

pharmaceutical manufacturers, distributors and dispensers

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

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

WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

insurance and workers' compensation purposes. As a worker, you have certain rights as an employee vs. independent contractor.

Improper classification (often called misclassification) of employees as independent contractors and other labor law violations create many problems, both for law-abiding businesses and for workers in Colorado.

If you believe you have been improperly classified as an independent contractor and are really performing duties that fit the

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



THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER



Colorado Law Prohibits Discrimination in: EMPLOYMENT C.R.S. § 24-34-401 et seq.

IT SHALL BE A DISCRIMINATORY OR UNFAIR EMPLOYMENT PRACTICE:

to REFUSE TO HIRE, to DISCHARGE, to PROMOTE or DEMOTE, to HARASS during the course of employment, or to discriminate IN MATTERS of COMPENSATION, TERMS, CONDITIONS, or PRIVILEGES of employment.

BECAUSE OF:

DISABILITY, RACE, CREED, COLOR, SEX, SEXUAL ORIENTATION (including TRANSGENDER STATUS), RELIGION, AGE, NATIONAL ORIGIN or ANCESTRY, or, in certain circumstances, MARRIAGE TO A COWORKER.

REASONABLE ACCOMMODATIONS FOR DISABILITIES:

An employee with a disability is entitled to a reasonable accommodation(s) which is necessary to perform the essential functions of the job. An accommodation is not reasonable if its provision would result in an undue hardship on the employer's business.

PREGNANT WORKERS FAIRNESS ACT – C.R.S. § 24-34-402.3

An employee with a health condition(s) related to pregnancy or physical recovery from childbirth is entitled to a reasonable accommodation(s) necessary to perform the essential functions of the job. An accommodation is not reasonable if its provision would result in an undue hardship on the employer's business.

RETALIATION PROHIBITED - C.R.S. § 24-34-402(e)

It is a discriminatory act to retaliate against a person who opposes a discriminatory practice or who participates in a discrimination investigation, proceeding or hearing.

SHARING WAGE INFORMATION PROTECTED - C.R.S. § 24-34-402(i)

An employer shall not discharge, discipline, discriminate against, coerce, intimidate, threaten, or interfere with an employee or person due to an inquiry, disclosure or discussion of wages. An employer shall not require an employee to waive the right to disclose wage information.

CROWN Act of 2020:

Discrimination on the basis of one's race includes hair texture, hair type, or a protective hairstyle commonly or historically associated with race, such as braids, locs, twists, tight coils or curls, cornrows, Bantu knots, Afros, and headwraps. eff. 9/13/20.

TO FILE A COMPLAINT OF DISCRIMINATION, OR FOR MORE INFORMATION CONTACT THE COLORADO CIVIL RIGHTS DIVISION; 1560 BROADWAY, LOBBY WELCOME CENTER, SUITE # 110, DENVER, CO 80202

MAIN PHONE: 303-894-2997; HOTLINE ESPANOL: 720-432-4294; TOLL-FREE: 800-262-4845; V/TTD RELAY: 711; FAX: 303-894-7830; EMAIL: DORA_CCRD@STATE.CO.US

EMPLOYMENT DISCRIMINATION COMPLAINTS MUST BE FILED WITHIN SIX (6) MONTHS AFTER THE ALLEGED DISCRIMINATORY ACT OCCURRED.

| sion Director, Aubrey Elenis, Esq. | ccrd.colorado.g |
|------------------------------------|-----------------|
| | |

8/2020

| If you believe you have been improperty classified as an independent contractor and are really performing duties that ht the criteria of an employee, visit colorado.gov/cdle/TipForm, or call us at 303-318-9100 and select Option 4. To be classified as an employee, you must meet the criteria in Colorado Revised Statute 8-70-115. You can read the law online and find out more at coloradoui.gov/ProperClassification. |
|---|
| As an <i>employee</i> , you are entitled to unemployment insurance benefits if you become unemployed through no fault of your own Your employer contributes to unemployment insurance and cannot deduct this from your wages. |
| If you become unemployed and wish to file for unemployment insurance benefits, go to coloradoui.gov and click on File a Claim. If your hours of work and pay are reduced, you may be entitled to partial unemployment benefits. |
| If you cannot access a computer, call one of the following numbers: 303-318-9000 (Denver-metro area) or 1-800-388-5515 (outside Denver-metro area); hearing impaired 303-318-9016 (TDD Denver-metro area) or 1-800-894-7730 (TDD outside Denver-metro area). |
| EMPLOYERS ARE REQUIRED BY LAW TO POST THIS NOTICE |
| Colorado Employment Security Act, 8-74-101(2); Regulations Concerning Employment Security 7.3.1 through 7.3.5 |
| Department of Labor and Employment |
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Equal Employment Opportunity is **THE LAW**

employment.

