



Pavement Maintenance Contractors

EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION POLICY STATEMENT

This is to affirm the Company's policy of providing equal opportunity to all employees and applicants for employment in accordance with all applicable equal employment opportunity/affirmative action ("EEO/AA") laws, directives and regulations of federal, state, and local governing bodies or agencies thereof.

The Company will not discriminate against or harass any employee or applicant for employment because of age, race, color, religion, national origin, sex, sexual orientation, gender identity, disability, status as a protected veteran, genetic information, because of inquiry or discussion about or disclosure of compensation, and all other federal, state, and local protected classes. The Company will not subject any employee or applicant to harassment, intimidation, threats, coercion or retaliation for participating in activities related to the administration of laws requiring affirmative action and equal employment opportunity, for opposing any actions made unlawful by those laws, or for exercising any other rights protected by those laws.

The Company will take affirmative action to ensure that all employment practices are free of discrimination. Senior Management, including the Company's top U.S. executive, fully supports the Company's affirmative action program. The Company hires, upgrades, and transfers persons in all job titles for which they are qualified without regard to disability, protected veteran status, any other legally protected status, as required by law. It also recruits, advertises jobs, lays off, disciplines, terminates, pays, and selects for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training, without regard to disability, protected veteran status or any other legally protected status. The Company bases employment decisions only on valid job requirements so as to further the principle of equal employment opportunity. The Company is committed to taking affirmative action to employ and advance qualified individuals with known disabilities and protected veterans at all levels, including the executive level, of the Company.

The Vietnam Era Veterans' Readjustment Assistance Act, as amended ("Section 4212"), and Section 503 of the Rehabilitation Act of 1973 ("Section 503") prohibit discrimination against and affirmative action benefitting protected veterans and disabled individuals. The Company does not subject employees or applicants to harassment, intimidation, threats, coercion, discrimination, or retaliation because they have engaged in or may engage in filing a complaint, assisting or participating in an investigation, compliance evaluation, hearing, or any other activity related to the administration of Section 4212, Section 503 or any other federal, state, or local law requiring equal opportunity for individuals with disabilities or protected veterans, opposing any act or practice made unlawful by Section 503, Section 4212 or their implementing regulations, or any other federal, state or local law requiring equal opportunity for individuals with disabilities and protected veterans, or exercising any other right protected by Section 503, Section 4212, or their implementing regulations. The Company makes reasonable accommodations for qualified protected veterans and individuals with known disabilities unless doing so would result in an undue hardship or direct threat to safety. Management also takes appropriate steps to provide reasonable accommodation upon request to employees whose religious beliefs or restrictions create a conflict with Company policies, practices, or procedures so long as doing so does not create an undue hardship. If an employee needs a reasonable accommodation, the employee should provide a written description of the employee's situation and needs to Human Resources and Human Resources will contact the employee to discuss the request.

The Company encourages its supervisors, forepersons and employees to refer qualified /qualifiable females, minorities, protected veterans, and disabled persons.

The Company will use its best efforts to afford minority and female business enterprises with maximum practicable opportunity to participate in the performance of subcontracts for projects that this Company engages in, to the extent applicable.

The Company fully supports incorporation of nondiscrimination and affirmative action rules and regulations into covered contracts, subcontracts and subcontractor policies and any purchase orders or supply agreements, as may be appropriate.

The Company will evaluate the performance of its management and supervisory personnel on the basis of their involvement in achieving these EEO/AA objectives as well as other established criteria. Any employee of the Company, or subcontractor to this Company, who does not comply with the EEO/AA policies and procedures as set forth in this EEO/AA Program will be subject to disciplinary action. Any covered subcontractor not complying with all applicable EEO/AA laws, directives and regulations of the federal, state, and local governing bodies or agencies thereof will be subject to appropriate legal sanctions as determined by the Office of Federal Contract Compliance Programs (OFCCP) or other similar agency.

The Company has appointed Megan Myllyla to manage the EEO/AA Program. The EEO Officer responsibilities will include implementation, monitoring and enforcement of the EEO/AA Program. The EEO Officer obtains information as may be required to establish that this policy is being carried out at all levels of executive, management and supervisory personnel. The EEO Officer periodically reviews the Affirmative Action Program to ensure its effectiveness, the need for any remedial action, the degree to which the Company's objectives have been attained, whether known individuals with disabilities and qualified protected veterans have had the opportunity to participate in all Company-sponsored educational, training, recreational, and social activities, measure the Company's compliance with the affirmative action program's specific obligations, document the actions taken to comply with these obligations, retain these documents as employment records, and undertake necessary action to bring the program into compliance if any part is believed to be in need of improvement.

The EEO Officer works with all levels of executive, management and supervisory personnel to ensure that the Affirmative Action Program is implemented in all day-to-day decisions concerning recruitment, job placement, promotions, and other personnel actions. The EEO Officer carries out or where necessary recommends such innovations in the Company's practices as may be required to ensure that the specific provisions and the spirit of this policy are being implemented. The EEO Officer provides executive management with a report, no less than once annually, measuring the effectiveness of the Affirmative Action Program.

If any employee or applicant for employment believes he/she may have been subjected to conduct or statements in violation of this policy, please contact Megan Myllyla at the Fahrner office, 2800 Mecca Drive, Plover, WI 54467, at (715) 341-2868 or her cell phone (715) 340-9327 or Mike Frodl, at (715) 341-2868. The EEO Officer is responsible for ensuring that the complaint is investigated and resolved in an appropriate fashion.

The EEO/AA Program is available for review by applicants and employees during normal business hours, Monday through Friday. Appointments should be made with the EEO Officer.


Kent Kutnink 1/2/2020
Date


Megan Myllyla 1/2/2020
Date

Corporate Office
2800 Mecca Drive
Plover, WI 54467



Pavement Maintenance Contractors
EEO/AA Employer

phone 715.341.2868
800.332.3360
fax 715.341.1054

NOTICE FOR ALL EMPLOYEES & APPLICANTS

OPERATING STATEMENT

It is the policy of Fahrner Asphalt Sealers, LLC to assure that applicants are employed, and that employees are treated equal during employment, without regard to their age, race, color, religion, national origin, sex, sexual orientation, gender identity, disability, protected veteran, genetic information, because of inquiry or discussion about or disclosure of compensation, and all other federal, state, and local protected classes. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including: apprenticeship, preapprenticeship, or on-the-job training.

We encourage our employees to refer qualified and/or qualifiable minority and female applicants for employment.

DESIGNATION OF EEO/AA OFFICER

Fahrner Asphalt Sealers, LLC has designated Megan Myllyla, 2800 Mecca Drive, Plover, WI 54467, at (715) 341-2868 or at her cell phone (715) 340-9327 as the Company EEO/AA Officer. Megan Myllyla has the responsibility to effectively administer and promote this Policy, and is assigned adequate authority and responsibility to do so.

TRAINING LETTER

Fahrner Asphalt Sealers, LLC has an approved informal training and promotion program available through various associations. We encourage your participation in these programs. Periodic random interviews will be conducted to assess the training needs of our employees.

To be considered for our company's training program, a prospective trainee must be an employee in good standing and/or have supervisory approval. For further information, copies of outlines of individual job classifications/area training programs contact Megan Myllyla at the office at 2800 Mecca Drive, Plover, WI 54467, (715) 341-2868 or her cell phone (715) 340-9327.

6615 US Hwy 12 W
Eau Claire, WI 54703
phone 715.874.6070
800.497.4907
fax 715.874.6717

860 Eastline Road
Kaukauna, WI 54130
phone 920.759.1008
800.261.1900
fax 920.759.1019

316 Raemisch Road
Waunakee, WI 53597
phone 608.849.6466
800.898.2102
fax 608.849.6470

7680 Commerce Park
Section C
Dubuque, IA 52002
phone 563.556.6231
fax 563.588.1240

2224 Veterans Memorial Pkwy
Saginaw, MI 48601
phone 989.752.9200
fax 989.752.9205

7500 Hudson Blvd., Ste 305
(Minnesota office)
Oakdale, MN 55128
phone 651.340.6212
fax 651.340.6221

Corporate Office
2800 Mecca Drive
Plover, WI 54467



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phone 715.341.2868
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LETTER APPOINTING EEO OFFICER

Fahrner Asphalt Sealers, LLC has appointed Megan Myllyla, Equal Employment Opportunity Officer, to manage the Company's equal employment opportunity (EEO) program on this project. Her responsibilities include:

- Implement and monitor all Company EEO policies, procedures and activities required by law, directive and regulations of Federal, State and Local governments.
- Collect and analyze employment data, identify problem areas, measure effectiveness of employment programs, and compile and submit all required reports. Report at least quarterly to the Company President on progress to achieve Company goals.
- Develop programs to assist in compliance with established goals as set forth in contract specifications.
- Serve as liaison between the Company and government regulatory agencies, minority and women's organizations, minority contractor organizations, disabled and veteran organizations, and other community based organizations.
- Assure that current legal information affecting EEO is disseminated to responsible parties, both internally and externally.
- Where possible, participate in programs established by the WisDOT, Federal Highway Administration, WTBA and other business and civic associations for the purpose of advancing equal opportunity.

Kent Kutnink, President
Fahrner Asphalt Sealers, LLC

1/2/2020

Date

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EEO/DISCRIMINATION COMPLAINT PROCEDURE

1. **Employees** who become aware of or are subject to any prohibited discrimination or harassment are strongly encouraged to immediately notify Megan Myllyla, EEO Officer, at the Fahrner Asphalt Sealers office, 2800 Mecca Drive, Plover, WI 54467, at (715) 341-2868 or her cell (715) 340-9237 or Mike Frodl, at (715) 341-2868. The Company requires that all complaints be put in writing and signed by the complainant. This helps ensure that all complaints are thoroughly investigated. Complaint forms are available at the office at 2800 Mecca Drive, Plover, WI 54467. If the complainant has filed a complaint with the supervisor and Megan Myllyla or Mike Frodl has not contacted the complainant five (5) business days following the complaint, the complainant should contact Megan Myllyla or Mike Frodl. If the complainant feels that the company did not resolve the complaint, he or she has the right to notify the appropriate State and Federal compliance agency. The addresses and telephone numbers for the different State and Federal compliance agencies can be located on company wage boards.
2. **Supervisors** who become aware of any incidents or alleged incidents of discrimination or harassment must report the complaint within twenty-four (24) hours to Megan Myllyla or Mike Frodl. The Company requires that all complaints be put in writing. This helps ensure that all complaints are thoroughly investigated. Supervisors may not try to resolve allegations of such behavior on their own. Any supervisor who fails to report allegations of discrimination or harassment may be subject to discipline, up to and including discharge.
3. **The Company** will thoroughly investigate allegations of prohibited discrimination or harassment and aims to complete all such investigations within five (5) business days from receipt of the written complaint. However, in certain circumstances, additional time may be required. Based upon its investigation, the Company will take immediate and appropriate action. Any employee found to have unlawfully discriminated against or harassed another employee will be subject to appropriate discipline, up to and including discharge. Immediate and appropriate steps will also be taken if any non-employee (such as vendor, supplier or customer) is found to have unlawfully discriminated against or harassed any employee of the Company. Timely responses indicating the outcome of the investigation will be communicated to all parties concerned.

