WHP

USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

YOUR RIGHTS UNDER USERRA THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services. You have the right to be reemployed in your civilian job if you leave that job to perform • If you leave your job to perform military service, you have the right to elect to continue service in the uniformed service and: your existing employer-based health plan coverage for you and your dependents for up you ensure that your employer receives advance written or verbal notice of your service: to 24 months while in the military. you have five years or less of cumulative service in the uniformed services while with · Even if you don't elect to continue coverage during your military service, you have

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

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

If you: • are a past or present member of the uniformed service; • have applied for membership in the uniformed service; or • are obligated to serve in the uniformed service; then an employer may not deny you: • initial employment; • reemployment; • retention in employment; • promotion; or • any benefit of employment, because of this status. In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

• You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA Publication Date — May 2022

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: https://www.dol.gov/agencies/vets/programs/userra/poster Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees

ENFORCEMENT

PUBLIC EMPLOYEES OCCUPATIONAL SAFETY AND HEALTH

PUBLIC EMPLOYEE JOB SAFETY & HEALTH PROTECTION

The Oklahoma Occupational Health & Safety Standards Act of 1970 provides job safety and health protection for public workers by promoting safe and healthful working conditions. As authorized by the Act, rules have been adopted to prevent accidents in all public work places, including public schools and all political subdivisions of city, county and state government. These rules include standards contained in the Federal Occupational Safety & Health Act of 1970 (OSHA) and other safety and health standards derived from national consensus standards.

EMPLOYERS

that particular employ

shall interfere with the use of any method or process pursuant to the Act. adopted for the protection of an employee or any other person lawfully within such place of employment. No employer shall fail to obey orders necessary to protect employers must allow their employees to participate in mandatory training and education programs.

No public employee shall willfully remove, displace, damage, destroy, carry off or in any way interfere with the use of any safety device or safeguard furnished or provided for use in any place of public employment. No employee or agent of employees shall interfere with any method or process adopted for the protection of any employee or of any other person lawfully within such place of employment. No employee shall fail to obey orders necessary to protect the life, safety and health of public employees. Public employees must participate in mandatory training and education programs.

INSPECTIONS

Without prior notification, authorized inspectors from the Oklahoma Department of Labor may, at any reasonable time, enter and inspect public places of employment in order to investigate matters deemed appropriate, and to determine if any person is violating any provision of the Act or any standards promulgated pursuant to it.

COMPLAINTS

Public employees have the right to file a complaint requesting an investigation of unsafe or unhealthful conditions. No adverse personnel action may be taken against any employee who files a work- place safety or health complaint. Employees who believe they have been discriminated against on this basis may file a complaint with the Oklahoma Department of Labor.

VIOLATIONS

If upon inspection the Oklahoma Department of Labor believes a public employer has violated the Act, a notice alleging such violation(s) will be issued to the employer. The notice will specify the time frame in which each violation must be corrected or a response provided. The Commissioner of Labor may require the violation(s) be corrected immediately and/or the alleged violator appear before the Commissioner or a designated representative at a specified time and place to answer the charges.

service in or about a private home;

(5) Any newspaper vendor or carrier;

States government;

organization;

Commerce Act:

this act;

salesman;

hours a week;

deputy sheriff.

(3) Any individual employed by the United

(4) Any individual working as a volunteer in

(6) Any employee of any carrier subject to

(7) Any employee of any employer who is

regulation by Part 1 of the Interstate

subject to the provisions of any Federal

Fair Labor Standards Act or to any Federal

Wage and Hour Law now in effect or

enacted here-after; and who is paying the

minimum wage under the provisions of

(8) Any employee employed in a bona fide

(9) Any person employed as part-time

executive, administrative or professional

capacity, or in the capacity of outside

employee not on permanent status. A part-

time employee is defined as an employee

who is employed less than twenty-five (25)

(18) years of age and is not a high school

graduate or a graduate of a vocational

training program, and any person who

is less than twenty-two (22) years of age

and who is a student regularly enrolled

in a high school, college, university or

operated primarily for the benefit and

(11) Any individual employed in a feedstore

(12) Any individual working as a reserve force

vocational training program;

use of farmers and ranchers; or

(10) Any person who is less than eighteen

a charitable, religious or other non profit

PROPOSED PENALTIES

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

• The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is

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

VETS at 1-866-4-USA-DOL or visit its website at https://www.dol.gov/agencies/vets/.

