FEDERAL MINIMUM WAGE \$7.25 PER HOUR BEGINNING JULY 24, 2009

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

OVERTIME PAY At least 11/2 times the regular rate of pay for all hours worked over

CHILD LABOR An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment.

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

PUMP AT WORK

TX

FED

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 ntrusion from coworkers and the public, which may be used by the employee to express breast milk.

DEPARTMENT OF LABOR **WAGE AND HOUR DIVISION UNITED STATES OF** UNITED STATES DEPARTMENT

www.dol.gov/agencies/whd

1-866-487-9243



LABOR

LAWS

Minimum Wage Law

TWC provides information to employers and employees about their respective rights, duties and remedies under the Texas Minimum Wage Act. The Texas Minimum Wage Act

with a written earnings statement containing certain information about the employee's pay Designates TWC as the agency responsible for

Contains provisions concerning agricultural piece rate

Provides civil remedies for its violation

Texas adopts the federal minimum wage rate. Effective July 24. 2009, the federal minimum wage is \$7.25 per hour. The Texas Minimum Wage Act does not prohibit employees from bargaining collectively with their employers for a higher wage.

value of meals and lodging toward minimum wage. An employer does not need to pay an employee who lives on the business premises for on-call time in addition to assigned vage to an employee who is a patient or client of the Texas

Department of Mental Health and Mental Retardation, or to other individuals due to age (see the law for details), or to productivity impairments **Nage Rate Complaints & Deadline**

Earnings Statement

Exemptions

Other specific exemptions include:

or nonprofit organizations Domestics

Certain youths and students

Family members Amusement and recreational establishments Non-agricultural employers not liable for state unemployment contributions

agricultural commodities commercially produced in substantial quantities in Texas, if sufficient productivity information is available. The piece rates are intended to guarantee at least minimum wage for harvesters of average ability and diligence while allowing harvesters to earn more by producing more. Last Verified: July 14, 2022

VOTICE: This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under the Fair Labor ndards Act posting, which indicates the federal minimum wage. Where federal and state rates both apply to an employee, the U.S. Department of

TX

Texas Workforce Commission Wage and Hour Department, Child Labor Enforcement **U.S. Department of Labor** Wage and Hour Division

laws, but it is not complete. Chapter 51, Texas Labor Code, governs the employment of children under Texas state law. MINIMUM AGE FOR EMPLOYMENT IS 14; however, state and federal laws provide for certain exceptions. Please call TWC's Wage and Hour Department concerning questions about of the U.S. Department of Labor, Wage and Hour Division or call 866-487-9243

14- through 17-year-old children:

Prohibited occupations are the same for both federal and state law. The hazardous occupations designated by an asterisk (*) have provisions for employment of persons below the age of eighteen (18), provided applicable apprentice or studentinformation about these exceptions should contact the nearest office of the United States Department of Labor Occupations declared particularly hazardous or detrimental to

age include occupations (1) in or about plants or establishments other than retail

establishments

A. on any public road or highway, are in progress, or

(Under certain conditions, driving a motor vehicle for

nvolving firefighting and timber tracts, (5) *in operating or assisting to operate power-driven

woodworking machines, (6) involving exposure to radioactive substances and to ionizing

forming, punching, and shearing machines, (9) in connection with mining, other than coal,

machines, balers and compactors,

(13) in manufacturing brick, tile, and kindred products, eciprocating saws, chain saws and wood-chippers, (15) in wrecking, demolition, and ship-breaking operations, (16) * in roofing operations and on or about a roof, and

state law:

14- and 15-vear-old children:

mined, or otherwise processed. or hoisting apparatus other than typical office machines. (3) work as a ride attendant or ride operator at an amusement

park or a "dispatcher" at the top of elevated water slides, (4) driving a motor vehicle or helping a driver, rail, highway, air, water, pipeline, or other means,

