## $\star \star \star \star \star \star \star$



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Please post in a conspicuous place. Date Posted: Labor laws change frequently. Contact your distributor to ensure that you are in full compliance with required State and Federal posting requirements at least once a year. © 2016 LaborLawCenter, Inc. All rights reserved.

## **EEOC - EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW**

## EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW

#### PRIVATE EMPLOYERS, STATE AND LOCAL GOVERNMENTS, EDUCATIONAL INSTITUTIONS, **EMPLOYMENT AGENCIES AND LABOR ORGANIZATIONS**

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases:

accommodation does not impose undue hardship.

UTAT

known physical or mental limitations of an otherwise qualified individual unlawful employment practice. with a disability who is an applicant or employee, barring undue hardship. WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED

aspects of employment.

conditions, in the same establishment.

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN Title VII of the Civil GENETICS Title II of the Genetic Information Nondiscrimination Act of Rights Act of 1964, as amended, protects applicants and employees 2008 protects applicants and employees from discrimination based on from discrimination in hiring, promotion, discharge, pay, fringe benefits, genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, job training, classification, referral, and other aspects of employment. on the basis of race, color, religion, sex (including pregnancy), or GINA also restricts employers' acquisition of genetic information and national origin. Religious discrimination includes failing to reasonably strictly limits disclosure of genetic information. Genetic information accommodate an employee's religious practices where the includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in **DISABILITY** Title I and Title V of the Americans with Disabilities Act of 1990, family members (family medical history); and requests for or receipt of

as amended, protect qualified individuals from discrimination on the basis genetic services by applicants, employees, or their family members. of disability in hiring, promotion, discharge, pay, fringe benefits, job **RETALIATION** All of these Federal laws prohibit covered entities from training, classification, referral, and other aspects of employment. Disability retaliating against a person who files a charge of discrimination, discrimination includes not making reasonable accommodation to the participates in a discrimination proceeding, or otherwise opposes an

AGE The Age Discrimination in Employment Act of 1967, as There are strict time limits for filing charges of employment amended, protects applicants and employees 40 years of age or discrimination. To preserve the ability of EEOC to act on your older from discrimination based on age in hiring, promotion, discharge, behalf and to protect your right to file a private lawsuit, should pay, fringe benefits, job training, classification, referral, and other you ultimately need to, you should contact EEOC promptly when discrimination is suspected: The U.S. Equal Employment Opportunity SEX (WAGES) In addition to sex discrimination prohibited by Title VII of Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820

the Civil Rights Act, as amended, the Equal Pay Act of 1963, as (toll-free TTY number for individuals with hearing impairments). amended, prohibits sex discrimination in the payment of wages to EEOC field office information is available at www.eeoc.gov or in women and men performing substantially equal work, in jobs that most telephone directories in the U.S. Government or Federal require equal skill, effort, and responsibility, under similar working Government section. Additional information about EEOC, including information about charge filing, is available at www.eeoc.gov.

#### **EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS**

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 levels of employment, including the executive level. **IDENTITY, NATIONAL ORIGIN** Executive Order 11246, as amended, **PROTECTED VETERANS** The Vietnam Era Veterans' Readjustment prohibits employment discrimination based on race, color, religion, Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits sex, sexual orientation, gender identity, or national origin, and employment discrimination against, and requires affirmative action requires affirmative action to ensure equality of opportunity in all to recruit, employ, and advance in employment, disabled veterans, aspects of employment. recently separated veterans (i.e., within three years of discharge or PAY SECRECY Executive Order 11246, as amended, protects applicants release from active duty), active duty wartime or campaign badge

and employees from discrimination based on inquiring about, veterans, or Armed Forces service medal veterans. disclosing, or discussing their compensation or the compensation of **RETALIATION** Retaliation is prohibited against a person who files other applicants or employees. a complaint of discrimination, participates in an OFCCP proceeding,

