

Utah and Federal Employment Notices 2020

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.

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 any 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.

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
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.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

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 one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA pay, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

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.

"Special" hours of service requirements apply to airline flight crew employees.

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 employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employers must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers may require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

EMPLOYER RESPONSIBILITIES: Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

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 supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

For additional information: 1-866-4USWAGE (1-866-487-9243) TTY: 1-877-889-5627 www.dol.gov/vhld
U.S. Department of Labor • Wage and Hour Division Updated 8/16

State Minimum Wage

The Utah Minimum Wage Act outlines the requirements for employers to pay minimum wage, as well as what exemptions can be made. The law also lists the record keeping requirements and applicable penalties for violation of the law. Administrative rules outline additional requirements for individuals earning tips. The minimum wage rate changes are summarized in the chart below:

Minimum Wage Rate Increases	
Effective: July 25, 2019	Effective: July 25, 2019
Federal Rate: \$7.25/Hour	Utah Rate: \$7.25/Hour

Minors under the age of 18 must be paid the minimum wage in effect at the time, although employers may pay them \$4.25 during the first 90 days of their employment. Tipped employees (adults and minors) may be paid \$2.13 per hour so long as the tips they earn bring them up to the minimum wage. Certain exemptions from the State minimum wage coverage apply. For more information, please contact the Wage Claim Unit at (801) 530-6801 or www.utah.gov.

OSHA

The Utah Occupational Safety and Health Act of 1973 requires Utah employers to provide a safe and healthful workplace, free from recognized hazards that are likely to cause death or serious physical harm to employees. The Utah Occupational Safety and Health Division (Utah OSHA) of the Utah Labor Commission, has the primary responsibility for administering the OSHA Act.

NOTICE TO EMPLOYEES

You have the obligation to comply with all workplace safety and health rules established by your employer. You have the right to notify your employer or Utah OSHA about workplace hazards. You may ask to keep your name confidential. You have the right to request a Utah OSHA inspection if you believe that there are unsafe or unhealthful conditions in your workplace. You can file a complaint with Utah OSHA if you feel that your employer has retaliated against you for making safety or health complaints, or for exercising your rights under the law. Your whistleblower complaint must be filed within 30 days of the date of the alleged violation. You have the right to file all Utah OSHA citations issued to your employer. Your employer must post the citations at or near the place of the alleged violation. You may request an informal review of the abatement period granted to the employer. You have the right to know your employer is obligated to correct workplace hazards by the date indicated on the citation and must certify that these hazards have been reduced or eliminated. You have the right to copies of your medical records or records of your exposure to toxic and harmful substances or conditions.

NOTICE TO EMPLOYERS

UTAH EMPLOYERS ARE REQUIRED TO PROVIDE EMPLOYEES A SAFE AND HEALTHFUL WORKPLACE

REPORTING REQUIREMENTS

Employers are required to notify Utah OSHA at (801) 530-6901 within 8 hours of occurrence of all fatalities, disabling, significant, and serious injuries or illnesses to workers. You can call at your report 24 hours a day, 7 days a week. Tools, equipment, materials, or other evidence that is essential to the cause of such accidents shall not be removed or destroyed until authorized by Utah OSHA. You are also required to investigate all incidents of worker injuries and occupational illnesses.

REPORTING GUIDANCE

"Disabling and serious" includes, but is not limited to any injury or illness resulting in immediate admission to the hospital, permanent or temporary impairment where part of the body's major functions are substantially reduced in efficiency and which would require treatment by a medical doctor, such as amputation, fracture, deep cuts, severe burns, electric shock, sight impairment, loss of consciousness, and concussions; illnesses that could shorten life or significantly reduce physical or mental efficiency inhibiting the normal function of a part of the body, such as cancer, silicosis, asbestosis, hearing impairment and visual impairment.

