# EMPLOYEE RIGHTS **UNDER THE FAMILY AND MEDICAL LEAVE ACT**

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

### Eligible employees who work for a covered employer can take up to 12 Employees may choose, or an employer may require, use of accrued weeks of unpaid, job-protected leave in a 12-month period for the

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. · The birth of a child or placement of a child for adoption or foster To bond with a child (leave must be taken within 1 year of the

 For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job; For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent, 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 An employee does not need to use leave in one block. When it is

medically necessary or otherwise permitted, employees may take leave

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave. To care for the employee's spouse, child, or parent who has a 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 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 practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must: Have worked for the employer for at least 12 months: Have at least 1,250 hours of service in the 12 months before

employees within 75 miles of the employee's worksite. \*Special "hours of service" requirements apply to airline flight crew Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures. Employees do not have to share a medical diagnosis, but must provide ough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include

Employers can require a certification or periodic recertification

certification is incomplete, it must provide a written notice indicating

Work at a location where the employer has at least 50

for a reason that may qualify under the FMLA, the employer must notif the employee if he or she is eligible for FMLA leave and, if eligible, ust also provide a notice of rights and responsibilities u<mark>nder th</mark>e FMLA. If the employee is not eligible, the employer must provide a Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA forming an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perfor is necessary. Employees must inform the employer if the need for leave The FMLA does not affect any federal or state law prohibiting

EMPLOYER RESPONSIBILITIES

Employees may file a complaint with the U.S. Department of Labor Wage and Hour Division, or may bring a private lawsuit against an is for a reason for which FMLA leave was previously taken or certified. discrimination or supersede any state or local law or collectiv bargaining agreement that provides greater family or medical leave supporting the need for leave. If the employer determines that the

Once an employer becomes aware that an employee's need for leave is

For additional information or to file a complaint: 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

WH1420 REV 04/16

# **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

Ref.: 29 USC, Ch. 28, Sec. 2619

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 **EXEMPTIONS** 

law does not apply to tests given by the Federal Government to certain

private individuals engaged in national security-related activities. The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees

of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers. 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 collective bargaining agreement which is more restrictive with respect to lie

Employers are generally prohibited from requiring or requesting any

**ENFORCEMENT** 

Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons. The Secretary of Labor may bring court actions to restrain violations and

assess civil penalties against violators. Employees or job applicants may also bring their own court actions. THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER

> Religion

WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

### 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

### **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 of:

- > Race
- National origin
- Sexual orientation

➤ Age (over 40)

- > Pregnancy, childbirth, or pregnancy-related conditions Gender identity

UALD enforces laws prohibiting discrimination.

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

- Payment of wages > Employment of minors
- > 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 your workplace.

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

You have the right to file a complaint with UOSH if you feel that your employer has retaliated against you for making safety or

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

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.

To file a safety complaint online or obtain more information about UOSH please visit our website

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







Rev. 01.15.19

(801) 530-6901



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

Policy Number: \_\_

Address for the above insurance company:

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.

. Report the injury, no matter how slight, immediately to your supervisor. You may lose your rights if your injury is not reported within 180 days of the injury or work-related illness.

HOW TO REPORT AN ACCIDENT

- 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 given to you and copies of the report are sent to the insurance company and the Labor Commission within seven (7) days of your doctor visit.
- 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**

- Ask your employer which insurance company pays workers' compensation benefits for the company.
- 2. Ask your employer to report the accident to the insurance company and give you the claim number. 3. 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 raudulent 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

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

If you want copy of an Employee's Guide to Workers' Compensation booklet or

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

- The Utah Antidiscrimination Act requires an employer to make a reasonable accommodation for an employee for pregnancy, child
- 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:
  - o the probable duration of the accommodation; and 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

To learn more about your rights, please contact the Utah discrimination@utah.gov.