EMPLOYEE RIGHTS

FOR WORKERS WITH DISABILITIES PAID AT SUBMINIMUM WAGES

This establishment has a certificate authorizing the payment of subminimum wages to workers who are disabled for the work they are performing. Authority to pay subminimum wages to workers with disabilities generally applies to work covered by the **Fair Labor Standards Act (FLSA)**, **McNamara-O'Hara Service Contract Act (SCA)**, and/or **Walsh-Healey Public Contracts Act (PCA)**. Such subminimum wages are referred to as "commensurate wage rates" and are less than the basic hourly rates stated in an SCA wage determination and/or less than the FLSA minimum wage of **\$7.25 per hour**. A "commensurate wage rate" is based on the worker's individual productivity, no matter how limited, in proportion to the wage and productivity of experienced workers who do not have disabilities that impact their productivity when performing essentially the same type, quality, and quantity of work in the geographic area from which the labor force of the community is drawn.

Employers shall make this poster available and display it where employees and the parents and guardians of workers with disabilities can readily see it.

WORKERS WITH DISABILITIES

Subminimum wages under section 14(c) are not applicable unless a worker's disability actually impairs the worker's earning or productive capacity for the work being performed. The fact that a worker may have a disability is not in and of itself sufficient to warrant the payment of a subminimum wage.

For purposes of payment of commensurate wage rates under a certificate, a worker with a disability is defined as: An individual whose earnings or productive capacity is impaired by a physical or mental disability, including those related to age or injury, for the work to be performed.

Disabilities which may affect productive capacity include an intellectual or developmental disability, psychiatric disability, a hearing or visual impairment, and certain other impairments. The following do not ordinarily affect productive capacity for purposes of paying commensurate wage rates: educational disabilities; chronic unemployment; receipt of welfare benefits; nonattendance at school; juvenile delinquency; and correctional parole or probation.

WORKER NOTIFICATION

Each worker with a disability and, where appropriate, the parent or guardian of such worker, shall be informed orally and in writing by the employer of the terms of the certificate under which such worker is employed.

KEY ELEMENTS OF COMMENSURATE WAGE RATES

- **Nondisabled worker standard**—The objective gauge (usually a time study of the production of workers who do not have disabilities that impair their productivity for the job) against which the productivity of a worker with a disability is measured.
- **Prevailing wage rate**—The wage paid to experienced workers who do not have disabilities that impair their productivity for the same or similar work and who are performing such work in the area. Most SCA contracts include a wage determination specifying the prevailing wage rates to be paid for SCA-covered work.
- **Evaluation of the productivity of the worker with a disability**—Documented measurement of the production of the worker with a disability (in terms of quantity and quality).

The wages of all workers paid commensurate wages must be reviewed, and adjusted if appropriate, at periodic intervals. At a minimum, the productivity of hourly-paid workers must be reevaluated at least every six months and a new prevailing wage survey must be conducted at least once every twelve months. In addition, prevailing wages must be reviewed, and adjusted as appropriate, whenever there is a change in the job or a change in the prevailing wage rate, such as when the applicable state or federal minimum wage is increased.

WIOA

The Workforce Innovation and Opportunity Act of 2014 (WIOA) amended the Rehabilitation Act by adding section 511, which places limitations on the payment of subminimum wages to individuals with disabilities by mandating the completion of certain requirements prior to and during the payment of a subminimum wage.

EXECUTIVE ORDER 13658

Executive Order 13658, Establishing a Minimum Wage for Contractors, established a minimum wage that generally must be paid to workers performing on or in connection with a covered contract with the Federal Government. Workers covered by this Executive Order and due the full Executive Order minimum wage include workers with disabilities whose wages are calculated pursuant to certificates issued under section 14(c) of the FLSA.

FRINGE BENEFITS

Neither the FLSA nor the PCA have provisions requiring vacation, holiday, or sick pay nor other fringe benefits such as health insurance or pension plans. SCA wage determinations may require such fringe benefit payments (or a cash equivalent). Workers paid under a certificate authorizing commensurate wage rates must receive the full fringe benefits listed on the SCA wage determination.

OVERTIME

Generally, if a worker is performing work subject to the FLSA, SCA, and/or PCA, that worker must be paid at least 1 1/2 times their regular rate of pay for all hours worked over 40 in a workweek.

CHILD LABOR

Minors younger than 18 years of age must be employed in accordance with the child labor provisions of the FLSA. No persons under 16 years of age may be employed in manufacturing or on a PCA contract.

PETITION PROCESS

Workers with disabilities paid at subminimum wages may petition the Administrator of the Wage and Hour Division of the Department of Labor for a review of their wage rates by an Administrative Law Judge. No particular form of petition is required, except that it must be signed by the worker with a disability or his or her parent or guardian and should contain the name and address of the employer. Petitions should be mailed to: Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue NW, Washington, D.C. 20210.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

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



WH1284 REV 01/18

DERECHOS DE EMPLEADOS

PARA TRABAJADORES CON DISCAPACIDADES QUE PERCIBEN UN SALARIO INFERIOR AL MÍNIMO

Este establecimiento cuenta con un certificado que autoriza el pago de salarios inferiores al mínimo a trabajadores discapacitados por el trabajo que realizan. La autorización para pagar salarios inferiores al mínimo a trabajadores con discapacidades por lo general se aplica a trabajo regido por la **Ley de Normas Justas de Trabajo (FLSA)**, por sus siglas en inglés, la **Ley de Contratos por Servicios McNamara-O'Hara (SCA)**, por sus siglas en inglés y/o por la **Ley Walsh-Healey Sobre Contratos Públicos (PCA)**, por sus siglas en inglés. Tales salarios inferiores al mínimo se conocen como "tasas salariales conmensurables" y son inferiores a las tasas básicas por hora establecidas en la determinación de salarios de la SCA y/o inferiores al salario mínimo de \$7.25 por hora según la FLSA. Una "tasa salarial conmensurable" se basa en la productividad individual del trabajador, no importa cuán limitada sea, en proporción al salario y a la productividad de los trabajadores experimentados que no tienen discapacidades que impactan su productividad cuando realizan esencialmente el mismo tipo, calidad y cantidad de trabajo en el área geográfica de la que proviene la fuerza laboral de la comunidad.

Los empleadores deben hacer disponible y exhibir este cartel en un lugar donde los empleados y los padres y tutores de los trabajadores con discapacidades lo puedan ver claramente.

TRABAJADORES CON DISCAPACIDADES

Los salarios inferiores al salario mínimo según la sección 14(c) no se aplican a menos que la discapacidad del trabajador realmente perjudique sus ingresos o su capacidad productiva para el trabajo que realiza. El hecho de que el trabajador pueda tener una discapacidad no es en sí suficiente para justificar el pago de un salario inferior al mínimo.

Para efectos de las tasas salariales conmensurables según un certificado, un trabajador con una discapacidad se define como: Una persona cuyos ingresos o capacidad productiva se ve afectada por una discapacidad física o mental, incluidas aquellas relacionadas con la edad o las lesiones, para que se realice el trabajo.

Las discapacidades que pueden afectar la capacidad productiva incluyen una discapacidad intelectual o de desarrollo, una discapacidad psiquiátrica, una discapacidad auditiva o visual, y algunas otras discapacidades. Lo siguiente normalmente no afecta la capacidad productiva con el propósito de pagar tasas de salarios conmensurables: discapacidades educativas, desempleo crónico, recibo de beneficios sociales, falta de asistencia a la escuela, delincuencia juvenil y libertad condicional o bajo palabra.

NOTIFICACIÓN AL TRABAJADOR

El empleador debe informar oralmente y por escrito a cada trabajador con una discapacidad y, cuando corresponda, al padre o tutor de dicho trabajador, sobre los términos del certificado según el cual dicho trabajador está empleado.

ELEMENTOS CLAVES DE LAS TASAS DE SALARIO CONMEN SURABLE

- **Norma de trabajadores no discapacitados**—El indicador objetivo (generalmente un estudio del tiempo de la producción de trabajadores que no tienen discapacidades que perjudiquen su productividad para el trabajo) contra el cual se mide la productividad de un trabajador con una discapacidad.
- **Tasa de salario prevaleciente**—El salario que se paga a trabajadores experimentados que no tienen discapacidades que perjudiquen su productividad por el mismo trabajo o trabajo similar y que realizan tal trabajo en el área. La mayor parte de los contratos SCA incluye una determinación de salario que especifica las tasas del salario prevaleciente que se tiene que pagar por el trabajo sujeto a SCA.
- **Evaluación de la productividad del trabajador con una discapacidad**—Medida documentada de la producción del trabajador con discapacidad (en términos de cantidad y calidad).

Los salarios de todos los trabajadores que perciben salarios conmensurables tienen que ser revisados, y ajustados si corresponde, en intervalos periódicos. Como mínimo, la productividad de los trabajadores asalariados por hora tiene que reevaluarse al menos cada seis meses y tiene que realizarse un estudio nuevo de salarios prevalecientes al menos una vez cada doce meses. Además, se tienen que revisar, y ajustar según corresponda, los salarios prevalecientes siempre que haya un cambio en el trabajo o en la tasa del salario prevaleciente, tal como cuando se incrementa el salario mínimo aplicable estatal o federal.

WIOA

La Ley de Innovación y Oportunidades Laborales de 2014 (WIOA, por sus siglas en inglés) enmendó la Ley de Rehabilitación al agregar la sección 511, la cual impone limitaciones en el pago de salarios inferiores a los mínimos a las personas con discapacidades al exigir el cumplimiento de ciertos requisitos antes y durante el pago de un salario inferior al mínimo.

ORDEN EJECUTIVA 13658

La Orden Ejecutiva 13658, que establece un salario mínimo para contratistas, estableció un salario mínimo que generalmente tiene que pagarse a los trabajadores que cumplen un contrato o en conexión con un contrato sujeto al Gobierno Federal. Los trabajadores sujetos a esta Orden Ejecutiva y a los que se les debe el salario mínimo completo de la Orden Ejecutiva incluyen a los trabajadores con discapacidades cuyos salarios se calculan conforme a los certificados emitidos según la sección 14(c) de la FLSA.

BENEFICIOS COMPLEMENTARIOS

Ni la FLSA ni la PCA tienen disposiciones que requieran vacaciones, días festivos, o paga por enfermedad, ni otros beneficios complementarios como seguro de salud o planes de pensión. Las determinaciones de salario de SCA pueden requerir pagos de dicho beneficio complementario (o un equivalente en efectivo). Los trabajadores a los cuales se les paga según un certificado que autoriza tasas salariales conmensurables tienen que recibir enteramente los beneficios complementarios adicionales enumerados en la determinación de salario de SCA.

SOBRETIEPO

En general, si un trabajador se encuentra realizando un trabajo sujeto a la FLSA, SCA y/o PCA, se le tiene que pagar a ese trabajador tiempo y medio, es decir, 1 1/2 de su tasa regular de pago por todas las horas trabajadas después de las 40 horas en una semana laboral.