• If you file a complaint with VETS and VETS is unable to resolve it, you may request that

your case be referred to the Department of Justice or the Office of Special Counsel, as

Employer Support Of The Guard And Reserve 1-800-336-4590

exclusions) except for service-connected illnesses or injuries.

An interactive online USERRA Advisor can be viewed at

http://www.dol.gov/elaws/userra.htm

applicable, for representation

authorized to investigate and resolve complaints of USERRA violations.

Any public employer or political subdivision failing to comply with any standards or interfering with, impeding or in any manner obstructing the administration of the life, safety and health of public employees. Public standards pursuant to the provisions of the Act may be charged with a misdemeanor. Additionally, such employers or political subdivisions may be prevented, by cease and desist orders, from continuing such violation(s). Each day in which each violation occurs shall constitute a separate violation.

VOLUNTARY COMPLIANCE Safety and health education and training is the best way

to help prevent and control occupational accidents. The Department of Labor provides public employers with free consultation services. The Department recognizes the outstanding efforts of participating employers.

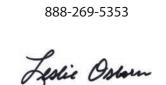
injury, exposure and illness incident records. Employers are to use the OK-300 recordkeeping system or its substantial equivalent. Calendar year totals (excluding names of employees) must be posted no later than February 1st of the year following the calendar year to which the report applies. This information must remain posted through the month of April. Public employers are required to maintain written safety and health programs.

posted. For assistance or additional information, contact:

Oklahoma Department of Labor

Public Employee Occupational Safety & Health

409 NE 28th Street, Third Floor Oklahoma City, OK 73105



Leslie Osborn Commissioner of Labor

Oklahoma Department of Labor

OKLAHOMA MINIMUM WAGE

Your Rights Under the Oklahoma Minimum Wage Act

40 O.S. § 197.1 et seq.

EEOC - KNOW YOUR RIGHTS: WORKPLACE DISCRIMINATION IS ILLEGAL

OKLAHOMA & FEDERAL LABOR LAW POSTER

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

 Employees (current and former), including managers and temporary employees Job applicants Union members and applicants for nembership in a union Vhat Organizations are Covered Most private employers State and local governments (as employers) Educational institutions (as employers)

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

National origin

related medical conditions, sexual orientation or gender identity) Age (40 and older) Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family

Sex (including pregnancy, childbirth, and

discrimination, or participating in a discrimination lawsuit, investigation, or proceeding Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodatio What Employment Practices can be Challenged as Discriminatory? All aspects of employment, including • Discharge, firing, or lay-off

physical conduct) Hiring or promotion Pay (unequal wages or compensation) · Failure to provide reasonable accommodation

for a disability; pregnancy, childbirth, or related medical condition; or a sincerely-held religious belief, observance or practice Benefits Job training Classification Referral Obtaining or disclosing genetic information

of employees

of employees

 Retaliation for filing a charge, reasonably opposing
 Conduct that coerces, intimidates, threatens, or interferes with someone exercising their rights, or someone assisting or encouraging someone else to exercise rights, regarding disability discrimination (including accommodation) or What can You Do if You Believe Discriminatio has Occurred Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of

discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways: **Submit** an inquiry through the EEOC's public portal: https://publicportal.eeoc.gov/Portal/Login.aspx **Call** 1–800–669–4000 (toll free)

1-800-669-6820 (TTY) 1-844-234-5122 (ASL video phone) Visit an EEOC field office (information at <u>www.eeoc.gov/field-office</u>) E-Mail info@eeoc.gov Requesting or disclosing medical information

Additional information about the EEOC, including informatio about filing a charge of discrimination, is available at www.eeoc.gov.

