Compliance Code: UT-0825-F04 
• Check Compliance By Scanning Here ▶

Know Your Rights: Workplace Discrimination is Illegal The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination

lawsuit, investigation, or proceeding

All aspects of employment, including:

• Harassment (including unwelcome verbal

Pay (unequal wages or compensation)

belief, observance or practice

• Failure to provide reasonable accommodation

for a disability; pregnancy, childbirth, or related

medical condition; or a sincerely-held religious

as Discriminatory?

or physical conduct)

Hiring or promotion

Discharge, firing, or lay-off

Who is Protected? Employees (current and former), including managers and temporary employees Job applicants

 Union members and applicants for membership in a union What Organizations are Covered? Most private employers State and local governments (as employers) Educational institutions (as employers)

What Types of Employment Discrimination are Under the EEOC's laws, an employer may not discriminate against you, regardless of your

immigration status, on the bases of: Race Color

 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 • Conduct that coerces, intimidates, threatens, or discrimination, or participating in a discrimination interferes with someone exercising their rights, or someone assisting or encouraging someone • Interference, coercion, or threats related else to exercise rights, regarding disability to exercising rights regarding disability discrimination (including accommodation) or pregnancy accommodation discrimination or pregnancy accommodation **What Employment Practices can be Challenged** 

**What can You Do if You Believe Discrimination** has Occurred? Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:

**Submit** an inquiry through the EEOC's public portal: https://publicportal.eeoc.gov/Portal/Login.aspx

**Call** 1–800–669–4000 (toll free) 1-800-669-6820 (TTY) 1-844-234-5122 (ASL video phone) Visit an EEOC field office (information at

www.eeoc.gov/field-office)

Additional information about the EEOC, including information about filing a • Conduct that might reasonably discourage someone charge of discrimination, is from opposing discrimination, filing a charge, or available at www.eeoc.gov.

**E-Mail** <u>info@eeoc.gov</u>

companies doing business with the Federal Government. If you are applying for a you are protected under Federal law from discrimination on the following bases: Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin Executive Order 11246, as amended, prohibits employment orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

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. Disability Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ office, listed in most telephone directories under U.S. Government, Department and advance in employment qualified individuals with disabilities at all levels of Labor and on OFCCP's "Contact Us" webpage at of employment, including the executive level.

Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, discrimination in providing services under such programs. Title IX of the Education program of any institution which receives Federal financial assistance, you

**Protected Veteran Status** The Vietnam Era Veterans' Readjustment Assistance against, and requires affirmative action to recruit, employ, and advance in three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans. **Retaliation** Retaliation is prohibited against a person who files a complaint discrimination by Federal contractors under these Federal laws. Any person who believes a contractor has violated its nondiscrimination or affirmative Asking About, Disclosing, or Discussing Pay Executive Order 11246, as action obligations under OFCCP's authorities should contact immediately: The Office of Federal Contract Compliance Programs (OFCCP) U.S. Department of Labor

> to access telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at https://ofccphelpdesk.dol.gov/s/, or by calling an OFCCP regional or district https://www.dol.gov/agencies/ofccp/contact.

covered by Title VI if the primary objective of the financial assistance is provision who, with or without reasonable accommodation, can perform the essential of employment, or where employment discrimination causes or may cause functions of the job. If you believe you have been discriminated against in a

### ANTI-DISCRIMINATION NOTICE

It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination.

Amendments of 1972 prohibits employment discrimination on the basis of sex in should immediately contact the Federal agency providing such assistance.

For information, please contact

The Office of Special Counsel for Immigration Related Unfair Employment Practices Office at 800-255-7688.

## ACCOMMODATION TO PREGNANT EMPLOYEES

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

The Utah Antidiscrimination Act requires employers to provide reasonable accommodations for employees related to pregnancy, childbirth, breastfeeding, or related conditions, upon an employee's request.

Further, the Act prohibits an employer from terminating an employee, or denying an employment opportunity, instead of providing

However, an employer is not required to provide reasonable accommodation if it can demonstrate that doing so would create an undue hardship on its operations.

