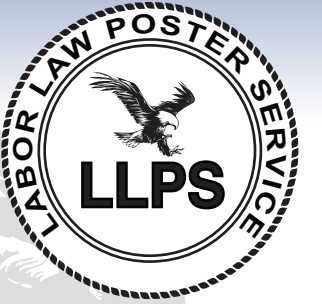


2011

# Louisiana Posting Requirements



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## 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, at 1-800-351-4889.

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

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

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## OUT-OF-STATE MOTOR VEHICLES

### Duties of employees and employers

- 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.
- 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.
- 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.

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## IF YOU ARE IN THE NATIONAL GUARD, RESERVES, OR ON ACTIVE DUTY,

you have certain protected employment and reemployment 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 email questions@LAESGR.com

*... because you're protecting us ...*

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

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DEPARTMENT OF LABOR



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

## SMOKING

Pursuant to Louisiana Revised Statute 40:1300.261, "No Smoking" signs or the international "No Smoking" symbol consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it shall be clearly and conspicuously posted by the owner, operator, manager, or other person in control in every public building, public place, and place of employment where smoking is prohibited by this Part. The owner, operator, manager, or other person in control shall remove all ashtrays from any area where smoking is prohibited by this Part. The Department of Health and Hospitals may treat a violation of this Section as a deficiency to be assessed against any licensee or facility over which it has statutory jurisdiction.



## EARNED INCOME CREDIT

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

If you make \$43,000\* 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.

#### \* 2011 income limits for eligibility are

- \$43,998 (\$49,078 for married filing jointly) with three or more qualifying children
- \$40,964 (\$46,044 for married filing jointly) with two qualifying children
- \$36,052 (\$41,132 for married filing jointly) with one qualifying child
- \$13,660 (\$18,740 for married filing jointly) with no qualifying children

#### Advance Payments of EITC Eliminated

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 during any tax year must file a tax return to report the payments even if they owe no tax or will not get a refund. If you received advance payments of EIC in 2010, you must file Form 1040 or Form 1040A to report the payments. Your Form W-2, box 9, will show the amount you received. Report the amount on line 59 (Form 1040) or line 36 (Form 1040A). If filing Form 1040, check box (a) on line 59.

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.

Visit the IRS on the Web at www.irs.gov

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

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## 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:

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

### DISQUALIFICATION

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

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

### You may also be disqualified:

- 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.

- 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.
- 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.

## 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.

No minor under the age of 16 years shall be employed more than 8 hours in any one day, nor more than six consecutive days in any one week, nor more than 40 hours in any one week.

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.*

- No minor 16 years of age who has not graduated from high school shall be employed, or permitted, or suffered to work between the hours of 11:00 p.m. and 5:00 a.m. prior to the start of any school day.
- No minor 17 years of age who has not graduated from high school shall be employed, or permitted, or suffered to work between the hours of 12:00 a.m. and 5:00 a.m. prior to the start of any school day.
- No minor under 16 years of age who has not graduated from high school shall be employed, or permitted, or suffered to work between the hours of 7:00 p.m. and 7:00 a.m. prior to the start of any school day, or between the hours of 9:00 p.m. and 7:00 a.m. on any day.
- 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:

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

- 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.)**

- In the operation of passenger or freight elevators or hoisting machines;
- In spray painting or in occupations involving exposure to lead or its compounds, or to dangerous or poisonous dyes and chemicals;
- 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.
- 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:

- Employs, permits, or suffers a minor to work in violation of the provision of this part; or
- Refuses to the Director of Workforce Development or her authorized representatives admission to the premises where minors are employed, or otherwise obstructs the Director of Workforce Development or her representatives in the performance of their duties; or
- Hides or causes any minor to escape or gives him warning of the approach of any officer charged with the enforcement of the provisions of this Part; or
- Violates any other provisions of this Part for which a penalty is not otherwise provided, shall be fined not less than one hundred dollars (\$100) nor more than five hundred (\$500), or imprisoned for not less than thirty (30) days nor more than six months, or both.
- 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**.

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