(6) youth peddling, sign waving, or door-to-door sales, (7) poultry catching or cooping. (8) lifeguarding at a natural environment such as a lake, river, ocean beach, quarry, pond (youth must be at least 15 years

of age and properly certified to be a lifeguard at a traditional

EMPLOYEE RIGHTS

UNDER THE FAIR LABOR STANDARDS ACT

ENFORCEMENT

The Department has authority to recover back wages and an

equal amount in liquidated damages in instances of minimum

litigate and/or recommend criminal prosecution. Employers may

the law. Civil money penalties may also be assessed for violations

wage, overtime, and other violations. The Department may

be assessed civil money penalties for each willful or repeated

violation of the minimum wage or overtime pay provisions of

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

participate in any proceeding under the FLSA.

the Commonwealth of Puerto Rico.

employers must comply with both.

independent contractors are not.

Department of Labor.

ADDITIONAL INFORMATION

work requirements

are determined to be willful or repeated. The law also prohibits

retaliating against or discharging workers who file a complaint or

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,

Some state laws provide greater employee protections;

employees under the FLSA. It is important to know the

difference between the two because employees (unless

Some employers incorrectly classify workers as

"independent contractors" when they are actually

exempt) are entitled to the FLSA's minimum wage

and overtime pay protections and correctly classified

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

the Commonwealth of the Northern Mariana Islands, and

An individual has two years from the date wages were due to file

given pay period.

Employment in, of or by religious, educational, charitable

Dairying and production of livestock

Sheltered workshops **Agricultural Piece Rates** The Commissioner of Agriculture establishes piece rates for

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

For further information about Texas' child labor laws, call: This poster provides some guidelines to the Texas child labor labor law. The Fair Labor Standards Act (FLSA) governs federal laws and guidelines pertaining to child labor. For information concerning federal child labor laws, consult your local office

The following are prohibited occupations for

learner certification has been obtained. Persons desiring specific the health or well-being of all children 14 through 17 years of

establishments which manufacture or store explosives or articles containing explosive components other than retail (2) involving the driving of motor vehicles and outside helpers

B. in or about any place where logging or sawmill operations (2) between the hours of 10 p.m. and 5 a.m. on a day that is

a commercial purpose is NOT considered a hazardous occupation under state or federal law,

(4) in logging and sawmill occupations and occupations

(7) in operating or assist to operate power-driven hoisting apparatus such as elevators, cranes, derricks, hoists, high-lift (8) * in operating or assisting to operate power-driven metal

processing machines, and occupations including slaughtering,

(12) * involved in the operation of power-driven paper-products (14) * in operating or assisting to operate power-driven circular saws, bandsaws and guillotine shears, abrasive cutting discs,

(17) * in connection with excavation operations Additional prohibited occupations that apply under

(1) Occupations involved in sales and solicitation by a child unde 18 years of age. Consult 51.0145 Texas Labor Code for exceptions (2) Occupations in sexually oriented businesses by a child under

Additional prohibited occupations that apply only to Occupations declared particularly hazardous or detrimental to the health or well-being of 14- and 15-year-old children include:

1) mining, manufacturing, or processing occupations, including duties in workrooms or places where goods are manufactured, (2) operating or assisting in operating power-driven machinery

(5) occupations involved in transporting persons or property by

Establishes a minimum wage for non-exempt employees

Requires covered employers to provide each employee disseminating information about state minimum wage

Exempts a variety of employers from its coverage

With specified restrictions, employers may count tips and the Under certain conditions, an employer may pay a sub-minimum

Individuals who believe they have been paid at a rate lower than the law requires may choose to take legal action.

a lawsuit to recover the unpaid wages plus an additional equal amount as liquidated damages. The employer can be assessed reasonable attorney's fees and court costs. Employers must provide employees a written earnings statement

with information on that enables employees to determine from a single document whether they have been paid correctly for a

The primary exemption from the Texas Minimum Wage Act is for any person covered by the federal Fair Labor Standards Act

abor dictates that the employee is entitled to the higher minimum wage rate.