**INDIVIDUALS WITH DISABILITIES** Section 503 of the Rehabilitation or otherwise opposes discrimination under these Federal laws. Act of 1973, as amended, protects qualified individuals with disabilities Any person who believes a contractor has violated its from discrimination in hiring, promotion, discharge, pay, fringe benefits, nondiscrimination or affirmative action obligations under the job training, classification, referral, and other aspects of employment. authorities above should contact immediately: The Office of Disability discrimination includes not making reasonable Federal Contract Compliance Programs (OFCCP), U.S. Department accommodation to the known physical or mental limitations of an of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, otherwise qualified individual with a disability who is an applicant or 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may employee, barring undue hardship to the employer. Section 503 also also be contacted by e-mail at OFCCP-Public@dol.gov, or by calling requires that Federal contractors take affirmative action to employ and an OFCCP regional or district office, listed in most telephone

advance in employment qualified individuals with disabilities at all 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.

## FEDERAL MINIMUM WAGE

## **EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT** FEDERAL MINIMUM WAGE \$7.25 BEGINNING JULY 24, 2009

## employees can readily see it.

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

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 difference.

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 milk.

**ENFORCEMENT** The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal

## WORKERS' COMPENSATION

## WORKERS' COMPENSATION NOTICE THAT

Employe

has complied with the provisions of the Workers' Compensation Act, Title §34A-2-101, Utah Code Annotated, 1997 (as amended), and the rules of the Labor Commission, and has insured the liability to pay the compensation and other benefits provided by said Act by insuring with

**Insurance Carrier:** 

**Policy Number:** 

jobs.utah.gov

09-22E-1013

did you...

Marry or divorce?

gains, etc.)?

or ended a job)?

• Your tax credits?

• Change your name?

• Gain or lose a dependent?

• Your itemized deductions?

Were there major changes to...

#### Address for the above insurance carrier is:

The law requires employers to display this poster where for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or

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

#### ADDITIONAL INFORMATION

 Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions. Special provisions apply to workers in American Samoa, the

Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.

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

Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not.

Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.



## Workplace Safety and Health in the State of Utah

#### THIS NOTICE MUST BE POSTED IN THE WORKPLACE

**OCCUPATIONAL SAFETY AND HEALTH PROTECTION** 

The Utah Occupational Safety and Health Act of 1973 requires Utah employers to provide a safe and healthful workplace, free from recognized hazards that are likely to cause death or serious physical harm to employees. The Utah Occupational Safety and Health Division (Utah OSHA) of the Utah Labor Commission, has the primary responsibility for administering the Utah Occupational Safety and Health Act.

## **NOTICE TO EMPLOYEES**

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

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

You have the right to request a Utah OSHA inspection if you believe that there are unsafe or unhealthful conditions in your workplace.

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

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

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

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

## **NOTICE TO EMPLOYERS**

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

#### **REPORTING REQUIREMENTS**

Employers are required to notify Utah OSHA at (801) 530-6901 within 8 hours of occurrence of all fatalities, disabling, significant, and serious injuries or illnesses to workers. You can call in your report 24 hours a day, 7 days a week. Tools, equipment, materials, or other evidence that might pertain to the cause of such accidents shall not be removed or destroyed until authorized by Utah OSHA. You are also required to investigate all incidents of worker injuries and occupational illnesses.

#### **REPORTING GUIDANCE**

"Disabling and serious" includes, but is not limited to any injury or illness resulting in immediate admittance to the hospital, permanent or temporary impairment where part of the body is made functionally useless or is substantially reduced in efficiency and which would require treatment by a medical doctor, such as amputation, fracture, deep cuts, severe burns, electric shock, sight impairment, loss of consciousness, and concussions; illnesses that could shorten life or significantly reduce physical or mental efficiency inhibiting the normal function of a part of the body, such as cancer, silicosis, asbestosis, hearing impairment and visual impairment.