TRABAJO DE MENORES DE EDAD

Los menores de edad de menos de 18 años tienen que ser empleados de acuerdo con las disposiciones federales para el trabajo de menores de edad de la FLSA. Ninguna persona menor de 16 años de edad puede ser empleada en la manufactura o en un contrato de la PCA.

PROCESO DE SOLICITUD

Los trabajadores con discapacidades a los que se les paga salarios inferiores al salario mínimo pueden solicitarle al Administrador de la División de Horas y Salarios del Departamento de Trabajo que un Juez de Derecho Administrativo haga una revisión de las tasas de sus salarios. No se requiere ningún formulario particular de solicitud, excepto que tiene que ser firmado por el trabajador con una discapacidad o su padre o tutor y tiene que contener el nombre y la dirección del empleador. Las solicitudes se pueden enviar por correo a: Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue NW, Washington, DC 20210.



DIVISIÓN DE HORAS Y SALARIOS

DEPARTAMENTO DE TRABAJO DE LOS ESTADOS UNIDOS

1-866-487-9243

TTY: 1-877-889-5627

www.dol.gov/whd



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:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious 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, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship.

AGE

The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

SEX (WAGES)

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment.

GENETICS

Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

RETALIATION

All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice.

WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED

There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is suspected.

The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at www.eeoc.gov or in most telephone directories in the U.S. Government or Federal 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, NATIONAL ORIGIN

Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

INDIVIDUALS WITH DISABILITIES

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

DISABLED, RECENTLY SEPARATED, OTHER PROTECTED,

AND ARMED FORCES SERVICE MEDAL VETERANS

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination and requires affirmative action to employ and advance in employment disabled veterans, recently separated veterans (within

three years of discharge or release from active duty), other protected veterans (veterans who served during a war or in a campaign or expedition for which a campaign badge has been authorized), and Armed Forces service medal veterans (veterans who, while on active duty, participated in a U.S. military operation for which an Armed Forces service medal was awarded).

RETALIATION

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these Federal laws.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at OFCCP-Public@dol.gov, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor.

Programs or Activities Receiving Federal Financial Assistance

RACE, COLOR, NATIONAL ORIGIN, SEX

In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

INDIVIDUALS WITH DISABILITIES

Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

La igualdad de oportunidades de empleo es

LA LEY

Empleadores privados, gobiernos locales y estatales, instituciones educativas, agencias de empleo y organizaciones de trabajo

Los postulantes y empleados de la mayoría de los empleadores privados, los gobiernos locales y estatales, las instituciones educativas, las agencias de empleo y las organizaciones de trabajo están protegidos por la ley federal contra la discriminación en función de:

RAZA, COLOR, RELIGIÓN, SEXO, PROCEDENCIA

El Título VII de la Ley de Derechos Civiles (Civil Rights Act) de 1964, con sus modificaciones, protege a los postulantes y a los empleados contra la discriminación en lo que respecta a la contratación, los ascensos, los pagos, las compensaciones adicionales, la capacitación laboral, la clasificación, las referencias y los demás aspectos del empleo, en función de raza, color, religión, sexo (incluidas las embarazadas) o procedencia. La discriminación religiosa se refiere a la falta de adaptación razonable a las prácticas religiosas de un empleado, siempre y cuando dicha adaptación no provoque una dificultad económica desmedida para la compañía.

DISCAPACIDAD

Los Títulos I y V de la Ley de Estadounidenses con Discapacidades (Americans with Disabilities Act) de 1990, con sus modificaciones, protege a las personas idóneas contra la discriminación por discapacidad en lo que respecta a la contratación, los ascensos, los pagos, los despidos, las compensaciones adicionales, la capacitación laboral, la clasificación, las referencias y los demás aspectos del empleo. La discriminación por discapacidad se refiere a la falta de adaptaciones razonables para las limitaciones físicas o mentales de una persona idónea que tiene una discapacidad y que es un postulante o un empleado, salvo que dichas adaptaciones provoquen una dificultad económica desmedida para la compañía.

EDAD

La Ley contra la Discriminación Laboral por Edad (Age Discrimination in Employment Act) de 1967, con sus modificaciones, protege a los postulantes y empleados de 40 años o más contra la discriminación por cuestiones de edad en lo que respecta a la contratación, los ascensos, los pagos, los despidos, las compensaciones adicionales, la capacitación laboral, la clasificación, las referencias y los demás aspectos del empleo.

SEXO (SALARIOS)

Además de lo establecido en el Título VII de la Ley de Derechos Civiles, con sus modificaciones, la Ley de Igualdad en las Remuneraciones (Equal Pay Act) de 1963, con sus modificaciones, también prohíbe la discriminación sexual en el pago de los salarios a las mujeres y los hombres que realicen básicamente el mismo trabajo, en empleos que requieran las mismas habilidades, esfuerzo y responsabilidad, en condiciones laborales similares, en el mismo establecimiento.

GENÉTICA

El Título II de la Ley de No Discriminación por Información Genética (Genetic Information Nondiscrimination Act, GINA) de 2008 protege a los postulantes y empleados contra la discriminación basada en la información genética en lo que respecta a la contratación, los ascensos, los pagos, los despidos, las compensaciones adicionales, la capacitación laboral, la clasificación, las referencias y los demás aspectos del empleo. La GINA también limita la adquisición de información genética por parte de los empleadores y condiciona de manera estricta su divulgación. La información genética incluye las pruebas genéticas de los postulantes, empleados o integrantes de sus familias, la manifestación de enfermedades o trastornos de los miembros de la familia (historia médica familiar) y las solicitudes o la recepción de servicios genéticos por parte de los postulantes, empleados o integrantes de sus familias.

REPRÉSALIAS

Todas estas leyes federales prohíben a las entidades cubiertas que tomen represalias en contra de una persona que presenta una carga por discriminación, participa en un procedimiento por discriminación o que, de algún otro modo, se opone a una práctica laboral ilícita.

QUÉ DEBE HACER SI CONSIDERA QUE ES VÍCTIMA DE LA DISCRIMINACIÓN

Existen plazos estrictos para presentar cargos por discriminación laboral. A fin de preservar la capacidad de la Comisión para la Igualdad de Oportunidades en el Empleo (Equal Employment Opportunity Commission, EEOC) de actuar en representación suya y proteger su derecho a iniciar una demanda privada si fuese necesario en última instancia, debe comunicarse con la EEOC apenas sospeche que se produjo un hecho de discriminación. Comisión para la Igualdad de Oportunidades en el Empleo de los Estados Unidos, 1-800-669-4000 (línea gratuita) o 1-800-669-6820 (línea gratuita TTY para las personas con problemas auditivos). Puede encontrar información sobre las sucursales de la EEOC en www.eeoc.gov o en la mayoría de las guías telefónicas en la sección Gobierno Federal o Gobierno de los Estados Unidos. También puede obtener información adicional sobre la EEOC, incluso cómo presentar un cargo, en www.eeoc.gov.

Empleadores que tengan contratos o subcontratos con el gobierno federal

Los postulantes y empleados de las compañías que tengan un contrato o subcontrato con el gobierno federal están protegidos por la ley federal contra la discriminación en función de:

RAZA, COLOR, RELIGIÓN, SEXO, PROCEDENCIA

El Decreto Ejecutivo 11246, con sus modificaciones, prohíbe la discriminación en el trabajo en función de raza, color, religión, sexo o procedencia y exige que se implementen acciones afirmativas para garantizar la igualdad de oportunidades en todos los aspectos laborales.

PERSONAS CON DISCAPACIDADES

La Sección 503 de la Ley de Rehabilitación (*Rehabilitation Act*) de 1973, con sus modificaciones, protege a las personas idóneas contra la discriminación por discapacidad en lo que respecta a la contratación, los ascensos, los despidos, los pagos, las compensaciones adicionales, la capacitación laboral, la clasificación, las referencias y los demás aspectos del empleo. La discriminación por discapacidad se refiere a la falta de adaptaciones razonables para las limitaciones físicas o mentales de una persona idónea que tiene una discapacidad y que es un postulante o un empleado, salvo que dichas adaptaciones provoquen una dificultad económica desmedida para la compañía. La Sección 503 también exige que los contratistas federales implementen acciones afirmativas para emplear y avanzar en el empleo de personas idóneas con discapacidades en todos los niveles laborales, incluido el nivel ejecutivo.

VETERANOS DISCAPACITADOS, RECIÉN RETIRADOS, BAJO PROTECCIÓN Y CON MEDALLA POR SERVICIO A LAS FUERZAS ARMADAS

La Ley de Asistencia a la Readaptación de Veteranos de Vietnam (*Vietnam Era Veterans Readjustment Assistance Act*) de 1974, con sus modificaciones, 38 U.S.C. 4212, prohíbe la discriminación laboral y exige que se implementen acciones afirmativas para emplear y avanzar en el empleo de los veteranos discapacitados, recién retirados

(en el plazo de los tres años posteriores a la baja o al cese del servicio activo), otros veteranos bajo protección (los veteranos que prestaron servicio durante una guerra o en una campaña o expedición para la cual se les autorizó una insignia de campaña) y los veteranos con medalla por servicio a las Fuerzas Armadas (aquellos que durante el servicio activo, participaron en una operación militar de los Estados Unidos por la cual se los reconoció con una medalla por servicio a las Fuerzas Armadas).

REPRESALIAS

Quedan prohibidas las represalias contra una persona que presenta una demanda por discriminación, participa en un procedimiento de la Oficina de Programas de Cumplimiento de Contratos Federales (*Office of Federal Contract Compliance Programs*, OFCCP) o que se oponga, de algún otro modo, a la discriminación según estas leyes federales.

Toda persona que considere que un contratista violó sus obligaciones de acción afirmativa o no discriminación según las autoridades mencionadas anteriormente debe comunicarse de inmediato con:

La Oficina de Programas de Cumplimiento de Contratos Federales (OFCCP), Departamento de Trabajo de los Estados Unidos, 200 Constitution Avenue, N.W., Washington, D.C. 20210, teléfono 1-800-397-6251 (línea gratuita) o (202) 693-1337 (línea TTY). También puede enviar un mensaje de correo electrónico a la OFCCP (OFCCP-Public@dol.gov) o bien, llamar a una de sus oficinas regionales o del distrito, las cuales aparecen en la mayoría de las guías telefónicas en la sección Gobierno de los Estados Unidos, Departamento de Trabajo.

Programas o actividades que reciben asistencia financiera federal

RAZA, COLOR, PROCEDENCIA, SEXO

Además de las protecciones establecidas en el Título VII de la Ley de Derechos Civiles de 1964 y sus modificaciones, el Título VI de dicha ley, con sus modificaciones, prohíbe la discriminación por raza, color o procedencia en los programas o las actividades que reciban asistencia financiera federal. La discriminación laboral está cubierta por el Título VI si el objetivo principal de la asistencia financiera es brindar empleo, o si la discriminación laboral provoca o puede provocar discriminación cuando se proporcionan los servicios de dichos programas. El Título IX de las Reformas Educativas de 1972 prohíbe la discriminación laboral según el sexo en los programas o las actividades educativas que reciben asistencia financiera federal.