Child Labor Laws

wimming pool or water amusement park),

(10) communications and public utilities jobs, (11) construction including demolition and repair, work performed in or about boiler or engine rooms or in connection with the maintenance or repair of the establishment, machines, (12) outside window washing that involves working from

window sills, and all work requiring the use of ladders, scaffolds (13) cooking, except with gas or electric grills that do not involve cooking over an open flame and with deep fat fryers that utilize devices that automatically lower and raise the baskets from the (14) baking and all activities involved in baking,

(15) occupations which involve operating, setting up, adjusting, cleaning, oiling, or repairing power-driven food slicers and grinders, food choppers and cutters, and bakery-type mixers, (16) freezers or meat coolers work, except minors may occasionally enter a freezer for a short period of time to retrieve (17) meat processing and work in areas where meat is processed

(18) loading and unloading goods to and from trucks, railroad cars or conveyors, and (19) all occupations in warehouses and storage except office and Work times for 14- and 15-year-old children:

State Law — A person commits an offense if that person permits a child 14 or 15 years of age who is employed by that person to (1) more than 8 hours in one day or more than 48 hours in one

followed by a school day or between the hours of midnight and 5 a.m. on a day that is not followed by a school day if the child is enrolled in school, or (3) between the hours of midnight and 5 a.m. on any day during the time school is recessed for the summer if the child is not enrolled in summer school.

Federal Law — The FLSA further regulates hours of employment. (1) during school hours, (2) more than eight hours on a non-school day or 40 hours

during a non-school week, (3) more than three hours on a school day or 18 hours during a (4) between 7 p.m. and 7 a.m. during the school year, or between 9 p.m. and 7 a.m. from June 1 and Labor Day.

Child Actors- state law Child actor definition — a child under the age of 14 who is to be employed as an actor or other performe Child actor extra definition — a child under the age of 14 who is employed as an extra without any speaking, singing, or dancing Every person applying for child actor authorization must submit

Special authorization for child actors to be employed as extras is

granted without the need for filing an application if the employe

meets the Texas Workforce Commission's requirements. Contac 1-800-832-9243 for instruction **PENALTIES:** State of Texas — An offense under Chapter 51, Texas Labor Code, is a Class B misdemeanor, except for the offense of employing a child under 14 to sell or solicit which is a Class A misdemeanor. If the Commission determines that a person who employs a child has violated this Act, or a rule adopted under this Act, the Commission may assess an administrative penalty against that person in an amount not to exceed \$10,000 for each violation. The attorney general may seek injunctive relief in district court against an

employer who repeatedly violates the requirements established by this Act relating to the employment of Federal — The FLSA prescribes a maximum administrative penalty of \$11,000 per violation and/

101 E. 15TH STREET • AUSTIN, Texas 78778-0001 (512) 463-2222 RELAY TEXAS: 800-735-2989 (TDD) 800-735-2988 (Voice)

www.texasworkforce.org **Equal Opportunity Employer/Services**

or criminal prosecution and fines.

TX

NOTICE TO EMPLOYEES CONCERNING ASSISTANCE **AVAILABLE IN THE WORKERS' COMPENSATION SYSTEM** FROM THE OFFICE OF INJURED EMPLOYEE COUNSEL

Have you been injured on the job? As an injured employee in Texas, you have the right to free assistance from the Office of Injured Employee Counsel (OIEC). OIEC is the state agency that assists unrepresented injured employees with their claim in the workers' compensation system.

You can contact OIEC by calling its toll-free telephone number: 1-866-393-6432.

More information about OIEC and its Ombudsman Program is available at the agency's website (www.oiec.texas.gov).