#### **INSPECTIONS, CITATIONS, ASSESSED PENALTIES**

Utah OSHA may enter at reasonable times without delay any work place under its jurisdiction to conduct an inspection, investigation, or interview a reasonable number of employees to determine compliance with the Utah Act, rules and standards. Citations may be issued if an employer is in violation of any of those rules or standards. A serious violation may be assessed a proposed penalty of up to \$7,000. Willful or Repeated violations may be assessed a proposed penalty up to \$70,000. Failure to correct or abate a violation may result in additional penalties not to exceed \$7,000 for each day each violation is not corrected.

#### CONTESTS, APPEALS, INFORMAL REVIEW

The Utah Labor Commission will provide an adjudicative formal hearing with its Division of Adjudication, when an employer files a written notice of contest within 30 days of receipt of the citation. Upon expiration of that 30 day period, the citation and proposed penalties are final and not subject to review by any court or agency. Employers may also request an informal review of any citation, proposed penalty or abatement period. Informal reviews do not extend the 30 days in which an employer must file a written notice of contest for a formal hearing.

prosecution. Employers may be assessed civil money penalties

#### PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

RACE, COLOR, NATIONAL ORIGIN, SEX In addition to the protections which receive Federal financial assistance. of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil **INDIVIDUALS WITH DISABILITIES** Section 504 of the Rehabilitation Rights Act of 1964, as amended, prohibits discrimination on the basis Act of 1973, as amended, prohibits employment discrimination on the of race, color or national origin in programs or activities receiving basis of disability in any program or activity which receives Federal Federal financial assistance. Employment discrimination is covered by financial assistance. Discrimination is prohibited in all aspects of Title VI if the primary objective of the financial assistance is provision of employment against persons with disabilities who, with or without employment, or where employment discrimination causes or may reasonable accommodation, can perform the essential functions of the cause discrimination in providing services under such programs. Title job. If you believe you have been discriminated against in a program of IX of the Education Amendments of 1972 prohibits employment any institution which receives Federal financial assistance, you should discrimination on the basis of sex in educational programs or activities immediately contact the Federal agency providing such assistance. EEOC 9/02 and OFCCP 8/08 Versions Useable With 11/09 Supplement Mandatory Supplement to EEOC P/E-1(Revised 11/09) "EEO is the Law" Poster

## REASONABLE ACCOMMODATION TO PREGNANT EMPLOYEES

## According to Utah Antidiscrimination Act, Senate Bill 59,

Utah employers must provide reasonable accommodation for pregnant employees as follows:

1. Provide reasonable accommodations for an employee related to pregnancy, childbirth, breastfeeding, or pregnancy-related conditions if the employee has requested an accommodation.

2. May not require employee to terminate employment (or require to take a leave of absence) if another reasonable accommodation can be provided to accommodate the employee's pregnancy, childbirth, breastfeeding, or pregnancy-related condition.

3. May not deny employment opportunities to an employee if the denial is based on the employee's need for a reasonable accommodations related to her pregnancy, childbirth, breastfeeding, or pregnancy-related conditions.

All business must comply with all requests for pregnancy accommodation as long as there was no financial impact to the business.

## 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.

## UNEMPLOYMENT COMPENSATION

UTAH DEPARTMENT OF WORKFORCE SERVICES



## **UNEMPLOYMENT INSURANCE NOTICE TO WORKERS**

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

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

#### FILING FOR UNEMPLOYMENT INSURANCE BENEFITS

To receive unemployment benefits you may file your claim online at jobs.utah.gov, select "Temporary Assistance" and then "Unemployment Benefits," then choose "File New or Reopen Claims." You may also call the Claims Center at: Salt Lake/South Davis Counties – (801) 526-4400: Weber/North Davis Counties – (801) 612-0877; Utah County – (801) 375-4067; elsewhere in Utah and out-of-state – (888) 848-0688. No benefits will be paid for weeks prior to the week in which you file your claim. You should, therefore, file immediately after becoming unemployed or when your work hours are reduced to less than full time.