PERSONAS CON DISCAPACIDADES

La Sección 504 de la Ley de Rehabilitación de 1973, con sus modificaciones, prohíbe la discriminación laboral por discapacidad en cualquier programa o actividad que reciba asistencia financiera federal. Queda prohibida la discriminación en todos los aspectos laborales contra las personas discapacitadas que, con o sin adaptaciones razonables, pueden desempeñar las funciones esenciales del trabajo.

Si cree que ha sido víctima de discriminación en algún programa de una institución que reciba asistencia financiera federal, debe comunicarse de inmediato con la agencia federal que brinda dicha asistencia.

IF YOU HAVE THE RIGHT TO WORK



DON'T LET ANYONE TAKE IT AWAY

If you have the skills, experience, and legal right to work, your citizenship or immigration status shouldn't get in the way. Neither should the place you were born or another aspect of your national origin. A part of U.S. immigration laws protects legally-authorized workers from discrimination based on their citizenship status and national origin. You can read this law at [8 U.S.C. § 1324b](#).

The [Immigrant and Employee Rights Section](#) (IER) may be able to help if an employer treats you unfairly in violation of this law.

The law that IER enforces is 8 U.S.C. § 1324b. The regulations for this law are at 28 C.F.R. Part 44.

Call IER if an employer:

Does not hire you or fires you because of your national origin or citizenship status (this may violate a part of the law at 8 U.S.C. § 1324b(a)(1))

Treats you unfairly while checking your right to work in the U.S., including while completing the [Form I-9](#) or using [E-Verify](#) (this may violate the law at 8 U.S.C. § 1324b(a)(1) or (a)(6))

Retaliates against you because you are speaking up for your right to work as protected by this law (the law prohibits retaliation at 8 U.S.C. § 1324b(a)(5))

The law can be complicated. Call IER to get more information on protections from discrimination based on citizenship status and national origin.

Immigrant and Employee Rights Section (IER)

1-800-255-7688

TTY 1-800-237-2515

www.justice.gov/ier

IER@usdoj.gov



U.S. Department of Justice, Civil Rights Division, Immigrant and Employee Rights Section, January 2019



This guidance document is not intended to be a final agency action, has no legally binding effect, and has no force or effect of law. The document may be rescinded or modified at the Department's discretion, in accordance with applicable laws. The Department's guidance documents, including this guidance, do not establish legally enforceable responsibilities beyond what is required by the terms of the applicable statutes, regulations, or binding judicial precedent. For more information, see "Memorandum for All Components: Prohibition of Improper Guidance Documents," from Attorney General Jefferson B. Sessions III, November 16, 2017.

SI USTED TIENE DERECHO A TRABAJAR



NO DEJE QUE NADIE SE LO quite

Si usted dispone de las capacidades, experiencia y derecho legal a trabajar, su estatus migratorio o de ciudadanía no debe representar un obstáculo, ni tampoco lo debe ser el lugar en que usted nació o ningún otro aspecto de su nacionalidad de origen. Existe una parte de las leyes migratorias de los EE. UU. que protegen a los trabajadores que cuentan con la debida autorización legal para trabajar de la discriminación por motivos de su estatus de ciudadanía o nacionalidad de origen. Puede consultar esta ley contenida en la [Sección 1324b del Título 8 del Código de los EE. UU.](#)

Es posible que la [Sección de Derechos de Inmigrantes y Empleados \(IER, por sus siglas en inglés\)](#) pueda ayudar si un empleador lo trata de una forma injusta, en contra de esta ley.

La ley que hace cumplir la IER es la Sección 1324b del Título 8 del Código de los EE. UU. Los reglamentos de dicha ley se encuentran en la Parte 44 del Título 28 del Código de Reglamentos Federales.

Llame a la IER si un empleador:

No lo contrata o lo despidе a causa de su nacionalidad de origen o estatus de ciudadanía (esto podría representar una vulneración de parte de la ley contenida en la Sección 1324b(a)(1) del Título 8 del Código de los EE. UU.)

Lo trata de una manera injusta a la forma de comprobar su derecho a trabajar en los EE. UU., incluyendo al completar el [Formulario I-9](#) o utilizar [E-Verify](#) (esto podría representar una vulneración de la ley contenida en la Sección 1324b(a)(1) o (a)(6) del Título 8 del Código de los EE. UU.)

Forma represalias en su contra por haber defendido su derecho a trabajar al amparo de esta ley (la ley prohíbe las represalias, según se indica en la Sección 1324b(a)(5) del Título 8 del Código de los EE. UU.)

Esta ley puede ser complicada. Llame a la IER para más información sobre las protecciones existentes contra la discriminación por motivos del estatus de ciudadanía o la nacionalidad de origen.

Sección de Derechos de Inmigrantes y Empleados (IER)

1-800-255-7688

TTY 1-800-237-2515

www.justice.gov/crt-espanol/ier

IER@usdoj.gov



Departamento de Justicia de los EE. UU., División de Derechos Civiles, Sección de Derechos de Inmigrantes y Empleados, enero del 2019



This Organization Participates in E-Verify

Esta Organización Participa en E-Verify



This employer participates in E-Verify and will provide the federal government with your Form I-9 information to confirm that you are authorized to work in the U.S.

If E-Verify cannot confirm that you are authorized to work, this employer is required to give you written instructions and an opportunity to contact Department of Homeland Security (DHS) or Social Security Administration (SSA) so you can begin to resolve the issue before the employer can take any action against you, including terminating your employment.

Employers can only use E-Verify once you have accepted a job offer and completed the Form I-9.

E-Verify Works for Everyone

For more information on E-Verify, or if you believe that your employer has violated its E-Verify responsibilities, please contact DHS.

Este empleador participa en E-Verify y proporcionará al gobierno federal la información de su Formulario I-9 para confirmar que usted está autorizado para trabajar en los EE.UU..

Si E-Verify no puede confirmar que usted está autorizado para trabajar, este empleador está requerido a darle instrucciones por escrito y una oportunidad de contactar al Departamento de Seguridad Nacional (DHS) o a la Administración del Seguro Social (SSA) para que pueda empezar a resolver el problema antes de que el empleador pueda tomar cualquier acción en su contra, incluyendo la terminación de su empleo.

Los empleadores sólo pueden utilizar E-Verify una vez que usted haya aceptado una oferta de trabajo y completado el Formulario I-9.

E-Verify Funciona Para Todos

Para más información sobre E-Verify, o si usted cree que su empleador ha violado sus responsabilidades de E-Verify, por favor contacte a DHS.

888-897-7781
dhs.gov/e-verify



E-VERIFY IS A SERVICE OF DHS AND SSA

The E-Verify logo and mark are registered trademarks of Department of Homeland Security. Commercial sale of this poster is strictly prohibited.

EMPLOYEE RIGHTS

EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits most private 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 of security service firms (armored car, alarm, and guard), and of 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 any provision of any State or local law or any collective bargaining 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.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

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



WH1452 REV 07/16

DERECHOS DEL EMPLEADO

LEY PARA LA PROTECCIÓN DEL EMPLEADO CONTRA LA PRUEBA DEL POLÍGRAFO

La Ley Para La Protección del Empleado contra la Prueba de Polígrafo le prohíbe a la mayoría de los empleadores del sector privado que utilice pruebas con detectores de mentiras durante el período de pre-empleo o durante el servicio de empleo.

PROHIBICIONES Generalmente se le prohíbe al empleador que le exija o requiera a un empleado o a un solicitante a un trabajo que se someta a una prueba con detector de mentiras, y que despida, discipline, o discrimine de ninguna forma contra un empleado o contra un aspirante a un trabajo por haberse negado a someterse a la prueba o por haberse acogido a otros derechos establecidos por la Ley.

EXENCIONES Esta Ley no afecta a los empleados de los gobiernos federal, estatales y locales. Tampoco se aplica a las pruebas que el Gobierno Federal les administra a ciertos individuos del sector privado que trabajan en actividades relacionadas con la seguridad nacional.

La Ley permite la administración de pruebas de polígrafo (un tipo de detector de mentiras) en el sector privado, sujeta a ciertas restricciones, a ciertos aspirantes para empleos en compañías de seguridad (vehículos blindados, sistemas de alarma y guardias). También se les permite el uso de éstas a compañías que fabrican, distribuyen y dispensan productos farmacéuticos.

La Ley también permite la administración de estas pruebas de polígrafo, sujeta a ciertas restricciones, a empleados de empresas privadas que estén bajo sospecha razonable de estar involucrados en un incidente en el sitio de empleo (tal como un robo, desfalco, etc.) que le haya ocasionado daños económicos al empleador.

La Ley no substituye ninguna provisión de cualquier otra ley estatal o local ni tampoco a tratos colectivos que sean más rigurosos con respecto a las pruebas de polígrafo.

DERECHOS DE LOS EXAMINADOS

En casos en que se permitan las pruebas de polígrafo, éstas deben ser administradas bajo una cantidad de normas estrictas en cuanto a su administración y duración. Los examinados tienen un número de derechos específicos, incluyendo el derecho de advertencia por escrito antes de someterse a la prueba, el derecho a negarse a someterse a la prueba o a discontinuarla, al igual que el derecho a negarse a que los resultados de la prueba estén al alcance de personas no autorizadas.

CUMPLIMIENTO El/La Secretario(a) de Trabajo puede entablar pleitos para impedir violaciones y puede imponer penas pecuniarias civiles contra los violadores. Los empleados o solicitantes a empleo también tienen derecho a entablar sus propios pleitos en los tribunales.

LA LEY EXIGE QUE LOS EMPLEADORES EXHIBAN ESTE AVISO DONDE LOS EMPLEADOS Y LOS SOLICITANTES DE EMPLEO LO PUEDAN VER FÁCILMENTE.



DIVISIÓN DE HORAS Y SALARIOS
DEPARTAMENTO DE TRABAJO DE LOS EE.UU.

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



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 covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

BENEFITS & PROTECTIONS

ELIGIBILITY REQUIREMENTS

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- 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 of the employee's worksite.

*Special "hours of service" requirements apply to airline flight crew employees.

REQUESTING LEAVE

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

EMPLOYER RESPONSIBILITIES

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

ENFORCEMENT

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

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.



For additional information or to file a complaint:

1-866-4-USWAGE

(1-866-487-9243) TTY: 1-877-889-5627

www.dol.gov/whd

U.S. Department of Labor | Wage and Hour Division



DERECHOS DEL EMPLEADO SEGÚN LA LEY DE AUSENCIA FAMILIAR Y MÉDICA

DIVISIÓN DE HORAS Y SALARIOS DEL DEPARTAMENTO DE EE. UU.

DERECHOS DE LA LICENCIA



Los empleados elegibles que trabajan para un empleador sujeto a esta ley pueden tomarse hasta 12 semanas de licencia sin paga y sin perder su empleo durante un período de 12 meses por las siguientes razones:

- El nacimiento de un hijo o la colocación de un hijo en adopción o en hogar de crianza;
- Para establecer lazos afectivos con un niño (la licencia tiene que ser tomada dentro del primer año del nacimiento o de la colocación del niño);
- Para cuidar al cónyuge del empleado, al hijo, o al padre que tenga una condición seria de salud que califique;
- Debido a una condición seria de salud que califique del empleado mismo y que resulte en que el empleado no pueda realizar su trabajo;
- Por exigencias que califiquen relacionadas con el despliegue al extranjero de un miembro de las fuerzas armadas que sea cónyuge del empleado, hijo o padre.