# under the Utah Antidiscrimination Act

- birth, breastfeeding, or a related condition, upon the employee's request. UTAH CODE § 34A-5-106(1)(g) (2016).
- o the date the reasonable accommodation becomes medically

accommodation. UTAH CODE § 34A-5-106(7)(a) (2016).

restroom, food, or water breaks. UTAH CODE § 34A-5-106(7)(c) (2016).

Antidiscrimination & Labor Division by calling 801-530-6801 or emailing

# **EMERGENCY NUMBERS**

**CALL 911** 

POLICE: AMBULANCE:

FIRE DEPARTMENT: POISON CONTROL: \_\_\_\_\_

### **PAY DAY IS ON:** ☐ MONDAY

**PAY SCHEDULE IS:** 

TIME:

☐ FRIDAY ☐ SATURDAY ☐ TUESDAY

**PAY DAY NOTICE** 

- WEDNESDAY ☐ SUNDAY □ THURSDAY
- □ WEEKLY □ SEMI MONTHLY □ BIWEEKLY

☐ MONTHLY

**PAYCHECKS ARE ISSUED ON THE:** OF THE MONTH

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

CHILD LABOR

**TIP CREDIT** 

NURSING

**MOTHERS** 

**ENFORCEMENT** 

ADDITIONAL

**INFORMATION** 

release to full time work.

Department of Labor.

UTAH DEPARTMENT OF WORKFORCE SERVICES

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

**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.

wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.

Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions.

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

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-hazardous jobs with certain work hours restrictions. Different rules apply in

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

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

Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum

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

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

wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties

may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations

are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA

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

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

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

jobs.utah.gov

### **UNEMPLOYMENT INSURANCE NOTICE TO WORKERS**

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

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

#### To receive unemployment benefits you may file your claim online at **jobs.utah.gov**, select "Unemployment Benefits," then choose "File New or Reopen Claims." You may also call the Claims Center at: Salt Lake/South Davis Counties – (801) 526-4400;

FILING FOR UNEMPLOYMENT INSURANCE BENEFITS

0688. No benefits will be paid for weeks prior to the week in which you file your claim. You should, therefore, file immediately after becoming unemployed or when your work hours are reduced to less than full time. FILING AFTER RECEIVING WORKER'S COMPENSATION BENEFITS If you are separated from employment due to a work-related illness or injury for which you have received Worker's Compensation,

your rights to unemployment benefits may be preserved for up to THREE YEARS from the date of your injury. In order to use

Weber/North Davis Counties - (801) 612-0877; Utah County - (801) 375-4067; elsewhere in Utah and out-of-state - (888) 848-

### wages earned prior to such an injury or illness, you must file a claim for unemployment benefits within 90 DAYS of your doctor's

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

#### **WAGES DETERMINE BENEFIT AMOUNT** The amount of your unemployment benefits will be determined from your wages in covered employment. "Wages" are all

payments for personal services performed such as salaries, commissions, bonuses, tips, and the cash value of goods and services received for services performed. Tips received but not reported to your employer generally cannot be used to determine your unemployment benefits. **SELF-EMPLOYMENT** 

### employed" if your work is performed without direction and control and you are in your own established business. This generally means you are properly licensed in business, perform similar services for others, maintain proper accounting records and business

status reviewed by DWS. Work performed in "self employment" cannot be used for unemployment benefits. You are "self-

If you are classified as "self-employed" (independent contractor), you may want to discuss this with your employer and have your

reports, pay self-employment taxes, and provide for insurance. **ONLINE SERVICES** 

### Access our web site jobs.utah.gov to search for jobs, find out about available programs, and obtain economic information. NO FEE EMPLOYMENT SERVICES