#### FILING AFTER RECEIVING WORKER'S COMPENSATION BENEFITS

If you are separated from employment due to a work-related illness or injury for which you have received Worker's Compensation, your rights to unemployment benefits may be preserved for up to THREE YEARS from the date of your injury. In order to use wages earned prior to such an injury or illness, you must file a claim for unemployment benefits within 90 DAYS of your doctor's release to full time work.

#### SEPARATION INFORMATION

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

#### WORKERS' COMPENSATION

IS INSURANCE WHICH PROTECTS YOU DURING WORK. IF YOU HAVE AN ON-THE-JOB INJURY OR OCCUPATIONAL DISEASE. IT WILL PAY FOR: HOSPITAL AND MEDICAL BILLS • TIME LOST FROM WORK • PERMANENT LOSS OF BODY FUNCTION PROSTHETIC DEVICES • BURIAL BENEFITS IN DEATH CASES

#### **HOW TO REPORT AN ACCIDENT**

1. Report the injury - no matter how slight - to your boss 1. Ask your employer which insurance company pays immediately. (You may lose your rights if your injury workers' compensation for your company. is not reported within 180 days of injury or work 2. Ask your doctor to send a medical report to that

related illness.) insurance company. 2. Ask your employer to fill out the employer's first report

3. Ask your employer to send a report of the accident to of injury form. A copy of this report is to be given to you that insurance company and copies are to be sent to the Labor Commission and

to the insurance company within seven (7) days of the accident.

3. If your employer has a first aid room or company designated doctor, go there promptly for treatment. If not, go to a doctor of your choice.

4. Tell the doctor HOW, WHEN, and WHERE the accident happened. The doctor will fill out a medical report form. IF YOU CANNOT RETURN TO WORK, YOU MAY BE ELIGIBLE Copies of the report are to be sent within seven (7) days FOR A REHABILITATION PROGRAM - CALLYOUR INSURANCE of your visit to (1) the insurance company, (2) the Labor CARRIER AS LISTED ABOVE. Commission and (3) you, the employee.

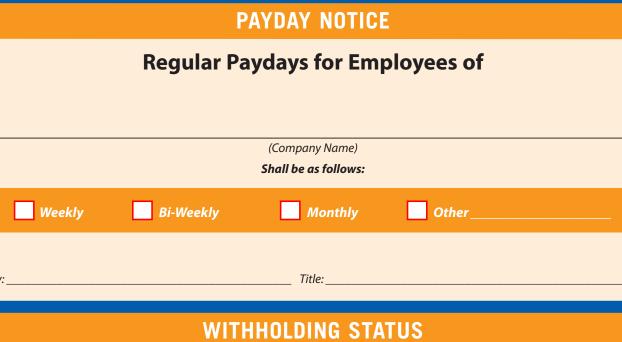
#### FRAUD

"For your protection, Utah Law requires the following to appear on this form, any person who knowingly presents false or fraudulent underwriting information, files or causes to be filed a false or fraudulent claim for disability compensation or medical benefits, or submits a false or fraudulent report or billing for health care fees or other professional services is guilty of a crime and may be subject to fines and confinement in state prison."

STATE OF UTAH LABOR COMMISSION

If you want an Employee's Guide to Workers' Compensation or have questions, call the Labor Commission at the above listed numbers. NOTE: This notice must be posted and kept continuously posted in a public and conspicuous place in the office, shop, or place of business of the employer as per § 34A-2-204, Utah Code Annotated, 1997.





## YOU MAY NEED TO CHECK YOUR WITHHOLDING

Since you last filed form W-4 with your employer

Now is the time to check your withholding. For more details,

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

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Cat. No. 11047

(Rev. 8-2009)



To report a workplace fatality or injury, file a workplace safety complaint, or for assistance please call (801) 530-6901 or (800) 530-5090. To file a safety complaint online or obtain more information about Utah OSHA programs please visit our website www.laborcommission.utah.gov.