Un empleado elegible que es cónyuge, hijo, padre o familiar más cercano del miembro de las fuerzas armadas que está cubierto, puede tomarse hasta 26 semanas de licencia bajo la Ley de Ausencia Familiar y Médica (FMLA, por sus siglas en inglés) en un período único de 12 meses para cuidar al miembro de las fuerzas armadas que tenga una lesión o enfermedad seria.

El empleado no tiene que tomarse toda la licencia seguida de una sola vez. Cuando es médicamente necesario o de otra manera permitido, los empleados pueden tomarse la licencia de forma intermitente o en una jornada reducida.

Los empleados pueden elegir, o un empleador puede exigir, el uso de licencias pagadas acumuladas mientras se toman la licencia bajo la FMLA. Si el empleado sustituye la licencia pagada acumulada por la licencia bajo la FMLA, el empleado tiene que cumplir con las políticas de pago de licencias normales del empleador.

Mientras los empleados estén de licencia bajo la FMLA, los empleadores tienen que continuar con la cobertura del seguro de salud como si los empleados no estuvieran de licencia.

Después de regresar de la licencia bajo la FMLA, a la mayor parte de los empleados se les tiene que restablecer al mismo trabajo o uno sustitutivo, con el pago, los beneficios y otros términos y otras condiciones de empleo equivalentes.

El empleador no puede interferir con los derechos de la FMLA de un individuo o tomar represalias contra alguien por usar o intentar de usar la licencia bajo la FMLA, por oponerse a cualquier práctica ilegal hecha por la FMLA, o por estar involucrado en un procedimiento según o relacionado con la FMLA.

Un empleado que trabaja para un empleador bajo el alcance tiene que cumplir con tres criterios para poder ser elegible para una licencia bajo la FMLA. El empleado tiene que:

- Haber trabajado para el empleador por lo menos 12 meses;
- Tener por lo menos 1,250 horas de servicio en los 12 meses previos a tomar la licencia*; y
- Trabajar en un lugar donde el empleador tenga al menos 50 empleados dentro de 75 millas del lugar de trabajo del empleado.

*Requisitos especiales de "horas de servicio" se aplican a empleados de una tripulación de una aerolínea.

En general, los empleados tienen que pedir la licencia necesaria bajo la FMLA con 30 días de anticipación. Si no es posible avisar con 30 días de anticipación, el empleado tiene que notificar al empleador lo más pronto posible y, generalmente, seguir los procedimientos usuales del empleador.

Los empleados no tienen que informar un diagnóstico médico, pero tienen que proporcionar información suficiente para que el empleador pueda determinar si la ausencia califica bajo la protección de la FMLA. La información suficiente podría incluir informarle al empleador que el empleado está o estará incapacitado para realizar sus funciones laborales, que un miembro de la familia no puede realizar las actividades diarias, o que una hospitalización o un tratamiento médico de seguimiento es necesario. Los empleados tienen que informar al empleador si la necesidad de la licencia es por una razón por la cual la licencia bajo la FMLA fue previamente tomada o certificada.

Los empleadores pueden exigir un certificado o una recertificación periódica que respalde la necesidad para la licencia. Si el empleador determina que la certificación está incompleta, tiene que proporcionar un aviso por escrito indicando qué información adicional se requiere.

Una vez que el empleador sepa que la necesidad para la licencia del empleado es por una razón que pueda calificar bajo la FMLA, el empleador tiene que notificar al empleado si él o ella es elegible para una licencia bajo FMLA y, si es elegible, también tiene que proporcionar un aviso de los derechos y las responsabilidades según la FMLA. Si el empleado no es elegible, el empleador tiene que brindar una razón por la cual no es elegible.

Los empleadores tienen que notificar a sus empleados si la ausencia será designada como licencia bajo la FMLA, y de ser así, cuánta ausencia será designada como licencia bajo la FMLA.

Los empleados pueden presentar un reclamo ante el Departamento de Trabajo de EE. UU., la División de Horas y Salarios, o pueden presentar una demanda privada contra un empleador.

La FMLA no afecta a ninguna ley federal o estatal que prohíba la discriminación ni sustituye a ninguna ley estatal o local o convenio colectivo de negociación que proporcione mayores derechos de ausencias familiares o médicas.

BENEFICIOS Y PROTECCIONES

REQUISITOS DE ELEGIBILIDAD

PEDIDO DE LA LICENCIA

RESPONSABI- DADES DEL EMPLEADOR

CUMPLIMIENTO



Para información adicional o para presentar un reclamo:

1-866-4-USWAGE

(1-866-487-9243) TTY: 1-877-889-5627

www.dol.gov/whd



Departamento de Trabajo de los EE.UU. | División de Horas y Salarios

WH1420a REV 06/16

NOTICE

Military Family Leave

On January 28, President Bush signed into law the National Defense Authorization Act for FY 2008 (NDAA), Public Law 110-181. Section 585(a) of the NDAA amended the FMLA to provide eligible employees working for covered employers two important new leave rights related to military service:

- (1) New Qualifying Reason for Leave.** Eligible employees are entitled to up to 12 weeks of leave because of “any qualifying exigency” arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation. By the terms of the statute, this provision requires the Secretary of Labor to issue regulations defining “any qualifying exigency.” In the interim, employers are encouraged to provide this type of leave to qualifying employees.
- (2) New Leave Entitlement.** An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember who is recovering from a serious illness or injury sustained in the line of duty on active duty is entitled to up to 26 weeks of leave in a single 12-month period to care for the servicemember. This provision became effective immediately upon enactment. This military caregiver leave is available during “a single 12-month period” during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave.

Additional information on the amendments and a version of Title I of the FMLA with the new statutory language incorporated are available on the FMLA amendments Web site at http://www.dol.gov/esa/whd/fmla/NDAA_fmla.htm.





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.

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 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, a comparable job.

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

If you:

- ☆ are a past or present member of the uniformed service;
- ☆ have applied for membership in the uniformed service; or
- ☆ are obligated to serve in the uniformed service;

then an employer may not deny you:

- ☆ initial employment;
- ☆ reemployment;
- ☆ retention in employment;
- ☆ promotion; or
- ☆ any benefit of employment

because of this status.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

HEALTH INSURANCE PROTECTION

- ☆ If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage 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.

ENFORCEMENT

- ☆ The U.S. Department of Labor, Veterans Employment and Training Service (VETS) 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 the Office of Special Counsel, as applicable, for representation.
- ☆ You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

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 meet this requirement by displaying the text of this notice where they customarily place notices for employees.



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



U.S. Department of Justice



Office of Special Counsel



1-800-336-4590

Publication Date — April 2017



OSHA®
Occupational Safety
and Health Administration

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 medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.





OSHA®
Administración de
Seguridad y Salud
Ocupacional

Seguridad y Salud en el Trabajo ¡ES LA LEY!

Todos los trabajadores tienen el derecho a:

- Un lugar de trabajo seguro.
- Decir algo a su empleador o la OSHA sobre preocupaciones de seguridad o salud, o reportar una lesión o enfermedad en el trabajo, sin sufrir represalias.
- Recibir información y entrenamiento sobre los peligros del trabajo, incluyendo sustancias tóxicas en su sitio de trabajo.
- Pedirle a la OSHA inspeccionar su lugar de trabajo si usted cree que hay condiciones peligrosas o insalubres. Su información es confidencial. Algún representante suyo puede comunicarse con OSHA a su nombre.
- Participar (o su representante puede participar) en la inspección de OSHA y hablar en privado con el inspector.
- Presentar una queja con la OSHA dentro de 30 días (por teléfono, por internet, o por correo) si usted ha sufrido represalias por ejercer sus derechos.
- Ver cualesquieras citaciones de la OSHA emitidas a su empleador.
- Pedir copias de sus registros médicos, pruebas que miden los peligros en el trabajo, y registros de lesiones y enfermedades relacionadas con el trabajo.

Los empleadores deben:

- Proveer a los trabajadores un lugar de trabajo libre de peligros reconocidos. Es ilegal discriminar contra un empleado quien ha ejercido sus derechos bajo la ley, incluyendo hablando sobre preocupaciones de seguridad o salud a usted o con la OSHA, o por reportar una lesión o enfermedad relacionada con el trabajo.
- Cumplir con todas las normas aplicables de la OSHA.
- Reportar a la OSHA todas las fatalidades relacionadas con el trabajo dentro de 8 horas, y todas hospitalizaciones, amputaciones y perdidos de un ojo dentro de 24 horas.
- Proporcionar el entrenamiento requerido a todos los trabajadores en un idioma y vocabulario que pueden entender.
- Mostrar claramente este cartel en el lugar de trabajo.
- Mostrar las citaciones de la OSHA acerca del lugar de la violación alegada.

Los empleadores de tamaño pequeño y mediano pueden recibir ASISTENCIA GRATIS para identificar y corregir los peligros sin citación o multa, a través de los programas de consultación apoyados por la OSHA en cada estado.

Este cartel está disponible de la OSHA para gratis.

Llame OSHA. Podemos ayudar.



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 readily see it.

OVERTIME PAY

At least 1½ times the 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 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 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.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

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



WH1088 REV 07/16

DERECHOS DE LOS TRABAJADORES

BAJO LA LEY DE NORMAS JUSTAS DE TRABAJO (FLSA—siglas en inglés)

SALARIO MÍNIMO FEDERAL

\$7.25

POR HORA

A PARTIR DEL 24 DE JULIO DE 2009

La ley exige que los empleadores exhiban este cartel donde sea visible por los empleados.

PAGO POR SOBRETIEPO

Por lo menos tiempo y medio (1½) de la tasa regular de pago por todas las horas trabajadas en exceso de 40 en una semana laboral.

TRABAJO DE MENORES DE EDAD

El empleado tiene que tener por lo menos 16 años para trabajar en la mayoría de los trabajos no agrícolas y por lo menos 18 años para trabajar en los trabajos no agrícolas declarados peligrosos por la Secretaría de Trabajo. Los menores de 14 y 15 años pueden trabajar fuera del horario escolar en varias ocupaciones que no sean de manufactura, de minería, y que no sean peligrosas con ciertas restricciones al horario de trabajo. Se aplican distintos reglamentos al empleo agrícola.

CRÉDITO POR PROPINAS

Los empleadores de "empleados que reciben propinas" que cumplan con ciertas condiciones, pueden reclamar un crédito de salario parcial basado en las propinas recibidas por sus empleados. Los empleadores les tienen que pagar a los empleados que reciben propinas un salario en efectivo de por lo menos \$2.13 por hora si ellos reclaman un crédito de propinas contra su obligación de pagar el salario mínimo. Si las propinas recibidas por el empleado combinadas con el salario en efectivo de por lo menos \$2.13 por hora del empleador no equivalen al salario mínimo por hora, el empleador tiene que compensar la diferencia.