INDIVIDUALS WITH DISABILITIES

including the executive level.

Private Employers, State and Local Governments, Educational

Institutions, Employment Agencies and Labor Organizations

Applicants to and employees of most private employers, state and

labor organizations are protected under Federal law from

licants and employees from discrimination in hiring, promotior

her aspects of employment, on the basis of race, color, religion, sex cy), or national origin. Religious discrimination

actices where the accommodation does not impose undue hardship

Title Land Title V of the Americans with Disabilities Act of 1990, as

ended, protect qualified individuals from discrimination on the

basis of disability in hiring, promotion, discharge, pay, fringe benefits,

Disability discrimination includes not making reasonable

mployee, barring undue hard

ation is suspected:

The U.S. Equal Employment Oppor

ries in the U.S. Gove

harge filing, is available at www.eeoc.gov.

1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY numb r individuals with hearing impairments). EEOC field office

Additional information about EEOC, including information about

FFOC 9/02 and OFCCP 8/08 Versions Useable With 11/09 Supplement

formation is available at www.eeoc.gov or in most telephone

b training, classification, referral, and other aspects of employment.

therwise qualified individual with a disability who is an applicant or

arge, pay, fringe benefits, job training, classification, referral, and

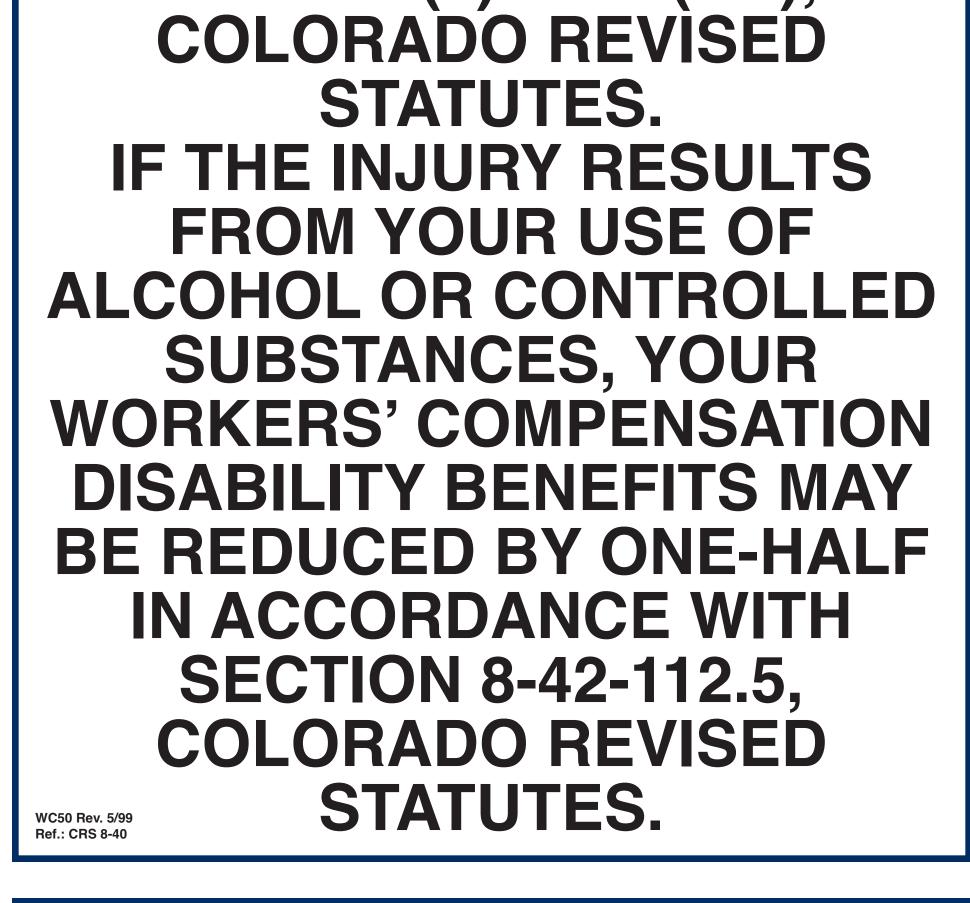
ng to reasonably accommodate an employee's religiou

le VII of the Civil Rights Act of 1964, as amended, protects

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

nents, educational institutions, employment agencies and

ation on the following bases:



COLORADO OVERTIME & MINIMUM PAY STANDARDS

ORDER ("COMPS Order") #37 POSTER

COLORADO Department of

Labor and Employment **Division of Labor Standards & Statistics** Colorado Minimum Wage: \$12.32 per hour, or \$9.30 for Tipped Employees, effective 1/1/2021. Deductions, Credits, & Charges from Wages: Subject to limits in C.R.S. 8-4-105 and below • The minimum wage adjusts annually by inflation; next year's COMPS Order and Poster will provide the 2022 minimum wage. • Tip credits of up to \$3.02 per hour (lowering minimum wages to \$9.30) are allowed for those regularly, customarily receiving over \$30 per month in tips. If hourly pay plus tips is below the full minimum wage, the employer must pay the difference. · The minimum wage applies to all adults and emancipated minors, whether paid hourly or any other basis (salary, commission piecework, etc.), unless exempted by COMPS Order Rule 2. Unemancipated minors may be paid 15% below the minimum. · Meal credits are allowed for the cost or value (without employer profit) of a voluntarily accepted meal • The federal minimum wage (\$7.25) and any local minimum wages (including \$14.77 in Denver as of 1/1/21) may also apply. · Lodging deductions are allowed only if housing is voluntarily accepted by the employee, primarily for the employee's (not If work is covered by multiple minimum or overtime wage rules, the rule with the higher wage or standard applies. employer's) benefit, recorded in writing, and limited to \$25 or \$100 per week (depending on the housing type). · Uniforms that are ordinary clothes, without special material or design, need not be provided; other uniforms must be provided at Overtime: 1¹/₂ times the regular pay rate for hours over 40 weekly, 12 daily, or 12 consecutive. no cost. Employers must pay for any special cleaning required, and cannot require deposits or deduct for ordinary wear and tear

• Hours in two or more weeks cannot be averaged in computing overtime.

· Employers may not provide time off (often called "comp time") instead of time-and-a-half premium pay for overtime hours.

· Executives/supervisors, decision-making administrative employees, and professionals (Rule 2.2.1-3) paid the exempt salary Meal Periods: 30 minutes uninterrupted and duty-free, for shifts over 5 hours.



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 workrelated 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.

This poster is available free from OSHA.

Contact OSHA. We can help.

122020

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. |
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| employee, barring undue hardship. | The Vietnam Era Veterans' Readjustment Assistance Act of 19/4, as | |
|---|---|----------|
| AGE | amended, 38 U.S.C. 4212, prohibits job discrimination and requires affirmative action to employ and advance in employment disabled | • If w |
| The Age Discrimination in Employment Act of 1967, as amended, | veterans, recently separated veterans (within three years of discharge | • To t |
| protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, | or release from active duty), other protected veterans (veterans who served during a war or in a campaign or expedition for which a | |
| fringe benefits, job training, classification, referral, and other aspects | campaign badge has been authorized), and Armed Forces service | D (I |
| of employment. | medal veterans (veterans who, while on active duty, participated in a | Rest I |
| SEX (WAGES) | U.S. military operation for which an Armed Forces service medal was awarded). | #1 |
| In addition to sex discrimination prohibited by Title VII of the Civil | RETALIATION | #\ #I |
| Rights Act, as amended, the Equal Pay Act of 1963, as amended, | Retaliation is prohibited against a person who files a complaint of | #1 |
| prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in | discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these Federal laws. | • Res |
| the same establishment. | Any person who believes a contractor has violated its | • Two |
| GENETICS | nondiscrimination or affirmative action obligations under the authorities above should contact immediately: | coer |
| Title II of the Genetic Information Nondiscrimination Act of 2008 | The Office of Federal Contract Compliance Programs (OFCCP), | Add |
| protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe | U.S. Department of Labor, 200 Constitution Avenue, N.W., | • Emj |
| benefits, job training, classification, referral, and other aspects of | 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- | |
| employment. GINA also restricts employers' acquisition of genetic | Public@dol.gov, or by calling an OFCCP regional or district office, | Time |
| information and strictly limits disclosure of genetic information. | listed in most telephone directories under U.S. Government, | Time |
| Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of | Department of Labor. | • All |
| diseases or disorders in family members (family medical history); and | Programs or Activities Receiving Federal Financial Assistance | |
| requests for or receipt of genetic services by applicants, employees, or | RACE, COLOR, NATIONAL ORIGIN, SEX In addition to the protections of Title VII of the Civil Rights Act of | • |
| their family members. | 1964, as amended, Title VI of the Civil Rights Act of 1964, as | • |
| RETALIATION | amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial | • |
| All of these Federal laws prohibit covered entities from retaliating | assistance. Employment discrimination is covered by Title VI if the | |
| against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful | primary objective of the financial assistance is provision of | |
| employment practice. | employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title | • Trav |
| WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED | IX of the Education Amendments of 1972 prohibits employment | |
| There are strict time limits for filing charges of employment | discrimination on the basis of sex in educational programs or activities | |
| discrimination. To preserve the ability of EEOC to act on your behalf | which receive Federal financial assistance. | |
| and to protect your right to file a private lawsuit, should you | INDIVIDUALS WITH DISABILITIES | |
| ultimately need to, you should contact EEOC promptly when | Section 504 of the Rehabilitation Act of 1973, as amended, prohibits | |