To learn more about your rights, please visit:

 $\underline{https://labor commission.utah.gov/divisions/utah-antidiscrimination and -labor-uald/employment-discrimination/divided and -labor-uald/employme$ or email the Utah Antidiscrimination & Labor Division at discrimination@utah.gov

LABOR COMMISSION

## **UNEMPLOYMENT INSURANCE**



## **UTAH DEPARTMENT OF WORKFORCE SERVICES**

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

## FILING FOR UNEMPLOYMENT INSURANCE BENEFITS

To receive unemployment benefits, you may file your claim online at **jobs.utah.gov**, select "Assistance," the click "Check Eligibility" under "Unemployment Insurance," and then choose "File New or Reopen Claims." No benefits will be paid for weeks prior to the week in which you file your claim. You should, therefore, file immediately after becoming unemployed or when your work hours are reduced to less than full time.

## FILING AFTER RECEIVING WORKER'S COMPENSATION BENEFITS

**SEPARATION INFORMATION** At the time you are separated from your job, you should request information as to the reasons for your separation. You do not need to have a

separation notice to file a claim. Both you and your employer will be requested to provide statements explaining the reason for your separation.

**WAGES DETERMINE BENEFIT AMOUNT** 

### The amount of your unemployment benefits will be determined from your wages in covered employment. "Wages" are all payments for personal services performed such as salaries, commissions, bonuses, tips, and the cash value of goods and services received for services performed. Tips received but not reported to your employer generally cannot be used to determine your unemployment benefits.

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

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 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 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 • Contact us at: 801-526-WORK (9675)**

Beaver	875 North Main
Blanding	. 544 North 100 East
Brigham City	
Cedar City	
Clearfield	
Delta	
Emery County	. 550 West Hwy 29
Heber City	
Junction	
Kanab	. 468 East 300 South
Lehi	. 557 W. State Street
Loa	. 18 South Main
Logan	. 180 North 100 West
Manti	. 55 South Main #3
Moab	. 457 Kane Creek Blvd
Nephi	. 625 North Main
Ogden	. 480 27th Street
Panguitch	. 665 North Main
Park City	. 1910 Prospector Ave. Ste. 100
Price	. 475 West Price River Dr. #300
Provo	. 1550 North 200 West
Richfield	. 115 East 100 South
Roosevelt	. 140 West 425 South 330-13
Salt Lake Metro	. 720 South 200 East
Salt Lake So County	. 5735 South Redwood Rd
South Davis	. 763 West 700 South W. Cross
Spanish Fork	. 1185 North Canyon Creek Parkw
St. George	. 162 North 400 East Bldg. B
Tooele	. 305 North Main, Ste. 100

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

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 Internet at:

n accordance with Section 35A-4-406(1)(b) of the Utah Employment Security Act, this notice must be permanently posted by each employer at suitable points (on bulletin boards, near time clocks, etc.) in each work place and establishment.

american **job**center

Equal Opportunity Employer/Program · Auxiliary aids (accommodations) and services are available upon request

## FEDERAL MINIMUM WAGE

## EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

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

**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 nonfarm 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

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

**PUMP AT WORK** The FLSA requires employers to provide employee to express breast milk.

**ENFORCEMENT** The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil

The law requires employers to display this poster where 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.

Certain narrow exemptions also apply to the pump at

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

Some state laws provide greater employee protections;

employers must comply with both. 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 contractors are not. Certain full-time students, student learners, apprentices,

and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.



WAGE AND HOUR DIVISION DEPARTMENT OF LABOR 1-866-487-9243

## **WORKERS' COMPENSATION**

## **WORKERS' COMPENSATION NOTICE**

### **Insurance Company:**

Address for the above insurance company:

workers' compensation benefits. WORKERS' COMPENSATION

### Workers' Compensation is insurance which pays medical expenses and helps offset lost wages for employees with workrelated injuries or illnesses. If you have an on-the-job injury or occupational disease, it may pay for: hospital and medical bills,

related illness.

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. 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

insurance company within seven (7) days of the rehabilitation program. Contact the insurance company to the Labor Commission.

## **HOW TO START COMPENSATION**

workers' compensation benefits for the company.

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

4. Ask your doctor to send medical reports to the insurance

## **REHABILITATION**

accident. The insurance company will report the injury listed above or the Utah State Office of Rehabilitation.

FRAUD STATEMENT: "Any person who knowingly presents false or fraudulent underwriting information, files or causes to be filed a false or fraudulent claim for disability compensation or medical benefits, or submits a false or fraudulent report or billing for health care fees or other professional services is guilty of a crime and may be subject to fines and confinement in state prison."