To obtain more information about safety and health in the workplace, please contact the Consultation Program at (801) 530-6855

State of Utah Labor commission Utah Occupational Safety and Health 160 East 300 South, Third Floor PO Box 146650 *Salt Lake City, Utah 84114-6650* (801) 530-6901 Fax (801) 530-7606 Toll-Free 1-800-530-5090 www.laborcommission.utah.gov



**Reporting Injuries Compliance Program Consultation Program** 

• 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

• 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

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

Service (VETS) is authorized to investigate and resolve complaints of

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

USERRA, contact VETS at 1-866-4-USA-DOL or visit its web site at:

http://www.dol.gov/vets. An interactive online USERRA Advisor

• 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

• You may also bypass the VETS process and bring a civil action against

The rights listed here may vary depending on the circumstances. 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.

or the Office of Special Counsel, as applicable, for representation.

can be viewed at: http://www.dol.gov/elaws/userra.htm.



(801) 530-6901

(801) 530-6901

(801) 530-6855

"Working together we can make the beautiful State of Utah a safer place to work, elevating our safety and health culture to a higher level of excellence"

Rev. 11.03.14

## **USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT**

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

the military.

ENFORCEMENT

**USERRA** violations.

**HEALTH INSURANCE PROTECTION** 

for service-connected illnesses or injuries.

an employer for violations of USERRA.

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

#### REEMPLOYMENT RIGHTS

You have the right to be reemployed in your civilian job if you leave that job to 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 disgualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

#### **RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION** If you:

• are a past or present member of the uniformed service; • have applied for membership in the uniformed service; or are obligated to serve in the uniformed service; then an employer may not deny you:

initial employment;

- reemployment; retention in employment;
- promotion; or
- any benefit of employment
- because of this status.

Federal law requires employers to notify employees of their rights In addition, an employer may not retaliate against anyone assisting in under USERRA, and employers may meet this requirement by the enforcement of USERRA rights, including testifying or making a displaying the text of this notice where they customarily place notices statement in connection with a proceeding under USERRA, even if that for employees. person has no service connection.

U.S. Department of Labor 1-866-487-2365 U.S. Department of Justice



Office of Special Counsel







1-800-829-3676.

get Publication 919, How Do I Adjust My Tax Withholding?, or use the Withholding Calculator at www.irs.gov/individuals on the IRS web site.

160 EAST 300 SOUTH, P.O. BOX 146610, SALT LAKE CITY, UT 84114-6610 (801) 530-6800 - (800) 530-5090

**HOW TO START COMPENSATION** 

4. Call the insurance company and ask them to start your

workers' compensation benefits. The insurance company

will require the doctor's report, employer's report, and

REHABILITATION

may ask you to fill out a request for compensation.



#### WAGES DETERMINE BENEFIT AMOUNT

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

#### SELF-EMPLOYMENT

If you are classified as "self-employed" (independent contractor), you may want to discuss this with your employer and have your status reviewed by DWS. Work performed in "self employment" cannot be used for unemployment benefits. You are "self-employed" if your work is performed without direction and control and you are in your own established business. This generally means you are properly licensed in business, perform similar services for others, maintain proper accounting records and business reports, pay self-employment taxes, and provide for insurance.

#### **ONLINE SERVICES**

Access our web site jobs.utah.gov to search for jobs, find out about available programs, and obtain economic information.

#### **NO FEE EMPLOYMENT SERVICES**

DWS services are available on our web site at jobs.utah.gov or by going to any of our Employment Centers listed below. Employment services include job referrals, career counseling, workshops, employer recruitment, Veterans' services, labor market information, and job training/internships. Supportive services include food stamps, financial assistance, medical assistance, childcare assistance, unemployment assistance, emergency assistance, referrals to community, and other resources. Our Job Connection Rooms provide Internet access along with Information Specialists to assist you in accessing services and resources. Fax and copy machines are also available.

