Your Employee Rights Under the **Family and Medical Leave Act**

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with job-protected leave for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees. Eligible employees can take up to 12 workweeks of FMLA leave in a

The birth, adoption or foster placement of a child with you. Your serious mental or physical health condition that makes you To care for your spouse, child or parent with a serious mental or physical health condition, and

Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

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

You have the right to use FMLA leave in one block of time. When it is medically necessary or otherwise permitted, you may take FMLA leave intermittently in separate blocks of time, or on a reduced schedule by working less hours each day or week. Read Fact Sheet

FMLA leave is not paid leave, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need

Am I eligible to take FMLA leave?

You are an eligible employee if all of the following apply:

lef.: 29 CFR §825.300

You have worked for your employer at least 12 months, You have at least 1,250 hours of service for your employer during the 12 months before your leave, and Your employer has at least 50 employees within 75 miles of your

You work for a private employer that had at least 50 employees

You work for a public agency, such as a local, state or federal

government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel

Follow your employer's normal policies for requesting leave.

You do not have to share a medical diagnosis but must provide

enough information to your employer so they can determine whether

the leave qualifies for FMLA protection. You must also inform your employer if FMLA leave was previously taken or approved for the

Your employer may request certification from a health care provided

to verify medical leave and may request certification of a qualifying

bargaining agreement that provides greater family or medical leave

State employees may be subject to certain limitations in pursuit of

by the law but are subject to the jurisdiction of the U.S. Office of

direct lawsuits regarding leave for their own serious health conditions

Most federal and certain congressional employees are also covered

The FMLA does not affect any federal or state law prohibiting

discrimination or supersede any state or local law or collective

Give notice at least 30 days before your need for FMLA leave, or

If advance notice is not possible, give notice as soon as possible

How do I request FMLA leave?

Generally, to request FMLA leave you must:

same reason when requesting additional leave.

Personnel Management or Congress.

during at least 20 workweeks in the current or previous calendar

You work for an elementary or public or private secondary school,

- If you are eligible for FMLA leave, your **employer** <u>must</u>: You work for a **covered employer** if **one** of the following applies: · Allow you to take job-protected time off work for a qualifying
 - Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including

shift and location, at the end of your leave

Your employer cannot interfere with your FMLA rights or threaten or punish you for exercising your rights under the law. For example, or cooperating with a WHD investigation

your employer cannot retaliate against you for requesting FMLA leave After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your employer must confirm whether

determines that you are eligible, your employer must notify you in About your FMLA rights and responsibilities, and How much of your requested leave, if any, will be FMLA-protected

you are eligible or not eligible for FMLA leave. If your employer

Where can I find more information?

Call 1-866-487-9243 or visit dol.gov/fmla to learn more.

If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. Scan the QR code to learn about our WHD



WH1420 REV 04/23

SCAN ME

Utah Labor Commission... Achieving Safety in Utah's Workplaces and **Fairness in Employment and Housing**

The Utah Labor Commission is the regulatory agency responsible for preserving the balance established by the legislature for protecting the health, safety, and economic well-being of employees and employers. It is a multi-division state agency directed by a Commissioner who is appointed by the Governor. The Commissioner oversees the various functions of the divisions with the Commission.

Antidiscrimination & Labor Division (UALD)

An employer may not refuse to hire, promote, discharge, demote, or terminate any person, or to retaliate against, harass, or discriminate in matters of compensation or in terms, privileges, and conditions of employment against any person otherwise qualified, because

- > Race
- > Sex
- > National origin
- > Age (over 40) > Color
- > Pregnancy, childbirth, or pregnancy-related conditions
- Disability
- > Religion
- > Sexual orientation > Gender identity

UALD enforces laws prohibiting discrimination.

