The person shall be imprisoned (with or without hard labor) for up to 10 years, fined up to \$10,000, or both. Between \$2,500 and \$10,000: The person shall be imprisoned (with or without hard labor) for up to 5 years, fined up to \$5,000, or both.

Less than \$2,500: The person shall be imprisoned (with or without hard labor) for up to 6 months, fined up to \$500, or both.

Any person who violates these provisions of the Workers' Compensation law may also be assessed civil penalties by the workers' compensation judge or not less than \$500 or more than \$5,000 and may be ordered to make restitution for benefits claimed or payments obtained through fraud. [L.R.S. Section 23:1208(D)]

Any employee who violates these provisions of the Workers' Compensation law will, upon determination by a workers' compensation judge, forfeit any right to compensation benefits. [L.R.S. 23:1208(E)]

EARNED INCOME CREDIT

Earned Income Credit EIC 2024

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

If you make \$60,000* 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:

- \$59,899 (\$6,819 married filing jointly) with three or more qualifying children
- \$55,768 (\$6,268 married filing jointly) with two qualifying children
- \$49,084 (\$5,604 married filing jointly) with one qualifying child
- \$18,591 (\$2,551 married filing jointly) with no qualifying children

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GENETIC DISCRIMINATION

Genetics in the Workplace Louisiana law forbids genetic discrimination and limits genetic testing in the workplace. Employers also must grant one day's leave of absence from work to obtain genetic testing or preventative care needed by employees. In addition, employers may not discriminate against employees for failing to take leave to obtain genetic testing or medical treatment to qualify under the definition of "genetic test".

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, therapeutic, or research purposes, or for genetic education or counseling.

If you believe you have been discriminated against, please contact the Louisiana Commission on Human Rights at (225) 342-6969, or E-mail at LCHR@la.gov. This notice must be posted in a conspicuous place, setting forth information to effectuate this purpose. R.S. 23:302; R.S. 23:336, 369, and 370

Revised August 2023



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Please post in a conspicuous place. Date Posted:
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CHILD LABOR LAWS

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 produced a certificate of enrollment 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.
- After work hours begin at 7:00 p.m. and end after 7:00 a.m., except from June 1 through Labor Day, when evening hours are extended to 9 p.m.

No minor under the age of 16 years may be employed, permitted, or suffered to work for any five hour period without one interval of at least thirty minutes within such period for meals. Such interval shall not be included as part of the working hours of the day.

There are no time standards for minors 16 and 17 years of age regarding the number of hours worked per day or per week; however, minors shall receive an eight hour rest break at the end of each work day, before the commencement of the next day work.

For purposes of the following items, a day during which school is in session will be 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. Mining, 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, or reduction works, smelters, foundries, power houses, 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 meat processing 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 225-249-2989.)

11. In the operation of passenger or freight elevators or hoisting machines;

12. In spray painting, holding or spraying any explosive or 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 which has a duly issued retail dealer's alcoholic beverage permit or license, or which is the holder of a public beverage permit, shall constitute the main business of the establishment if such employee, 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 than 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 access 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 provision 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 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.

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R.S. 23:241

Revised June 2024

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.

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November 2021

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Rev. 05-08

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Rev. 05-08

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R.S. 23:633(D) Revised January 2024

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En la guardia nacional, reservista, y/o en servicio activo?

Usted tiene cierta protección de su trabajo o derechos para ser reemplazado, libre de discriminación a sus derechos, y ayuda a derechos civiles. Bajo la ley estatal y federal, si usted siente que ha sido objeto de discriminación o sus derechos han sido negados sin tener en cuenta sus servicios en la carrera militar o de uniformado, contacte la oficina de apoyo al empleador de la Guardia y Comité de Reserva al 1-800-336-4590, o puede ir a la página de internet www.ESGR.mil o puede mandar sus preguntas a questions@LAECSR.com.



Honrando a su servicio.



Apojar a los uniformados, y poner éste anuncio en un lugar visible como la ley estatal lo requiere.