MADRES LACTANTES

La FLSA exige que los empleadores le proporcionen un tiempo de descanso razonable a la empleada que sea madre lactante y que esté sujeta a los requisitos de sobretiempo de la FLSA, para que la empleada se extraiga leche manualmente para su niño lactante por un año después del nacimiento del niño, cada vez que dicha empleada tenga la necesidad de extraerse leche. A los empleadores también se les exige que proporcionen un lugar, que no sea un baño, protegido de la vista de los demás y libre de la intrusión de los compañeros de trabajo y del público, el cual pueda ser utilizado por la empleada para extraerse leche.

CUMPLIMIENTO

El Departamento tiene la autoridad de recuperar salarios retroactivos y una cantidad igual en daños y perjuicios en casos de incumplimientos con el salario mínimo, sobretiempo y otros incumplimientos. El Departamento puede litigar y/o recomendar un enjuiciamiento criminal. A los empleadores se les pueden imponer sanciones pecuniarias civiles por cada incumplimiento deliberado o repetido de las disposiciones de la ley del pago del salario mínimo o de sobretiempo. También se pueden imponer sanciones pecuniarias civiles por incumplimiento con las disposiciones de la FLSA sobre el trabajo de menores de edad. Además, se pueden imponer sanciones pecuniarias civiles incrementadas por cada incumplimiento con el trabajo de menores que resulte en la muerte o una lesión seria de un empleado menor de edad, y tales evaluaciones pueden duplicarse cuando se determina que los incumplimientos fueron deliberados o repetidos. La ley también prohíbe tomar represalias o despedir a los trabajadores que presenten una queja o que participen en cualquier proceso bajo la FLSA.

INFORMACIÓN ADICIONAL

- Ciertas ocupaciones y ciertos establecimientos están exentos de las disposiciones del salario mínimo, y/o de las disposiciones del pago de sobretiempo.
- Se aplican disposiciones especiales a trabajadores de Samoa Americana, del Estado Libre Asociado de las Islas Marianas del Norte y del Estado Libre Asociado de Puerto Rico.
- Algunas leyes estatales proporcionan protecciones más amplias a los trabajadores; los empleadores tienen que cumplir con ambas.
- Algunos empleadores clasifican incorrectamente a sus trabajadores como "contratistas independientes" cuando en realidad son empleados según la FLSA. Es importante conocer la diferencia entre los dos porque los empleados (a menos que estén exentos) tienen derecho a las protecciones del salario mínimo y del pago de sobretiempo bajo la FLSA y los contratistas correctamente clasificados como independientes no lo tienen.
- A ciertos estudiantes de tiempo completo, estudiantes alumnos, aprendices, y trabajadores con discapacidades se les puede pagar menos que el salario mínimo bajo certificados especiales expedidos por el Departamento de Trabajo.



DIVISIÓN DE HORAS Y SALARIOS
DEPARTAMENTO DE TRABAJO DE LOS EE.UU.

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



WH1088 SPA REV 07/16

Quyền Lợi của Nhân Viên
Chiếu theo Đạo Luật Tiêu Chuẩn Lao Động Công Bằng (FLSA)
Sở Lương Bổng và Giờ Giấc thuộc Bộ Lao Động Liên Bang Hoa Kỳ

Lương Tối Thiểu theo Luật Liên Bang

\$7.25 một giờ

bắt đầu từ ngày 24 tháng 7 năm 2009

Lương Phụ Trội

Ít nhất bằng 1.5 lần mức lương căn bản cho tất cả những giờ làm việc trên 40 giờ một tuần.

**Luật Lao Động
Thiếu Niên**

Một nhân viên ít nhất phải 16 tuổi mới được làm hầu hết những công việc không thuộc về nông nghiệp và ít nhất phải 18 tuổi mới được làm những công việc không thuộc về nông nghiệp đã được Bộ Trưởng Bộ Lao Động liệt kê là có tính cách nguy hiểm.

Trẻ em vị thành niên 14 và 15 tuổi ngoài giờ học ở trường có thể làm những công việc khác nhau không thuộc về sản xuất, không thuộc về hầm mỏ, và không có tính cách nguy hiểm với những điều kiện sau đây:

Không được quá

- 3 tiếng đồng hồ vào ngày có đi học hoặc 18 tiếng trong tuần lễ có đi học.
- 8 tiếng đồng hồ vào ngày không đi học hoặc 40 tiếng trong tuần lễ không đi học.

Công việc cũng không được bắt đầu trước 7 giờ sáng hoặc chấm dứt sau 7 giờ tối; ngoại trừ khoảng thời gian từ ngày 1 tháng Sáu đến lễ Lao Động, khi công việc vào buổi tối được kéo dài đến 9 giờ tối. Một số những điều lệ khác biệt được áp dụng cho những việc làm thuộc về nông nghiệp.

Khấu trừ tiền "tip"

Chủ nhân của "những nhân viên có nhận tiền tip" phải trả lương ít nhất là \$2.13 một giờ cho nhân viên nhận tiền "tip" nếu chủ nhân khấu trừ tiền "tip" vào tiền lương tối thiểu mà họ có trách nhiệm phải trả cho nhân viên. Nếu tiền "tip" của một nhân viên cộng với tiền lương ít nhất là \$2.13 một giờ do người chủ trả vẫn chưa bằng tiền lương tối thiểu một giờ, người chủ phải trả thêm phần sai biệt cho bằng với tiền lương tối thiểu một giờ. Một số những điều kiện khác cũng phải được hội đủ.

Thực thi luật

Bộ Lao Động có thể đòi lại tiền lương trả thiếu cho những nhân viên đã bị trả lương thiếu do sự vi phạm luật pháp bằng biện pháp hành chính hoặc qua biện pháp tố tụng. Sự vi phạm có thể dẫn đến biện pháp dân sự hay hình sự.

Chủ nhân có thể bị phạt tiền phạt dân sự lên đến \$1,100 cho mỗi vi phạm cố ý hoặc tái vi phạm những điều khoản về lương tối thiểu hoặc lương phụ trội và tiền phạt lên đến \$11,000 cho mỗi nhân viên bị ảnh hưởng vì những điều khoản của Đạo Luật về lao động thiếu niên bị vi phạm. Thêm vào đó, tiền phạt dân sự lên đến \$50,000 có thể được áp dụng cho mỗi vi phạm luật lao động thiếu niên nếu việc vi phạm này gây ra từ vong hoặc thương tích trầm trọng cho nhân viên thiếu niên và số tiền phạt đó có thể tăng gấp đôi, lên đến \$100,000, nếu việc vi phạm được xác định là cố tình hoặc tái vi phạm. Đạo luật này ngăn cấm sự kỳ thị hoặc sa thải những công nhân vì họ nộp đơn khiếu nại hoặc tham dự vào bất cứ tiến trình kiện tụng nào tuân theo Đạo Luật này.

Tin tức bổ sung

- Một số những nghề nghiệp và những cơ sở thương mại được miễn tuân theo những điều khoản về lương tối thiểu và/hoặc lương phụ trội.
- Những điều khoản riêng biệt được áp dụng cho nhân viên ở American Samoa và Commonwealth của những đảo thuộc Bắc Mariana.
- Một số các luật tiểu bang bảo vệ nhân viên nhiều hơn luật của liên bang; chủ nhân bắt buộc phải tuân theo cả hai.
- Đạo luật này buộc các chủ nhân phải niêm yết tờ biệch chương này nơi nhân viên có thể đọc được dễ dàng.
- Những nhân viên dưới 20 tuổi có thể được trả lương \$4.25 một giờ trong vòng 90 ngày đầu làm việc cho người chủ, được tính liên tục theo lịch.
- Một số những học sinh học toàn thời gian, học sinh học nghề, người tập sự và nhân viên bị khuyết tật có thể được trả lương dưới mức lương tối thiểu theo giấy phép đặc biệt do Bộ Lao Động cấp phát.



Muốn biết thêm tin tức:

1-866-4-USWAGE 
(1-866-487-9243) TTY: 1-877-889-5627 U.S. Wage and Hour Division

WWW.WAGEHOUR.DOL.GOV

WORKER RIGHTS UNDER EXECUTIVE ORDER 13658

FEDERAL MINIMUM WAGE FOR CONTRACTORS

\$10.80

 PER HOUR

EFFECTIVE JANUARY 1, 2020 – DECEMBER 31, 2020

The law requires employers to display this poster where employees can readily see it.

MINIMUM WAGE Executive Order 13658 (EO) requires that federal contractors pay workers performing work on or in connection with covered contracts at least (1) \$10.10 per hour beginning January 1, 2015, and (2) beginning January 1, 2016, and every year thereafter, an inflation-adjusted amount determined by the Secretary of Labor in accordance with the EO and appropriate regulations. The EO hourly minimum wage in effect from January 1, 2020 through December 31, 2020 is \$10.80.

TIPS Covered tipped employees must be paid a cash wage of at least \$7.55 per hour effective January 1, 2020 through December 31, 2020. If a worker's tips combined with the required cash wage of at least \$7.55 per hour paid by the contractor do not equal the EO hourly minimum wage for contractors, the contractor must increase the cash wage paid to make up the difference. Certain other conditions must also be met.

EXCLUSIONS

- Some workers who provide support "in connection with" covered contracts for less than 20 percent of their hours worked in a week may not be entitled to the EO minimum wage.
- Certain full-time students, learners, and apprentices who are employed under subminimum wage certificates are not entitled to the EO minimum wage.
- Workers employed on contracts for seasonal recreational services or seasonal recreational equipment rental for the general public on federal lands, except when the workers are performing associated lodging and food services, are not entitled to the EO minimum wage.
- Certain other occupations and workers are also exempt from the EO.

ENFORCEMENT The U.S. Department of Labor's Wage and Hour Division (WHD) is responsible for enforcing the EO. WHD can answer questions, in person or by telephone, about your workplace rights and protections. We can investigate employers, recover wages to which workers may be entitled, and pursue appropriate sanctions against covered contractors. All services are free and confidential. The law also prohibits discriminating against or discharging workers who file a complaint or participate in any proceeding under the EO. If you are unable to file a complaint in English, WHD will accept the complaint in any language. You can find your nearest WHD office at www.dol.gov/whd/local

ADDITIONAL INFORMATION

- The EO applies only to new federal construction and service contracts, as defined by the Secretary in the regulations.
- Workers with disabilities whose wages are governed by special certificates issued under section 14(c) of the Fair Labor Standards Act must also receive no less than the full EO minimum wage rate.
- Some state or local laws may provide greater worker protections; employers must comply with both.
- More information about the EO is available at www.dol.gov/whd/flsa/eo13658



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

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



WH1089 REV 01/20

EMPLOYEE RIGHTS

UNDER THE NATIONAL LABOR RELATIONS ACT

The NLRA guarantees the right of employees to organize and bargain collectively with their employers, and to engage in other protected concerted activity. Employees covered by the NLRA* are protected from certain types of employer and union misconduct. This Notice gives you general information about your rights, and about the obligations of employers and unions under the NLRA. Contact the National Labor Relations Board, the Federal agency that investigates and resolves complaints under the NLRA, using the contact information supplied below, if you have any questions about specific rights that may apply in your particular workplace.

