

FED **EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT**

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

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

OVERTIME PAY
At least 1 1/2 times the regular rate of pay for all hours worked over 40 in a workweek.

CHILD LABOR
No employee may be hired by a non-farm job and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youth 14 and 15 years old may work outside school hours in various non-hazardous, non-mining, non-hazardous jobs with certain work restrictions. Different rules apply to agricultural employment.

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

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

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

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

REV. 07/2016

FED **YOUR RIGHTS UNDER USERRA**

THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

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

REEMPLOYMENT RIGHTS
You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:
- you ensure that your employer receives advance written or verbal notice of your service;
- you have five years or less of cumulative service in the uniformed services while with that particular employer;
- you return to work or apply for employment in a timely manner after conclusion of service; and
- you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION
If you:
- are a past or present member of the uniformed service;
- have applied for membership in the uniformed service; or
- then an employer may not deny you:
- initial employment;
- promotion or other benefit of employment;
- reemployment;
- reinstatement in employment;
because of this status.

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

REV. 04/2017

FED **EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT**

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

LEAVE ENTITLEMENTS
Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:
- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child; leave must be taken within 1 year of the child's birth or placement;
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

BENEFITS & PROTECTIONS
While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave. After return from FMLA leave, most employers must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

ELIGIBILITY REQUIREMENTS
An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave.
- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave; and

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

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

REV. 04/2016

LA **Minor Labor Law Placard**

Title 23, Chapter 3 of Revised Statutes of 1950 as Amended

No minor under the age of 18 years shall be employed until the employer has procured and has on the employment certificate for each minor employed 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.23:51.

Youths 14 and 15 years old may work outside school hours in various non-hazardous, non-mining, non-hazardous jobs with certain work restrictions. In 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 an 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 minor.

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's work.

Specific Violations - Penalty
Any person who:
1. Employs, permits or suffers a minor to work in violation of the provision of this part;
2. Refuses to the director of education or authorized representative of admission to the premises wherein minors are employed, or refuses to furnish information to the director of education or representative in the performance of his duties;
3. Hides or causes any minor to escape or gives warning of the approach of any other charged with the enforcement of the provision of this part;
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.

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.

LA 08/18/2011

LA **Independent Contractor or Employee?**

ATTENTION ALL EMPLOYEES, EMPLOYERS, INDEPENDENT CONTRACTORS AND SUBCONTRACTORS:

The law says that you are an employee unless:
- You are free from direction and control in performing your job; AND
- You perform work that is not part of the usual work done by the business that you do not perform on the business's premises; AND
- You are customarily engaged in an independently established trade, occupation, profession or business.

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

Employer Rights:
If you are an employer, you are entitled to:
- Employment benefits, if unemployed through no fault of your own, able to work, and meet other eligibility requirements;
- Worker's Compensation benefits for on-the-job injuries.

Employee Rights:
If 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, you want to file a complaint, call the Louisiana Workforce Commission at 1-800-259-5154 (TDD)

LA 09/2021

FED **Equal Employment Opportunity is THE LAW**

Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases:
- RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN
- DISABILITY
- AGE
- GENETICS

Discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Title VII of the Civil Rights Act of 1964, as amended, prohibits sex discrimination in the payment of wages to women and performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment.

Genetics
Title I of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

Retaliation
All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice.

WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED
There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately do so, you should contact EEOC promptly when discrimination is suspected. The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at www.eeoc.gov in most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at www.eeoc.gov.

Prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

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

LA 11/2009

LA **Genetic Discrimination**

Genetics in the Workplace

Genetics in the Workplace
Louisiana law forbids genetic discrimination and limits genetic testing in the workplace.

Definitions
Key terms are used to establish genetic discrimination and privacy protections. They are as follows:
1. "Genetic monitoring" is the periodic examination of employees to evaluate changes in 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.
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 genes or karyotypes for clinical purposes.
4. "Protected genetic information" is information about the genetic test of an individual or of an individual's family members, or the occurrence of a disease, or medical condition or disorder in family members of the individual.

Non-discrimination
Louisiana law also provides that an employer, labor organization or employment agency shall not discriminate on the basis of protected genetic information, and

LA 04/2010

LA **Earned Income Credit EIC 2021**

Notice of Employee Federal Earned Income Tax Credit (EIC)

If you make \$15,000 or less, your employer should notify you of the time of filing the potential availability of Earned Income Tax Credit and 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:
- \$51,464 (\$51,414 married filing jointly) with three or more qualifying children
- \$47,915 (\$55,865 married filing jointly) with two qualifying children
- \$42,158 (\$48,108 married filing jointly) with one qualifying child
- \$15,950 (\$21,900 married filing jointly) with no qualifying children.