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

Conduct that might reasonably discourage

someone from opposing discrimination, filing

a charge, or participating in an investigation

The Department of Labor's Office of Federal Contract Compliance **Protected Veteran Status** The Vietnam Era Veterans' Readjustment Programs (OFCCP) enforces the nondiscrimination and affirmative action Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment commitments of companies doing business with the Federal Government. discrimination against, and requires affirmative action to recruit, employ, If you are applying for a job with, or are an employee of, a company with a and advance in employment, disabled veterans, recently separated Federal contract or subcontract, you are protected under Federal law from veterans (i.e., within three years of discharge or release from active duty), medal veterans National Origin Executive Order 11246, as amended, prohibits Retaliation Retaliation is prohibited against a person who files a complaint employment discrimination by Federal contractors based on race, color, of discrimination, participates in an OFCCP proceeding, or otherwise religion, sex, sexual orientation, gender identity, or national origin, and opposes discrimination by Federal contractors under these Federal laws. requires affirmative action to ensure equality of opportunity in all aspects
Any person who believes a contractor has violated its nondiscrimination Asking About, Disclosing, or Discussing Pay Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their U.S. Department of Labor compensation or the compensation of other applicants or employees.

ility Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, 1-800-397-6251 (toll-free) discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not making reasonable accommodation to the known physical or to access telecommunications relay services. OFCCP may also be contacted mental limitations of an otherwise qualified individual with a disability who by submitting a question online to OFCCP's Help Desk at is an applicant or employee, barring undue hardship to the employer. Section https://ofccphelpdesk.dol.gov/s/, or by calling an OFCCP regional or district 503 also requires that Federal contractors take affirmative action to employ office, listed in most telephone directories under U.S. Government, and advance in employment qualified individuals with disabilities at all levels Department of Labor and on OFCCP's "Contact Us" webpage at of employment, including the executive level.

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE Race, Color, National Origin, Sex In addition to the protections of Title VII Individuals with Disabilities Section 504 of the Rehabilitation Act of 1973, of the Civil Rights Act of 1964, as amended. Title VI of the Civil Rights Act as amended, prohibits employment discrimination on the basis of disability employment discrimination on the basis of sex in educational programs or providing such assistance.

active duty wartime or campaign badge veterans, or Armed Forces service or affirmative action obligations under OFCCP's authorities should contact

The Office of Federal Contract Compliance Programs (OFCCP) 200 Constitution Avenue, N.W. Washington, D.C. 20210

If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 https://www.dol.gov/agencies/ofccp/contact

of 1964, as amended, prohibits discrimination on the basis of race, color or in any program or activity which receives Federal financial assistance. national origin in programs or activities receiving Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons Employment discrimination is covered by Title VI if the primary objective of with disabilities who, with or without reasonable accommodation, can the financial assistance is provision of employment, or where employment perform the essential functions of the job. If you believe you have been discrimination causes or may cause discrimination in providing services discriminated against in a program of any institution which receives Federal under such programs. Title IX of the Education Amendments of 1972 prohibits financial assistance, you should immediately contact the Federal agency

EMPLOYEE POLYGRAPH PROTECTION ACT

EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT The Employee Polygraph Protection Act prohibits most private any provision of any State or local law or any collective bargaining

employers from using lie detector tests either for pre-employment screening or during the course of employment. **PROHIBITIONS** Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

EXEMPTIONS Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities. The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees pharmaceutical manufacturers, distributors and dispensers. The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer. The law does not preempt

agreement which is more restrictive with respect to lie detector tests. **EXAMINEE RIGHTS** Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons. **ENFORCEMENT** The Secretary of Labor may bring court

actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions. THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE **EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.**





≧WH★ DEPARTMENT OF LABOR 1-866-487-9243 www.dol.gov/agencies/whd

WAGE AND HOUR DIVISION

PAYDAY NOTICE

Regular Paydays for Employees of

(Company Name) Shall be as follows:

Other

YOU MAY NEED TO CHECK YOUR WITHHOLDING

Since you last filed form W-4 with your employer did you... Marry or divorce? Gain or lose a dependent? Change your name? Were there major changes to...

 Your nonwage income (interest, dividends, capital gains, etc.)? · Your family wage income (you or your spouse started or Your itemized deductions?

Your tax credits? If 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.

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

at 1-800-829-3676.

