maintenance or repair of the establishment, machines, or equipment

flame and with deep fat fryers that utilize devices that automatically lower and raise the baskets from the hot grease or oil,

repairing power-driven food slicers and grinders, food choppers and cutters, and

(17) freezers or meat coolers work, except minors may occasionally enter a freezer for a

(19) loading and unloading goods to and from trucks, railroad cars or conveyors, and

State Law — A person commits an offense if that person permits a child 14 or 15 years of

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

Federal Law — The FLSA further regulates hours of employment. 14 and 15 year old

between the hours of midnight and 5 a.m. on a day that is not followed by a school

(20) all occupations in warehouses and storage except office and clerical work.

requiring the use of ladders, scaffolds or their substitutes,

(18) meat processing and work in areas where meat is processed

Ĭ) more than 8 hóurs iń one day or more than 48 hours in one week,

recessed for the summer if the child is not enrolled in summer school.

baking and all activities involved in baking

short period of time to retrieve items,

age who is employed by that person to work:

day if the child is enrolled in school, or

(1) during school hours,

### EEOC - EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW

**EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW** Applicants to and employees of most private employers, state and local governments, educational institutions, employe RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN Title VII of the Civil Rights Act of 1964, GENETICS Title II of the Genetic Information Nondiscri discharge, pay, fringe benefits, job training, classification, referral, and other aspects of promotion, discharge, pay, fringe benefits, job training, classification, referral, anc employment, on the basis of race, color, religion, sex (including pregnancy), or national other aspects of employment. GINA also restricts employers' acquisition of genetic igin. Religious discrimination includes failing to reasonably accom eligious practices where the accommodation does not impose undue hardship. DISABILITY Title I and Title V of the Americans with Disabilities Act of 1990, as amended, members; the manifestation of diseases or disorders in family members (family medical) protect qualified individuals from discrimination on the basis of disability in hiring, romotion, discharge, pay, fringe benefits, job training, classification, referral, and other —family members aspects of employment. Disability discrimination includes not making reasonable ndividual with a disability who is an applicant or employee, barring undue hardship. AGE The Age Discrimination in Employment Act of 1967, as amended, protects pplicants and employees 40 years of age or older from discrimination based on age in niring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and EEOC to act on your behalf and to protect your right to file a private lawsuit, should you other aspects of employment. SEX (WAGES) In addition to sex discrimination prohibited by Title VII of the Civil Rights

modate an employee's information and strictly limits disclosure of genetic information. Genetic infor includes information about genetic tests of applicants, employees, or their family history); and requests for or receipt of genetic services by applicants, employees, or the **RETALIATION** All of these Federal laws prohibit covered entities from retaliating agains odation to the known physical or mental limitations of an otherwise qualified a person who files a charge of discrimination, participates in a discrimination pro or otherwise opposes an unlawful employment practice. WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED There are strict ultimately need to, you should contact EEOC promptly when discrimination is suspected Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC the payment of wages to women and men performing substantially equal work, in jobs field office information is available at www.eeoc.gov or in most telephone directories in that require equal skill, effort, and responsibility, under similar working conditions, in the 👚 the U.S. Government or Federal Government section. Additional information about EEOC including information about charge filing, is available at www.eeoc.gov.

Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, NATIONAL of employment, including the executive level. ORIGIN Executive Order 11246, as amended, prohibits employment discrimination based PROTECTED VETERANS The Vietnam Era Veterans' Readjustment Assistance Act of 1974 on race, color, religion, sex, sexual orientation, gender identity, or national origin, and as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires n, discharge, pay, fringe benefits, job training, classification, referral, and other

