an employee of, a company with a Federal contract or subcontract, you are protected

Executive Order 11246, as amended, prohibits employment discrimination by Federal

national origin, and requires affirmative action to ensure equality of opportunity in all

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

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

contractors from discrimination based on inquiring about, disclosing, or discussing

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

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

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

action to employ and advance in employment qualified individuals with disabilities at

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

wartime or campaign badge veterans, or Armed Forces service medal veterans.

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

action obligations under OFCCP's authorities should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP)

participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal

Any person who believes a contractor has violated its nondiscrimination or affirmative

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

calling an OFCCP regional or district office, listed in most telephone directories under

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL

FINANCIAL ASSISTANCE

In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended,

Federal financial assistance. Employment discrimination is covered by Title VI if the

employment discrimination causes or may cause discrimination in providing services

employment discrimination on the basis of sex in educational programs or activities

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

If you believe you have been discriminated against in a program of any institution

REV. 10/20/2022

REV. 05/2022

which receives Federal financial assistance, you should immediately contact the

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

primary objective of the financial assistance is provision of emplo

on the basis of race, color or national origin in programs or activities receiving

under such programs. Title IX of the Education Amendments of 1972 prohibits

telecommunications relay services. OFCCP may also be contacted by submitting

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

U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at

veterans (i.e., within three years of discharge or release from active duty), active duty

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

by Federal contractors. Disability discrimination includes not making reasonable

their compensation or the compensation of other applicants or employees.

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

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

under Federal law from discrimination on the following bases:

Asking About, Disclosing, or Discussing Pay

all levels of employment, including the executive level.

**Protected Veteran Status** 

contractors under these Federal laws

https://www.dol.gov/agencies/ofccp/contact.

Race, Color, National Origin, Sex

which receive Federal financial assistance.

Federal agency providing such assistance.

**Individuals with Disabilities** 

U.S. Department of Labor

Washington, D.C. 20210

1-800-397-6251 (toll-free)

200 Constitution Avenue, N.W.

40 in a workweek.

FED

#### **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

wage, overtime, and other violations. The Department may

be assessed civil money penalties for each willful or repeated

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** 

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.

Special provisions apply to workers in American Samoa.

Some state laws provide greater employee protections;

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

employees under the FLSA. It is important to know the

difference between the two because employees (unless

the Commonwealth of the Northern Mariana Islands, and

violation of the minimum wage or overtime pay provisions of

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

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

where employees can readily see it. **OVERTIME PAY** At least 1½ times the regular rate of pay for all hours worked over

The law requires employers to display this poster

**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.

**TIP CREDIT** 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

## **NURSING MOTHERS**

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 breast

DEPARTMENT OF LABOR **UNITED STATES OF** 

TX



WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243 TTY: 1-877-889-5627 www.dol.gov/whd



LABOR

LAWS

### Minimum Wage Law

Overview 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 Establishes a minimum wage for non-exempt employees Requires covered employers to provide each employee with a written earnings statement containing certain information about the employee's pay

Designates TWC as the agency responsible for

disseminating information about state minimum wage Contains provisions concerning agricultural piece rate

Exempts a variety of employers from its coverage 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. With specified restrictions, employers may count tips and the 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 Under certain conditions, an employer may pay a sub-minimum

wage 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 Wage Rate Complaints & Deadline

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

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

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. **Earnings Statement** Employers must provide employees a written earnings statement

with information that enables employees to determine from a

single document whether they have been paid correctly for a given pay period. Exemptions The primary exemption from the Texas Minimum Wage Act is

for any person covered by the federal Fair Labor Standards Act Other specific exemptions include:

• Employment in, of or by religious, educational, charitable or nonprofit organizations Professionals, salespersons or public official

Domestics Certain youths and students

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

Dairying and production of livestock Sheltered workshops Agricultural Piece Rates

unemployment contributions

The Commissioner of Agriculture establishes piece rates for 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.

NOTICE: This state has its own minimum wage law, Employers are also required to display the federal Employee Rights Under the Fair Labor itandards Act posting, which indicates the federal minimum wage. Where federal and state rates both apply to an employee, the U.S. Department o Labor dictates that the employee is entitled to the higher minimum wage rate.

