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**DEPARTMENT OF LABOR
OFFICE OF WORKERS' COMPENSATION**

**Title 40
Labor and Employment
Part I. Workers' Compensation Administration**

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**RULE OF DEPARTMENT OF LABOR
OFFICE OF WORKERS' COMPENSATION**

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§ 1901. Forms

- A. The following forms are prescribed for use pursuant to R.S.23:1208:

LDOL-WC-1025 Employee's and Employer's Certificate of Compliance

LDOL-WC-1026 Employee's Quarterly Report of Earnings.

§ 1903. Certification; report

- A. For an accident occurring on or after April 1, 1996, the employee and employer shall certify their compliance with the Louisiana Workers' Compensation Act by filing with their insurer form LDOL-WC 1025, Employee's and Employer's Certificate of Compliance.
- B. (1) Whenever an employee receives workers' compensation indemnity disability benefits for more than 30 days, the employee shall report his other earnings to his employer's insurer quarterly on form LDOL-WC 1026, Employee's Quarterly Report of Earnings.
- (2) The requirements of paragraph (B)(1) of this rule are waived whenever an employee has timely filed all necessary LDOL-WC 1020 forms, or only has received medical benefits.

§ 1905. Penalty; Hearing; Appeal

- A. Any person violating the provisions of R.S.23:1208 may be assessed civil penalties by the director of not less than five hundred dollars nor more than five thousand dollars.
- B. Penalties may be imposed pursuant to this rule after a[n] investigatory hearing before the director or his designee.
- C. A person may appeal any penalty imposed pursuant to this rule by filing form LDOL-WC 1008, Disputed Claim for Compensation, in the district where the person is located or in Baton Rouge, Louisiana. All such appeals shall be *de novo*. Any penalty imposed pursuant to this rule becomes final and may be pursued for collection unless such an appeal is filed within 30 days of the notice of penalty.

§ 1907. Notice of penalty; filing

The director shall notify the employee and employer of any civil penalty imposed for violation of R.S.23:1208. In addition, the director shall file the notice of penalty in the record of the disputed claim for benefits.

AUTHORITY NOTE: Promulgated in accordance with R.S.23:1208.

HISTORICAL NOTE: Promulgated by the Department of Employment and Training, Office of Workers' Compensation, LR 17:359 (April 1991).