PAY SECRECY Executive Order 11246, as amended, protects applicants and employees recently separated veterans (i.e., within three years of discharge or release from active duty), rom discrimination based on inquiring about, disclosing, or discussing their active duty wartime or campaign badge veterans, or Armed Forces service medal veterans RETALIATION Retaliation is prohibited against a person who files a complain INDIVIDUALS WITH DISABILITIES Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, aspects of employment. Disability discrimination includes not making reasonable above should contact immediately: The Office of Federal Contract Compliance Prograr accommodation to the known physical or mental limitations of an otherwise qualified (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C ndividual with a disability who is an applicant or employee, barring undue hardship to 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted the employer. Section 503 also requires that Federal contractors take affirmative action by e-mail at OFCCP-Public@dol.gov, or by calling an OFCCP regional or district office to employ and advance in employment qualified individuals with disabilities at all levels listed in most telephone directories under U.S. Government, Department of Labor. If you believe that you have experienced discrimination contact OFCCP: 1-800-397-6251 | TTY 1-877-889-5627 | www.dol.gov PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE RACE, COLOR, NATIONAL ORIGIN, SEX In addition to the protections of Title VII of the which receive Federal financial assistance Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, INDIVIDUALS WITH DISABILITIES Section 504 of the Rehabilitation Act of 1973, a prohibits discrimination on the basis of race, color or national origin in programs or amended, prohibits employment discrimination on the basis of disability in any program o

**EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS** 

EEOC 9/02 and OFCCP 8/08 Versions Useable With 11/09 Supplement OSHA - THE OCCUPATIONAL SAFETY AND HEALTH ACT

tivities receiving Federal financial assistance. Employment discrimination is covered by activity which receives Federal financial assistance. Discrimination is prohibited in a

Title VI if the primary objective of the financial assistance is provision of employment, or aspects of employment against persons with disabilities who, with or without reasonable

where employment discrimination causes or may cause discrimination in providing accommodation, can perform the essential functions of the job. If you believe you have

ervices under such programs. Title IX of the Education Amendments of 1972 prohibits 🕒 been discriminated against in a program of any institution which receives Federal financia

employment discrimination on the basis of sex in educational programs or activities assistance, you should immediately contact the Federal agency providing such assistance.



## Job Safety and Health OSHA® JOD Salety and Incurred Occupational Safety IT'S THE LAW!

Mandatory Supplement to EEOC P/E-1(Revised 11/09) "EEO is the Law" Poste

### All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a workrelated injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

This poster is available free from OSHA.

Contact OSHA. We can help.

### **Employers must:**

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.
- Provide required training to all workers in a language and vocabulary they can understand
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations.
- On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHAsupported consultation programs in every



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

### 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.

For information, please contact The Office of Special Counsel for Immigration Related Unfair Employment Practices Office at 800-255-7688.

**WORKERS' COMPENSATION NOTICE 6** 

**NOTICE TO EMPLOYEES CONCERNING** 

### **WORKERS' COMPENSATION IN TEXAS**

**COVERAGE:** [Name of employer]

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.

### AVISO A LOS EMPLEADOS SOBRE LA COMPENSACIÓN PARA TRABAJADORES EN TEXAS

**COBERTURA:** [Name of the employer] tiene cobertura de seguros de compensación para trabajadores con [name of the commercial insurance company] para protegerle en caso de una lesión o enfermedad ocupacional relacionada con el trabajo. Esta cobertura está vigente desde [effective date of workers' compensation insurance policy] <sub>-</sub>. Cualquier lesión o

commercial insurance company] o una persona que actúe en nombre del empleado, debe notificar al empleador sobre una lesión o una enfermedad ocupacional a no más tardar de treinta (30) días, a partir de la fecha en que ocurrió la lesión o en la fecha en la que el empleado se enteró o debería de haberse enterado de la enfermedad ocupacional, al menos que el Departamento de Seguros de Texas, División de Compensación para Trabajadores (Texas Department of Insurance, Division of Workers' Compensation – TDI-DWC, por su nombre y siglas en inglés) (División) determine que existió una buena causa para que no se haya notificado al empleador dentro del tiempo señalado. Su empleador tiene la obligación de proporcionarle a usted información por escrito

sobre la cobertura cuando usted es contratado o cuando su empleador adquiere o deja de

tener una cobertura de seguro de compensación para trabajadores.