Programa de Igual Oportunidad de Trabajo. Servicios auxiliares están habilitados si usted lo solicita para personas o individuos con incapacidades. 1-800-259-5154 (TDD)

DISCRIMINACIÓN POR CARACTÉRISTICAS DE CÉLULAS ENFERMIZAS

Excepciones en la Prohibición de discriminación por características de células enfermizas

- (1) Fumar, fumar marihuana, o cualquier persona o individuo o de alguna forma discriminar contra cualquier persona o individuo con respecto a su compensación, términos, condiciones, o privilegios de empleos, porque dicho individuo tiene alguna característica o rastro de enfermedad.
- (2) Limitar, segregar, o clasificar los empleados en cualquier forma que sea una discriminación contra cualquier persona o individuo, o de alguna forma discriminar contra cualquier persona o individuo con respecto a su compensación, términos, condiciones, o privilegios de empleos, porque dicho individuo tiene alguna característica o rastro de enfermedad.
- (3) Reducir el salario de cualquier empleado de manera que se pueda conformar con las provisiones aquí listadas.
- B. Está fuera de la ley que una agencia de empleos falle o falle de referir o se refiera para trabajo, o de otra forma discrimine en contra de cualquier persona o individuo porque dicho individuo tiene características enfermizas, o el clasificar o referir a cualquier persona o individuo en base a dicho que individuo tiene características de células enfermizas.
- C. Está fuera de la ley que una organización laboral se comprometa en cualquiera de las siguientes prácticas:
- (1) Excluir o expulsar de una membresía, o de otra manera discriminar contra, cualquier persona o individuo por el motivo de características o rasgos de células enfermizas.
- (2) Limitar, Segregar, o clasificar la membresía, o clasificar o faltar el

Un Programa de Igual Oportunidad de Trabajo. Servicios auxiliares están habilitados si usted lo solicita para personas o individuos con incapacidades. 1-800-259-5154 (TDD)

El fraude a la compensación laboral es castigable por la ley de Louisiana

La Comisión de Labor de Luisiana está trabajando con las fuerzas del orden público para determinar y procesar el Fraude a la Compensación Laboral.

QUÉ ES EL FRAUDE A LA COMPENSACIÓN LABORAL?

Las formas comunes de fraude a la compensación laboral incluyen:

- fingir una lesión o enfermedad para cobrar los beneficios de compensación laboral
- afirmar que una lesión, que ocurrió en otro lugar, ocurrió en el lugar de trabajo
- Cobrar los beneficios de compensación laboral mucho después de que una lesión se haya curado

Estas acciones son ilegales. Según la ley de compensación laboral de Luisiana [Estatutos Revisados de Luisiana, Sección 23:1208], es ilegal:

- Que cualquier persona, con el propósito de asustar o obtener cualquier pago de beneficios de compensación laboral para sí misma(o) u otra persona, intencionalmente haga declaraciones o representaciones falsas
- Que cualquier persona, ya sea directa o indirectamente, ayude e instigue a un empleador o demandante a un empleador o demandante a hacer intencionalmente una declaración o representación falsa.

Qué le puede pasar?

Toda persona que viola estas disposiciones de la ley de compensación laboral estará sujet a un castigo basado en el valor de los beneficios o pagos obtenidos. [L.R.S., Sección 23:1208(C)]

\$10,000 o más: La persona será encarcelada (con o sin trabajos forzados) por hasta 10 años, multada con hasta \$10,000, o ambos.

Entre \$2,500 y \$10,000: La persona será encarcelada (con o sin trabajos forzados) por hasta 5 años, multada con hasta \$5,000, o ambos.

Menos de \$2,500: La persona será encarcelada (con o sin trabajos forzados) por hasta 6 meses, multada con hasta \$5,000, o ambos.

Toda persona que viola estas disposiciones de la ley de compensación laboral también puede ser sancionada civilmente por el juez de compensación laboral por no menos de \$500 ni más de \$5,000 y se le puede ordenar que haga una restitución por los beneficios reclamados o los pagos obtenidos mediante fraude. [L.R.S. 23:1208(E)]

Todo empleado que viola estas disposiciones de la ley de compensación laboral, tras la determinación de un juez de compensación laboral, perderá cualquier derecho a los beneficios de compensación. [L.R.S. 23:1208(E)]

CREDITOS POR INGRESOS GANADOS EIC 2024

Aviso a los empleados sobre Créditos de Impuestos Federales Ganados (EIC)
Si usted gana \$60,000.00 o menos, su empleador debe notificarse al momento de contratarlo de la disponibilidad potencial de ganar créditos por Impuesto sobre Renta o créditos anticipados por ingresos ganados. Créditos por ingresos ganados son reducciones en el impuesto federal responsabilidad por la cual usted puede ser elegido si usted tiene ciertos requisitos. Información adicional y formularios para estos programas pueden ser obtenidos a través de su empleador o a través del Servicio Interno de Rentas (IRS).

