12-month period for the following reasons:

intermittently or on a reduced schedule.

employment terms and conditions.

Have worked for the employer for at least 12 months;

that provides greater family or medical leave rights.

YOU MAY NEED TO CHECK YOUR WITHHOLDING

Since you last filed Form W-4 with your employer did you...

Your nonwage income (interest, dividend, capital gains, etc.)? Your family wage income (you or your spouse started or

The employee must:

Marry or divorce?

ended a job)?

Your tax credits?

Change your name?

Gain or lose a dependent?

Your itemized deductions?

Were there major changes to...

service or, in some cases, a comparable job.

**HEALTH INSURANCE PROTECTION** 

any benefit of employment because of this status.

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

existing condition exclusions) except for service-connected illnesses or injuries.

1-866-487-2365

screening or during the course of employment.

results disclosed to unauthorized persons.

**UNITED STATES DEPARTMENT OF LABOR** 

also bring their own court actions.

WAGE AND HOUR DIVISION

**Basics of Employing Minors** 

**ENFORCEMENT** 

▶ Color

▶ Religion

▶ Sex

private individuals engaged in national security-related activities.

1-866-487-9243 • TTY: 1-877-889-5627 www.dol.gov/whd

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

in connection with a proceeding under USERRA, even if that person has no service connection.

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;

practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

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

inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

incomplete, it must provide a written notice indicating what additional information is required.

and present members of the uniformed services, and applicants to the uniformed services.

You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:

service; and • you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

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

• Have at least 1,250 hours of service in the 12 months before taking leave;\* and

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

• For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;

**Family Medical Leave Act** 

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

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

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any

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

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'

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

functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must

for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is

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

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

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement

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

**IRS Withholding** 

**USERRA** 

• FOR USE BY PRIVATE SECTOR AND STATE GOVERNMENT EMPLOYERS •

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

· 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

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

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; • retention in employment; • promotion; or

· If you leave your job to perform military service, 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 elect 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-

of Special Counsel, as applicable, for representation. • You may also bypass the VETS process and bring a civil action against an employer for

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement

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 interne

at this address: https://www.dol.gov/agencies/vets/programs/userra/poster Federal law requires employers to notify employees of their rights under

**Polygraph Protection** 

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment

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.

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

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

If you can answer "yes"...

individuals on the IRS website.

information on this subject.

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 1-800-829-3676. 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/

Employer: Please poster or publish this Bulletin Board Poster so that

your employees will see it. Please indicate where they can get forms and

GOLDON STATE OF THE STATE OF TH

Updated 8/16

individuals earning tips. The minimum wage rate changes are summarized in the chart below:

Federal Rate: \$7.25/Hour

Utah Rate: \$7.25/Hour

impairment where part of the body is made functionally useless or is

its jurisdiction to conduct an inspection, investigation, or interview a

Act, rules and standards. If an employer is in violation of any of those

reasonable number of employees to determine compliance with the Utah

rules or standards UOSH will promptly issue a Citation to notify them of

the violation. 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

The Utah Labor Commission will provide an adjudicative formal hearing

with its Division of Adjudication, when an employer files a written notice

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

To report a workplace fatality or injury, file a workplace safety complaint,

To file a safety complaint online or obtain more information about UOSH

please visit our website at: www.laborcommission.utah.gov. To obtain

contact the Consultation Program at (801) 530-6855. Employers and

employees may file a complaint about state program administration with

the Occupational Safety and Health Administration (OSHA) at 1244 Speer

more information about safety and health in the workplace, please

or for assistance please call (801) 530-6901 or (800) 530-5090.

of contest within 30 days of receipt of the citation. Upon expiration of

**CONTESTS, APPEALS, INFORMAL REVIEW** 

a written notice of contest for a formal hearing.

Blvd., Suite 551 Denver, CO 80204.

Utah Occupational Safety and Health

State of Utah Labor Commission

160 East 300 South, Third Floor

Salt Lake City, Utah 84114-6650

www.laborcommission.utah.gov

Reporting Injuries (801) 530-6901

Compliance Program (801) 530-6901

Consultation Program (801) 530-6855

PO Box 146650

(801) 530-6901

Fax (801) 530-7606

Toll-Free 1-800-530-5090

substantially reduced in efficiency and which would require treatment by

a medical doctor, such as amputation, fracture, deep cuts, severe burns,

Effective:July 24, 2009 Effective: July 24, 2009 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

not corrected.