INSPECTIONS, CITATIONS, AND PENALTIES

Utah OSHA may enter at reasonable times without delay any place under its jurisdiction to conduct an inspection, investigation, or interview a reasonable number of employees to determine compliance with the Utah Act, rules and standards. Citations may be issued if an employer is in violation of any of those rules or standards. A serious violation may be assessed a proposed penalty of up to \$7,000. Willful or Repeated violations may be assessed a proposed penalty up to \$70,000. Failure to correct or abate a violation may result in additional penalties not to exceed \$7,000 for each day each violation is not corrected.

CONTESTS, APPEALS, INFORMAL REVIEW

The Utah Labor Commission will provide an adjudicative formal hearing with its Division of Adjudication, when an employer files a written notice of contest within 30 days of receipt of the citation. Upon expiration of that 30-day period, the citation and proposed penalties are final and not subject to review by any court or agency. Employers may also request an informal review of any citation, proposed penalty or abatement period. Informal reviews do not extend the 30 days in which an employer must file a written notice of contest for a formal hearing.

To report a workplace fatality or injury, file a workplace safety complaint, or for assistance please call (801) 530-6901 or 1-800-530-5090. To file a safety complaint online or obtain more information about Utah OSHA programs please visit our website <https://laborcommission.utah.gov/divisions/OSHA/>

To obtain more information about safety and health in the workplace, please contact the Consultation Program at (801) 530-6855

IRS Withholding

YOU MAY NEED TO CHECK YOUR WITHHOLDING

Since you last filed Form W-4 with your employer did you...
Many or divorced?
Gain or lose a dependent?
Change your name?
Were there major changes to...
Your non-wage income (interest, dividend, capital gains, etc.)?
Your family wage income (you or your spouse started or ended a job)?
Your itemized deductions?
Your tax credits?

If you can answer "yes"...
To any of those 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 1-800-829-3676. Now is 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.

Employer: Please post or publish this Bulletin Board Poster so that your employees will see it. Please indicate where they can get forms and information on this subject.

Updated 8/16

USERRA

FOR USE BY PRIVATE SECTOR AND STATE GOVERNMENT EMPLOYERS
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 Relief 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 reemployment 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.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

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
- are obligated to serve in the uniformed service, then an employer may not deny you:
- initial employment;
- reemployment;
- promotion; or
- any benefit of employment because of this status.

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: <http://www.dol.gov/vets/programs/userraposter.htm>

USERRA and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.

U.S. Department of Labor • 1-866-487-9243
U.S. Department of Justice
Office of Special Counsel • 1-800-336-4590
Updated 7/17

State of Utah Labor Commission
Utah Occupational Safety and Health
160 East 300 South, 3rd Floor
PO Box 146650
Salt Lake City, Utah 84114-6650
(801) 530-6801
Fax: (801) 530-7600
Toll-Free 1-800-530-5090

Reporting Injuries (801) 530-6901
Compliance Program (801) 530-6901
Consultation Program (801) 530-6855

Unemployment Insurance

UTAH DEPARTMENT OF WORKFORCE SERVICES
UNEMPLOYMENT INSURANCE - NOTICE TO WORKERS

Your work is covered under the provisions of the Utah Employment Security Act for unemployment insurance purposes, unless specifically exempted by the Act.

Unemployment insurance specifically provides payments to qualified workers who are unemployed through no fault of their own and are able, available, and seeking full-time work. It is not public assistance, Social Security, or a disability payment. Benefits are based upon your previous earnings—not on local time work. The funds to pay unemployment benefits are paid by your employer. No deductions are made from your wages.

FILING FOR UNEMPLOYMENT INSURANCE BENEFITS

To receive unemployment benefits you will file your claim online at jobs.utah.gov, select "Temporary Assistance" and then "Unemployment Benefits" then choose "File New/Reopen Claims." You may also call the Claims Center at Salt Lake/South Davis Counties - (801) 526-4400; Weber/North Davis Counties - (801) 612-0877; Utah County - (801) 375-4067; elsewhere in Utah and out-of-state - (888) 648-0688. No benefits will be paid for weeks prior to the week in which you file your claim. You should, therefore, file immediately after becoming unemployed or when your work hours are reduced to less than full time.