OMBUDSMAN PROGRAM

What Is An Ombudsman? An Ombudsman is an employee of OIEC who can assist you if you have a dispute with your employer's insurance carrier. An Ombudsman's assistance is free of charge. Each Ombudsman has completed a comprehensive training program designed specifically to assist you with your dispute. An Ombudsman can help you identify and develop the disputed issues in

your case and attempt to resolve them. If the issues cannot be resolved, the Ombudsman can help you request a dispute resolution proceeding at the Texas Department of Insurance, Division of Workers' Compensation. Once a proceeding is scheduled an Ombudsman can:

Help you prepare for the proceeding (Benefit Review Conference and/or Contested Case Hearing); Attend the proceeding with you and communicate on your behalf; and

Assist you with an appeal or a response to an insurance carrier's appeal, if

Copyright 2024 J. J. Keller & Associates, Inc. • Neenah, WI • Printed in the USA

Figure 28 TAC §276.5(c)

OIEC

REV. 09/2022



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

PROHIBITIONS Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an

employee or prospective employee for refusing to take a test or for exercising other rights under the Act. **EXEMPTIONS** Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal

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

DEPARTMENT

UNITED STATES

OF AMERICA

FED

certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer. The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests. **EXAMINEE RIGHTS** Where polygraph tests are permitted, they are subject to

distributors and dispensers

car, alarm, and guard), and of pharmaceutical manufacturers,

The Act also permits polygraph testing, subject to restrictions, of

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

ENFORCEMENT The Secretary of Labor may bring court actions to restrain certain prospective employees of security service firms (armored 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 WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

1-866-487-9243 www.dol.gov/agencies/whd

REV. 02/2022

Your Employee Rights Under

the Family and Medical Leave Act What is FMLA leave? $The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with {\it {\bf job-protected leave}} for qualifying family and {\it {\bf$ 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 12-month period for: The birth, adoption or foster placement of a child with you,

Your serious mental or physical health condition that makes you unable to work, 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 for the servicemember. 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 #28M(c) for

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 Am I eligible to take FMLA leave? You are an eligible employee if all of the following apply:

You work for a covered employer, 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 work location. Airline flight crew employees have different "hours of service" requirements.

WAGE AND HOUR

UNITED STATES

DEPARTMENT OF

DIVISION

You work for a **covered employer** if **one** of the following applies: You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year, You work for an elementary or public or private secondary school, or 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 Management. How do I request FMLA leave?

Generally, to request FMLA leave you must: Follow your employer's normal policies for requesting leave, 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. 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 same Your employer may request certification from a health care provider to verify medical leave and may request certification of a qualifying

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights. State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S.

What does my employer need to do? If you are eligible for FMLA leave, your employer must: Allow you to take job-protected time off work for a qualifying reason, 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 Your employer cannot interfere with your FMLA rights or threaten or punish you for exercising your rights under the law. For example, your

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your employer must confirm whether you are

eligible or not eligible for FMLA leave. If your employer determines that you are eligible, your employer must notify you in writing: About your FMLA rights and responsibilities, and How much of your requested leave, if any, will be FMLA-protected leave. Where can I find more information?

UNITED STATES OF AMERICA

WAGE AND HOUR DIVISION

UNITED STATES DEPARTMENT OF LABOR

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 court. Scan the QR code to learn about our WHD complaint process DEPARTMENT OF LABOR

employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigatio



Workforce Commission Attention Employees Your employer reports your wages to the Texas Workforce Commission. If you become unemployed or your work $hours are \ reduced, you \ may \ be \ eligible \ for \ unemployment \ benefit \ payments. \ File \ online \ at \ \underline{www.twc.texas.gov} \ or \ call$

1-800-939-6631. Additional assistance may be available at your local Workforce Solutions Office; please visit the directory at:

www.twc.texas.gov/directory-workforce-solutions-offices-services Unemployment Insurance (UI) benefits are available to workers who are unemployed and who meet the requirements of state UI To file, you will need to provide your full legal name and your social security number or your authorization to work. The Texas Payday Law, Title II, Chapter 61, Texas Labor Code, requires Texas employers to pay their employees who are exempt from the overtime pay provisions of the Fair Labor Standards Act of 1938 at least once per month. All other employees must be paid at least

Scheduled paydays: (You must indicate date or dates of the month for employees paid monthly or semi-monthly, and day of the week

for employees paid weekly or at other times.) SEMI-MONTHLY:

twice a month and each pay period must consist as nearly as possible of an equal number of days.