## **State OSHA**

Workplace Safety and Health in the State of Utah

(801) 530-6801 or wcu@utah.gov.

electric shock, sight impairment, loss of consciousness, and concussions; The Utah Occupational Safety and Health Act of 1973 requires Utah illnesses that could shorten life or significantly reduce physical or mental employers to provide a safe and healthful workplace, free from recognized efficiency inhibiting the normal function of a part of the body, such as hazards that are likely to cause death or serious physical harm to cancer, silicosis, asbestosis, hearing impairment and visual impairment. employees. The Utah Occupational Safety and Health (UOSH) Division of the Utah Labor Commission, has the responsibility to administer the Utah INSPECTIONS, CITATIONS, ASSESSED PENALTIES Occupational Safety and Health Act. UOSH may enter at reasonable times without delay any work place under

**NOTICE TO EMPLOYEES** You have the obligation to comply with all workplace safety and health

You have the right to notify your employer or UOSH about workplace

workplace. You have the right to file a complaint with UOSH if you feel that your

employer has retaliated against you for making safety or health complaints, or for exercising your rights under the Utah Occupational Safety and Health Act. Such whistleblower complaints must be filed within 30 days of the retaliation.

violation. You may request an informal review of the abatement period granted to the employer.

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** 

REPORTING REQUIREMENTS

**REPORTING GUIDANCE** Disabling and serious" includes, but is not limited to any injury or illness resulting in immediate admittance to the hospital, permanent or temporary State of Utah'

"Helping to ensure a safe and healthy workplace for every worker in the

.(435) 438-3581

.(435) 678-1420

## UTAH DEPARTMENT OF WORKFORCE SERVICES

**UNEMPLOYMENT INSURANCE** 

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

To receive unemployment benefits, you may file your claim online at jobs.utah.gov, select "Temporary Assistance," then "Unemployment Benefits,'

and then choose "File New or Reopen Claims." You may also call the Claims Assistance and Re-Employment Team 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) 848-0688. 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

### 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** 

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

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.

STATE EMPLOYMENT CENTERS

.138 West 990 South. .(435) 695-2625 Brigham City. ..176 East 200 North . .(435) 865-6531 Cedar City. .1290 East 1450 South.. .(801) 776-7800 ..44 South 350 East. .(435) 864-3525 ..550 West Hwy 29. .(435) 381-6120 ..69 North 600 West, Ste. C . .435) 654-6500 .550North Main.. .(435) 893-0005 .(435) 644-8911 .468 East 300 South. .(801) 753-4500 ..557 W. State Street. .(435) 893-0005 .18 South Main .180 North 100 West . .(435) 792-0599

Clearfield Delta .. **Emery County** Heber City.. Junction Kanab Lehi.. Loa... Logan. Manti. .55 South Main #3. .(435) 835-0771 Moab.. .457 Kane Creek Blvd. .(435) 719-2600 .625 North Main. .(435) 623-0361 Nephi. 480 27th Street. .(801) 626-0300 .(435) 676-1406 Panguitch. .665 North Main.. Park City 1910 Prospector Ave. Ste. 100... .(877) 313-4717 Price .(435) 636-2300 .475 West Price River Dr. #300.. Provo.. .1550 North 200 West . .(801) 342-2600 Richfield.. ..115 East 100 South.. .(435) 893-0005 Roosevelt... .140 West 425 South 330-13...... .(435) 722-6499 Salt Lake Metro ... .(801) 526-0950 ..720 South 200 East.. Salt Lake So County... ...5735 South Redwood Rd ... .(801) 269-4700 ..763 West 700 South W. Cross .... South Davis. .(801) 298-6600 .(801) 794-6600 Spanish Fork ... ... 1185 North Canyon Creek Parkway ..... St. George .. ..162 North 400 East Bldg. B.. .(435) 986-3500 ..305 North Main, Ste. 100 .. .(435) 833-7300 Vernal. .1050 West Market Dr .. .(435) 781-4100 .(801) 526-0950 Eligibility Services Center......(Salt Lake Area). ..(Outside Salt Lake) .. .(866) 435-7414

# INFORMATION FOR EMPLOYERS

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.

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.

When an unemployment claim is filed by a former employee, the Department of Workforce Services will send Form 606 "Notice of Claim Filed."