FILING AFTER RECEIVING WORKER'S COMPENSATION BENEFITS

If you are separated from employment due to a work-related illness or injury for which you have received Worker's Compensation, your rights to unemployment benefits may be preserved for up to THREE YEARS from the date of your injury. In order to use wages earned prior to such an injury or illness, you must file a claim for unemployment benefits within 90 DAYS of your doctor's release to full time work.

SEPARATION INFORMATION

At the time you are separated from your job, you should request information as to the reasons for your separation. You do not need to have a separation notice to file a claim. Both you and your employer will be requested to provide statements explaining the reason for your separation.

WAGES DETERMINE BENEFIT AMOUNT

The amount of your unemployment benefits will be determined from your wages in covered employment. "Wages" are all payments for personal services performed such as salaries, commissions, bonuses, tips, and the cash value of goods and services received for services performed. Tips received but not reported to your employer generally cannot be used to determine your unemployment benefits.

SELF-EMPLOYMENT

If you are classified as "self-employed" (independent contractor), you may want to discuss this with your employer and have your status reviewed by DWS. Work performed in "self-employment" cannot be used for unemployment benefits. You are "self-employed" if your work is performed without direction and control and you are in your own established business. This generally means you are properly licensed in business, perform similar services for others, maintain proper accounting records and business reports, pay self-employment taxes, and provide for insurance.

ONLINE SERVICES

Access our web site jobs.utah.gov to search for jobs, find out about available programs, and obtain economic information.

NO FEE EMPLOYMENT SERVICES

DWS services are available on our web site at jobs.utah.gov or by going to any of our Employment Centers listed below. Employment services include job referrals, career counseling, workshops, employer recruitment, Veterans' services, labor market information, and job training/internships. Supportive services include food stamps, financial assistance, medical assistance, childcare assistance, unemployment assistance, emergency assistance, referrals to community, and other resources. Our Job Connection Rooms provide Internet access along with Information Specialists to assist you in accessing services and resources. Fax and copy machines are also available.

OSHA

Occupational Safety and Health Administration

U.S. Department of Labor

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

Federal Minimum Wage

Employees subject to the state minimum wage law are obligated to pay the higher rate.

\$7.25 PER HOUR BEGINNING JULY 24, 2009

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

OVERTIME PAY: 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.

TIP CREDIT: Employees 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'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.

ENFORCEMENT: The DOL has the authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money 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.

ADDITIONAL INFORMATION:

- Certain establishments are exempt from the minimum wage, and/or overtime pay provisions.
- Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.
- Some state laws provide greater employee protections; employers must comply with both.
- Some states have incorrectly classified workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not.
- Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

1-866-487-9243 • TTY: 1-877-889-5627 • www.dol.gov/vhld
U.S. Department of Labor • Wage and Hour Division • UNITED STATES DEPARTMENT OF LABOR Updated 8/16

Polygraph Protection

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.

PROHIBITIONS

Employers are generally prohibited from requiring or requesting any employee or job applicant 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-related activities. The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers. The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, 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 not to have test results disclosed to unauthorized persons.

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

U.S. Department of Labor • 1-866-487-9243
U.S. Department of Justice
Office of Special Counsel • 1-800-336-4590
Updated 7/17

Equal Employment Opportunity

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

Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship.

DISABILITY

Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodations for an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

GENETICS (GINA ACT)

Title II 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. 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 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, you should contact EEOC promptly when discrimination is suspected. The U.S. Equal Employment Opportunity Commission (EEOC) - 1-800-669-4000 (toll-free) or 1-800-669-4000 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at www.eeoc.gov or 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.

Employers Holding Federal Contracts or Subcontracts

Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, NATIONAL ORIGIN

Executive Order 11246, as amended, prohibits employment discrimination based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

PAY SECRECY

Executive Order 11246, as amended, protects applicants and employees from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees.

INDIVIDUALS WITH DISABILITIES

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodations to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS (PROTECTED VETERANS)

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.

RETALIATION

Retaliation is prohibited against a person who files a complaint or discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these Federal laws. Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately.

The Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at OFCCP-Public@do.gov, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor.