*El ingreso del trabajo y el ingreso bruto ajustado (AGI) deben ser cada uno menos de:

- \$59,899 (\$66,819 para matrimonios que reportan juntos) con tres o mas hijos que califiquen
- \$55,768 (\$62,688 para matrimonios que reportan juntos) con dos o mas hijos que califiquen
- \$49,084 (\$56,004 para matrimonios que reportan juntos) con un solo hijo que califica
- \$18,591 (\$25,511 para matrimonios que reportan juntos) sin hijos que califiquen

Visite el IRS en la web en www.irs.gov o llame gratis al 1-800-829-1040.

Todo empleador debe mantener en un lugar visible en o cerca de los lugares donde cualquier trabajador es empleado, una copia impresa o resumen de las leyes laborales las cuales el Secretario pueda designar, en un formato proporcionado por el Secretario.

R.S. 23:15, 23:1018.2
Revisado en Julio de 2024

DISCRIMINACIÓN GENÉTICA

Genética en el lugar de trabajo la ley de Louisiana prohíbe la discriminación genética y limita las acciones genéticas en el lugar de trabajo. Los empleadores deben otorgar un día de licencia del trabajo para obtener pruebas genéticas o pruebas preventivas de cancer. Los empleados deben proporcionar al menos 15 días de anticipación antes de la licencia y hacer un esfuerzo razonable para programar la licencia para no interrumpir indebidamente las operaciones del empleador. No se requiere que un empleado comparta los resultados de las pruebas genéticas o una prueba preventiva de cancer con el empleador. El empleador no está obligado a proporcionar licencia para la licencia, pero permita que el empleado use las vacaciones acumuladas para la licencia apropiada.

Definiciones: Los términos clave se utilizan para establecer la discriminación genética específica y las protecciones de privacidad. Son los siguientes:

1. El "monitoreo genético" es el examen periódico de los empleados para evaluar los cambios en su material genético que pueden haberse desarrollado en el curso del empleo debido a la exposición a sustancias tóxicas en el lugar de trabajo.

2. Los "servicios genéticos" se definen como servicios de salud prestados por obtener, evaluar o interpretar información genética con fines diagnósticos o terapéuticos, o para educación o asesoramiento genético.

3. "Prueba genética" es el análisis del ADN humano; ARN, cromosomas y arqueíos o relacionados con enfermedades somáticas con fines clínicos. Debe ser generalmente aceptado en las comunidades científica y médica para calificar bajo esta definición.

4. Por "organización colectiva" se entiende cualquier organización que exista con el propósito de negociar colectivamente con los empleadores en relación con quejas,

Sí cree que ha sido discriminado, comuníquese con la Comisión de Derechos Humanos de Luisiana al (225) 342-0900, o visítenos en www.louisiana.gov/page/lchr. L.R.S. 51:2231(c) Este aviso debe publicarse en un lugar visible, establecido en la información para efectuar este propósito. R.S. 23:32; R.S. 23:38, 309 y 370



Anuncios Publicitarios Sobre la ley Laboral del Menor en Louisiana

Título 23, Capítulo 3 del Estatuto Revisado de 1950

Como fue Enmendado

Ningún menor de 18 años debe ser contratado hasta que el empleador halla obtenido o tenga en sus archivos un certificado de trabajo para dicho menor, el cual es facilitado por la ciudad o el superintendente escolar de la parroquia. Ningún menor de 14 años debe ser empleado, permitir o ser obligado a trabajar, excepto cuando este condicionado en RS 23:151.

Jovenes de 14 a 17 años deben ser autorizados a trabajar en el horario escolar en variadas horas que no sean fábricas, minería, o trabajos peligrosos bajos las siguientes condiciones, si no es más que:

- 3 horas en un día de escuela o 10 horas en una semana de escuela.
- 8 horas en un día sin escuela o 40 horas en una semana sin escuela.

Tambien, la jornada laboral no puede empezar antes de las 7 a.m. o terminar después de las 7 p.m., excepto a partir del 1 de junio hasta el día del trabajo, cuando las horas de la tarde se extienden hasta las 9 p.m.