Wage Claim Unit: UALD enforces Utah's labor laws regarding:

- > Payment of wages
- > Employment of minors
- > Minimum wage
- > Protection against retaliation for asserting rights protected by these laws

Utah Labor Commission

160 East 300 South, 3rd Floor I Salt Lake City, Utah 84114-6600 (801) 530-6800 I www.laborcommission.utah.gov



Ref.: Utah Code, Title 34A, Ch. 5§106

Workplace Safety and Health in the State of Utah

THIS NOTICE MUST BE POSTED IN THE WORKPLACE

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 (UOSH) Division of the Utah Labor Commission, has the responsibility to administer the Utah Occupational Safety and Health 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 UOSH about workplace 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

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.

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 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 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.

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 impairment where part of the body is made functionally useless or is 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, ASSESSED PENALTIES

UOSH may enter at reasonable times without delay any work 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. If an employer is in violation of any of those 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 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 (800) 530-5090. To file a safety complaint online or obtain more information about UOSH please visit our website

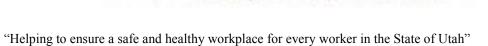
at: www.laborcommission.utah.gov. To obtain more information about safety and health in the workplace, please contact the Consultation Program at (801) 530-6855. Employers and employees may file a complaint about state program administration with the Occupational Safety and Health Administration (OSHA) at 1244 Speer Blvd., Suite 551 Denver, CO 80204.

State of Utah Labor Commission Utah Occupational Safety and Health 160 East 300 South, Third Floor PO Box 146650 Salt Lake City, Utah 84114-6650 (801) 530-6901 Fax (801) 530-7606

Toll-Free 1-800-530-5090

www.laborcommission.utah.gov







(801) 530-6901

Reporting Injuries

Compliance Program (801) 530-6901

Rev. 01.15.19

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 Insurance Company:

Policy Number:

Address for the above insurance company:

injury or work-related illness.

Telephone number: ☐ Check here if the employer has been authorized by the Division of Industrial Accidents to self-insure and directly pay workers' compensation

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

- . 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 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 report is
- the Labor Commission within seven (7) days of your doctor visit. . 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

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

HOW TO START COMPENSATION

1. Ask your employer which insurance company pays workers' compensation

2. Ask your employer to report the accident to the insurance company and give Call the insurance company and ask them to start your workers' compensation

benefits. The insurance company will require the employer's 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. 4. Ask your doctor to send medical reports to the insurance company, including the work status statement.

REHABILITATION 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

FRAUD STATEMENT: "Any person who knowingly presents false or 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 state prison."

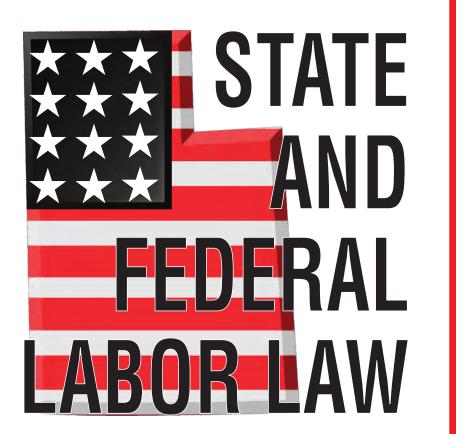


160 East 300 South 3rd Floor P.O. Box 146610 Salt Lake City, Utah 84114-6610 Office: (801)-530-6800 Fax: (801)-530-6804 Toll Free: (800)-530-5090 www.laborcommission.utah.gov

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.

Ref.: UCS 34A.2.204





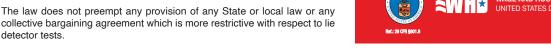
Pregnancy and Related Conditions under the Utah Antidiscrimination Act

- 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).
- 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
 - o the date the reasonable accommodation becomes medically
 - o a statement regarding the medical advisability of the
- 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.

- Unless the employer can show that the **reasonable accommodation** is
- accommodation based on pregnancy or a related condition to provide a medical certification. A medical certification must include:
 - o the probable duration of the accommodation; and
 - accommodation. UTAH CODE § 34A-5-106(7)(a) (2016).

PROHIBITIONS Employers are generally prohibited from requiring or requesting any Where polygraph tests are permitted, they are subject to numerous strict employee or job applicant to take a lie detector test, and from discharging, standards concerning the conduct and length of the test. Examinees have disciplining, or discriminating against an employee or prospective employee a number of specific rights, including the right to a written notice before for refusing to take a test or for exercising other rights under the Act. testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons. **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 **ENFORCEMENT** The Secretary of Labor may bring court actions to restrain violations and private individuals engaged in national security-related activities. assess civil penalties against violators. Employees or job applicants may also bring their own court actions. The Act permits polygraph (a kind of lie detector) tests to be administered



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





jobs.utah.gov

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 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

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 unem-

ployment 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 ill-

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

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

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.

STATE EMPLOYMENT CENTERS		
Beaver	875 North Main(435) 438-3581	Ogden(801) 626-0300
Blanding	544 North 100 East(435) 678-1420	Panguitch
Brigham City	138 West 990 South(435) 695-2625	Park City1910 Prospector Ave. Ste. 100(877) 313-4717
Cedar City	176 East 200 North(435) 865-6531	Price
Clearfield	1290 East 1450 South(801) 776-7800	Provo
		Richfield115 East 100 South(435) 893-0005
Emery County	550 West Hwy 29(435) 381-6120	Roosevelt140 West 425 South 330-13(435) 722-6499
Heber City		Salt Lake Metro720 South 200 East(801) 526-0950
	(435) 893-0005	Salt Lake So County5735 South Redwood Rd(801) 269-4700
		South Davis763 West 700 South W. Cross(801) 298-6600
		Spanish Fork1185 North Canyon Creek Parkway(801) 794-6600
		St. George
	180 North 100 West(435) 792-0599	Tooele
	55 South Main #3(435) 835-0771	Vernal(435) 781-4100
		Eligibility Services Center(Salt Lake Area)(801) 526-0950
Nephi		(Outside Salt Lake)(866) 435-7414

INFORMATION FOR EMPLOYERS 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

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 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 If you have classified or contemplate classifying any of your workers as "self-employed" (independent contractors), notify the Department in order that a

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

jobs.utah.gov/ui/employer/public/handbook/employerhandbook.aspx In accordance with Section 35A-4-406(1)(b) of the Utah Employment Security Act, this notice must be permanently posted by each employer at suitable points (on bul-

letin boards, near time clocks, etc.) in each work place and establishment.

american**job**center 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 Utah: 1-888-346-3162.

EMERGENCY NUMBERS CALL 911

AMBULANCE: If you believe you've been discriminated against at work or in applying for a job, the EEOC may be PHYSICIAN: **HOSPITAL**:

POISON CONTROL: State and local governments (as employers)Educational institutions (as employers)

PAY DAY NOTICE PAY DAY IS ON:

■ MONDAY ☐ TUESDAY

■ WEDNESDAY

FIRE DEPARTMENT:

POLICE:

☐ FRIDAY ☐ SATURDAY □ SUNDAY

☐ THURSDAY **PAY SCHEDULE IS:**

■ WEEKLY ■ SEMI MONTHLY □ BIWEEKLY ■ MONTHLY

PAYCHECKS ARE ISSUED ON THE:

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that

· Employees (current and former), including managers and temporary employees Union members and applicants for membership

What Organizations are Covered?

What Types of Employment Discrimination Under the EEOC's laws, an employer may not discriminate

Sex (including pregnancy, childbirth, and related medica conditions, sexual orientation, or gender identity) Age (40 and older) Genetic information (including employer requests for or purchase, use, or disclosure of genetic tests, genetic services, or family medical history) Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, nvestigation, or proceeding

Harassment (including unwelcome verbal

Religion

National origin

Additional information about the EEOC, Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy including information about filing a charge What Employment Practices can be Challenged as Discriminatory?

www.eeoc.gov. **EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS** The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the

· Pay (unequal wages or compensation) · Failure to provide reasonable accommodation for a

• Obtaining or disclosing genetic information

Requesting or disclosing medical information

Conduct that might reasonably discourage someone

Conduct that coerces, intimidates, threatens, or inter

with someone exercising their rights, or someone

rights, regarding disability discrimination (including

Contact the EEOC promptly if you suspect discrimination

Submit an inquiry through the EEOC's public portal:

1-844-234-5122 (ASL video phone

an EEOC field office (information at

www.eeoc.gov/field-office)

1-800-669-4000 (toll free)

1-800-669-6820 (TTY)

https://publicportal.eeoc.gov/Portal/Login.

from opposing discrimination, filing a charge, or

participating in an investigation or proceeding

What can You Do if You Believe

Discrimination has Occurred?