Publication 213

(Rev. 8-2009) Cat. No. 11047P

OES-044 (rev. 08-17-2021)

UNEMPLOYMENT INSURANCE OKLAHOMA

Employment Security Commi **UNEMPLOYMENT INSURANCE BENEFITS NOTICE TO WORKERS** If you lose your job or if you work less than full time and get less than your full-time wages, you may be entitled to receive Unemployment Insurance (UI) benefits. You can obtain a free copy "Reemployment Assistance for the Unemployed – Informational Booklet for Workers Who

The unemployment claim filing process can all be done online at www.ui.ok.gov. If you have questions or need assistance, you may contact the Oklahoma Employment Security Commission's Service Center at (405) 525-1500 or visit an Oklahoma Works office. To find your néarest office, go EMPLOYERS: It is required by Sec. 2-502 of the Oklahoma Employment Security Act that you shall post and maintain this notice in places readily accessible to individuals in your employ. Copies may be

obtained from the Oklahoma Employment Security Commission online at www.oklahoma.gov/oesc/

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

> STATE OF OKLAHOMA CHILD LABOR LAW Section 71 et. seq. of Title 40 of the Oklahoma Statutes

Applicable to minors UNDER 16 years of age nimum Age 14 years of age

Employment Certificate

<u>employers/employer-resources-and-forms</u>

including home schooled minors and minors from out-of-state working in Oklahoma. Employers are required to have an employment certificate from the school before a minor is Note to Issuing Officer(s): Minors <u>must comply</u> with compulsory School Laws, Title 70

No more than three (3) hours per school day School not in session – minors restricted to: No more than eight (8) hours per non-school day

No more than forty (40) hours per non-school week For every five (5) hours worked – Thirty (30) minute rest period For every eight (8) hours worked – One (1) hour rest period From Tuesday after Labor Day through May 31st – minors:

Can not work before 7:00 a.m. and not after 7:00 p.m.

From June 1st through Labor Day - minors: Can not work before 7:00 a.m. and not after 9:00 p.m. Occupations which threaten health and well-being include, but not limited to:

> Ladders Hoisting devices Loading Machinery Manufacturing Mining Motor vehicles Public messenger Power-Driven Processing **Public Utilities** Transportation Unloading Storage Warehouse Weed eaters Work rooms Youth peddling

For information on hazardous occupations for 16 and 17 year olds, contact the United States Department of Labor at 1-866-487-9243 Oklahoma Department of Labor

OKLAHOMA LAW PROHIBITS

and wish to file or discuss the filing of a complaint contact:

DISCRIMINATION IN EMPLOYMENT BECAUSE OF RACE, COLOR, RELIGION, NATIONAL ORIGIN, DISABILITY, AGE, SEX OR GENETIC INFORMATION¹

color, religion, national origin, disability, age, sex or genetic information you have been Qualifications, hire, discharge, recall, layoff, promotion, transfer, compensation, conditions, terms, privileges or responsibilities of employment, or sexual harassment,

Office of the Oklahoma Attorney General Office of Civil Rights Enforcement 313 N.E. 21st Street Oklahoma City, Oklahoma 73105 Oklahoma City Office: (405) 521-3921 Tulsa Office: (918) 581-2342 Website: www.oag.ok.gov

Contacting the Office of Civil Rights Enforcement does not conflict with or affect any other rights you may have, including any appeal procedures you may have through the Oklahoma Merit Protection or any internal grievance procedures you may have through your employer. However, an Employment Discrimination Complaint must be filed with the Office of Civil Rights Enforcement within 180 days after the alleged discriminatory act(s).

FEDERAL MINIMUM WAGE

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

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

The law requires employers to display this poster where employees can penalties may also be assessed for violations of the FLSA's child labor provisions

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

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.

PUMP AT WORK The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for their nursing child for one year after the child's birth each time the employee needs to express breast milk. Employers must provide a place, other than a bathroom, that is shielded from view and free from 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 prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money

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

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

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.





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

Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month period The birth, adoption or foster placement of a child with you Your serious mental or physical health condition that makes you unable to work,

parent who is a military servicemember. leave in a single 12-month period to care for the servicemember Read Fact Sheet #28M(c) for more information FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the

You work for a covered employer, You have worked for your employer at least 12 months,

reason for which you need FMLA leave

Your employer has at least 50 employees within 75 miles of your work location. irline flight crew employees have different "hours of service" requirements. You work for a **covered employer** if **one** of the following applies: You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year. ou work for an elementary or public or private seconda ou work for a public agency, such as a local, state or federal government agency. Most ederal employees are covered by Title II of the FMLA, administered by the Office of w do I request FMLA leave? Generally, to request FMLA leave you must

additional leave Your **employer** may request certification from a health care provider to verify medical leave and may request certification of a qualifying exigency. The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights. State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain sional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congres What does my employer need to do? If you are eligible for FMLA leave, your employer · Allow you to take job-protected time off work for a qualifying reason,