immediately contact the Federal agency providing such assistance.

Employers Holding Federal Contracts or Subcontracts

contract or subcontract are protected under Federal law from discrimination on the following bases:

Executive Order 11246, as amended, prohibits job discrimination of the basis of race, color, religion, sex or national origin, and requires

ffirmative action to ensure equality of opportunity in all aspects of

Section 503 of the Rehabilitation Act of 1973, as amended, protect

iring, promotion, discharge, pay, fringe benefits, job training,

known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment

ualified individuals with disabilities at all levels of employment

DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED

qualified individuals from discrimination on the basis of disability in

assification, referral, and other aspects of employment. Disability iscrimination includes not making reasonable accommodation to

Applicants to and employees of companies with a Federal governm

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

| | discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these Federal laws. | • | Rest p |
|---|---|----------|---------------------------|
| | Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately: | • | Two 5 coerci Additi |
| | 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- 1347 (ETV), OFCCP, we also be accurated by a complication of the CCP. | | Emplo |
| | 1337 (TTY). OFCCP may also be contacted by e-mail at OFCCP- Public@dol.gov, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor. | | me W |
| | Programs or Activities Receiving Federal Financial Assistance | • | All tin |
| | RACE, COLOR, NATIONAL ORIGIN, SEX In addition to the protections of Title VII of the Civil Rights Act of | | • pu |
| | 1964, as amended, Title VI of the Civil Rights Act of 1964, as | | • av |
| | amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial | | • se |
| | assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of | | • Wa |
| E | 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. | <u>-</u> | Travel |
| r | 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 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 | | |

EEOC-P/E-1 (Revised 11/0

2021 \$40,500 \$45,000 \$50,000 \$55,000 Prior year's salary, inflation-adjusted Employees must be completely relieved of all duties, and allowed to pursue personal activities, for meal periods to be unpaid vork makes uninterrupted meal periods impractical, eating an on-duty meal must be permitted, and the time must be paid. • 20% owners, or at a nonprofit the highest-paid/highest-ranked employee, if actively engaged in management (2.2.5) the extent practical, meal periods must be at least 1 hour after starting and 1 hour before ending shifts. • Highly technical computer-related employees (defined in 2.2.10), if paid at least \$28.38 per hour. · Various in-residence workers, including property managers, range workers, and camp/outdoor education field staff (2.2.7). Periods: 10 minutes, paid, every 4 hours. • Various, but not all, types of salespersons (2.2.4, 2.4.1, 2.4.2) and taxi drivers (2.2.6). Work Hours: Up to 2 >2, up to 6 >6, up to 10 >10, up to 14 >14, up to 18 >18, up to 22 >22 • Certain medical transportation and hospital/nursing home employees have modified overtime rules (2.4.4, 2.4.5). est Periods: 0 1 2 3 4 5 6 Downhill ski/snowboard employees, including on-mountain food but not lodging, are exempt from 40-hour overtime (2.4.3). periods need not be off-site but must not include work and should be in the middle of the 4 hours to the extent practical. Agriculture (2.3) and some transportation (2.4.6) jobs are exempt from overtime and meal periods, and have more flexible rest -minute rest periods, instead of one 10-minute, are permitted if employees and employers agree voluntarily and withou periods (agriculture) or no (transportation) rest periods cion, and if 5 minutes is enough to go back and forth to a bathroom or other place where a genuine break would be taken. tional flexibility with 5-minute periods applies to agriculture, Medicaid home care, and collectively bargained work. Complaint & Anti-Retaliation Rights. overs that do not authorize and permit rest periods must pay extra for the work time that would have been rest periods. • The Division of Labor Standards and Statistics (contact info at the bottom of this Poster) accepts complaints and tips as to violations of COMPS or other wage rights under federal, state, or local law. Alternatively, employees may file lawsuits in court. Vorked: Time employers allow performance of labor/services for their benefit must be paid