Ningún menor de 16 años debe ser empleado, permitido, o obligado a trabajar por cualquier periodo de 5 horas sin tener intervalos de por lo menos 30 minutos teniendo el mismo periodo de tiempo por las comidas. Dicho intervalos de tiempo no deben ser incluidos como parte de las horas de trabajo del dia.

No hay ninguna norma de tiempo para menores de 16 y 17 respectivo al numero de horas que tradjen por dia o por semana, sin embargo, los menores deben recibir un periodo de descanso de 8 horas al finalizar cada dia de trabajo, antes de comenzar a trabajar al siguiente dia.

Para efecto de los sistemas temporales, el dia durante el cual la escuela este en periodo de vacaciones o clausura será considerado como tal por el superintendente del distrito escolar donde el menor reside.

1. Ningún menor de 16 años que no se a graduado de la escuela superior deberá ser empleado, o permitido, o obligado a trabajar durante las horas de 11:00 a.m. a 5:00 a.m. posterior al comienzo de cualquier dia de escuela.
2. Ningún menor de 17 años que no se a graduado de la escuela superior deberá ser empleado, o permitido, o obligado a trabajar durante las horas de 12:00 a.m. a 5:00 a.m. posterior al comienzo de cualquier dia de escuela.
3. Ningún menor de 16 años que no se a graduado de la escuela superior, deberá ser empleado, o permitido, o obligado a trabajar durante las horas de 7:00 a.m. a 7:00 a.m. posterior al comienzo de cualquier dia de escuela o entre las horas de 9:00 p.m. y 7:00 a.m. de cualquier dia, excepto el dia de junio hasta el Dia del Trabajo, que duran durante tiempos las horas permisibles se han extendido hasta las 9:00 p.m.
4. Ningún menor de 16 años deberá ser empleado, permitido o obligado a trabajar mas de tres horas cada dia en cualquier dia durante el periodo escolar, no mas de 18 horas en cualquier semana cuando la escuela este en periodo de clases.

Empleos Prohibidos

Menores (excepto aquellos contratos de aprendizaje de acuerdo al capitulo del Estatuto Revisado, Título 23) no deberán ser empleado, permitido o obligado a trabajar en las siguientes ocupaciones:

1. Engrasar, limpiar, lavar, enjuagar maquinaria o flechas, o aplicar fajas a poleas;
2. En cercas de alambre, o en cercas de alambre;
3. En la fabricación de explosivos o pólvora;
4. En el cerca de fábricas donde se fabrican explosivos o artículos que contienen componentes explosivos o pólvora, en el uso o transportando los mismos;
5. En cerca de plantas donde se trabaja con hierro o acero, trabajos de minerales, fundición, forja, hornos calientes, o cualquier otro lugar en donde se trabaje en fundición de metales;
6. En operar maquinaria usadas en talleres de laminación de metales pesados, o manejar maquinaria pesada para empujar, estampar, doblar, trastimar, cepillado de metales;
7. Cerca de aserraderos o tornos;
8. Operar maquinaria para trabajos de carpintería, o sierras circulares;
9. En la fabricación de latas;
10. Como chofer de cualquier tipo de vehículo motorizado en una carretera pública si tiene 16 años o mas jóvenes Menores de 17 años o de mas edad pueden ser empleados, permitir, o ser obligados a trabajar como choferes de un vehículo automotor solamente bajo ciertas restricciones. **[Para una explicación sobre estas restricciones, contacte a la Comisión de la Fuerza Laboral de Louisiana en los números 225-219-2989.]**

11. En operar vehículos de pasajeros o elevadores de carga o montacargas;

12. En pinturas de aerosol o en oficinas en donde puedan exponerse o llevarlos a espacios donde se manejen gases y químicos peligrosos y venenosos;

13. En la fabricación de lana, o en la fabricación de telas donde se use bebidas alcohólicas constituye el negocio principal, como es definido en R.S. 26:241, solamente que el menor es un músico tocando como parte de una banda en el local bajo un contrato por escrito por un periodo de tiempo específico y bajo la supervisión directa de sus padres o guardian legal durante dicha tiempo. Cualquier lugar o establecimiento que este debidamente autorizado y reconocido y que tenga un permiso o licencia para vender bebidas alcohólicas, por lo consiguiente la venta de bebidas alcohólicas constituye el negocio principal del establecimiento es posible que pueda emplear cualquier menor de edad en donde en donde el empleado menor de edad no esté involucrado en el local o predio.