You do not have to share a medical diagnosis but must provide enough information

to your employer so they can determine whether the leave

qualifies for FMLA protection. You must also inform your employer if FMLA

leave was previously taken or approved for the same reason when requesting

as if you had not taken leave, and Allow you to return to the same job, or a virtually identical job with the same pay benefits and other working conditions, including shift and location, at the end of your Your **employer** cannot interfere with your FMLA rights or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation. After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your employer must confirm whether you are eligible or not eligible for FMLA leave. If your employer determines that you are eligible, your employer must notify you in writing: About your FMLA rights and responsibilities, and

any, will be FMLA-protected leave. Where can I find more information: Call 1-866-487-9243 or visit dol.gov/ fmla to learn more. If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against vour employer in court. Scan the OR code to learn about our WHD complaint process.



OF LABOR

WORKERS' COMPENSATION

CC-Form-1A Oklahoma Workers' Compensation Notice and Instruction to Employers and Employees

All employees of this employer who are entitled to benefits of the Administrative Workers' Compensation Act are hereby notified that this employer has complied with all rules of the Workers' Compensation Commission and that this employer has secured payment of compensation for all employees and their dependents in accordance with the Act. All employees are further notified this employer will furnish first aid, medical, surgical, hospital, optometric, podiatric, and nursing services, medicine, crutches and other apparatus as may be reasonably necessary in connection with the injury received by the employee, as well as payments of compensation to any injured employee or the employee's dependents as provided in the Act.

Any employee who has suffered a compensable injury covered by the Administrative Workers' Compensation Act is entitled to vocational rehabilitation services, including retraining and job placement, if, as a result of the injury, the employee is unable to perform work for which the person has previous The Oklahoma Workers' Compensation Commission

has a Counselor Division to provide information to injured workers, employers, and other interested Mediation is available to help resolve certain workers

ree 855-291-3612.

ompensation disputes. For information, call the

Counselor Division at 405-522-5308 or In-State Toll

Signature of Employer

(Not applicable to employers authorized to self-insure.) Employee's Responsibilities In Case of Work Related Injury

employee should notify the employer immediately. If this employer is a partnership, notice shall be given to any partner. If this employer is a corporation, notice shall be given to any agent or officer of the corporation upon whom legal process may be served. Notice shall also be given to the person in charge of business at the location of operations where the injury occurred. Unless oral or written notice is given to the employer within thirty (30) days, the claim for compensation may be forever barred.

f accidentally injured or affected by cumulative trauma or an occupational disease arising out of and in the course of employment, however slight, the

or occupational disease or illness occurring ON OR AFTER February 1, 2014. Forms to file a compensation claim should be furnished by this employer and also are available from the Workers' Compensation Commission. The forms are posted on the Commission's website, www.wcc.ok.gov. A claim for compensation must be filed with the Commission within the time specified by law, or be forever barred. Based on law effective May 28, 2019, claim for compensation for any accidental injury must be filed with the Commission within one (1) year of the date of injury or, if the employee has received benefits under Title 85A for the injury, six (6) months from the date of the last issuance of such benefits; a death claim must be filed within two

claims filing deadlines than those for accidental injury, death, cumulative trauma or occupational disease or illness occurring on or after February 1, 2014. Failure to comply with applicable notice requirements and deadlines may operate to forever bar the claim. Contact the WORKERS' COMPENSATION COURT OF EXISTING CLAIMS for additional information.