160 East 300 South 3<sup>rd</sup> Floor P.O. Box 146610 Salt Lake City, Utah 84114-6610

Office: (801)-530-6800 Fax: (801)-530-6804 Toll Free: (800)-530-5090 www.laborcommission.utah.gov If you want copy of an Employee's Guide to Workers' Compensation booklet or have questions, contact the

Labor Commission or go to the webpage at www.laborcommission.utah.gov. Note: This notice must be posted and kept continuously in public and conspicuous places in the office, shop or place of

business of the employer as per §34A-2-204 and §34A-2-104.5, Utah Code Annotated.

## PAYDAY NOTICE

**Regular Paydays for Employees of** 

(Company Name) Shall be as follows:

## WITHHOLDING STATUS

### YOU MAY NEED TO CHECK YOUR WITHHOLDING Since you last filed form W-4 with your employer

did you... Marry or divorce? Gain or lose a dependent?

jobs.utah.gov

09-22E-Oct.23

Change your name? Were there major changes to... • Your nonwage income (interest, dividends, capital

gains, etc.)? • Your family wage income (you or your spouse started or ended a job)? Your itemized deductions?

Your tax credits? you can answer "YES"... To any of these questions or you owed extra tax when you filed your last return, you may need to file a new form W-4.

See your employer for a copy of Form W-4 or call the IRS at 1-800-829-3676. Now is the time to check your withholding. For more details, get Publication 919, How Do I Adjust My Tax Withholding?, or use the Withholding Calculator at www.irs.gov/individuals on

**Employer**: Please post or publish this Bulletin Board Poster so that your employees will see it. Please indicate where they can get forms and information on this subject.

IRS IRS Department of the Treasury **Internal Revenue Service www.irs.gov** 

# Publication 213

# (Rev. 8-2009)

## FMLA - FAMILY AND MEDICAL LEAVE ACT **Your Employee Rights Under the Family and Medical Leave Act**

the IRS web site.

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

in a 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 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 more information. FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need Am I eligible to take FMLA leave? You are an eligible employee

if **all** of the following apply: 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

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 You work for an elementary or public or private secondary

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

How do I request FMLA leave? Generally, to request FMLA

Follow your employer's normal policies for requesting leave,

leave you must:

Airline flight crew employees have different "hours of service"

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 reason when requesting additional leave. Your **employer may request certification** from a health care provider to verify medical leave and may request certification of a qualifying exigency. 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

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. Office of Personnel Management or Congress. 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

Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave. Your employer cannot interfere with your FMLA rights or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation. 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 FMLAprotected leave. Where can I find more information? Call 1-866-487-9243 or visit dol.gov/fmla to learn more. If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private







### · 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 EMPLOYEE POLYGRAPH PROTECTION ACT

### EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT The Employee Polygraph Protection Act prohibits economic loss to the employer. The law does not most private employers from using lie detector preempt any provision of any State or local law or any

tests either for pre-employment screening or collective bargaining agreement which is more during the course of employment. PROHIBITIONS Employers are generally prohibited **EXAMINEE RIGHTS** Where polygraph tests are from requiring or requesting any employee or job permitted, they are subject to numerous strict applicant to take a lie detector test, and from standards concerning the conduct and length of the discharging, disciplining, or discriminating against an test. Examinees have a number of specific rights, employee or prospective employee for refusing to including the right to a written notice before testing, take a test or for exercising other rights under the Act. the right to refuse or discontinue a test, and the right **EXEMPTIONS** Federal, State and local governments not to have test results disclosed to unauthorized are not affected by the law. Also, the law does not persons. apply to tests given by the Federal Government to **ENFORCEMENT** The Secretary of Labor may bring certain private individuals engaged in national court actions to restrain violations and assess civil security-related activities. The Act permits polygraph penalties against violators. Employees or job applicants (a kind of lie detector) tests to be administered in the may also bring their own court actions. private sector, subject to restrictions, to certain THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS

restrictive with respect to lie detector tests.

rospective employees of security service firms POSTER WHERE EMPLOYEES AND JOB APPLICANTS (armored car, alarm, and guard), and of pharmaceutical CAN READILY SEE IT. manufacturers, distributors and dispensers. The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are WAGE AND HOUR DIVISION

DEPARTMENT OF LABOR

1-866-487-9243

## **Workplace Safety and Health in the State of Utah**

OCCUPATIONAL SAFETY AND HEALTH PROTECTION

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

You have the **obligation to comply** with all workplace safety and health rules established by your employer.