Notice 6 (01/13)

enfermedad ocupacional que ocurra en o después de esta fecha será manejada por [name of

ASISTENCIA AL EMPLEADO: La División proporciona información gratuita sobre cómo presentar una reclamación de compensación para trabajadores. El personal de la División contestará cualquier pregunta que usted pueda tener sobre la compensación para trabajadores y procesará cualquier solicitud de resolución de disputas relacionada con una reclamación Usted puede obtener este tipo de asistencia comunicándose con su oficina local de la División o llamando al teléfono 1-800-252-7031. La Oficina de Asesoría Pública para el Empleado Lesionado (Office of Injured Employee Counsel – OIEC, por su nombre y siglas en inglés) también ofrece asistencia gratuita a los empleados lesionados y ellos le explicarán cuáles son sus derechos y responsabilidades bajo la Ley de Compensación para Trabajadores. Usted puede obtener la asistencia de OIEC comunicándose con un representante de servicio al cliente de OIEC en su

oficina local de la Division o llamando al 1-866-EZE-OIEC (1-866-393-6432). LÍNEA DIRECTA PARA REPORTAR VIOLACIONES DE SEGURIDAD: La División cuenta con una línea gratuita telefónica que está en servicio las 24 horas del día para reportar condiciones inseguras en el área de trabajo que podrían violar las leyes ocupacionales de salud y seguridad. La ley prohíbe que los empléadores suspendan, despidan o discriminen en contra de cualquier empleado porque él o ella de buena fe reporta una alegada violación ocupacional de salud o seguridad. Comuníquese con la División al teléfono 1-800-452-9595.

TEXAS DEPARTMENT OF INSURANCE, DIVISION OF WORKERS' COMPENSATION

### PAY-DAY NOTICE/UNEMPLOYMENT COMPENSATION

Texas 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 <u>www.twc.texas.gov</u> 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 eligibility laws. 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

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.

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 o

### WITHHOLDING STATUS

YOU MAY NEED TO CHECK YOUR WITHHOLDING did you... To any of these questions or you owed extra tax when  $\;\;$  Poster so that your employees will see it. Please you filed your last return, you may need to file a new indicate where they can get forms and information Marry or divorce?
 Gain or lose a dependen Change your name? orm W-4. See your employer for a copy of Form W-4 on this subject. Were there major changes to. or call the IRSat 1-800-829-3676. gains, etc.)? • Your family wage income (you or your spouse started or ended a job)? • Your itemized Withholding Withholding Source (you or your spouse started or ended a job)? • Your itemized Withholding Source (you or your spouse started or ended a job)? • Your itemized Withholding Source (you or your spouse started or ended a job)? • Your itemized Withholding Source (you or your spouse started or ended a job)? • Your itemized Withholding Source (you or your spouse started or ended a job)? • Your itemized Withholding Source (you or your spouse started or ended a job)? • Your itemized Withholding Source (you or your spouse started or ended a job)? • Your itemized Withholding Source (you or your spouse started or ended a job)? • Your itemized Withholding Source (you or your spouse started or ended a job)? • Your itemized Withholding Source (you or your spouse started or ended a job)? • Your itemized Withholding Source (you or your spouse started or ended a job)? • Your itemized Withholding Source (you or your spouse started or ended a job)? • Your itemized Withholding Source (you or your spouse started or ended a job)? • Your itemized Withholding Source (you or your spouse started or ended a job)? • Your itemized Withholding Source (you or your spouse started or ended a job)? • Your itemized Withholding Source (you or your spouse started or ended a job)? • Your itemized Withholding Source (you or your spouse started or ended a job)? • Your itemized Withholding Source (you or your spouse sp Your nonwage income (interest, dividends, capital