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

## TX

## **Child Labor Laws**

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

#### For further information about Texas' child labor laws, call: 1-800-832-9243 (in Texas only) TDD 1-800-735-2989

labor 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 Labor Law Section concerning questions about 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 of the U.S. Department of Labor, Wage and Hour Division or

#### The following are prohibited occupations for 14- through 17-year-old children:

call 1-866-487-9243

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 student learner certification has been obtained. Persons desiring specific

information about these exceptions should contact the nearest

office of the United States Department of Labor Occupations declared particularly hazardous or detrimental to the health or well-being of all children 14 through 17 years of age include occupation:

(1) in or about plants or establishments other than retail establishments which manufacture or store explosives or articles containing explosive components other than retail establishments

A. on any public road or highway, B. in or about any place where logging or sawmill operations

(2) involving the driving of motor vehicles and outside helpers

are in progress, or

C. in excavations. (Under certain conditions, driving a motor vehicle for a commercial purpose is NOT considered a hazardous

occupation under state or federal law, (3) connected with coal mining (4) in logging and sawmill occupations and occupations

involving firefighting and timber tracts, (5) \* in operating or assisting to operate power-driven woodworking machines, (6) involving exposure to radioactive substances and to ionizing

(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 forming, punching, and shearing machines, (10) \* in operating or assisting to operate power-driven meat

processing machines, and occupations including slaughtering, meat packing, processing, or rendering, (11) in operating or assisting to operate power-driven bakery

(12) \* involved in the operation of power-driven paper-products machines, balers and compactors, (13) in manufacturing brick, tile, and kindred products, (14) \* in operating or assisting to operate power-driven circular

saws, bandsaws and guillotine shears, abrasive cutting discs, reciprocating 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 (17) \* in connection with excavation operations

Additional prohibited occupations that apply under state law: (1) Occupations involved in sales and solicitation by a child under 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 14- and 15-year-old children:

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. mined, or otherwise processed

(2) operating or assisting in operating power-driven machinery 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, (5) occupations involved in transporting persons or property by

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, guarry, pond (youth must be at least 15 years

of age and properly certified to be a lifeguard at a traditional swimming pool or water amusement park), (9) public messenger jobs, (10) communications and public utilities jobs,

(11) construction including demolition and repair

connection with the maintenance or repair of the establishment (13) outside window washing that involves working from window sills, and all work requiring the use of ladders, scaffolds

(12) work performed in or about boiler or engine rooms or in

(14) 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 (15) baking and all activities involved in baking,

(16) 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 (17) freezers or meat coolers work, except minors may occasionally enter a freezer for a short period of time to retrieve

(18) meat processing and work in areas where meat is processed (19) loading and unloading goods to and from trucks, railroad cars or conveyors, and (20) all occupations in warehouses and storage except office and

Work times for 14- and 15-year-old children:

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 (2) between the hours of 10 p.m. and 5 a.m. on a day that is

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 (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. 14 and 15 year old children may not work: (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 school week, and

(4) between 7 p.m. and 7 a.m. during the school year, or (5) 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 performer who is employed as an extra without any speaking, singing, or dancing roles, usually in the background of the performance Every person applying for child actor authorization must submit an application for authorization on a form provided by the Texas

Special authorization for child actors to be employed as extras is granted without the need for filing an application if the employed meets the Texas Workforce Commission's requirements. Contact 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/ or criminal prosecution and fines.

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** 

TX

# TX

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

LLCL-70

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 a workers' compensation adjuster's license and 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:

Attend the proceeding with you and communicate on your behalf; and

Help you prepare for the proceeding (Benefit Review Conference and/or Contested Case

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

**OIEC** 28 TAC §276(c)

**REV. 09/2022** 

**Figure** 

## **EMPLOYEE RIGHTS**

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

FED

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

UNITED STATES OF

AMERICA

FED

law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national 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

violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions. car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers. THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

**EMPLOYEE POLYGRAPH PROTECTION ACT** 

1-866-487-9243

WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT

TTY: 1-877-889-5627 www.dol.gov/whd

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

certain employees of private firms who are reasonably suspected

The law does not preempt any provision of any State or local law

or any collective bargaining agreement which is more restrictive

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

Where polygraph tests are permitted, they are subject to

The Secretary of Labor may bring court actions to restrain

of involvement in a workplace incident (theft, embezzlement,

etc.) that resulted in economic loss to the employer.

with respect to lie detector tests.

**EXAMINEE RIGHTS** 

to unauthorized persons.

REV. 07/2016

WH1462

# **EMPLOYEE RIGHTS UNDER**

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

THE FAMILY AND MEDICAL LEAVE ACT

**LEAVE ENTITLEMENTS** Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for

The birth of a child or placement of a child for adoption or foster care; To bond with a child (leave must be taken within 1 year of the child's birth or placement); To care for the employee's spouse, child, or parent who has a qualifying serious health condition;

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

leave in a single 12-month period to care for the servicemember with a serious injury or illness. An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule Employees may choose, or an employer may require, use of accrued 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.

eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave. 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 other employment terms and conditions.

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.

**ELIGIBILITY REQUIREMENTS** 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;

Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite. \*Special "hours of service" requirements apply to airline flight crew employees. **REQUESTING LEAVE** 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

Have at least 1,250 hours of service in the 12 months before taking leave;\* and

bargaining agreement that provides greater family or medical leave rights.