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.

You have the right to file a complaint with UOSH if you feel that your employer has retaliated against you for making safety or health complaints, or for exercising your rights under the Utah Occupational Safety and Health Act. Such whistleblower complaints must be filed within 30 days of the retaliation.

You have a right to see all UOSH citations issued to your employer. Your employer must post the citations at or near the place of the alleged violation. You may request an informal review of the abatement period granted to the employer.

You have the right to know your employer is obligated to correct workplace hazards by the date indicated on the citation and must certify that these hazards have been reduced or eliminated.

## You have the right to **copies of your medical records** or records of your exposure to toxic and harmful substances or conditions.

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

### **REPORTING REQUIREMENTS** Employers are required to notify UOSH at 801-530-6901 or online at www.laborcommission.utah.gov/divisions/uosh/

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,

within 8 hours of occurrence of all fatalities, disabling, significant, and serious injuries or illnesses to workers. You can

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

day each violation is not corrected.

**CONTESTS, APPEALS, INFORMAL REVIEW** 

**State of Utah Labor Commission** 

www.laborcommission.utah.gov

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 \$16,131. Willful or Repeated violations may be assessed a proposed

penalty up to \$161,323. Failure to correct or abate a violation may result in additional penalties not to exceed \$16,131 for each

The Utah Labor Commission will provide an adjudicative formal hearing with its Division of Adjudication, when an employer

files a written notice of contest within 30 days of receipt of the citation. Upon expiration of that 30 day period, the citation and

proposed penalties are final and not subject to review by any court or agency. Employers may also request an informal review

of any citation, proposed penalty or abatement period. Informal reviews do not extend the 30 days in which an employer must file a written notice of contest for a formal hearing. To report a workplace fatality or injury, file a workplace safety complaint, or for assistance please call (801) 530-6901 or (800) 530-5090. To file a safety complaint online or obtain more information about UOSH please visit our website: www.laborcommission.utah.gov/ divisions/uosh/. To obtain more information about safety and health in the workplace, please contact the Consultation Program at

**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* 

**Compliance Program Consultation Program** 

## USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT



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.

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

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

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. RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION If you: • are a past or present member of the uniformed service; • have applied for membership in the uniformed service; or • are obligated to serve in the uniformed service; then an employer may not deny you:

initial employment; • reemployment; • retention in employment; promotion; or • any benefit of employment, because of this status. 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 connection.

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

except for service-connected illnesses or injuries.

• For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL or visit its website at https://www.dol.gov/agencies/vets/. An interactive online

USERRA Advisor can be viewed at https://webapps.dol.gov/elaws/vets/userra • If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office 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. Publication Date — May 2022

of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place



# **Job Safety and Health** IT'S THE LAW!

rights.

notices for employees.

- A safe workplace. Raise a safety or health concern with your employer or OSHA, or report a work-
- 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

- 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
- See any OSHA citations issued to your employer.
- 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.

## **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.
- amputation, or loss of an eye.

workplace fatality or within 24 hours of

Prominently display this poster in the



## UT-0825-F04

# **EEOC - KNOW YOUR RIGHTS: WORKPLACE DISCRIMINATION IS ILLEGAL** in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able

Staffing agencies

Religion Benefits Job training Classification Referral • Obtaining or disclosing genetic information of employees • Requesting or disclosing medical information

participating in an investigation or proceeding

**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 Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination job with, or are an employee of, a company with a Federal contract or subcontract, employment, disabled veterans, recently separated veterans (i.e., within discrimination by Federal contractors based on race, color, religion, sex, sexual of discrimination, participates in an OFCCP proceeding, or otherwise opposes

> 200 Constitution Avenue, N.W Washington, D.C. 20210 1-800-397-6251 (toll-free) If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE prohibits discrimination on the basis of race, color or national origin in programs program or activity which receives Federal financial assistance. Discrimination or activities receiving Federal financial assistance. Employment discrimination is is prohibited in all aspects of employment against persons with disabilities

educational programs or activities which receive Federal financial assistance.