### **STATE EMPLOYMENT CENTERS**

Beaver		(435) 438-3580
Blanding	544 North 100 East	(435) 678-1400
Brigham City	138 West 990 South	
Cedar City	176 East 200 North	(435) 865-6530
Clearfield	1290 East 1450 South	
Delta		(435) 864-3860
Emery County	550 West Hwy 29	(435) 381-6100
Heber City	69 North 600 West, Ste. C	(435) 654-6520
Junction	550 North Main	(435) 577-2443
Kanab		(435) 644-8910
Lehi	557 W. State Street	(801) 753-4500
Loa	18 South Main	(435) 836-2406
Logan	180 North 100 West	
Manti	55 South Main #3	(435) 835-0720
Midvale		
Moab	457 Kane Creek Blvd	(435) 719-2600
Nephi	625 North Main	(435) 623-1927
Ogden	480 27th Street	
Panguitch	665 North Main	(435) 676-1410
Park City	1960 Sidewinder Dr., Ste. 202	(435) 649-8451
Price	475 West Price River Dr. #300	(435) 636-2300
Provo	1550 North 200 West	(801) 342-2600
Richfield	115 East 100 South	(435) 893-0000
Roosevelt	140 West 425 South 330-13	(435) 722-6500
Salt Lake Metro		
Salt Lake So County	5735 South Redwood Rd	
South Davis		(801) 435-7414
	1185 North Chappel Drive	
	162 North 400 East Bldg. B	
	1050 West Market Dr	
5 ,	(Salt Lake Area)	· ,
	(Outside Salt Lake)	

#### **INFORMATION FOR EMPLOYERS**

Utah law requires that each employee's wages must be reported each quarter with the regular quarterly contribution (tax) report. All wage and separation information and correspondence must include your unemployment insurance registration number. You must also maintain and make available records of wages and separation information on all workers for at least four (4) calendar years. When an unemployment claim is filed by a former employee, the Department of Workforce Services will send Form 606 "Notice of Claim Filed."

This notice will provide an opportunity for you to report details of the reason for the claimant's separation and, in some cases, to request relief of potential charges. You will also receive a Form 65 "Employer Notice of Potential Liability" showing any wages from your firm being used on the claim and your firm's potential benefit costs.

If you have classified or contemplate classifying any of your workers as "self-employed" (independent contractors), notify the Department in order that a proper determination of status can be made. By doing this, you may avoid unpaid contributions (tax) liabilities, interest, and penalties. Additional information is available in the "Employer Handbook" which you can access on the Internet at:

#### jobs.utah.gov/ui/employer/public/handbook/employerhandbook.aspx

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

• Your nonwage income (interest, dividends, capital

• Your family wage income (you or your spouse started

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

## FMLA - FAMILY AND MEDICAL LEAVE ACT

## EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

### THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

**LEAVE ENTITLEMENTS** Eligible employees who work for a employees within 75 miles of the employee's worksite. covered employer can take up to 12 weeks of unpaid, job- \*Special "hours of service" requirements apply to airline flight protected leave in a 12-month period for the following reasons: crew employees.

The birth of a child or placement of a child for adoption or **REQUESTING LEAVE** Generally, employees must give foster care: 30-days' advance notice of the need for FMLA leave. If it is • To bond with a child (leave must be taken within 1 year of the not possible to give 30-days' notice, an employee must child's birth or placement); notify the employer as soon as possible and, generally, To care for the employee's spouse, child, or parent who has a follow the employer's usual procedures. Employees do not have to share a medical diagnosis, but must provide qualifying serious health condition; • For the employee's own qualifying serious health condition enough information to the employer so it can determine if that makes the employee unable to perform the the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee's job; employee is or will be unable to perform his or her job • For qualifying exigencies related to the foreign deployment of functions, that a family member cannot perform daily a military member who is the employee's spouse, child, or activities, or that hospitalization or continuing medical parent treatment is necessary. Employees must inform the