www.irs.gov/individuals on the IRS web site. FMLA - FAMILY AND MEDICAL LEAVE ACT

LEAVE ENTITLEMENTS Eligible employees who work for a covered employer can \*Special "hours of service" requirements apply to airline flight crew employee take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the • 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 To care for the employee's spouse, child, or parent who has a qualifying serious employee unable to perform thé employee's job; or qualifying exigencies related to the foreign deployment of a military member An eligible employee who is a covered servicemember's spouse, child, parent, or the need for leave. If the employer determines that the certification is incomplete. next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period must provide a written notice indicating what additional information is required need to use leave in one block. When it is medically necessary or otherwise employee's need for leave is for a reason that may qualify under the FMLA, the ermitted, employees may take leave intermittently or on a reduced schedule. employer must notify the employee if he or she is eligible for FMLA leave and, while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA the employee is not eligible, the employer must provide a reason for ineligible eave, the employee must comply with the employer's normal paid leave policies. continue health insurance coverage as if the employees were not on leave. Upon ENFORCEMENT Employees may file a complaint with the U.S. Department of Labo

practice made unlawful by the FMLA, or being involved in any proceeding under r related to the FMLA. related to the FMLA. **LIGIBILITY REQUIREMENTS** An employee who works for a covered employer nust meet three criteria in order to be eligible for FMLA leave. The employee must: Have worked for the employer for at least 12 months;

Have at least 1.250 hours of service in the 12 months before taking leave.\* and Have worked for the employer for at least 12 months;
Have at least 1,250 hours of service in the 12 months before taking leave;\* and Work at a location where the employer has at least 50 employees within 75 miles

must consist as nearly as possible of an equal number of days.

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 employe must notify the employer as soon as possible and, generally, follow the employer usual procedures. Employees do not have to share a medical diagnosis, but mus qualifies for FMLA protection. Sufficient information could include informing employer that the employee is or will be unable to perform his or her job function: continuing medical treatment is necessary. Employees must inform the employer i the need for leave is for a reason for which FMLA leave was previously taken o Employers must notify its employees if leave will be designated as FMLA leave, and

1-866-4-USWAGE WWW.WAGEHOUR.DOL.GOV U.S. Department of Labor | Wage and Hour Division

### USERRA - 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 th National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants

perform service in the uniformed service and: • you ensure that your employer receives advance written or verbal 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 after conclusion of service; and • you have not been separated from service with a disqualifying discharge or under other than honorable conditions. some cases, a comparable job.

nbership in the uniformed service; or • are obligated to serve in the uniformed 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 http://www.dol.gov/vets/programs/userra/poster.htm. Federal law requires employers to notify employees of their rights under USERRA, and employers may me this requirement by displaying the text of this notice where they customarily place notices for employees.

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., pre existing condition exclusions) except for service-connected illnesses or injuries. • The U.S. Department of Labor, Veterans Employment and Training Service (VET) is authorized to investigate and resolve complaints of USERRA violations. 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 http://www.dol.gov/vets An interactive online USERRA Advisor can be viewed at http://www.dol.gov/elaws/userra.htm. • 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 th Office of Special Counsel, as applicable, for representation.

• You may also bypass the VETS process and bring a civil action against an employe Employer Support Of The Guard And Reserve 1-800-336-4590

### NOTIFICATION OF THE 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 Ombudsma

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

Assist you with your appeal and response to insurance carrier's appeal, if necessary

AVISO PARA LOS EMPLEADOS SOBRE LA ASISTENCIA DISPONIBLE EN EL SISTEMA DE COMPENSACIÓN PARA

el Empleado Lesionado (Office of Injured Employee Counsel –OIEC, por su nombre y siglas en inglés). OIEC es la agencia estatal que asiste a los empleados lesionados que no cuentan con representación legal con su reclamación en el sistema de compensación para trabajadores.

por parte del Ombudsman es gratuita. Cada Ombudsman cuenta con una licencia de ajustador de compensación para trabajadores y ha completado un exter programa de capacitación, el cual ha sido diseñado específicamente para asistirle a usted con su disputa. Un Ombudsman puede avudarle a identificar y desarrollar los asuntos en disputa en su caso e intentar resolverlos. Si los asuntos no pueden ser resueltos, el Ombudsman