TO EMPLOYERS: Texas Labor Code section 208.001(b) and 40 T.A.C. 815.1(14)(A) & (B) require that this notice, or its equivalent, be displayed in a location reasonably calculated to be encountered by all employees, and that an employer provide such information, individually, to an employee upon separation from employment. To report suspected fraud, waste or abuse of the program call 800-252-3642.

REV. 04/2020

NOTICE TO EMPLOYEES CONCERNING WORKERS'

COMPENSATION IN TEXAS COVERAGE: [Name of employer]

has workers' compensation insurance coverage from [name of commercial insurance company] in the event of work-related injury or occupational disease. This

Any injuries or occupational diseases which occur on or after that

date will be handled by [name of commercial insurance company]

coverage is effective from [effective date of workers' compensation

An employee or a person acting on the employee's behalf, must notify the employer of an injury or occupational disease not later than the 30th day after the date on which the injury occurs or the date the employee knew or should have known of an occupational disease, unless the Texas Department of Insurance, Division of Workers' Compensation (Division) determines that good cause existed for failure to provide timely notice. Your employer is required to provide you with coverage information, in writing, when you are hired or whenever the employer becomes, or ceases to be, covered by workers' compensation insurance.

EMPLOYEE ASSISTANCE: The Division provides free information about how to file a workers' compensation claim. Division staff will answer any questions you may have about workers' compensation and process any requests for dispute resolution of a claim. You can obtain this assistance by contacting your local Division field office or by calling 1-800-252-7031. The Office of Injured Employee Counsel (OIEC) also provides free assistance to injured employees and will explain your rights and responsibilities under the Workers' Compensation Act. You can obtain OIEC's assistance by contacting an OIEC customer service representative in your local Division field office or by calling 1-866-EZE-OIEC (1-866-393-6432).

SAFETY VIOLATIONS HOTLINE: The Division has a 24 hour toll-free telephone number for reporting unsafe conditions in the workplace that may violate occupational health and safety laws. Employers are prohibited by law from suspending, terminating, or discriminating against any employee because he or she in good faith reports an alleged occupational health or safety violation. Contact the Division at 1-800-452-9595.

Notice 6 • TEXAS DEPARTMENT OF INSURANCE, DIVISION OF WORKERS' COMPENSATION • Rule 110.101(e)(1)

TX **EQUAL EMPLOYMENT OPPORTUNITY IS ...** IGUALIDAD DE OPORTUNIDADES EN EL EMPLEO ES ...

La Ley en Texas

sindicatos de negar la igualidad de oportunidades de empleo en

otros aspectos del

La ley prohíbe a los empleadores, agencias de empleo y

por causa de raza, color, nacionalidad, religion, sexo, edad, o The Sex Protected Class includes Sexual Harassment, Gender La clase protegida por sexo incluye acoso sexual, estereotipos Stereotyping, Pregnancy Discrimination, Gender Identity, and de género, discriminación por embarazo, identidad de género v Sexual Orientation

If you believe you have been discriminated against, contact the

Texas Workforce Commission, Civil Rights Division

Si usted cree que ha sido discriminado, comuníquese con l

ascensos

desocupa

Comisión Laboral de Texas, División de Derechos Civiles $Website: \underline{www.twc.texas.gov/jobseekers/how-submit-employment-discrimination-complaint}\\$ Email: EEOintake@twc.texas.gov 101 E. 15TH STREET, RM. 154; AUSTIN, TX 78778 TOLL FREE (WITHIN TEXAS) 1-888-452-4778 TTY (512) 371-7473 (512) 463-2642

> Equal Opportunity Employer / Program Igualdad de Oportunidad de Empleo / Programa

FED

U.S. Equal Employment Opportunity Commission **Know Your Rights: Workplace Discrimination is Illegal**

Disability

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help.