DEPARTMENT OF LABOR

**UNITED STATES OF** 

**AMERICA** 

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 enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was pre<mark>viou</mark>sly

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required. **EMPLOYER RESPONSIBILITIES** Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer

must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility. Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective

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. 04/2016** 

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

**Workforce Commission** 

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

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

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 coverage is effective from [effective date of workers' compensation insurance policy]

Any injuries or occupational diseases which occur on or after that date will be handled by [name of commercial insurance company]

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)

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

ocupar

ascensos

La Ley en Texas

sindicatos de negar la igualidad de oportunidades de empleo en

Free Language Assistance

Asistencia lingüística gratuita

otros aspectos del

OCT2022

La ley prohíbe a los empleadores, agencias de empleo y

training desocupa other aspects of beneficios because of race, color, national origin, religion, sex, age, o por causa de raza, color, nacionalidad, religion, sexo, edad, o incapacidad. Sexual harassment of unpaid interns is also against the law.

fringe benefits

The Law in Texas

No appointment necessary

No es necesario hacer cita

The law prohibits employers, employment agencies and labor

Texas Workforce Commission, Civil Rights Division Si usted cree que ha sido discriminado, comuníquese con la Comisión Laboral de Texas, División de Derechos Civiles (512) 463-2642 Toll Free (within Texas) 1-888-452-4778 TTY (512) 371-7473

www.twc.state.tx.us

If you believe you have been discriminated against, contact the

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

U.S. Equal Employment Opportunity Commission

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

**National Origin** 

aspects of employment.

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 Organizations are Covered?

Most private employers State and local governments (as employers)

Educational institutions (as employers)

Staffing agencies

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

Age (40 and older)

Disability

Religion National origin Sex (including pregnancy and related conditions, sexual orientation, or gender

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. 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 or a sincerely-held religious belief, observance or practice

1-800-669-4000 (toll free)

1–844–234–5122 (ASL video phone)

1-800-669-6820 (TTY)

Job training

E-Mail

FED

REEMPLOYMENT RIGHTS

**RETALIATION** 

verbal notice of your service;

after conclusion of service; and

are a past or present member •

of the uniformed service;

have applied for membership

in the uniformed service; or

then an employer may not deny you:

retention in employment;

initial employment;

reemployment;

because of this status.

Classification

Obtaining or disclosing genetic information of employees

Requesting or disclosing medical information of employees Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or

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

an EEOC field office (information at www.eeoc.gov/field-office)

info@eeoc.gov Additional information about the EEOC, including information

about filing a charge of discrimination, is available at www.eeoc.gov.

that job to perform service in the uniformed service and:

services while with that particular employer;

to military service or, in some cases, a comparable job.

RIGHT TO BE FREE FROM DISCRIMINATION AND

discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job

In addition, an employer may not retaliate against anyone assisting

and benefits you would have attained if you had not been absent due

you ensure that your employer receives advance written or

you return to work or apply for reemployment in a timely manner

# **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

Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

doing business with the Federal Government. If you are applying for a job with, or are

YOUR RIGHTS UNDER USERRA THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

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. **HEALTH INSURANCE PROTECTION** You have the right to be reemployed in your civilian job if you leave If you leave your job to perform military service, you have the

right to elect to 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 you have five years or less of cumulative service in the uniformed service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any

you have not been separated from service with a disqualifying

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake

**ENFORCEMENT** The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve

waiting periods or exclusions (e.g., pre-existing condition

exclusions) except for service-connected illnesses or injuries.

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

For assistance in filing a complaint, or for any other

complaints of USERRA violations

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

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 in the enforcement of USERRA rights, including testifying or making a USERRA, and employers may meet this requirement by displaying the statement in connection with a proceeding under USERRA, even if that text of this notice where they customarily place notices for employees.

circumstances. The text of this notice was prepared by

person has no service connection. 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

**Job Safety and Health** 

are obligated to serve in the

any benefit of employment

uniformed service;

promotion; or

# All workers have the right to:

- A safe workplace. Raise a safety or health concern with your employer or OSHA, or report a workrelated injury or illness, without being
- retaliated against. Receive information and training on job hazards, including all hazardous substances
- in your workplace. Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact
- 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

OSHA on your behalf.

retaliated against for using your rights. See any OSHA citations issued to your employer.

the workplace injury and illness log.

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

that measure hazards in the workplace, and

This poster is available free from OSHA.

**ONLINE** 

Contact OSHA. We can help.

IT'S THE LAW!

- **Employers must:**  Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or
- reporting a work-related injury or illness. Comply with all applicable OSHA standards.

Notify OSHA within 8 hours of a workplace

fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.

Provide required training to all workers in a

language and vocabulary they can understand. Prominently display this poster in the workplace. Post OSHA citations at or near the place of

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.

the alleged violations.





J. J. Keller & Associates, Inc. JJKeller.com/laborlaw 800-327-6868 65880F

To update your labor law posters contact

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