Department of Insurance, Division of Workers' Compensation, por su nombre en inglés). Una vez que el procedimiento ha sido programado, el Ombudsman puede: Disputar Beneficios [Contested Case Hearing, por su nombre en inglés]); · Asistir al procedimiento con usted y hablar en su nombre; y

FEDERAL MINIMUM WAGE

### **EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT**

### requirements in order for the employee to express ADDITIONAL INFORMATION

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 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 CKEDIT Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips ombined with the employer's cash wage of at least

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 each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil 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 \$2.13 per hour do not equal the minimum hourly any minor employee, and such assessments may be wage, the employer must make up the difference. doubled when the violations are determined to be SING MOTHERS The FLSA requires employers to willful or repeated. The law also prohibits retaliating provide reasonable break time for a nursing mother against or discharging workers who file a complaint employee who is subject to the FLSA's overtime or participate in any proceeding under the FLSA.

exempt from the minimum wage, and/or overtim pay provisions. Samoa, the Commonwealth of the Northern Marian Islands, and the Commonwealth of Puerto Rico. protections; employers must comply with both Some employers incorrectly classify workers employees under the FLSA. It is important to kn the difference between the two because employ (unless exempt) are entitled to the FLSA's mir wage and overtime pay protections and corre classified independent contractors are not. Certain full-time students, student lear apprentices, and workers with disabilities may b paid less than the minimum wage under speci certificates issued by the Department of Labor.

aged in national security-related activities. The Act permits a a workplace incident (theft, embezzlement, etc.) that resulted in economic loss

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEE **€HW** 

101 East 15th Street, Rm. 144-T; Austin, TX 78778-0001 (512) 463-2642 Toll Free (within Texas) 1-888-452-4778 TTY (512) 371-7473 www.twc.state.tx.u

WORKERS' COMPENSATION NOTICE 5

### NOTICE TO EMPLOYEES CONCERNING **WORKERS' COMPENSATION IN TEXAS**

workers' compensation insurance coverage. As an employee of a non-covered employer, you are not eligible to receive workers' compensation benefits under the Texas Workers' Compensation Act. However, a non-covered (non-subscribing) employer can and may provide other benefits to injured employees. You should contact your employer regarding the availability of other benefits for a work-related injury or occupational disease. In addition, you may have rights under the common law of Texas should you have an on the job injury or occupational disease. 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'

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 TEXAS DEPARTMENT OF INSURANCE, DIVISION OF WORKERS' COMPENSATION

### AVISO A LOS EMPLEADOS SOBRE LA COMPENSACION PARA TRABAJADORES EN TEXAS no cuenta

**COBERTURA:** [Name of employer]

Rule 110.101(e)(1)

de un empleador que no cuenta con una cobertura, usted no es elegible para recibir beneficios de compensación para trabajadores bajo la Ley de Compensación para Trabajadores de Texas. Sin embargo, un empleador no cubierto (no suscriptor) puede y debe proporcionar otros beneficios a los empleados lesionados. Usted debe comunicarse con su empleador para obtener información sobre la disponibilidad de otros beneficios por una lesión o enfermedad ocupacional relacionada con el trabajo. Además, usted podría tener derechos bajo la ley de "Derecho Común de Texas (Common Law of Texas, por su nombre en inglés), en caso de que usted llegara a sufrir una lesión o enfermedad ocupacional relacionada con el trabajo. Su empleador tiene la obligación de proporcionarle a usted información por escrito sobre la cobertura cuando usted es contratado o cuando su empleador adquiere o deja de tener una cobertura de seguro de compensación para trabajadores.

LÍNEA DIRECTA PARA REPORTAR VIOLÁCIONES DE SEGURIDAD: La División cuenta con una línea gratuita telefónica que está en servicio las 24 horas del día para reportar condiciones inseguras en el área de trabajo que podrían violar las leyes ocupacionales de salud y seguridad. La ley prohíbe que los empleadores suspendan, despidan o discriminen en contra de cualquier empleado porque él o ella de buena fe reporta una alegada violación ocupacional de salud o seguridad. Comuníquese con la División al teléfono 1-800-452-9595.