Employer's Responsibilities

The employer must provide employees with immediate first aid, medical, surgical, hospital, optometric, podiatric, chiropractic, and nursing services, medicine, crutches and other apparatus as may be reasonably necessary in connection with the injury received by the employee. This applies to care for all injuries and illnesses arising out of and in the course of employment, regardless of their character. Within ten (10) days after the date of receipt of notice or knowledge of death or injury that results in the loss of time beyond the shift or medical attention away from the work site, the employer or the employer's representative MUST send a report thereof to the Workers' Compensation Commission via Electronic Data Interchange as specified in Commission rules

No agreement by any employee to pay any portion of the premium paid by the employer to a carrier or a benefit fund or department maintained by the employer for the purpose of providing compensation or medical services and supplies as required by the workers' compensation laws, shall be valid. Any employer who makes a deduction for such purposes from the pay of any employee entitled to benefits under the workers' compensation laws shall be guilty of a misdemeanor

Any person who commits workers' compensation fraud, upon conviction, shall be guilty of a felony punishable by imprisonment, a fine or both. **Workers' Compensation Commission** 1915 North Stiles Avenue Oklahoma City, Oklahoma 73105-4918

This notice must be posted and maintained by the employer in one or more conspicuous places on the work premises.

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 workrelated injury or illness, without being retaliated against.

Receive information and training on job hazards, including all hazardous substances in your workplace.

Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact

Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.

File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your

employer.

tests that measure hazards in the workplace, and the workplace injury and illness log.

This poster is available free from OSHA.

Contact OSHA. We can help.

Employers must:

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.

Provide employees a workplace free from

 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.

in a language and vocabulary they can understand. Prominently display this poster in the

Provide required training to all workers

workplace. Post OSHA citations at or near the place

of the alleged violations.

state.

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



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 a complaint or participate in any proceeding under the FLSA. of Labor. Youths 14 and 15 years old may work outside school hours in various non- ADDITIONAL INFORMATION

manufacturing, non-mining, non-hazardous jobs with certain work hours

www.dol.gov/agencies/who

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

FMLA for most employees

To care for your spouse, child or parent with a serious mental or physical health condition, and Certain qualifying reasons related to the foreign deployment of your spouse, child or n eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness <u>may</u> take up to 26 workweeks of FMLA You have the right to use FMLA leave in one block of time. When it is medically necessary or otherwise permitted, you may take FMLA leave intermittently in separate blocks of time, or on a reduced schedule by working less hours each day or week.

Am I eligible to take FMLA leave? You are an eligible employee if all of the following You have at least 1,250 hours of service for your employer during the 12 months before

Follow your employer's normal policies for requesting leave, Give notice at least 30 days before your need for FMLA leave, or

If advance notice is not possible, give notice as soon as possible

Continue your group health plan coverage while you are on leave on the same basis

How much of your requested leave, if



Insurer Name and Address Date of Expiration of Insurance Policy

The employee may file a claim for compensation with the WORKERS' COMPENSATION COMMISSION for an accidental injury, death, cumulative trauma

(2) years of the date of death; a claim for compensation for occupational disease or illness must be filed within two (2) years of the last injurious exposure; and a claim for compensation for cumulative trauma must be filed within one (1) year of the date of injury. Claims for compensation for accidental injury, death, cumulative trauma or occupational disease or illness occurring BEFORE February 1, 2014 may be filed with the WORKERS' COMPENSATION COURT OF EXISTING CLAIMS and are subject to different notice of injury requirements and

No agreement by any employee to waive workers' compensation rights and benefits shall be valid.

Tele. 405-522-5308 (OKC) · 918-295-3732 (TU) · In-State Toll Free 855-291-3612 Web Site · www.wcc.ok.gov

OSHA - THE OCCUPATIONAL SAFETY AND HEALTH ACT

OSHA on your behalf.

See any OSHA citations issued to your Request copies of your medical records,

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

Each public employer shall establish and maintain safe The Attorney General, upon request of the Commissioner and healthful workplace conditions. Appropriate safety of Labor, shall bring an action against any person who devices shall be used where necessary to protect the life, violates any of the provisions of the Act or violates any health and safety of all public employees. No employer order or determination of the Commissioner promulgated

RECORDKEEPING REOUIREMENTS Public employers must maintain accurate work-related

POSTING INSTRUCTIONS: This poster must be displayed in one or more conspicuous places where notices to employees are customarily