UTAH CODE § 34A-5-106(1)(g) (2016)

UNEMPLOYMENT INSURANCE **NOTICE TO WORKERS** 

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

If you are separated from employment due to a work-related illness or injury for which you have received Worker's Compensation, your rights to unemployment benefits may be preserved for up to THREE YEARS from the date of your injury. In order to use wages earned prior to such an

injury or illness, you must file a claim for unemployment benefits within 90 DAYS of your doctor's release to full time work.

by DWS. Work performed in "self employment" cannot be used for unemployment benefits. You are "self-employed" if your work is performed

	1107 5 TTOT CIT THAITT
Blanding	. 544 North 100 East
Brigham City	. 138 West 990 South
Cedar City	. 176 East 200 North
Clearfield	. 1290 East 1450 South
Delta	. 44 South 350 East
Emery County	. 550 West Hwy 29
Heber City	. 69 North 600 West, Ste. C
Junction	
Kanab	. 468 East 300 South
Lehi	. 557 W. State Street
Loa	. 18 South Main
Logan	. 180 North 100 West
Manti	. 55 South Main #3
Moab	. 457 Kane Creek Blvd
Nephi	. 625 North Main
Ogden	. 480 27th Street
Panguitch	. 665 North Main
Park City	. 1910 Prospector Ave. Ste. 100
Price	. 475 West Price River Dr. #300
Provo	. 1550 North 200 West
Richfield	.115 East 100 South
Roosevelt	. 140 West 425 South 330-13
Salt Lake Metro	.720 South 200 East
Salt Lake So County	. 5735 South Redwood Rd
South Davis	.763 West 700 South W. Cross
Constale Fault	1105 Noutle Course Const. Double

## **INFORMATION FOR EMPLOYERS**

. 1050 West Market Dr

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

jobs. utah. gov/ui/employer/public/handbook/employerhandbook. as pxion to be a constant of the property of t

to individuals with disabilities by calling 801-526-9240. Individuals who are deaf, hard of hearing, or have speech impairments may call Relay Utah by dialing 711. Spanish Relay Utah: 1-888-346-3162.

# reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in

employees can readily see it. **OVERTIME PAY** At least 1 ½ times your regular rate of pay for all hours worked over 40 in a workweek.

jobs with certain work hours restrictions. Different rules apply in agricultural employment. TIP CREDIT Employers of "tipped employees" who meet employee's tips combined with the employer's cash wage of

reasonable break time for a nursing employee to express breast milk for her nursing child for one year after the child's birth each time the employee needs to express breast milk. Employers must provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the

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

ADDITIONAL INFORMATION work requirements.

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

Check here if the employer has been authorized by the Division of Industrial Accidents to self-insure and directly pay

time lost from work, permanent loss of body function, prosthetic devices, and burial and dependent benefits in case of death. **HOW TO REPORT AN ACCIDENT** 1. Report the injury, no matter how slight, immediately to 1. Ask your employer which insurance company pays your supervisor. You may lose your rights if your injury is not reported within 180 days of the injury or work-

your doctor visit. Your employer shall fill out the employer's first report of injury form. A copy of this report is sent to the If you cannot return to work, you may be eligible for a

# 2. Ask your employer to report the accident to the

for compensation. Cooperate with the adjuster's investigation of the injury. company, including the work status statement.

Rev 10/2019

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

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

- related injury or illness, without being retaliated against. Receive information and training on
- the right to have a representative contact OSHA on your behalf. Participate (or have your representative)
- Request copies of your medical records,

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

**HEALTH INSURANCE PROTECTION** • If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage you ensure that your employer receives advance written or verbal

- Provide required training to all workers in a language and vocabulary they can

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

Post OSHA citations at or near the place



# All workers have the right to:

any work-related inpatient hospitalization,

supported consultation programs in every

# THIS NOTICE MUST BE POSTED IN THE WORKPLACE

and Health Act. **NOTICE TO EMPLOYEES** 

You have the right to notify your employer or UOSH about workplace hazards. You may ask to keep your name confidential.

## **NOTICE TO EMPLOYERS**

(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. **Reporting Injuries** (801) 530-6901 (801) 530-6901 (801) 530-6855

> "Helping to ensure a safe and healthy workplace for every worker in the State of Utah" Rev. 05.07.2025

periods or exclusions (e.g., pre-existing condition exclusions) • The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints

service, you have the right to be reinstated in your employer's health

plan when you are reemployed, generally without any waiting

OSHA - THE OCCUPATIONAL SAFETY AND HEALTH ACT

 Comply with all applicable OSHA standards. Notify OSHA within 8 hours of a

understand.

state.