### 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) (5) occupations involved in transporting persons or property by rail, highway, air, water, TDD 1-800-735-2989. This poster provides some guidelines to the Texas child labor pipeline, or other means, (6) youth peddling, sign waving, or door-to-door sale of children under Texas state law. MINIMUM AGE FOR EMPLOYMENT IS 14: however. (7) poultry catching or cooping, state and federal laws provide for certain exceptions. Please call TWC's Labor Law Section (8) lifequarding at a natural environment such as a lake, river, ocean beach, quarry, pond oncerning questions about labor law. The Fair Labor Standards Act (FLSA) governs (youth must be at least 15 years of age and properly certified to be a lifeguard at a federal laws and quidelines pertaining to child labor. For information concerning federal traditional swimming pool or water amusement park) child labor laws, consult your local office of the U.S. Department of Labor, Wage and Hour (9) public messenger jobs, (10) communications and public utilities jobs

Division or call 1-866-487-9243 (11) construction including demolition and repair pations for 14- through 17-vear-old children (12) work performed in or about boiler or engine rooms or in connection with the Prohibited occupations are the same for both federal and state law. The hazardous occupations designated by an asterisk (\*) have provisions for employment of persons (13) outside window washing that involves working from window sills, and all work elow 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. (14) cooking, except with gas or electric grills that do not involve cooking over an open Occupations declared particularly hazardous or detrimental to the health or well-being of all children 14 through 17 years of age include occupations:

1) in or about plants or establishments other than retail establishments which manufacture or store explosives or articles containing explosive components other (16) occupations which involve operating, setting up, adjusting, cleaning, oiling, or than retail establishments. 2) involving the driving of motor vehicles and outside helpers A. on any public road or highway, B. in or about any place where logging or sawmill operations are in progress, or

(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. involving exposure to radioactive substances and to ionizing radiations,

C. in excavations.

in operating or assist to operate power-driven hoisting apparatus such as elevators, cranes, derricks, hoists, high-lift trucks, 8) \*in operating or assisting to operate power-driven metal forming, punching, and (3) between the hours of midnight and 5 a.m. on any day during the time school is shearing machines, 9) in connection with mining, other than coal, 10) \*in operating or assisting to operate power-driven meat processing machines, and children may not work: occupations including slaughtering, meat packing, processing, or rendering, 1) in operating or assisting to operate power-driven bakery machines.

 \*involved in the operation of power-driven paper-products machines, baler. and compactors. 13) in manufacturing brick, tile, and kindred products, 4) \*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 7) \*in connection with excavation operations.

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

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: mining, manufacturing, or processing occupations, including duties in workrooms o places where goods are manufactured, mined, or otherwise processed,

d) operating or assisting in operating power-driven machinery or hoisting apparatus other than typical office machines. b) work as a ride attendant or ride operator at an amusement park or a "dispatcher" at the prescribes a maximum administrative penalty of \$11,000 per violation and/or top of elevated water slides, criminal prosecution and fines. (4) driving a motor vehicle or helping a driver 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 / Service

(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. <u>Child actor extra definition</u> – a child under the age of 14 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 Workforce Commission. Special authorization for child actors to be employed as extras is granted without the need for filing an application if the employer meets the Texas Workforce Commission's equirements. 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 requirement established by this Act relating to the employment of children. Federal — The FLSA

WORKERS' COMPENSATION NOTICE 7

### NOTICE TO EMPLOYEES CONCERNING **WORKERS' COMPENSATION IN TEXAS**

**COVERAGE:** Effective on [effective date of certificate] [name of employer] has been certified by the Texas Department of Insurance, Division of Workers' Compensation (Division) as a self-insured employer providing workers' compensation insurance in the event of work-related injury or occupational disease. Claims for injuries or occupational diseases which occur on or after that date will be handled by [name of third party administrator]

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 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.