14. En cualquier otro lugar de empleo o en cualquier otra ocupación en donde el Director de Desarrollo de la Fuerza Laboral deba, después de una audiencia pública determinar que allí donde se trabaja en la dirección mostrada a la Fuerza Laboral o en la dirección mostrada a la Comisión de la Fuerza Laboral, que el menor es de edad no esté involucrado en la vida, salud, seguridad o estado de dichos menores.

Violaciones Específicas: Penalidades

Cualquier persona que:

1. Emplee, permita, o obligue a un menor de edad a trabajar en violación a esta condición; O
2. Rehusar el acceso o admisión al Director de Desarrollo de la Fuerza Laboral o sus representantes autorizados al predio donde menores de edad son empleados, o a la dirección mostrada a la Comisión de la Fuerza Laboral o su representante para establecer que el Director de Desarrollo de la Fuerza Laboral o su representante puedan realizar sus obligaciones; O
3. Esconder o ayudar a un menor de edad escape de su aviso o de su oficial encargado con el cumplimiento de esta condición o estipulación; O
4. Violar cualquier otra condición de esta parte la cual no existe penalidad, deberá ser multada con una cantidad no menor de cien dólares (\$100.00) y no mayor de quinientos dólares (\$500.00), o encarcelamiento por un periodo no menor de 30 días y no mayor de seis meses, o ambos.
5. Cualquier persona que viola estas condiciones deberá, adicionamente de la pena criminal arriba mencionada, estar expuesta a una penalidad civil que no excede quinientos dólares (\$500.00) por violación en que incurra.

Continuación de Violaciones: Penalidades

Cada dia Durante el cual continúa violando cualquiera de estas estipulaciones deberá constar como una **ofensa separada** y el empleador deberá pagar una multa menor con respecto a la violación anterior con respecto a la violación actual.

Reporte de una Lesión Usted deberá reportar a su empleador cualquier enfermedad o lesión que se manifieste en su cuerpo o que sea causada por su trabajo o que sea causada por su empleo.

Entrenamiento y Capacitación Los empleadores de Luisiana tienen el deber de adaptarse razonablemente a las limitaciones físicas de una empleada causadas por su embarazo, a menos que el empleador pueda demostrar que la adaptación representaría una dificultad excesiva para el funcionamiento de su negocio. Los "ajustes razonables" pueden incluir, entre otros:

- Hacer que las instalaciones existentes sean fácilmente accesibles y utilizables por un solicitante o empleado con limitaciones cubiertas;
- Proporcionar períodos de descanso compensados programados y más frecuentes o más prolongados;
- Proporcionar descansos para ir al baño más frecuentes;
- Proporcionar un lugar privado, que no sea un baño, con el propósito de que el empleado pueda usarlo;
- Modificar la política de alimentos o bebidas;
- Proporcionar asientos o permitir que el empleado se siente con más frecuencia si el trabajo requiere que el empleado se pare;
- Asistencia con el trabajo manual y los límites de elevación;
- Transferir temporalmente al empleado a un puesto vacante menos extenuante o peligroso, si está calificado;
- Proporcionar reestructuración del trabajo o tareas livianas, si está disponible;
- Adquirir o modificar equipos o dispositivos necesarios para realizar funciones laborales esenciales; o
- Modificar horarios de trabajo.

Obligaciones del Empleador Al abordar el embarazo, el paro o la afeción médica relacionada de un empleado, los empleadores de Luisiana no pueden:

- Negarle licencia de trabajo;
- Discriminarla en compensación o en términos, condiciones o privilegios de empleo;
- Negarle los mismos beneficios y privilegios de empleo otorgados a otras personas que no están embarazadas, incluida la tasa de licencia por discapacidad o enfermedad disponible para empleados temporalmente desaparecidos;
- Denegar licencia por un periodo de tiempo razonable;
- Negarse a transferirla a un puesto menos extenuante o peligroso, si así se solicita y si existe una política, práctica o convenio colectivo que autorice dicha transferencia;

Los proveedores de Compensación de la Fuerza Laboral de Luisiana, se encargan de administrar la licencia por discapacidad temporal para empleados de Luisiana.