Under the NLRA, you have the right to:

- Organize a union to negotiate with your employer concerning your wages, hours, and other terms and conditions of employment.
- Form, join or assist a union.
- Bargain collectively through representatives of employees' own choosing for a contract with your employer setting your wages, benefits, hours, and other working conditions.
- Discuss your terms and conditions of employment or union organizing with your co-workers or a union.
- Take action with one or more co-workers to improve your working conditions by, among other means, raising work-related complaints directly with your employer or with a government agency, and seeking help from a union.
- Strike and picket, depending on the purpose or means of the strike or the picketing.
- Choose not to do any of these activities, including joining or remaining a member of a union.

Under the NLRA, it is illegal for your employer to:

- Prohibit you from soliciting for a union during non-work time, such as before or after work or during break times; or from distributing union literature during non-work time, in non-work areas, such as parking lots or break rooms.
- Question you about your union support or activities in a manner that discourages you from engaging in that activity.
- Fire, demote, or transfer you, or reduce your hours or change your shift, or otherwise take adverse action against you, or threaten to take any of these actions, because you join or support a union, or because you engage in concerted activity for mutual aid and protection, or because you choose not to engage in any such activity.
- Threaten to close your workplace if workers choose a union to represent them.
- Promise or grant promotions, pay raises, or other benefits to discourage or encourage union support.
- Prohibit you from wearing union hats, buttons, t-shirts, and pins in the workplace except under special circumstances.
- Spy on or videotape peaceful union activities and gatherings or pretend to do so.

Under the NLRA, it is illegal for a union or for the union that represents you in bargaining with your employer to:

- Threaten you that you will lose your job unless you support the union.
- Refuse to process a grievance because you have criticized union officials or because you are not a member of the union.
- Use or maintain discriminatory standards or procedures in making job referrals from a hiring hall.
- Cause or attempt to cause an employer to discriminate against you because of your union-related activity.
- Take other adverse action against you based on whether you have joined or support the union.

If you and your coworkers select a union to act as your collective bargaining representative, your employer and the union are required to bargain in good faith in a genuine effort to reach a written, binding agreement setting your terms and conditions of employment. The union is required to fairly represent you in bargaining and enforcing the agreement.

Illegal conduct will not be permitted. If you believe your rights or the rights of others have been violated, you should contact the NLRB promptly to protect your rights, generally within six months of the unlawful activity. You may inquire about possible violations without your employer or anyone else being informed of the inquiry. Charges may be filed by any person and need not be filed by the employee directly affected by the violation. The NLRB may order an employer to rehire a worker fired in violation of the law and to pay lost wages and benefits, and may order an employer or union to cease violating the law. Employees should seek assistance from the nearest regional NLRB office, which can be found on the Agency's website: www.nlrb.gov.

Click on the NLRB's page titled "About Us," which contains a link, "Locating Our Offices." You can also contact the NLRB by calling toll-free: 1-866-667-NLRB (6572) or (TTY) 1-866-315-NLRB (6572) for hearing impaired.

*The National Labor Relations Act covers most private-sector employers. Excluded from coverage under the NLRA are public-sector employees, agricultural and domestic workers, independent contractors, workers employed by a parent or spouse, employees of air and rail carriers covered by the Railway Labor Act, and supervisors (although supervisors that have been discriminated against for refusing to violate the NLRA may be covered).



This is an official Government Notice
and must not be defaced by anyone.

U.S. Department of Labor

DERECHOS DE LOS EMPLEADOS

SEGÚN LA LEY NACIONAL DE RELACIONES DEL TRABAJO

La Ley Nacional de Relaciones del Trabajo (LNRT) garantiza el derecho de los empleados a organizarse y negociar colectivamente con sus empleadores, y a participar en otras actividades concertadas protegidas. Los empleados cubiertos por la LNRT * están protegidos contra ciertos tipos de conductas inapropiadas por parte de los empleadores y sindicatos. En este Aviso encontrará información general sobre sus derechos y las obligaciones de los empleadores y los sindicatos según la LNRT. Si tiene alguna pregunta sobre derechos específicos que puedan ser aplicables a su lugar de trabajo, utilice la información de contacto que se proporciona más adelante para contactarse con la Junta Nacional de Relaciones Laborales, la agencia federal que investiga y resuelve las quejas basadas en la LNRT.

Según la LNRT, usted tiene derecho a:

- Organizar un sindicato para negociar con su empleador respecto de su salario, sus horarios de trabajo y otros términos y condiciones de empleo.
- Fundar, unirse o ayudar a un sindicato.
- Negociar colectivamente con su empleador, a través de representantes elegidos por los empleados, los contratos que fijen su salario, beneficios, horarios y otras condiciones laborales.
- Discutir sus términos y condiciones de empleo, o la organización de su sindicato, con sus compañeros de trabajo o un sindicato.
- Actuar con uno o más compañeros de trabajo para mejorar sus condiciones laborales ocupándose, entre otras cosas, de hacer llegar directamente a su empleador o a un organismo gubernamental las quejas relacionadas con su trabajo, y buscar ayuda de un sindicato.
- Realizar huelgas y piquetes, según el propósito o los medios de esas huelgas o piquetes.
- Decidir no participar en cualquiera de esas actividades, incluso la de unirse o continuar como miembro de un sindicato.

Según la LNRT, es ilegal que su empleador:

- Le prohíba solicitar para un sindicato durante horarios no laborales —como antes o después del trabajo, o durante los recreos—, o distribuir materiales sobre el sindicato fuera de los horarios laborales y fuera de las zonas de trabajo, como en estacionamientos o salas de descanso.
- Lo cuestione sobre su apoyo al sindicato o sus actividades relacionadas en forma tal que desaliente su participación en ello.
- Lo despidan, lo baje de categoría o lo transfiera, reduzca la cantidad de horas que trabaja o cambie su turno, tome cualquier otro tipo de acción en su contra, o amenace con hacerlo, porque usted se ha unido o apoya a un sindicato, o porque ha participado en actividades concertadas de asistencia y protección mutua, o haya decidido no participar en ese tipo de actividades.
- Amenace cerrar su lugar de trabajo si los trabajadores eligen un sindicato para que los represente.
- Prometa u otorgue promociones, o pague aumentos u otros beneficios para desalentar o alentar el apoyo a un sindicato.
- Le prohíba usar gorras, botones, camisetas y prendedores del sindicato en el lugar de trabajo, excepto bajo circunstancias especiales.
- Espíe o filme actividades y reuniones sindicales pacíficas, o simule hacerlo.

Según la LNRT, es ilegal que un sindicato, o el sindicato que lo representa en las negociaciones con su empleador:

- Lo amenace con la pérdida de su trabajo a menos que apoye al sindicato.
- Rechace procesar una queja porque usted ha criticado a los representantes sindicales o porque no es miembro del sindicato.
- Use o mantenga estándares o procedimientos discriminatorios al realizar recomendaciones desde una oficina de contratación.
- Cause o intente causar que un empleador discrimine en contra suya por sus actividades relacionadas con el sindicato.
- Emprenda acciones en su contra que dependan de si usted se unió a un sindicato o no.

Si usted y sus compañeros de trabajo eligen un sindicato para que los represente en forma colectiva, su empleador y el sindicato deben negociar en buena fe con genuino esfuerzo para lograr un acuerdo vinculante y por escrito que fije los términos y condiciones de su empleo. El sindicato está obligado a representarlo justamente en las negociaciones y el cumplimiento del acuerdo.

Los comportamientos ilegales no serán permitidos. Si usted cree que sus derechos, o los de otros, han sido violados, debe contactarse con la NLRB rápidamente para protegerlos, por lo general dentro de los seis meses de la actividad ilegal. Puede preguntar sobre posibles infracciones sin que se informe a su empleador, o a cualquier otra persona, sobre su consulta. Los cargos pueden ser presentados por cualquier persona, no es necesario que lo haga el empleado directamente afectado por la infracción. La NLRB puede obligar a un empleador a recontratar a un empleado y pagarle por los salarios y beneficios no percibidos cuando haya sido despedido en contra de la ley; también puede obligar a un empleador o a un sindicato a dejar de infringir la ley. Los empleados deben buscar asistencia en la oficina regional más cercana de la NLRB; podrán encontrarla en el sitio web de la agencia: www.nlrb.gov.

Haga clic sobre la página de la NLRB titulada "Quiénes somos" (About Us), que contiene el enlace "Encuentre nuestras oficinas" (Locating Our Offices). También puede contactar a la NLRB a través de su línea telefónica gratuita: 1-866-667-NLRB (6572) ó (TTY) 1-866-315-NLRB (6572) para los sordos e hipoacúsicos.

La Ley Nacional de Relaciones del Trabajo afecta a la mayoría de los empleadores del sector privado. Entre quienes están excluidos de la NLRA se encuentran los empleados del sector público, los trabajadores agrícolas y domésticos, los contratistas independientes, los trabajadores empleados por sus padres o sus cónyuges, los empleados de los transportes aéreos y ferroviarios cubiertos por la Ley Laboral de Ferrocarriles, y los supervisores (aunque los supervisores que hayan sido discriminados por rehusarse a infringir la NLRA pueden estar cubiertos por ella).



NEEG UA HAUJLWM TXOJ CAI

TXOJ CAI SAIB XYUAS TXOG COV NEEG UA HAUJLWM HAUV LUB TEBCHAWS

Chaw Ua Haujlwm Saib Xyuas Cov Neeg Ua Haujlwm Huav Lub Tebchaws (NLRB) tuaj yeem tiv thaiv cov neeg ua haujlwm txoj cai, ua tus pab lis haujlwm thiab cog lus nrog cov neeg ua haujlwm cov tswv num, thiab pab tiv thaiv lwm yam haujlwm uas muaj kev sib cog lus tseg. Cov neeg ua haujlwm raug tiv thaiv los ntawm NLRB* uas yog tiv thaiv kev coj tsis zoo los ntawm tej tus tswv num. Tsab ntawm ceebtoom no yuav pab rau koj kom paub txog koj txoj cai thiab kev coj ntawm cov tswv num thiab cov koom haum uas ncig txog rau NLRB. Yog muaj kev tsis txaus siab, losyog muaj lus nug txog tej txoj cai tshwj xeeb uas tej zaum muaj kev tshwm sim nyob ntawm koj qhov chaw ua haujlwm, thov sib tham nrog Cov Thawj Coj Ntawm Qhov Chaw Saib Xyuas Cov Neeg Ua Haujlwm Hauv Lub Tebchaws, Tsomfwm cov chaw lis haujlwm yuav ua tus nug xyuas thiab pab daws tej kev tsis txaus siab no raws li tsab kev cai ntawm NLRB.