### AVISO A LOS EMPLEADOS SOBRE LA COMPENSACIÓN PARA TRABAJADORES EN TEXAS

**COBERTURA:** A partir de [effective date of certificate] [name of employer] ha sido certificado por el Departamento de Seguros de Texas,

División de Compensación para Trabajadores (Texas Department of Insurance, Division of Workers' Compensation – TDI-DWC, por su nombre y siglas en inglés) (División) como empleador auto asegurado (self-insured employer, por su nombre en inglés), para proporcionar un seguro de compensación para trabajadores para protegerle en caso de una lesión o enfermedad ocupacional relacionada con el trabajo. Las reclamaciones por lesiones o enfermedades ocupacionales que ocurran en o después de esta fecha serán manejadas por [name of third party administrator] Un empleado o una persona que actúe en nombre del empleado, debe notificar al empleador sobre una lesión o

una enfermedad ocupacional a no más tardar de treinta (30) días, a partir de la fecha en que ocurrió la lesión o en la fecha en la que el empleado se enteró o debería de haberse enterado de la enfermedad ocupacional, al menos que la División determine que existió una buena causa para que no se haya notificado al empleador dentro del tiempo señalado. Su empleador tiene la obligación de proporcionarle a usted información por escrito sobre la cobertura cuando usted es contratado o cuando su empleador adquiere o deja de tener una cobertura de seguro de compensación para trabajadores. ASISTENCIA AL EMPLEADO: La División proporciona información gratuita sobre cómo

presentar una reclamación de compensación para trabajadores. El personal de la División contestará cualquier pregunta que usted pueda tener sobre la compensación para trabajadores y procesará cualquier solicitud de resolución de disputas relacionada con una reclamación. Ústed puede obtener este tipo de asistencia comunicándose con su oficina local de la División o llamando al teléfono 1-800-252-7031. La Oficina de Asesoría Pública para el Empleado Lesionado (Office of Injured Employee Counsel – OIEC, por su nombre y siglas en inglés) también ofrece asistencia gratuita a los empleados lesionados y ellos le explicarán cuáles son sus derechos y responsabilidades bajo la Ley de Compensación para Trabajadores. Usted puede obtener la asistencia de OIEC comunicándose con un representante de servicio al cliente de OIEC en su oficina local de la División o llamando al 1-866-EZE-OIEC (1-866-393-6432).

LÍNEA DIRECTA PARA REPORTAR VIOLACIONES DE SEGURIDAD: La División cuenta con una línea gratuita telefónica que está en servicio las 24 horas del día para reportar condiciones inseguras en el área de trabajo que podrían violar las leyes ocupacionales de salud y seguridad. La ley prohíbe que los émpleadores suspendan, déspidan o discriminen en contra de cualquier émpleado porque él o ella de buena fe reporta una alegada violación ocupacional de salud o seguridad. Comuníquese con la División al teléfono 1-800-452-9595.

**WORKERS' COMPENSATION NOTICE 10** 

### NOTICE TO EMPLOYEES CONCERNING WORKERS' COMPENSATION IN TEXAS

**COVERAGE:** Effective on [effective date of certificate] provides workers' compensation insurance coverage as a member of a self-insurance group under Labor Code Chapter 407A in the event of work-related injury or occupational disease. Claims for injuries or occupational diseases which occur on or after that date will be handled by [name of third party administrator]

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.

### AVISO A LOS EMPLEADOS SOBRE LA COMPENSACIÓN PARA TRABAJADORES EN TEXAS

**COBERTURA:** A partir de [effective date of certificate] proporciona cobertura de seguro de compensación para trabajadores como miembro de un grupo auto asegurado bajo el Código Laboral Capítulo 407A para protegerle en caso de una lesión o enfermedad o cupacional relacionada con el trabajo. Las reclamaciones por lesiones o enfermedades ocupacionales que ocurran en o después de esta fecha serán manejadas por [name of third party administrator]