Programs or Activities Receiving Federal Financial Assistance

RACE, COLOR, NATIONAL ORIGIN, SEX, INDIVIDUALS WITH DISABILITIES

In addition to the Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

INDIVIDUALS WITH DISABILITIES

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodations to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

Updated 8/16

Fair Housing

Fair Housing is Your Right! What is Discrimination in Housing?

Under the Utah and Federal Fair Housing Acts, you have the right to select housing without fear of discrimination based on any of the following:

- National Origin
- Color
- Sex
- Handicap or Disability
- Familial Status - Families with children under 18 and pregnant women.
- Religion
- Race
- Source of Income - Under the Utah Fair Housing Act, you also have the right to select housing regardless of your source of income (for example, if you receive state, local, or federal government assistance, including housing vouchers).

If you think you have experienced discrimination, in the sale, rental or financing of housing, you may file a complaint with our office. To file a complaint complete these 3 easy steps:

1. Obtain a Housing Questionnaire directly from our office.
2. Go to our website and print a copy: www.laborcommission.utah.gov. Then click on UALD and select Fair Housing.
3. Complete the form, sign it and return it to our office. Be prepared for a possible interview with one of our Intake Officers to file a formal complaint.

Remember to save all receipts, applications, business cards, or other documents received during your meetings. Also be prepared to provide us with information regarding names, addresses and a brief description of the alleged violation, along with dates.

Utah Anti-Discrimination & Labor Division (UALD)
-Fair Housing-
Salt Lake City, UT, 84114-6630
Phone: 1-800-222-1238 • (801) 530-6801
Fax: (801) 530-7609

Employment of Minor

The Employment of Minors law (Utah Code Ann. §34-23-1) outlines the requirements for the employment of any individual under the age of 18, including permitted employment, hours of work, break and meal-period requirements, and age restrictions. The administrative rules associated with the law require additional requirements for the use of minors in door-to-door sales and fundraising ventures.

Basics of Employing Minors

No youth under the age of 16 is permitted to work in excess of four hours in one school day. They may not start work before 5:00 a.m. and cannot work after 9:30 p.m. unless the next day is not a school day. They cannot work more than 8 hours in any 24-hour period, nor more than 40 hours in any week. Youth 14 and 15 years of age can work in non-hazardous occupations such as retail stores, restaurants, fast food, service stations, lawn care, janitorial, and other occupations not determined harmful by the Labor Commission. There are 17 hazardous occupations that youth under the age of 18 cannot perform.

Hazardous Occupations That Youth Under 18 Cannot Perform:

- Operation of or about establishments manufacturing or storing explosives or articles containing explosive components.
- Motor vehicle drivers and helpers (with exceptions).
- Coal mining operations.
- Logging operation of any sawmill, lath mill, shingle mill or cooperage-stock mill.
- Operation of power-driven woodworking machines.
- Jobs involving exposure to radioactive substances and to ionizing radiation.
- Operation of power-driven hoisting apparatus.
- Operation of power-driven, metal forming, punching and shearing machines.
- Operation connected with mining other than coal.
- Meat processing operations.
- Operation of certain power-driven bakery machines.
- Operation of certain power-driven paper-products machines.
- Manufacture of brick, tile and clay products.
- Operation of circular saws, band saws and guillotine shears.
- Excavating, demolition and shipbuilding operations.
- Roofing operations.
- Wrecking operations.

It is the responsibility of the employer to determine that the work being done by the youth worker is not prohibited by the Utah labor laws.

