

Louisiana & Federal Employment Notices



Job Safety and Health IT'S THE LAW!

All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.
- 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.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

This poster is available free from OSHA.

Contact OSHA. We can help.

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

Family Medical Leave Act

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT
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.

Family Medical Leave Act (continued)

ELIGIBILITY REQUIREMENTS: An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- 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
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

Family Medical Leave Act (continued)

REQUESTING LEAVE: Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30 days' notice, an employer must notify the employee as soon as possible and, generally, follow the employer's usual procedures.

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

Family Medical Leave Act (continued)

PROHIBITIONS: Employers are generally prohibited from requiring or requesting an employee to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

EXEMPTIONS: Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security activities.

Family Medical Leave Act (continued)

ENFORCEMENT: Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer. The FMLA does not affect any federal or state law prohibiting discrimination or wage and hour law or collective bargaining agreement that provides greater family or medical leave rights.

For additional information: 1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627 www.dol.gov/whd
U.S. Department of Labor • Wage and Hour Division Updated 8/14

Age Discrimination

Age Discrimination
The prohibitions herein listed shall be limited to individuals who are at least 40 years of age.

- It is unlawful for an employer to engage in any of the following practices:
 - 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.
 - 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.
 - Reduce the wage rate of any employee in order to comply with the requirements herein.

Age Discrimination (continued)

ENFORCEMENT: Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer. The FMLA does not affect any federal or state law prohibiting discrimination or wage and hour law or collective bargaining agreement that provides greater family or medical leave rights.

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U.S. Department of Labor • Wage and Hour Division Updated 8/14

Equal Opportunity

Equal Opportunity
Discrimination has No Place
Equal opportunity is the law. It is against the law for recipients of Federal financial assistance to discriminate on the basis of the following:

- Against any individual in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and ancestry.
- Against any beneficiary of any program or financial assistance under Title I of the Workforce Innovation and Opportunity Act (WIOA) on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or on the basis of his/her participation in a Louisiana Workforce Commission (LWC) program or activity.

Equal Opportunity (continued)

What to Do: If you think that you have been subjected to discrimination under a WIOA Title financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation. If you elect to file your complaint with the State Equal Opportunity (EO) Officer or with the office, you must wait until 90 days after the date of the alleged violation, before filing with Civil Rights Center (CRC) (see address to the right). If the state EO Officer or this office has not provided you with a written decision within 90 days of the filing of the complaint you need not wait for a decision to be issued, but may file a complaint with CRC within 30 days of the expiration of the 90 day period. (In other words, within the 30 days after the date on which you filed your complaint with the recipient of the State EO Officer or this office, you must give your Written Notice of Final Action to your complainant, but you are dissatisfied with the recipient's resolution of your complaint, you may file a complaint with CRC. Such complaints must be filed within 30 days of the day you received the Written Notice of Final Action.)

Equal Opportunity (continued)

To file your complaint contact:

Louisiana Equal Opportunity Director
Compliance Programs Officer
Louisiana Workforce Commission
Post Office Box 54054
1001 North Third Street
Baton Rouge, LA 70804-9054

Or you may file at this office:
Director of the Civil Rights Center
U.S. Department of Labor
200 Constitution Avenue NW
Room N-1123
Washington, DC 20210

Phone: (225) 342-3075 Fax: (225) 342-7961 TDD: 1-800-259-5154 Updated 8/17

IRS Withholding

IRS Withholding
YOU MAY NEED TO CHECK YOUR WITHHOLDING
Since you last filed Form W-4 with your employer did you...?

- Change your divorce?
- Are you or your spouse a dependent?
- Married or single?
- Married or single?
- Married or single?
- Married or single?

If you can answer "yes"....
To any of these or you owed extra tax when you filed your last return, you may need to file a new Form W-4. See your employer for a copy of Form W-4 or call the IRS at 1-800-829-3878. Now take the time to check your withholding. For more details, get Publication 919, How Do I Adjust My Tax Withholding?, or use the Withholding Calculator at www.irs.gov/individuals on the IRS website.

USERRA

USERRA
FOR USE BY PRIVATE SECTOR AND STATE GOVERNMENT EMPLOYERS
YOUR RIGHTS UNDER USERRA THE UNIFORM 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 (lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armed car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers.

USERRA (continued)

REEMPLOYMENT RIGHTS: You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed services 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 performing that service; and
- you return to work in a timely manner after conclusion of service; and you have not been separated from service with a disqualifying discharge or other than an honorable discharge.