This notice will provide an opportunity for you to report details of the reason for the claimant's separation and, in some cases, to request relief of

If you have classified 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/ui/employer/public/handbook/employerhandbook.aspx

n accordance with Section 35A-4-406(1)(b) of the Utah Employment Security Act, this notice must be permanently posted by each employer at

Equal Opportunity Employer/Program • Auxiliary aids (accommodations) and services are available upon request to individuals with disabilities by

calling 801-526-9240. Individuals who are deaf, hard of hearing, or have speech impairments may call Relay Utah by dialing 711. Spanish Relay

# **WORKERS' COMPENSATION NOTICE**

has complied with the provisions of the Workers' Compensation Act (§34A-2-101, Utah Code Annotated), the Utah Occupational Disease Act (§34A-3-101, Utah Code Annotated), and the rules of the Labor Commission by insuring the liability to pay the compensation and other benefits provided by

said Acts through:

Telephone number:

**WORKERS' COMPENSATION** 

Workers' Compensation is insurance which pays medical expenses and helps offset lost wages for employees with work- related injuries or illnesses.

to self-insure and directly pay workers' compensation benefits.

Check here if the employer has been authorized by the Division of Industrial Accidents

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

4. Ask your doctor to send medical reports to the insurance company, including the work status statement.

**HOW TO REPORT AN ACCIDENT** . 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

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

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 report is given to you and copies of the report are sent to the insurance company and

If you want copy of an Employee's Guide to Workers' Compensation booklet or have questions, contact the Labor Commission or go to the webpage at www.laborcommission.utah.gov.

Note: This notice must be posted and kept continuously in public and conspicuous places in the office, shop or place of business of the employer as per §34A-2-204 and §34A-2-104.5, Utah Code Annotated.

THIS NOTICE MUST BE POSTED IN THE WORKPLACE

rules established by your employer.

hazards. You may ask to keep your name confidential. You have the right to request and to participate in a UOSH inspection

if you believe that there are unsafe or unhealthful conditions in your

You have a right to see all UOSH citations issued to your employer. Your employer must post the citations at or near the place of the alleged

You have the right to know your employer is obligated to correct

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

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

# **Unemployment Insurance**

NOTICE TO WORKERS

Your work is covered under the provisions of the Utah Employment Security Act for

earnings—not on economic need. The funds to pay unemployment benefits are paid by your employer. No deductions are made from your wages. FILING FOR UNEMPLOYMENT INSURANCE 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.

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

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

.875 North Main.

..544 North 100 East .

Beaver

Blanding..

Utah law requires that each employee's wages must be reported each quarter with the regular quarterly contribution (tax) report. All wage and

suitable points (on bulletin boards, near time clocks, etc.) in each work place and establishment.

**Workers' Compensation** 

Address for the above insurance company:

3. Call the insurance company and ask them to start your workers' compensation benefits. The insurance company will require the employer's

injury or work-related illness. treatment. If not, go to a doctor of your choice.

FRAUD STATEMENT: "Any person who knowingly presents false or

state prison." 160 East 300 South 3rd Floor P.O. Box 146610 Salt Lake City, Utah 84114-6610 Office: (801)-530-6800 Fax: (801)-530-6804

report, the physician's report, and may ask you to fill out a request for

compensation. Cooperate with the adjuster's investigation of the injury.

If you cannot return to work, you may be eligible for a rehabilitation program.

Contact the insurance company listed above or the Utah State Office of

fraudulent underwriting information, files or causes to be filed a false or

fraudulent claim for disability compensation or medical benefits, or submits a

false or fraudulent report or billing for health care fees or other professional

services is guilty of a crime and may be subject to fines and confinement in

Toll Free: (800)-530-5090 www.laborcommission.utah.gov

wage. Certain exemptions from the State minimum wage coverage apply. For more information, please contact the Wage Claim Unit at

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

# All workers have the right to:

A safe workplace.

SKU: UT2-27X40-ENG

- Raise a safety or health concern with your employer or OSHA, or report a workrelated injury or illness, without being
- retaliated against. Receive information and training on job hazards, including all hazardous substances in vour 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

This poster is available free from OSHA.

injury and illness log.

Contact OSHA. We can help.

Employers subject to the

tate minimum wage law are

CHILD LABOR:

TIP CREDIT:

make up the difference.

igated to pay the higher rate

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



At least 1½ times the regular rate of pay for all hours worked over 40 in a workweek. 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.

**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 Department has 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

· Some state laws provide greater employee protections; employers must comply with both.

or in applying for a job, the EEOC may be able to help.

• Union members and applicants for membership in a union

What Types of Employment Discrimination are Illegal?

you, regardless of your immigration status, on the bases of:

Under the EEOC's laws, an employer may not discriminate against

Sex (including pregnancy and related conditions, sexual orientation,

Genetic information (including employer requests for, or purchase,

use, or disclosure of genetic tests, genetic services, or family medical

Retaliation for filing a charge, reasonably opposing discrimination, or

participating in a discrimination lawsuit, investigation, or proceeding.

