

# LOUISIANA Labor Laws

### Child Labor

#### Workforce Commission 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 coopeage stock mills;

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REV. 08/18/2011

### Motor Vehicles

#### Workforce Commission 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

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REV. 07/2004

### National Guard

#### Workforce Commission National Guard (ESGR) State Mandated Poster

**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](http://www.ESGR.org), or e-mail questions to [questions@LAESGR.com](mailto:questions@LAESGR.com).

**Honoring your service.**

**ESGR EMPLOYER SUPPORT OF THE GUARD AND RESERVE**  
Support your uniformed services, and place this poster in a conspicuous place as required by law.

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

### Independent Contractor

#### Workforce Commission 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 you work.**

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

**Employee Rights:**

If you are an employee, you are entitled to:

- Unemployment benefits, if unemployed through no fault of your own, able to work, and meet other eligibility requirements.
- Workers' Compensation benefits for on-the-job injuries.

It is a violation of this law for employers to retaliate against anyone who asserts their rights under the law. Retaliation subjects an employer to civil penalties, a lawsuit or both. If you have questions about whether you are an employee or independent contractor, or you want to file a complaint, call the Louisiana Workforce Commission Fraud Hotline at 1-(833)-708-2866 or email [UITaxfraud@twc.la.gov](mailto:UITaxfraud@twc.la.gov).

**Independent Contractors:**  
If you are an independent contractor, you must pay all taxes required by Louisiana and Federal Law.

**Employer Consequences:**  
Pursuant to Louisiana Employment Security Law R.S. 23:1711 (G): Penalties for misclassifying a worker as an independent contractor include:

- Fines of up to \$2500 per misclassified worker per instance.
- Imprisonment for up to 90 days.
- Prohibited from contracting with any state agency or political subdivision of the state for three years.

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

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REV. 09/2021

### Genetic Discrimination

#### Commission on Human Rights Genetic Discrimination Genetics in the Workplace

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

**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](http://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

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REV. 04/2010

### Sickle Cell Discrimination

#### Commission on Human Rights 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 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](http://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

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REV. 04/2010

### Unemployment Ins.

#### Workforce Commission 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 fall 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](http://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

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REV. 01/2009

### Pregnancy Rights

#### Department of Labor, Workforce Commission Pregnancy Rights of Employees

**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.

**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.

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REV. 11/2021

### Age Discrimination

#### Commission on Human Rights 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.

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](http://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

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REV. 04/2010

### Wage Payment

#### Workforce Commission Timely Payment of Wages

Your employer has a duty to inform you at the time of your hire what your wage rate will be, how often you will be paid and how you will be paid, and of any subsequent changes thereto.

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

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

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

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REV. 01/2016

### EIC

#### Workforce Commission Earned Income Credit EIC 2021 Notice to Employees of Federal Earned Income Tax Credit (EIC)

**If you make \$51,000\* 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:

- \$51,464 (\$57,414 married filing jointly) with three or more qualifying children
- \$47,915 (\$53,865 married filing jointly) with two qualifying children
- \$42,158 (\$48,108 married filing jointly) with one qualifying child
- \$15,980 (\$21,920 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 the IRS Website at [www.irs.gov](http://www.irs.gov). Additional EITC resources are also available at the IRS EITC Home page: <https://www.irs.gov/credits-deductions/individuals/earned-income-tax-credit-eitc>

Visit the IRS on the Web at [www.irs.gov](http://www.irs.gov) or call toll-free at 1-800-829-1040.

Every employer shall keep conspicuously posted in or about the premises wherein any worker is employed, a printed copy or abstract of those labor laws which the Executive Director may designate, in a form to be furnished by the Executive Director.  
R.S. 23:15, 23:1018.2

**Louisiana Workforce Commission**  
**The Department of Labor**  
[www.laworks.net](http://www.laworks.net)

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Rev. 03/2021

### Workers' Comp.

#### Workforce Commission Workers' Compensation

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

**Occupational Disease or Death**  
In case of an occupational disease, all claims are barred unless the employee files a claim with his/her employer within one year of the date that:

1. the disease manifests itself.
2. the employee is disabled as a result of the disease.
3. the employee knows or has reasonable grounds to believe that the disease is occupationally related.

In case of death arising from an occupational disease, all claims are barred unless the dependent(s) file a claim with the deceased employee's employer within one year of:

1. the date of death
2. the date the claimant has reasonable grounds to believe that the death resulted from occupational disease.

**Filing Notice**  
In case of injury or death caused by a work-related accident, an injured employee or any person claiming to be entitled to compensation either as a claimant or as a representative of a person claiming to be entitled to compensation, must give notice to the employer within 30 days of the injury. If notice is not given within 30 days, no payments will be made for such injury or death. In addition, any fraudulent action by the employer, employee, or any other person for the purpose of obtaining or defeating any benefit or payment of workers' compensation shall subject such person to criminal as well as civil liabilities.

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

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

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

**Information**  
If you desire any information regarding your rights and entitlement to benefits as prescribed by law, you may call or write to the Office of Workers' Compensation Administration, Post Office Box 90400, 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.

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REV. 05/2003

**TWO ways to verify poster compliance!**

**QR CODE** Scan with phone camera: 

**OR**

**ONLINE** Go to: [JKeller.com/LLPverify](http://JKeller.com/LLPverify)  
Enter this code: 62818-122021