USERRA (continued)

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION: If you:

- are a past or present member of the uniformed service; or
- have applied for membership in the uniformed service; or
- are obligated to serve in the uniformed service, then an employer may not deny you: initial employment; reemployment; continuation in employment; promotion; or any benefit of employment because of this status.

USERRA (continued)

HEALTH INSURANCE PROTECTION: You have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military. - Even if you don't expect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

ENFORCEMENT: The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations. For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USADOL or visit its website at https://www.dol.gov/eisaa/userr. An interactive online USERRA Advisor can be viewed at https://webapps.dol.gov/eisaa/userr. If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation. * You may also request the VETS process and bring a civil lawsuit for violation of USERRA.

Workers' Compensation

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:

- the disease manifests itself;
- the employee is disabled as a result of the disease;
- 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:

Workers' Compensation (continued)

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 injury or death. In addition, any fraudulent action by the employer, employee, or any other person for the purpose of obtaining or attempting to obtain payment of workers' compensation shall subject such person to criminal as well as civil liabilities. The employer shall state the time, place, nature or cause of injury, or otherwise, unless it is shown that the employer was in fact misled by its statement therefor. Failure to give notice may nullify the employee if the employer knew of the accident or if the employer was not prejudiced by the delay or failure to give notice.

Sickle Cell Trait Discrimination

Sickle Cell Trait Discrimination
Prohibitions against sickle cell trait discrimination: A. It is unlawful for an employer to engage in any of the following practices:

- 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 sickle cell trait.
- 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.

Sickle Cell Trait Discrimination (continued)

ENFORCEMENT: Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer. The FMLA does not affect any federal or state law prohibiting discrimination or wage and hour law or collective bargaining agreement that provides greater family or medical leave rights.

For additional information: 1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627 www.dol.gov/whd
U.S. Department of Labor • Wage and Hour Division Updated 8/14

Earned Income Credit

Earned Income Credit
Notice to Employees of Federal 2022
If you make \$53,000 or less, your employer should notify you at the start of the year of the 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 Credit (continued)

What to Do: If you think that you have been subjected to discrimination under a WIOA Title financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation. If you elect to file your complaint with the State Equal Opportunity (EO) Officer or with the office, you must wait until 90 days after the date of the alleged violation, before filing with Civil Rights Center (CRC) (see address to the right). If the state EO Officer or this office has not provided you with a written decision within 90 days of the filing of the complaint you need not wait for a decision to be issued, but may file a complaint with CRC within 30 days of the expiration of the 90 day period. (In other words, within the 30 days after the date on which you filed your complaint with the recipient of the State EO Officer or this office, you must give your Written Notice of Final Action to your complainant, but you are dissatisfied with the recipient's resolution of your complaint, you may file a complaint with CRC. Such complaints must be filed within 30 days of the day you received the Written Notice of Final Action.)

Genetic Discrimination

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

Key terms used to establish specific genetic discrimination and privacy protections. They are as follows:

- "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.
- "Genetic services" are defined as the health examinations provided to obtain, assess, or interpret genetic information for diagnostic or therapeutic purposes, or for genetic education or counseling.
- "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.

Genetic Discrimination (continued)

Enforcement: Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer. The FMLA does not affect any federal or state law prohibiting discrimination or wage and hour law or collective bargaining agreement that provides greater family or medical leave rights.

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U.S. Department of Labor • Wage and Hour Division Updated 8/14

Minor Labor Law Placard

Minor Labor Law Placard
Louisiana Minor Labor Law Placard is 1505 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.

Minor Labor Law Placard (continued)

Enforcement: Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer. The FMLA does not affect any federal or state law prohibiting discrimination or wage and hour law or collective bargaining agreement that provides greater family or medical leave rights.

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U.S. Department of Labor • Wage and Hour Division Updated 8/14

Worker Classification

Worker Classification
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 perform work that is not part of the usual work done by the business that hired you, AND
- You are customarily engaged in an independently established trade, occupation, profession or business.

Worker Classification (continued)

Enforcement: Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer. The FMLA does not affect any federal or state law prohibiting discrimination or wage and hour law or collective bargaining agreement that provides greater family or medical leave rights.