Harassment (including unwelcome verbal or physical conduct)

Failure to provide reasonable accommodation for a disability or a

What Employment Practices can be Challenged as

sincerelyheld religious belief, observance or practice

Obtaining or disclosing genetic information of employees

Requesting or disclosing medical information of employees

**Submit** an inquiry through the EEOC's public portal: https://

**EMPLOYERS HOLDING FEDERAL CONTRACTS OR** 

Programs (OFCCP) enforces the nondiscrimination and affirmative

action commitments of companies doing business with the Federal

Government. If you are applying for a job with, or are an employee of,

a company with a Federal contract or subcontract, you are protected

Race, Color, Religion, Sex, Sexual Orientation, Gender Identity,

under Federal law from discrimination on the following bases:

the probable duration of the accommodation; and

Conduct that might reasonably discourage someone from opposing

discrimination, filing a charge, or participating in an investigation or

What can You Do if You Believe Discrimination has Occurred?

Contact the EEOC promptly if you suspect discrimination. Do not delay,

because there are strict time limits for filing a charge of discrimination

180 or 300 days, depending on where you live/work). You can reach

All aspects of employment, including:

Pay (unequal wages or compensation)

the EEOC in any of the following ways:

publicportal.eeoc.gov/Portal/Login.aspx

-844-234-5122 (ASL video phone)

Visit an EEOC field office (information at

**Call** 1–800–669–4000 (toll free)

1-800-669-6820 (TTY)

www.eeoc.gov/field-office)

E-Mail info@eeoc.gov

**SUBCONTRACTS** 

Discharge, firing, or lay-off

• Employees (current and former), including managers and temporary

Who is Protected?

What Organizations are Covered?

 State and local governments (as employers) Educational institutions (as employers)

Most private employers

Staffing agencies

Job applicants

Unions

Color

Religion

Disability

National origin

or gender identity)

Discriminatory?

Assignment

Benefits

Referral

Job training

Classification

Hiring or promotion

Age (40 and older)

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 employee'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 mus

Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees.

**Federal Minimum Wage** 

\$7.25 PER HOUR BEGINNING JULY 24, 2009

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

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 occupations and 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

· Some employers incorrectly classify 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

1-866-487-9243 • TTY: 1-877-889-5627 • www.dol.gov/whd WAGE AND HOUR DIVISION • WAGE AND HOUR DIVISION • UNITED STATES DEPARTMENT OF LABOR

**Equal Employment Opportunity** 

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.

Know Your Rights: Workplace Discrimination is Illegal Executive Order 11246, as amended, prohibits employment The U.S. Equal Employment Opportunity Commission (EEOC) discrimination by Federal contractors based on race, color, religion, enforces Federal laws that protect you from discrimination in sex, sexual orientation, gender identity, or national origin, and requires employment. If you believe you've been discriminated against at work affirmative action to ensure equality of opportunity in all aspects of

Asking About, Disclosing, or Discussing Pay

inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees. Disability 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 by Federal contractors. Disability discrimination includes not making reasonable accommodation 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

Executive Order 11246, as amended, protects applicants and

employees of Federal contractors from discrimination based on

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. **Protected Veteran Status** 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

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors under these Federal

Any person who believes a contractor has violated its nondiscrimination

or affirmative action obligations under OFCCP's authorities should

The Office of Federal Contract Compliance Programs (OFCCP)

contact immediately:

U.S. Department of Labor 200 Constitution Avenue, N.W. Washington, D.C. 20210 1-800-397-6251 (toll-free) If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at https://ofccphelpdesk.dol.gov/s/, or by calling an OFCCP

webpage at https://www.dol.gov/agencies/ofccp/contact. PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL

regional or district office, listed in most telephone directories under

U.S. Government, Department of Labor and on OFCCP's "Contact Us

In addition to the protections of 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

activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job. If you believe you have been discriminated against in a program of

## **Pregnancy and Related Conditions** Pregnancy and Related Conditions under the Utah Antidiscrimination Act

• Unless the employer can show that the reasonable accommodation is an undue hardship as defined by the Act, it cannot require an employee to end the employment if a reasonable accommodation may be given, or deny employment opportunities to the employee if the denial is based on the need to make a reasonable accommodation. UTAH CODE § 34A-5-102(1)(w) (2016). · An employer may require an employee seeking a reasonable accommodation based on pregnancy or a related condition to provide a medical certification. A medical certification must include: the date the reasonable accommodation becomes medically advisable

• The Utah Antidiscrimination Act requires an employer to make a reasonable accommodation for an employee for pregnancy, child birth,

breastfeeding, or a related condition, upon the employee's request. UTAH CODE § 34A-5-106(1)(g) (2016).

a statement regarding the medical advisability of the accommodation. UTAH CODE § 34A-5-106(7)(a) (2016).