Who is Protected?

Employees (current and former), including managers and temporary employees Job applicants

Union members and applicants for membership in a union What Types of Employment Discrimination are Illegal?

Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of:

Color Religion

National origin Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity) Age (40 and older)

Disability 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, investigation, or proceeding

Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation

What Organizations are Covered? Most private employers State and local governments (as employers)

Educational institutions (as employers)

Staffing agencies What Employment Practices can be Challenged as Discriminatory?

All aspects of employment, including:

Discharge, firing, or lay-off Harassment (including unwelcome verbal or physical conduct)

Hiring or promotion Assignment Pay (unequal wages or compensation) Failure to provide reasonable accommodation for a disability; pregnancy,

childbirth, or related medical condition; or a sincerely-held religious belief, observance or practice

www.eeoc.gov.

FED

REEMPLOYMENT RIGHTS

perform service in the uniformed service and:

are a past or present member of the •

conclusion of service; and

initial employment;

retention in employment;

reemployment;

because of this status.

TX

Job training Classification

Obtaining or disclosing genetic information of employees Requesting or disclosing medical information of employees Conduct that might reasonably discourage someone from opposing

Conduct that coerces, intimidates, threatens, or interferes with someone exercising their rights, or someone assisting or encouraging someone else to exercise rights, regarding disability discrimination (including accommodation) or pregnancy accommodation What can You Do if You Believe Discrimination has Occurred? Contact the EEOC promptly if you suspect discrimination. Do not delay, because there

are strict time limits for filing a charge of discrimination (180 or 300 days, depending

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

on where you live/work). You can reach the EEOC in any of the following ways: Submit an inquiry through the EEOC's public portal: https://publicportal.eeoc.gov/Portal/Login.aspx 1-800-669-4000 (toll free) 1-800-669-6820 (TTY) 1-844-234-5122 (ASL video phone)

Additional information about the EEOC, including information about filing a charge of discrimination, is available at

an EEOC field office (information at

www.eeoc.gov/field-office)



EMPLOYERS HOLDING FEDERAL CONTRACTS OR

SUBCONTRACTS The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action commitments of companies doing business with the Federal Government. If you are applying for a job with, or are

an employee of, a company with a Federal contract or subcontract, you are protected under Federal law from discrimination on the following bases:

Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, Executive Order 11246, as amended, prohibits employment discrimination by Federal

contractors based on race, color, religion, sex, sexual orientation, gender identity, or

national origin, and requires affirmative action to ensure equality of opportunity in all **Asking About, Disclosing, or Discussing Pay**

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

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified

individuals with disabilities from discrimination in hiring, promotion, discharge, pay,

fringe benefits, job training, classification, referral, and other aspects of employment

by Federal contractors. Disability discrimination includes not making reasonable

accommodation to the known physical or mental limitations of an otherwise qualified

individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level. **Protected Veteran Status** The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C.

4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans. Retaliation

participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors under these Federal laws. Any person who believes a contractor has violated its nondiscrimination or affirmative

action obligations under OFCCP's authorities should contact immediately: The Office of Federal Contract Compliance Programs (OFCCP) U.S. Department of Labor 200 Constitution Avenue, N.W. Washington, D.C. 20210 1-800-397-6251 (toll-free)

Retaliation is prohibited against a person who files a complaint of discrimination,

calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at https://www.dol.gov/agencies/ofccp/contact.