- me on-premises, on duty, or at prescribed workplaces (but not just letting off-duty employees be on-premises), including:
- utting on or removing work clothes/gear (but not clothes worn outside work), cleanup/setup, or other off-the-clock duty;

Regular hours and pay set the rate of accrual and compensation for leave, during which benefits continue.

(4) in a PHE, a public official closed the workplace, or the school or place of care of the employee's child.

• For details on specific situations (irregular hours, non-hourly pay, etc.), see Wage Protection Rule 3.5, 7 CCR 1103-7

(1) a mental or physical illness, injury, or health condition that prevents work, including diagnosis or preventive care;

(2) domestic abuse, sexual assault, or criminal harassment leading to health, relocation, legal, or other services needs;

In a public health emergency (PHE), employees can use supplemental PHE leave for the following needs

(1) self-isolating or work exclusion due to exposure, symptoms, or diagnosis of the communicable illness in the PHE;

being unable to work due to a health condition that may increase susceptibility to or risk of such an illness; or

(4) caring for a child or other family in category (1)-(3), or whose school or child care is unavailable due to the PHE.

During a PHE, employees still earn up to 48 hours of accrued leave and may use supplemental leave before accrued leave.

Employer Policies (Notice; Documentation; Incremental Use; Privacy; and Paid Leave Records)

• Written notice and posters. Employers must (1) provide notice to new employees no later than other onboarding

documents/policies; and (2) display updated posters, and provide updated notices to current employees, by end of year.

Notice for "foreseeable" leave. Employers may adopt "reasonable procedures" in writing as to how employees should

• An employer can require documentation to show that leave was for a qualifying reason only if leave was taken

for four or more consecutive work days (*i.e.* days on which an employee would have worked, not calendar days).

• Documentation is not required to take paid leave, but can be required as soon as an employee can provide it after

• To document leave for an employee's (or an employee's family member's) health-related need, an employee may

• To document that an employee (or an employee's family member) required leave for a need related to domestic

abuse, sexual assault, or criminal harassment, an employee may provide: a document or writing under (1) above (e.g.

from a provider of legal or shelter services) or (2) above, or a legal document (e.g., a restraining order or police report).

• If an employer reasonably deems an employee's documentation deficient, the employer must: (A) notify the

employee within seven days of either receiving the documentation or the employee's return to work or separation

obtained in reasonable time and without added expense; otherwise (2) the employee's own writing.

(whichever is sooner), and (B) give the employee at least seven days to cure the deficiency.

provide: (1) a document from a health or social services provider if services were received and document can be

returning to work or separating from work (whichever is sooner). No documentation can be required for PHE leave.

provide notice if they require "foreseeable" leave, but cannot deny paid leave for noncompliance with such a policy.

Employees can use accrued leave for the following safety or health needs:

• Up to 48 hours of unused accrued leave carries over for use the next year.

(3) has a family member experiencing a condition described in category (1) or (2); or

(2) seeking a diagnosis, treatment, or care (including preventive care) of such an illness;

- aiting assignments at work, or receiving or sharing work-related information; or curity/safety screening, clocking/checking in or out; or
- vaiting for any of the above tasks.

· Immigration status is irrelevant to wage rights. The Division will investigate and rule on complaints without asking, reporting or considering status. Using status to interfere with rights is illegal under Wage Protection Rule 4.8 and other applicable law. for employer benefit is time worked; normal home/work travel is not. For more on travel and sleep time, see Rule 1.9.2.

This poster must be displayed where easily accessible to workers, included in any existing employee handbook or manual, shared with remote workers, provided in languages other than English as needed, and replaced annually.

This Poster summarizes key wage rules in the COMPS Order, but not all, and should not be relied upon as complete information. For the full Order, more detailed fact sheets, or for questions, information, or complaints as to wage or other labor laws, contact:

Division of Labor Standards and Statistics, coloradolaborlaw.gov, cdle_labor_standards@state.co.us, 303-318-8441 / 888-390-7936.