· Job training

of employees

the following ways:

disability; pregnancy, childbirth, or related medical

condition; or a sincerely-held religious belief, observance

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

tected under Federal law from discrimination on the

Asking About, Disclosing, or Discussing Pay

compensation or the compensation of other applicants or Do not delay, because there are strict time limits for filing

> Federal contractors take affirmative action to employ and advance in employment qualified individuals with

Protected Veteran Status The Vietnam Era Veterans' Readjustment Assistance

nondiscrimination and affirmative action commitments of Retaliation is prohibited against a person who files a companies doing business with the Federal Government. complaint of discrimination, participates in an OFCCP

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 activity which receive Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can

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

Any person who believes a contractor has violated

OFCCP's authorities should contact immediately:

relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk

and on OFCCP's "Contact Us" webpage at

PROGRAMS OR ACTIVITIES

Race, Color, National Origin, Sex

ASSISTANCE

RECEIVING FEDERAL FINANCIAL

Act of 1964, as amended, Title VI of the Civil Rights Act of

1964, as amended, prohibits discrimination on the basis

nation is covered by Title VI if the primary objective

of race, color or national origin in programs or activities

receiving Federal financial assistance. Employment

of the financial assistance is provision of employment,

cause discrimination in providing services under such

programs. Title IX of the Education Amendments of 1972

prohibits employment discrimination on the basis of sex is

educational programs or activities which receive Federal

at https://ofccphelpdesk.dol.gov/s/, or by calling an

OFCCP regional or district office, listed in most telephon

directories under U.S. Government, Department of Labo

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or physical conduct)

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. Employers 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 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 must make up the difference. PUMP AT WORK The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for their nursing child for one year after the child's birth each time the employee needs to express breast milk. Employers must 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 the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or ADDITIONAL · Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions. Certain narrow exemptions also apply to the pump at

Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.

· 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 and correctly classified independent

EMPLOYEE RIGHTS

UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE

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

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

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

Different rules apply in agricultural employment.

CHILD LABOR

TIP CREDIT

INFORMATION



EMPLOYEE RIGHTS EMPLOYEE POLYGRAPH PROTECTION ACT 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.

in the private sector, subject to restrictions, to certain prospective

The Act also permits polygraph testing, subject to restrictions, of certai employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic The law does not preempt any provision of any State or local law or any

employees of security service firms (armored car, alarm, and guard), and of

pharmaceutical manufacturers, distributors and dispensers.





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

ness, 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.

for others, maintain proper accounting records and business reports, pay self-employment taxes, and provide for insurance.

CTATE FAADI OVAAFAIT CENITED

wages and separation information on all workers for at least four (4) calendar years.

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:

Know Your Rights: Workplace Discrimination is Illegal

The Office of Federal Contract Compliance Program National Origin U.S. Department of Labor Executive Order 11246, as amended, prohibits 200 Constitution Avenue, N.W. employment discrimination by Federal contractors based Washington, D.C. 20210 identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects o If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommu

Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination

Section 503 of the Rehabilitation Act of 1973, as a charge of discrimination (180 or 300 days, depending on 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. accommodation to the known physical or mental disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that

> disabilities at all levels of employment, including the executive level.

Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires ffirmative action to recruit, employ, and advance in mployment, 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.

perform the essential functions of the job. If you are applying for a job with, or are an employee of, a proceeding, or otherwise opposes discrimination by

If you believe you have been discriminated against in a

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