STATE EMPLOYMENT CENTERS

Beaver.....	875 North Main.....	(435) 438-3580
Blanding.....	544 North 100 East.....	(435) 678-1400
Birmingham.....	138 West 900 South.....	(866) 435-7414
Cedar City.....	176 East 200 North.....	(866) 435-6530
Clearfield.....	1290 East 1450 South.....	(866) 435-7414
Delta.....	44 South 350 East.....	(435) 864-3860
Emery County.....	550 West Hwy 29.....	(435) 381-8100
Heber City.....	69 North 600 West, Ste. C.....	(435) 654-6520
Junction.....	550 North Main.....	(435) 577-2443
Kanab.....	468 East 300 South.....	(435) 644-9180
Lehi.....	587 W. State Street.....	(801) 753-4500
Logan.....	18 South Main.....	(435) 836-2405
Logan.....	180 North 100 West.....	(866) 435-7414
Mantua.....	55 South Main #3.....	(435) 835-0270
Midvale.....	7292 South State St.....	(801) 967-3800
Moab.....	457 Kane Creek Blvd.....	(435) 649-2600
Nephew.....	625 North Main.....	(435) 623-1927
Ogden.....	480 27th Street.....	(866) 435-7414
Panguitch.....	665 North Main.....	(435) 676-1410
Park City.....	1960 Seward Park, Ste. 202.....	(435) 649-8451
Priest.....	475 West Price River Dr. #300.....	(801) 636-2300
Provo.....	1550 North 200 West.....	(801) 342-2600
Richfield.....	115 East 100 South.....	(435) 893-0000
Roosevelt.....	140 West 425 South 330-13.....	(435) 722-8500
Salt Lake Metro.....	720 South 200 East.....	(801) 526-0950
Salt Lake So County.....	3735 South Redwood Rd.....	(435) 626-0950
South Davis.....	763 West 700 South W. Cross.....	(801) 435-7414
Spanish Fork.....	4185 North Chappel Drive.....	(801) 794-6600
St. George.....	162 North 400 East Bldg. B.....	(435) 674-5627
Tooele.....	105 North Main, Ste. 100.....	(866) 435-7414
Vernal.....	1050 West Market Dr.....	(435) 781-4100
West Valley.....	2750 South 5600 West Ste. A.....	(801) 526-0950
Weligity Services Center.....	(Salt Lake Area).....	(801) 526-0950
	(Outside Salt Lake).....	(866) 435-7414

Workers' Compensation

Utah law requires that each employee's wages must be reported each quarter with the regular quarterly contribution (tax) report. All wage and separation information and correspondence must include your unemployment insurance registration number. You must also maintain and make available records of wages and separation information on all workers for at least four (4) calendar years.

When an unemployment claim is filed by a former employee, the Department of Workforce Services will send Form 606 "Notice of Claim Filed." Auxiliary and services are available to help you file your report details of the reason for the claimant's separation and, in some cases, to request relief of potential charges. You will also receive a Form 65 "Employer Notice of Potential Liability" showing any wages from your firm being used on the claim and your firm's potential benefit costs.

If you have determined or contemplate classifying any of your workers as "self-employed" (independent contractors), notify the Department in order that a proper determination of status can be made. By doing this, you may avoid unpaid contributions (tax) liabilities, interest, and penalties. Additional information is available in the "Employer Handbook" which you can access on the Internet at: jobs.utah.gov/employer/publichandbook/employershandbook.aspx

In accordance with Section 35A-4-06(1)(b) of the Utah Employment Security Act, this notice must be permanently posted by each employer at suitable points (on bulletin boards, near time clocks, etc.) in each work place and establishment.

Equal Opportunity Employer Program

Equal Opportunity Employer Program

Check here _____ if the employer has been authorized by the Division of Industrial Accidents to self-insure and directly pay workers' compensation benefits.

WORKERS' COMPENSATION

Workers' Compensation is insurance which pays medical expenses and helps offset lost wages for employees with work-related injuries or illnesses. If you have an on-the-job injury or occupational disease, it may pay for hospital and medical bills, time lost from work, permanent loss of body function, prosthetic devices, and burial and dependent benefits in case of death.

HOW TO REPORT AN ACCIDENT

1. Report the injury, no matter how slight, immediately to your supervisor. You may lose your rights if your injury is not reported within 180 days of the injury or work-related illness.
2. Ask your employer where you should go for treatment. If your employer has a first-aid room or company designated doctor, go there promptly for treatment. If not, go to a doctor of your choice.
3. Tell the doctor HOW, WHEN and WHERE the accident happened. The doctor will fill out a physician's initial report form. A copy of the