EMERGENCY NUMBERS FIRE DEPARTMENT:

PAY DAY NOTICE

PAY DAY IS ON:

| MONDAY | FRIDAY |
|------------------|--------------|
| TUESDAY | SATURDAY |
| WEDNESDAY | SUNDAY |
| | |
| PAY SCHEDULE IS: | |
| | SEMI MONTHLY |
| | MONTHLY |

PAYCHECKS ARE ISSUED ON THE:

| COLORADO Department of Labor and Employment | PAID LEAVE, WHISTLEBLOWIN | blic Health Rights Poster: NG, & PROTECTIVE EQUIPMENT tandards & Statistics | Effective January 1, 2021 Must be updated annually; new poster available 1st week of each December |
|--|---------------------------|--|--|
| THE HEALTHY FAMILIES & WORKPLACES ACT ("HFWA"): Paid Leave Rights | | | |
| Coverage: Employers with at least 16 employees are required to provide paid leave under the HFWA | | • Employee Privacy. Employers cannot require employees to disclose "details" about an employee's (or their family's) HFWA-related health or safety information; such information must be treated as a confidential medical record. | |
| | | • Records must be provided upon request. Employers must pr employees have (1) available for use, and (2) already used dur | |

ion of the current amount of paid leave employees have (1) available for use, and (2) already used during the current benefit year, including any supplemental PHE leave. Information may be requested once per month or when the need for HFWA leave arises.

Exemptions from the COMPS Order: All listed in Rule 2; key exemptions listed below.

• Parties liable for unpaid wages include the employer as an entity, and individuals with operational control over the entity.

· Violations of wage or anti-retaliation provisions may be reported to the Division as complaints or anonymous tips.

actual or anticipated wage investigations, hearings, complaints, or proceedings

· Employers cannot retaliate by threatening, coercing, or discriminating for purposes of reprisal, interference, or obstruction, as to

2022 2023 2024

Retaliation or Interference with HFWA Rights

Effective January 1, 2021

Must be updated annually; new poster

available 1st week of each December

Each Year After 2024

· Paid leave cannot be counted as an "absence" that may result in firing or another kind of adverse action.

· An employee can't be required to find a "replacement worker" or job coverage when taking paid leave. An employer cannot fire, threaten, or otherwise retaliate against, or interfere with use of leave by, an employee who: (1) requests or takes HFWA leave; (2) informs or assists another person in exercising HFWA rights; (3) files a HFWA complaint; or (4) cooperates/assists in investigation of a HFWA violation.

If an employee's reasonable, good-faith HFWA complaint, request, or other activity is incorrect, an employer need not agree or grant it, but cannot act against the employee for it. Employees can face consequences for misusing leave.

THE PUBLIC HEALTH EMERGENCY WHISTLEBLOWER LAW ("PHEW"): Worker Rights to Express Workplace Health Concerns & Use Protective Equipment

Coverage: All Employers and Employees, Plus Certain Independent Contractors

• PHEW covers not just "employers" and "employees," but all "principals" (an employer or a business with at least 5 independent contractors) and "workers" (employees or independent contractors at a "principal").

Worker Rights to Oppose Workplace Health/Safety Violations During Public Health Emergencies:

• It is unlawful to retaliate against, or interfere with, the following acts during, and related to, a public health emergency: (1) raising reasonable concerns, including informally, to the principal, other workers, the government, or the public, about workplace violations of government health or safety rules, or a significant workplace health or safety threat; (2) opposing or testifying, assisting, or participating in an investigation or proceeding about retaliation for, or interference with, the above-listed conduct .

• A principal need not address a worker's PHEW-related concern, but it still cannot fire or take other action against the worker for that reason, as long as the concern was reasonable and in good-faith.

Workers' Rights to Use Their Own Personal Protective Equipment ("PPE"):

• A worker must be allowed to voluntarily wear their own PPE (mask, faceguard, gloves, etc.) if the PPE (1) provides more protection than equipment provided at the workplace, (2) is recommended by a government health agency (federal, state, or local), and (3) does not make the worker unable to do the job.

COMPLAINT RIGHTS (under both HFWA & PHEW)

· Violations may be reported to the Division as complaints or anonymous tips, or may be filed as in court after exhausting pre-lawsuit remedies.

e public health laws, SB 20-205 (naid leave) and HB 20-1415 (wh ment) It does not cover other health or safety laws rules and orders including under

| CALL 911 |
|------------|
| POLICE: |
| AMBULANCE: |
| PHYSICIAN: |

HOSPITAL:

POISON CONTROL:

OSHA:



