

Regular Session, 2014

HOUSE BILL NO. 783

BY REPRESENTATIVE WHITNEY

EMPLOYMENT: Relative to notice posting requirements for human resource outsourcing agencies

1 AN ACT

2 To amend and reenact R.S. 23:1302, relative to the posting of workers' compensation
3 informational notices; to provide with respect to Professional Employer
4 Organizations, Administrative Service Organizations, and other human resource
5 outsourcing agencies; to require that notices be posted; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 23:1302 is hereby amended and reenacted to read as follows:

9 §1302. Employer's duty to advise employees as to necessity of notice

10 A. The employer shall have printed and keep posted at some convenient and
11 conspicuous point in his place of business a notice reading substantially as follows:

12 "In case of accidental injury or death, an injured employee or any person
13 claiming to be entitled to compensation either as a claimant or as a representative of
14 a person claiming to be entitled to compensation must give notice to (name and
15 address of employer) within thirty days. If notice is not given to the above party
16 within thirty days, no payments will be made under the law for such injury or death.
17 In addition, any fraudulent action by the employer, employee, or any other person
18 for the purpose of obtaining or defeating any benefit or payment of worker's
19 compensation shall subject such person to criminal as well as civil penalties."

- 1 B. When an employer has a signed agreement with a Professional Employer
2 Organization (PEO), Administrative Service Organization (ASO), or any other
3 human resource outsourcing agency pursuant to R.S. 22:1742 and 1746 and R.S.
4 23:1768, and workers' compensation coverage is provided by the organization, the
5 employer shall include the required posting for the outsourced agency.
- 6 C. If the employer fails to keep such a notice posted, the time in which the
7 notice of injury shall be given as provided in R.S. 23:1301 shall be extended to
8 twelve months from the date of injury. The director may by rule require inclusion
9 of additional information in the notice required by this Section.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Whitney

HB No. 783

Abstract: Provides workers' compensation informational notice requirements for PEOs, ASOs, and other human resource outsourcing agencies.

Present law requires employers to print a notice which informs employees that in the case of accidental injury or death, the employee or other party entitled to compensation must notify the employer of the injury within 30 days.

Present law further provides that if no notice is given to the employer within the allotted time, no compensation payments will be made.

Present law provides that if no notice is posted, the injured person or beneficiary has up to 12 months from the date of injury to notify the employer.

Proposed law retains present law and further provides that when an employer has signed an agreement with a PEO, ASO, or other human resource outsourcing agency, and workers' compensation coverage is provided by the organization or agency, the employer is required to include the posting for the agency or organization.

(Amends R.S. 23:1302)