If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access

telecommunications relay services. OFCCP may also be contacted by submitting

a question online to OFCCP's Help Desk at https://ofccphelpdesk.dol.gov/s/, or by

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 programs or activities receiving

employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance. **Individuals with Disabilities** Section 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. Employment discrimination is covered by Title VI if the

primary objective of the financial assistance is provision of employment, or where

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 any institution which receives Federal financial assistance, you should immediately contact the

Federal agency providing such assistance.

HEALTH INSURANCE PROTECTION

Federal financial assistance. Discrimination is prohibited in all aspects of employment

REV. 06/27/2023

YOUR RIGHTS UNDER USERRA

THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

are obligated to serve in the

any benefit of employment

promotion; or

you ensure that your employer receives advance written or verbal notice of your you have five years or less of cumulative service in the uniformed services while with that particular employer you return to work or apply for reemployment in a timely manner after

You have the right to be reemployed in your civilian job if you leave that job to

you have not been separated from service with a disqualifying discharge or under other than honorable conditions. If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

uniformed service: uniformed service: have applied for membership in the uniformed service; or then an employer may not deny you:

Reporting Workplace Violence

Employees can report instances of workplace violence or suspicious activity by contacting the

Department of Public Safety (DPS) through the iWatchTexas Community Reporting System at

www.iwatchtx.org, or by calling 844-643-2251. Employees have the right to make a report to

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military. Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., preexisting condition exclusions) except for service-connected illnesses or injuries.

The U.S. Department of Labor, Veterans Employment and Training Service

(VETS) is authorized to investigate and resolve complaints of USERRA violations.

https://www.dol.gov/agencies/vets/. An interactive online USERRA Advisor can

If you leave your job to perform military service, you have the right to elect to

be viewed at https://webapps.dol.gov/elaws/vets/userra. If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA. The rights listed here may vary depending on the circumstances. The text of this

notice was prepared by VETS, and may be viewed on the internet at this address:

https://www.dol.gov/agencies/vets/programs/userra/poster Federal law requires

employers to notify employees of their rights under USERRA, and employers may

meet this requirement by displaying the text of this notice where they customarily

For assistance in filing a complaint, or for any other information on

USERRA, contact VETS at **1-866-4-USA-DOL** or visit its website at

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service

U.S. Department of Labor • 1-866-487-2365 U.S. Department of Justice Office of Special Counsel

Employer Support of the Guard and Reserve • 1-800-336-4590

Workforce Commission

All workers have the right to: A safe workplace. Raise a safety or health concern with your employer or OSHA, or report a work-

related injury or illness, without being

retaliated against.

OSHA on your behalf.

employer.

 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

 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

retaliated against for using your rights.

See any OSHA citations issued to your

(by phone, online or by mail) if you have been

Reguest copies of your medical records, tests

that measure hazards in the workplace, and

This poster is available free from OSHA.

the workplace injury and illness log.

Contact OSHA. We can help.

Go to: JJKeller.com/LLPverify

ONLINE

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

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

consultation programs in every state.

JJKeller.com/laborlaw QR CODE Scan with phone camera: 800-327-6868 Enter this code: 69488-012024 JAN2024 65880F FED-TX-ENG

Reportando La Violencia en el Trabajo Los empleados pueden denunciar casos de violencia en el trabajo o actividades sospechosas comunicándose con el Departamento de Seguridad Pública (DPS) a través del Sistema de Informes Comunitarios iWatchTexas en www.iwatchtx.org, o llamando al 844-643-2251. Los empleados tienen derecho a presentarle una queja al DPS de forma anónima

Job Safety and Health IT'S THE LAW!

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

the alleged violations. On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHA-supported



62920

To update your labor law posters contact **TWO** ways to verify poster compliance! J. J. Keller & Associates, Inc.

This poster is in compliance with federal and state posting requirements.

The Law in Texas

The law prohibits employers, employment agencies and labor

unions from denying equal employment opportunities in

discharge