DWS services are available on our web site at jobs.utah.gov/employer 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) 438-3580	Ogden	480 27th Street	.(801) 626-310
Blanding	544 North 100 East	(435) 678-1400	Panguitch	665 North Main	.(435) 676-141
Brigham City	1050 Medical Drive	(435) 734-4060	Park City	1960 Sidewinder Dr., Ste. 202	.(435) 649-845
Cedar City	176 East 200 North	(435) 865-6530	Price	475 West Price River Dr. #300	.(435) 636-230
Clearfield	1290 East 1450 South	(855) 222-7531	Provo	1550 North 200 West	.(801) 342-260
Delta	44 South 350 East	(435) 864-3860	Richfield	115 East 100 South	.(435) 893-000
Emery County	550 West Hwy 29	(435) 381-6100	Roosevelt	140 West 425 South 330-13	.(435) 722-650
Heber City	69 North 600 West, Ste. C	(435) 654-6520	Roy	1951 West 5400 South	.(801) 626-310
Junction	550 North Main	(435) 577-2443	Salt Lake Metro	720 South 200 East	.(801) 536-700
Kanab	468 East 300 South	(435) 644-8910	Salt Lake So County	5735 South Redwood Rd	.(801) 269-470
Lehi	557 W. State Street	(801) 753-4500	South Davis	763 West 700 South W. Cross	.(801) 626-310
Loa	18 South Main	(435) 836-2406	Spanish Fork	1185 North Chappel Drive	.(801) 794-660
Logan	180 North 100 West	(435) 792-0300	St. George	162 North 400 East Bldg. B	.(435) 674-562
Manti	55 South Main #3	(435) 835-0720	Tooele	305 North Main, Ste. 100	.(435) 833-731
Midvale	7292 South State St	(801) 567-3800	Vernal	1050 West Market Dr	.(435) 781-410
Moab	457 Kane Creek Blvd	(435) 719-2600	West Valley	2750 South 5600 West Ste. A	.(801) 840-440

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

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

of Claim Filed." 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 potential charges. You will also receive a Form 65 "Employer Notice of Potential Liability" showing any wages from your firm being used on the claim and your firm's potential benefit costs. If you have 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

# jobs.utah.gov/employer

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

Equal Opportunity Employer/Program Auxiliary aids and services are available upon request to individuals with disabilities by calling (801) 526-9240. Individuals with speech and/or hearing impairments may call Relay Utah by dialing 711. Spanish Relay Utah: 1-888-346-3162

# Equal Employment Opportunity is THE LAW

**Employment Agencies and Labor Organizations** employment agencies and labor organizations are protected under Federal law from discrimination on the

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the

Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable 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.

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, 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 the same establishment.

discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC

All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of

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

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employmen INDIVIDUALS WITH DISABILITIES Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable

disabilities at all levels of employment, including the executive level. DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination and requires affirmative action to employ and advance in employment disabled veterans, recently separated veterans (within three years of discharge or release from active duty), other protected veterans (veterans who served during a war or in a campaign or expedition for which a campaign badge has been authorized), and Armed Forces service medal veterans (veterans who, while on active duty, participated in

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

Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from 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. **Programs or Activities Receiving Federal Financial Assistance** RACE. COLOR, NATIONAL ORIGIN, SEX 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

> of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited dation, can perform the essential functions of the job.

**THA-83744** 092016

09/2016-03/10/20



Reporting Injuries

Compliance Program (801) 530-6901

Consultation Program (801) 530-6855

**TO REORDER CALL: 1-800-817-7678 WWW.COMPLIANCEPOSTER.COM** 

# Private Employers, State and Local Governments, Educational Institutions Applicants to and employees of most private employers, state and local governments, educational institutions,

..625 North Main.....

accommodation does not impose undue hardship.

The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

GENETICS

to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is suspected: The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669- in all aspects of employment against persons with disabilities who, with or without reasonable

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

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. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with

a U.S. military operation for which an Armed Forces service medal was awarded).

The Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY)

programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance. Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis

available at www.eeoc.gov or in most telephone directories in the U.S. Government or Federal Government

If you believe you have been discriminated against in a program of any institution which receives Federal section. Additional information about EEOC, including information about charge filing, is available at financial assistance, you should immediately contact the Federal agency providing such assistance.