405-521-6100

www.labor.ok.gov

WHO IS AN EMPLOYEE? WHO IS AN EMPLOYER? **40 O.S.** § **197.4** (e) – "Employee" includes any **40 O.S.** § **197.4** (d) – "Employer" means individual employed by an employer but shall any individual, partnership, association, corporation, business trust, or any person not include: (1) An individual employed on a farm, in or group of persons, hiring more than ten the employ of any person, in connection full- time employees or equivalent at any with the cultivation of the soil, or in one location or place of business; provided, connection with raising or harvesting any however, if an employer has less than ten agricultural commodity, including raising, full-time employees or equivalent at any shearing, feeding, caring for, training, and one location or place of business but does management of livestock, bees, poultry, a gross business of more than One Hundred and fur bearing animals and wildlife, or Thousand Dollars (\$100,000.00) annually, in the employ of the owner or tenant or said employer shall not be exempt under the other operator of a farm in connection provisions of this act. This act shall not apply to with the operation, management, employers subject to the Fair Labor Standards

> **State Minimum Wage \$7.25 per hour**

Oklahoma





may take credit against the minimum wage in an amount equal to the reasonable cost of furnishing the uniforms.

WHAT IS THE CIVIL PENALTY **FOR VIOLATIONS?** conservation, improvement, or maintenance Act of 1938, as amended, and who are paying of such farm and its tools and equipment; the minimum wage under the provisions of (2) Any individual employed in domestic said act, nor to employers whose employees Effective July 24, 2009



Department of Labor

Leslie Osborn

Commissioner of Labor

HOW DO UNIFORMS AFFECT MINIMUM WAGE?

40 O.S. § 197.17 – Business establishments

that furnish uniforms to their employees

40 O.S. § 197.8 - The Commissioner, after investigation, shall promptly make his finding in writing as to whether or not additional wages are due the employee. If the Commissioner finds that additional wages are due, ten percent (10%) of such amount due shall be added as penalty for such wage deficiency. The Commissioner shall mail said findings to the employer and to the employee by certified mail. Payment by the employer and acceptance by the employee of the amount so determined by the Commissioner shall absolve the employer of any further liability to the employee with respect to wages claimed by the employee for the period he was employed by the employer. 40 O.S. § 197.9 - Any employer who is found by a court of competent jurisdiction to have paid an employee wages less than those to which such employee is entitled, under or by virtue of this act, shall be liable to such employee for double the full amount of such wages, less any amount actually paid to such employee by the employer, and for court costs, and such reasonable attorney fees as may be allowed by the court, which in no case shall be less than One Hundred Dollars (\$100.00). Any agreement between such employee and the employer to work for less than such wage rate

WHAT IS THE CRIMINAL **PENALTY FOR VIOLATIONS?**

40 O.S. § 197.13 - Any employer, or the officer

shall be no defense to such action.

or agent of any corporation, who pays or agrees to pay to any employee less than the rate of compensation required by this act, upon conviction, shall be guilty of a misdemeanor and shall be punished by a fine of not more than Five Hundred Dollars (\$500.00), or by imprisonment in the county jail for not more than six (6) months, or by both such fine and imprisonment.

NOTICE: State law requires employers to display this poster in such a manner so as to be accessible to all employees in each establishment

under the control of the employer. It shall be unlawful to employ workers in any industry or occupation within the State of Oklahoma under conditions of labor detrimental to their health or morals and it shall be unlawful to employ workers in any industry within the State of Oklahoma at wages which are not adequate for their maintenance. Except as otherwise provided in the Oklahoma Minimum Wage Act, no employer within the State of Oklahoma shall pay any employee a wage of less than the current federal minimum wage for all hours worked. 3017 N. Stiles, Suite 100, Oklahoma City, OK 73105 · Telephone 405-521-6100 · Toll-free 1-888-269-5353 · Fax 405-521-6018 · www.ok.gov/odol

¹ Title 25, Oklahoma Statutes, Section 1302

WITHHOLDING STATUS

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 **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.

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

are Unemployed" by visiting the Oklahoma Employment Security Commission's website at <u>www.oklahoma.gov/oesc/individuals</u>. This document explains your rights and how to file an

> Unfair Employment Practices Office at 800-255-7688 CHILD LABOR LAWS

Employment certificate is issued by the school and is required for all employed minors, lours Standard School in session – minors restricted to: No more than eight (8) hours per non-school day No more than eighteen (18) hours per school week

Cooking Coolers Demolition Freezers

1-888-269-5353 www.labor.ok.gov DISCRIMINATION

If you are an employee, or an applicant for employment, and feel that because of race,

Email: ocre.complaints@oag.ok.gov

OK-0723-F04