An eligible employee who is a covered servicemember's employer if the need for leave is for a reason for which spouse, child, parent, or next of kin may also take up to 26 FMLA leave was previously taken or certified. Employers weeks of FMLA leave in a single 12-month period to care for the can require a certification or periodic recertification servicemember with a serious injury or illness. An employee supporting the need for leave. If the employer determines does not need to use leave in one block. When it is medically that the certification is incomplete, it must provide a written necessary or otherwise permitted, employees may take leave notice indicating what additional information is required. intermittently or on a reduced schedule. Employees may

EMPLOYER RESPONSIBILITIES Once an employer becomes choose, or an employer may require, use of accrued paid leave aware that an employee's need for leave is for a reason that may while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the if he or she is eligible for FMLA leave and, if eligible, must also employer's normal paid leave policies. provide a notice of rights and responsibilities under the FMLA.

BENEFITS & PROTECTIONS While employees are on FMLA If the employee is not eligible, the employer must provide a leave, employers must continue health insurance coverage as if reason for ineligibility. Employers must notify its employees if the employees were not on leave. Upon return from FMLA leave will be designated as FMLA leave, and if so, how much leave, most employees must be restored to the same job or one leave will be designated as FMLA leave.

nearly identical to it with equivalent pay, benefits, and other **ENFORCEMENT** Employees may file a complaint with the employment terms and conditions. An employer may not U.S. Department of Labor, Wage and Hour Division, or interfere with an individual's FMLA rights or retaliate against may bring a private lawsuit against an employer. The FMLA someone for using or trying to use FMLA leave, opposing any does not affect any federal or state law prohibiting practice made unlawful by the FMLA, or being involved in any discrimination or supersede any state or local law or proceeding under or related to the FMLA. collective bargaining agreement that provides greater

ELIGIBILITY REQUIREMENTS An employee who works for a family or medical leave rights.

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

Work at a location where the employer has at least 50



## **EMPLOYEE POLYGRAPH PROTECTION ACT**

## EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits economic loss to the employer. The law does not most private employers from using lie detector preempt any provision of any State or local law or any tests either for pre-employment screening or collective bargaining agreement which is more during the course of employment. restrictive with respect to lie detector tests.

**PROHIBITIONS** Employers are generally prohibited **EXAMINEE RIGHTS** Where polygraph tests are from requiring or requesting any employee or job permitted, they are subject to numerous strict applicant to take a lie detector test, and from standards concerning the conduct and length of the discharging, disciplining, or discriminating against an test. Examinees have a number of specific rights, employee or prospective employee for refusing to including the right to a written notice before testing, take a test or for exercising other rights under the Act. the right to refuse or discontinue a test, and the right EXEMPTIONS Federal, State and local governments not to have test results disclosed to unauthorized are not affected by the law. Also, the law does not persons.

apply to tests given by the Federal Government to **ENFORCEMENT** The Secretary of Labor may bring certain private individuals engaged in national court actions to restrain violations and assess civil security-related activities. The Act permits polygraph penalties against violators. Employees or job applicants (a kind of lie detector) tests to be administered in the may also bring their own court actions.

private sector, subject to restrictions, to certain THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS



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

## All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request an OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. OSHA will keep your name confidential. 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 rights.
- 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.

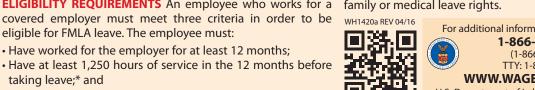
Contact OSHA. We can help.

## **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.
- Report to OSHA all work-related fatalities within 8 hours, and all inpatient hospitalizations, amputations and losses of an eye within 24 hours.
- 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.

FREE ASSISTANCE to identify and correct hazards is available to small and mediumsized employers, without citation or penalty, through OSHA-supported consultation programs in every state.





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