The tax provisions of the American Rescue Plan Act of 2021, signed into law on March 11, 2021, are under review and may affect the EITC. If you need more information regarding the EITC or to check on updates, you should contact the IRS at 1-800-829-1040 or visit www.irs.gov. Additional EITC information are also available at the IRS EITC Home page: <https://www.irs.gov/credits-credits-credits/credits/irswebsite-tax-credit-eic>. Visit the IRS website at www.irs.gov or call toll-free at 1-800-829-1040.

Employer should keep this copy posted in a conspicuous place, or about the premises wherein any worker is employed, a printed copy or abstract of those labor laws which the Executive Branch may designate, in a form to be furnished by the Executive Branch.

LA 03/2021

FED **EMPLOYEE RIGHTS**

EMPLOYEE POLYGRAPH PROTECTION ACT

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

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

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

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

LA 11/2009

LA **Sickle Cell Trait Discrimination**

Prohibition of sickle cell trait discrimination; exceptions

any individual, or for a labor organization to discriminate against any member thereof or applicant for membership because of such individual's membership, 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 hereof.

Investigation, proceeding, or litigation under the provisions hereof:
1. 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.
2. Reduce the wage rate of any employee in order to comply with the provisions hereof.
3. Cause or attempt to cause an employee to discriminate against an individual in violation of the provisions hereof.

LA 04/2010

LA **Unemployment Insurance**

Notice to Workers

Your employer is subject to the Louisiana Employment Security Law and is required to post this notice in a conspicuous place. Your employer has contributed to the Louisiana Trust Fund from which benefits are paid. No amount of contributions to the Trust Fund is deductible from your earnings.

Total Unemployment
You may be eligible to receive unemployment insurance benefits provided:
1. You are unemployed.
2. You have registered for work.
3. You are able to work, available for work, and actively conducting a search for work.
4. You have been paid wages by employers subject to the Louisiana Employment Security Law during your base period in an amount sufficient to qualify you under the law.

Disqualification
You may be disqualified from drawing benefits on your claim if:
1. You have left work voluntarily without good cause attributable to a substantial change made to the employment by the employer.
2. You have been discharged for misconduct connected with your work.
3. You fail without good cause to: (a) apply for available suitable work; (b) accept suitable work without undue delay; (c) return to work to customary self-employment when directed.
4. You have been discharged for the use of illegal drugs.

LA 01/2009

FED **EMPLOYEE RIGHTS**

EMPLOYEE POLYGRAPH PROTECTION ACT

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

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

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

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

LA 11/2009

LA **Pregnancy Rights of Employees**

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

Reasonable Accommodations
Louisiana employers have a general duty to reasonably accommodate an employee's physical limitations caused by the pregnancy, unless the employer can demonstrate the accommodation would pose an undue hardship on the operation of its business. Reasonable accommodations may include:
- Making existing facilities readily accessible and usable by an applicant or employee with covered limitations;
- Providing scheduled and more frequent or longer compensated break periods;
- Providing a private restroom break;
- 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 work position, if qualified;
- Providing job restructuring or light duty, if available.

LA 01/2016

LA **Workers' Compensation**

Reporting Injury
You should report to your employer any occupational disease or personal injury that is work-related, even if it does not seem to be minor.

Occupational Disease or Death
In case of 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.

Filing Notice
In case of injury or death caused by a work-related accident, an injured employee or a 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, the employer may 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.

LA 05/2003

OSHA Occupational Safety and Health Administration

Job Safety and Health IT'S THE LAW!

All workers have the right to:
- A safe workplace.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.

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

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

Two ways to verify poster compliance!
QR CODE
OR
ONLINE
Go to: Jkeller.com/LLPverify
Enter this code: 62816122021

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

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

Contact OSHA. We can help.

This poster is available free from OSHA.

LA 04/2016

LA **Timely Payment of Wages**

Your employer has a duty to inform you at the time of your work that your wage rate will be how, how often you will be paid and how you will be paid, and of any other wage benefits.

If your employer should, for reasons within his control, fail to pay you according to that agreement, you must first lodge a complaint with you.

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

LA 01/2016

LA **Out-of-State Motor Vehicles**

Duties of employees and employers

A. Any person who is a resident of a state which requires registration in that state within thirty days of acquisition of a motor vehicle or motor vehicles of a person who is employed in that state within thirty days of acquisition of a motor vehicle or motor 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 Section A of this Section. The notice shall be by direct communication of the employee and by posting 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.

LA 07/2004

LA **Age Discrimination**

The prohibitions herein listed shall be limited to individuals who are at least forty years of age.

A. It is unlawful for an employer to engage in any of the following practices:
1. Fail or refuse to hire, or to discharge, any individual or otherwise discriminate against any individual with respect to his compensation, 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 hereof.
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 to refer or refer to for employment any individual in any way which would deprive or tend to deprive any individual of employment opportunities, or otherwise adversely affect his status as an employee or as an applicant for employment, because of the individual's age.
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 of the individual's membership or membership in an organization which has a policy or practice which discriminates against individuals on the basis of their age.

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 organization agency including 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, when 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 hereof 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.

LA 04/2010