TO REORDER, CALL 1-888-488-7678 OR ORDER AT STATEANDFEDERALPOSTER.COI

• An employer may not require an employee to obtain a certification from the employee's health care provider for more frequent restroom, food, or water breaks. UTAH CODE § 34A-5-106(7)(c) (2016). To learn more about your rights, please contact the Utah Antidiscrimination & Labor Division by calling 801-530-6801 or emailing discrimination@utah.gov.

**Employers must:** 

Provide employees a workplace free from

rights under the law, including raising a

health and safety concern with you or

with OSHA, or reporting a work-related

Comply with all applicable OSHA standards.

workplace fatality or within 24 hours of

Provide required training to all workers

in a language and vocabulary they can

any work-related inpatient hospitalization,

Notify OSHA within 8 hours of a

amputation, or loss of an eye.

Prominently display this poster in the

Post OSHA citations at or near the

place of the alleged violations.

On-Site Consultation services are

programs in every state.

available to small and medium-sized

employers, without citation or penalty,

through OSHA-supported consultation

injury or illness.

understand.

workplace.

recognized hazards. It is illegal to retaliate

against an employee for using any of their

Occupational Safety and Health IT'S THE LAW!

Additional information about the EEOC, including information about financial assistance. filing a charge of discrimination, is available at www.eeoc.gov. Individuals with Disabilities Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or The Department of Labor's Office of Federal Contract Compliance

Race, Color, National Origin, Sex

any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

• 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-USA-DOL or visit its website at https://www.dol.gov/agencies/vets/. An interactive online USERRA Advisor can be viewed at https://webapps.dol.gov/elaws/vets/userra • 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

Updated 6/22

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

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

**Fair 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:

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

National Origin ► Handicap or Disability ► Familial Status - Families with children under 18 and pregnant women.

If you think you have experienced discrimination, in the sale, rental or finance 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. Or go to our website and print a copy: **www.laborcommission.utah.gov**. Then click on UALD and select Fair Housing.

Remember to save all receipts, applications, business cards, or other documents received during your meetings. Also be prepared to provide

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

▶ 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).

the law outline additional requirements for the use of minors in door-to-door sales and fundraising ventures.

Operation in or about establishments manufacturing or storing explosives or articles containing explosive components.

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



## **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,

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.

including permitted employment, hours of work, break and meal period requirements, and age restrictions. The administrative rules associated with

• 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.

• Logging operation of any sawmill, lath mill, shingle mill or cooperage-stock mill.

**Hazardous Occupations That Youth Under 18 Cannot Perform:** 

Motor vehicle drivers and helpers (with exceptions).

• 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. Wrecking, demolition and shipbuilding operations.

• 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 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 wer

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

HAZARDOUS MATERIAL

MAKING UNAUTHORIZED COPIES IS AGAINST THE LAW AND MAY SUBJECT YOU TO CIVIL AND CRIMINAL LIABILIT

· Roofing operations. Excavation 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. **Payday Notice** □ MONDAY □ TUESDAY □ WEDNESDAY □ THURSDAY □ FRIDAY □ SATURDAY □ SUNDAY **PAY SCHEDULE IS** ☐ WEEKLY ☐ BI-WEEKLY ☐ SEMI-MONTHLY ☐ MONTHLY ☐ ☐ TIME:

FIRE-RESCUE:

**Emergency Notice** 

give you the claim number.

OF THE MONTH the Labor Commission within seven (7) days of your doctor visit. PAYCHECKS ARE ISSUED ON THE 4. Your employer shall fill out the employer's first report of injury form. A copy of this report is sent to the insurance company within seven (7) days of the accident. The insurance company will report the injury to the Labor **HOW TO START COMPENSATION** AMBULANCE: 1. Ask your employer which insurance company pays workers' compensation benefits for the company. HOSPITAL OSHA:

2. Ask your employer to report the accident to the insurance company and ALL RIGHTS RESERVED. COPYRIGHT BY STATE AND FEDERAL POSTER. INC