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U.S. Department of Labor • Wage and Hour Division Updated 8/14

Pregnancy Rights of Employees

Pregnancy Rights of Employees
Non-Discrimination
Louisiana employees who employ more than twenty-five employees for each working day for twenty or more calendar weeks in the current or preceding calendar year are prohibited from discriminating against an applicant for employment or an employee on the basis of pregnancy, childbirth, or related medical conditions.

Pregnancy Rights of Employees (continued)

Enforcement: Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer. The FMLA does not affect any federal or state law prohibiting discrimination or wage and hour law or collective bargaining agreement that provides greater family or medical leave rights.

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U.S. Department of Labor • Wage and Hour Division Updated 8/14

Timely Payment of Wages

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.

Emergency Notice

Emergency Notice
AMBULANCE: 911/Campus Police 504-568-8999
FIRE-RESCUE: 911/Campus Police 504-568-8999
HOSPITAL: 911/Campus Police 504-568-8999
PHYSICIAN: 911/Campus Police 504-568-8999
ALTERNATE: 911/Campus Police 504-568-8999
POLICE: 911/Campus Police 504-568-8999
OSHA: 911/Campus Police 504-568-8999
HAZARDOUS MATERIAL: 911/Campus Police 504-568-8999

Payday Notice

Payday Notice
PAYDAY IS ON

MONDAY TUESDAY WEDNESDAY THURSDAY FRIDAY SATURDAY SUNDAY

PAY SCHEDULE IS

https://www.lsuhsuc.edu/administration/payroll.aspx

Payday Notice (continued)

Enforcement: Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer. The FMLA does not affect any federal or state law prohibiting discrimination or wage and hour law or collective bargaining agreement that provides greater family or medical leave rights.

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U.S. Department of Labor • Wage and Hour Division Updated 8/14

Federal Minimum Wage

Federal Minimum Wage
Employees subject to the state minimum wage law are obligated to pay the higher rate
The law requires employers to display this poster where employees can readily see it.

\$7.25 PER HOUR BEGINNING JULY 24, 2009

Federal Minimum Wage (continued)

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

CHILD LABOR: An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment.

Federal Minimum Wage (continued)

TIP CREDIT: Employees tipped employees "who meet certain conditions may claim a partial wage credit based on tips received by their employers. 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's 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 requires employers to provide reasonable break time 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 such 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.

Federal Minimum Wage (continued)

ENFORCEMENT: The Department of Labor and the Equal Employment Opportunity Commission are authorized to investigate and resolve complaints in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal penalties. Employees may be assessed civil monetary penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil monetary penalties may be assessed for violations of the FLSA's child labor provisions. Heightened civil penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA.

Equal Employment Opportunity

Equal Employment Opportunity
Know Your Rights: Workplace Discrimination is Illegal
You are protected under Federal law from discrimination on the following bases:

- Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin
- Disability
- Age
- Genetic Information

Equal Employment Opportunity (continued)

What Organizations are Covered?

- Most private employers
- State and local governments (as employers)
- Educational institutions (as employers)
- Staffing agencies

What Types of Workplace Discrimination are Illegal?
Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of:

- Race
- Color
- Religion
- National origin
- Disability (including physical and related conditions, sexual orientation, or gender identity)
- Age (40 and older)
- Disability

Equal Employment Opportunity (continued)

What Employment Practices can be Challenged as Discriminatory?
The EEOC may file a lawsuit on behalf of an employee if the employer has engaged in any of the following practices:

- Discharge, firing, or lay-off
- Demotion (including unwelcome verbal or physical conduct)
- Hiring or promotion
- Assignment
- Pay (including wages or compensation)
- Failure to provide reasonable accommodation for a disability or a sincerely held religious belief, observance or practice
- Benefits
- Job training
- Classification
- Referral
- Retaliation or disclosing genetic information of employees
- Requesting or disclosing medical information of employees

Workers' Compensation Fraud

Workers' Compensation Fraud
Is someone you know cheating the system?
Everyone pays the price for WORKERS' COMPENSATION FRAUD.

Nationwide Toll-Free Fraud Hotline: 1.800.201.3362
(all information remains anonymous)

Office: 225.342.7558 • Fax: 225.342.1880
Email: WCFraud@dol.state.la.us

Out of State Motor Vehicle

Out of State Motor Vehicle
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 and maintains a residence in Louisiana or 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.

Out of State Motor Vehicle (continued)

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U.S. Department of Labor • Wage and Hour Division Updated 8/14

Emergency Notice (continued)

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