Un empleado o una persona que actúe en nombre del empleado debe notificar al empleador sobre una lesión o una enfermedad ocupacional a no más tardar de treinta (30) días, a partir de la fecha en que ocurrió la lesión o en la fecha en la que el empleado se enteró o debería de haberse enterado de la enfermedad ocupacional, al menos que el Departamento de Seguros de Texas, División de Compensación para Trabajadores (Texas Department of Insurance, Division of Workers' Compensation – TDI-DWC, por su nombre y siglas en inglés) (División) determine que existió una buena causa para que no se haya notificado al empleador dentro del tiempo señalado. Su empleador tiene la obligación de proporcionarle a usted información por escrito sobre la cobertura cuando usted es contratado o cuando su empleador adquiere o deja de

tener una cobertura de seguro de compensación para trabajadores. ASISTENCIA AL EMPLEADO: La División proporciona información gratuita sobre cómo presentar una reclamación de compensación para trabajadores. El personal de la División contestará cualquier pregunta que usted pueda tener sobre la compensación para trabajadores y procesará cualquier solicitud de resolución de disputas relacionada con una reclamación. Usted puede obtener este tipo de asistencia comunicándose con su oficina local de la División o llamando al teléfono 1-800-252-7031. La Oficina de Asesoría Pública para el Empleado Lesionado (Office of Injured Employee Counsel – OIEC, por su nombre y siglas en inglés) también ofrece asistencia gratuita a los empleados lesionados y ellos le explicarán cuáles son sus derechos y responsabilidades bajo la Ley de Compensación para Trabajadores. Usted puede obtener la asistencia de OIEC comunicándose con un representante de servicio al cliente de OIEC en su

LÍNEA DIRECTA PARA REPORTAR VIOLACIONES DE SEGURIDAD: La División cuenta con una línea gratuita telefónica que está en servicio las 24 horas del día para reportar condiciones inseguras en el área de trabajo que podrían violar las leyes ocupacionales de salud y seguridad. La ley prohíbe que los empléadores suspendan, despidan o discriminen en contra de cualquier empleado porque él o ella de buena fe reporta una alegada violación ocupacional de salud o seguridad. Comuníquese con la División al teléfono 1-800-452-9595. TEXAS DEPARTMENT OF INSURANCE, DIVISION OF WORKERS' COMPENSATION Notice 10 (01/13) Rule 110.101(e)(3)

oficina local de la División o llamando al 1-866-EZE-OIEC (1-866-393-6432).

TX-0620-F02

# Employer: Please post or publish this Bulletin Board

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

return from FMLA leave, most employees must be restored to the same job or one Wage and Hour Division, or may bring a private lawsuit against an employer. The and conditions. An employer may not interfere with an individual's FMLA rights or supersede any state or local law or collective bargaining agreement that provides retaliate against someone for using or trying to use FMLA leave, opposing any greater family or medical leave rights. WH1420a RFV 04/16

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

you would have attained if you had not been absent due to military service or, in If you: • are a past or present member of the uniformed service: • have applied for • retention in employment; • promotion; or • any benefit of employment, because of USERRA rights, including testifying or making a statement in connection with a

the state agency that assists unrepresented injured employees with their claim in the workers' compensation system

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

Figure 28 TAC §276.5(c) - April 2018

puede ayudarle a solicitar un procedimiento de resolución de disputas ante el Departamento de Seguros de Texas, División de Compensación para Trabajadores (Texa

breast milk for her nursing child for one year after the

shielded from view and free from intrusion from coworkers and the public, which may be used by the ENFORCEMENT The Department has authority to recover back wages and an equal amount in iquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution oyers may be assessed civil money penalties for

**1-866-487-9243** TY: 1-877-889-5627

JNITED STATES DEPARTMENT OF LABOR 1-866-487-9243 TTY: 1-877-889-5627

**COVERAGE:** [Name of employer]

**SAFETY VIOLATIONS HOTLINE:** The Division has a 24 hour toll-free telephone

con una cobertura de seguro de compensación para trabajadores. Como empleado

Notice 5 (01/13) TEXAS DEPARTMENT OF INSURANCE, DIVISION OF WORKERS' COMPENSATION Rule 110.101(e)(4)