Nyob hauv tsab kev cai NLRB, koj muaj txoj cai ua raws li hauv qab no tau:

- Sib koom tes teeb tsa pab pawg khom nqi tes ua haujlwm, sijhawm ua haujlwm, thiab lwm yam uas ncig txog kev ntiav ua haujlwm nrog nej tus tswv num.
- Teeb tsa ib lub koom haum, koom tes nrog lossis pab ib lub koom haum twg.
- Cov neeg ua haujlwm muaj cai xaiv nws tus kheej tus neeg sawv cev uas yuav los cog lus nrog koj tus tswv num ncig txog tus nqi zog ua haujlwm, nyiaj tau dawb ubno, sijhawm ua haujlwm, thiab kev ua haujlwm lwm yam.
- Sib tham txog koj qhov haujlwm lossis sib tham txog kev teeb tsa lub koom haum nrog koj cov neeg ua haujlwm uake lossis nyob ntawm ib lub koom haum twg.
- Pab qhia thiab sib piv kev ua haujlwm nrog ib tus lossis ntau tus neeg ua haujlwm uake kom lawv qhov haujlwm muaj kev pauv hloov zoo, hais tawm txog tej txoj haujlwm uas tsis txaus siab rau koj tus tswv num lossis qhia rau tsomfwm cov chaw ua haujlwm, thiab nrhiav kev pab cuam los ntawm ib lub koom haum twg.
- Kwv ntawv lawm tsam tsis txaus siab rau lub chaw ua haujlwm, nce raws li lub homphiaj lossis qhov tawm tsam tsis txaus siab ntawm cov neeg ua haujlwm.
- Tuaj yeem xaiv tsis ua tejyam haujlwm xws li nov, kev koom tes lossis kev rov mus ua ib tus lub koom xeeb ntawm ib lub koom haum twg.

Nyob hauv tsab kev cai NLRB, qhov uas koj tus tswv num ua tsis raug cai:

- Txwv tsis pub koj mus pab cuam nrog ib lub koom haum rau lub sijhawm thaum tsis ua haujlwm, xws li uantej lossis tomqab thaum ua haujlwm lossis lub sijhawm so; lossis thaum muaj kev pial qhia ntau ntawv los ntawm ib lub koom haum thaum lub caij tsis ua haujlwm dabtsi, thaum chaw chaw tsis muaj haujlwm ua, xws li tej chaw uasi lossis chaw so.
- Nug koj txog tej koj pab cuam rau lub koom haum lossis ua tejyam uas ua rau koj ntshai.
- Muab koj rho tawm, txo qib dej num theem siab los rau theem qis, lossis muab koj tshem mus rau lwm qhov, lossis txo koj cov sijhawm ua haujlwm lossis pauv koj zeeb ua haujlwm, lossis ua tejyam cuam tshuam rau koj, lossis ua tejyam kom txaus ntshai vim koj mus koom lossis mus pab cuam ib lub koom haum twg, lossis yog vim koj nqi tes cog lus yuav pab cuam thiab tiv thaiv ibyam dabtsi, lossis yog vim koj xaiv tsis mus koom ua tejyam haujlwm dabtsi.
- Hem tias yuav kaw koj qhov chaw ua haujlwm yog tias cov neeg ua haujlwm mus xaiv ib lub koom haum ua lawv tug.
- Cog lus lossis pab txhawb nyiaj txiag, them kom siab zog ntxiv, lossis muab lwm yam khoom tau dawb uas ua kom lub koom haum txaus ntshai lossis pab txhawb nqa lub koom haum.
- Txwv tsis pub koj ntoo lub koom haum cov kaus mom, tsho tes luv, thiab tsis pub siv cov koob khawm rau ntawm qhov chaw ua haujlwm, tshwj tsis yog nyob ntawm tej qho chaw uas pub hnab cov khoom no.
- Nyiaj saib lossis nyiaj kaw duab vis dis aus ntawm lub koom haum cov haujlwm thiab kev nkag mus saib ubno lossis ua txuj dag tias yuav ua li ub li no.

Nyob hauv tsab kev cai NLRB, qhov uas ib lub koom haum lossis tus sawv cev lub koom haum ntawm koj ua tus cog lus nrog koj tus tswv num yam tsis raug cai:

- Hem koj tias koj yuav poob haujlwm yog tias koj tsis pab lub koom haum.
- Xyeej tsis lees pab koj qhov kev tsis zoo siab vim koj tau thuum cov neeg ua haujlwm hauv lub koom haum lossis vim koj tsis yog ib tug tub koom xeeb ntawm lub koom haum.
- Siv lossis coj tus cwj pwm ntxub ntxaug lossis siv cov cai txheej txheem uas kom muaj cov ntau ntawv pov thawj los ntawm qhov chaw ntiav neeg ua haujlwm.
- Ua kom yeeb vim yog lossis sim ua kom tus tswv num ntxub ntxaug rau koj vim yog koj mus koom tes nrog koom haum cov haujlwm.
- Nrhiav lwm yam haujlwm ua tsis zoo rau koj tseem hais tias koj tau mus koom tes lossis tau mus pab cuam rau lub koom haum lawm los tsis tau mus.

Yog koj thiab koj cov neeg ua haujlwm uake xaiv ib lub koom haum los ua nej tus sawv cev cog lus, nej tus tswv num thiab lub koom haum yuav tsum sib cog lus tiag-tiag uas yuav tau sau ntau ntawv pom zoo sib cog lus tseg uake hais txog kev ntiav ua haujlwm ntawm nej. Lub koom haum yuav tsum ua tus sawv cev kom ncag ncees rau koj txog kev pom zoo sib cog lus tseg thiab kev yuam siv kom tau raws li qhov kev pom zoo ntawd.

Kev coj tus cwj pwm tsis raug cai yuav txwv tsis pub ua. Yog koj ntseeg tias koj lossis lwm tus neeg txoj cai tau raug ua txhaum, koj yuav tau sib tham nrog NLRB txog kev tiv thaiv koj txoj cai tamsis ntawd, uas muaj sijhawm li ntawm rau lub hli sib hais txog kev ua tsis raug cai no. Tej zaum koj yuav nug xyuas txog tej kev ua tsis raug cai no uas tsis thas yuav nug txog koj tus tswv num lossis ib tus neeg twg uas nws tabtom raug nug xyuas. Tej zaum yuav raug liam tias tau ua phem losyog raug rub lub txim rau, los ntawm ib tus neeg twg, thiab tsis xav rub lub txim rau tus neeg ua haujlwm uas raug ua phem. Tej zaum Qhov Chaw Ua Haujlwm NLRB yuav hais kom tus tswv num rov qab muab haujlwm rau tus neeg ua haujlwm uas raug tshem tawm ntawd vim yog kev ua tsis raug cai lawm thiab yuav tau them tej nyiaj nqi dag zog thiab khoom tau dawb ubno uas tau ua yav dhau lo rau tus neeg ua haujlwm ntawd, thiab tej zaum yuav tau hais kom tus tswv num lossis lub koom haum tsum tsis pub ua txhaum txoj kev cai lij choj dua lawm. Cov neeg ua haujlwm tuaj yeem thov kev pab cuam tau rau ntawm ib cheeb tsam nyob ze-ze ntawm NLRB chaw ua haujlwm, muaj peev xwm mus saib xyuas qhov chaw ua haujlwm ntawd tau rau ntawm tus wev xaj(website): www.nlrb.gov.

Nias rau ntawm lub npe nplooj ntawv ntawm NLRB uas yog "About Us," uas muaj ibqho chaw sib txuas, "Locating Our Offices." Koj muaj peev xwm hu xovtooj mus sib tham rau tom NLRB tus xovtooj hu dawb: 1-866-667-NLRB (6572) lossis (TTY) 1-866-315-NLRB (6572) rau cov neeg lag ntseeg

*Feem coob ntawm cov tswv num uas tswj kev ua lag luam nws tus kheej yeej siv Txoj Cai Saib Xyuas Txog Cov Neeg Ua Haujlwm Hauv Lub Tebchaws. Tsis suav cov los ntawm NLRB uas yog cov neeg ua haujlwm nrog cov chaw ua haujlwm ntawm pejxeem sawv daws li, cov neeg ua haujlwm kam ua liaj ua teb thiab cov neeg ua haujlwm nyob hauv lub tebchaws, cov neeg ua haujlwm ywj pheej uas raug ntiav los ntawm ib khub niam-txiv lossis los ntawm tus niam los tus txiv, cov neeg ua haujlwm hauv tshav dav hiau thiab tshab thaum nqaj hiau yeej raug tiv thaiv los ntawm Tsab Cai Saib Xyuas Cov Neeg Ua Haujlwm Hauv Kev Tshab Nqaj Hiau (the Railway Labor Act), thiab cov neeg saib xyuas haujlwm (tseem hais tias cov neeg saib xyuas haujlwm uas raug saib tsis taus los ntawm kev ntxub ntxaug uas muaj kev xyeej tsis lees paub txog kev ua phem los tej zaum kuj raug tiv thaiv los ntawm tsab cai NLRB).



Tsab ntawm ceebtoom no tshaj tawm los ntawm Tsomfwm thiab yuav tsis ua rau ib tus neeg twg poob ntsej poob muag.

Tooj Tsav Xwm Saib Xyuas Dag Zog Neeg Ua Haujlwm ntawm Tebchaws Mes Kas (U.S. Department of Labor)

“EEO is the Law” Poster Supplement

Employers Holding Federal Contracts or Subcontracts Section Revisions

The Executive Order 11246 section is revised as follows:

RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, NATIONAL ORIGIN

Executive Order 11246, as amended, prohibits employment discrimination based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

PAY SECRECY

Executive Order 11246, as amended, protects applicants and employees from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees.

The Individuals with Disabilities section is revised as follows:

INDIVIDUALS WITH DISABILITIES

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

The Vietnam Era, Special Disabled Veterans section is revised as follows:

PROTECTED VETERANS

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.

Mandatory Supplement to EEOC P/E-1 (Revised 11/09) “EEO is the Law” Poster.

If you believe that you have experienced discrimination contact OFCCP: 1-800-397-6251 | TTY 1-877-889-5627 | www.dol.gov.

“IOE es la Ley” Cartel Suplementario

Sección revisada de empleadores que mantienen contratos o subcontratos federales

La sección del Decreto Ejecutivo 11246 está revisada de la siguiente manera:

RAZA, COLOR, RELIGIÓN, SEXO, ORIENTACIÓN SEXUAL, IDENTIDAD DE GÉNERO, NACIONALIDAD

El Decreto Ejecutivo 11246, en su forma enmendada, prohíbe la discriminación en el empleo por motivo de raza, color, religión, sexo, orientación sexual, identidad de género o nacionalidad y requiere programas de acción afirmativa para asegurar la igualdad de oportunidades en todos los aspectos de empleo.

SECRETO DE PAGO

El Decreto Ejecutivo 11246, en su forma enmendada, protege a los solicitantes y empleados de la discriminación por motivo de investigar, revelar o discutir su compensación o la compensación de otros solicitantes y empleados.

La sección de Personas con Discapacidades está revisada de la siguiente manera:

PERSONAS CON DISCAPACIDADES

La sección 503 de la Ley de Rehabilitación de 1973, en su forma enmendada, protege a personas calificadas con discapacidades de la discriminación en la contratación, promoción, despido, pago, beneficios adicionales, capacitación laboral, clasificación, referencia, y otros aspectos del empleo.

La discriminación por discapacidad incluye, el no realizar una adaptación razonable a las limitaciones físicas o mentales conocidas de un individuo calificado con discapacidad, ya sea un solicitante o empleado, salvo una carga excesiva para el empleador.

La sección 503 también requiere que los contratistas federales tomen acción afirmativa para contratar y ayudar a progresar a individuos calificados con discapacidades en todos los niveles de empleo, incluido el nivel ejecutivo.

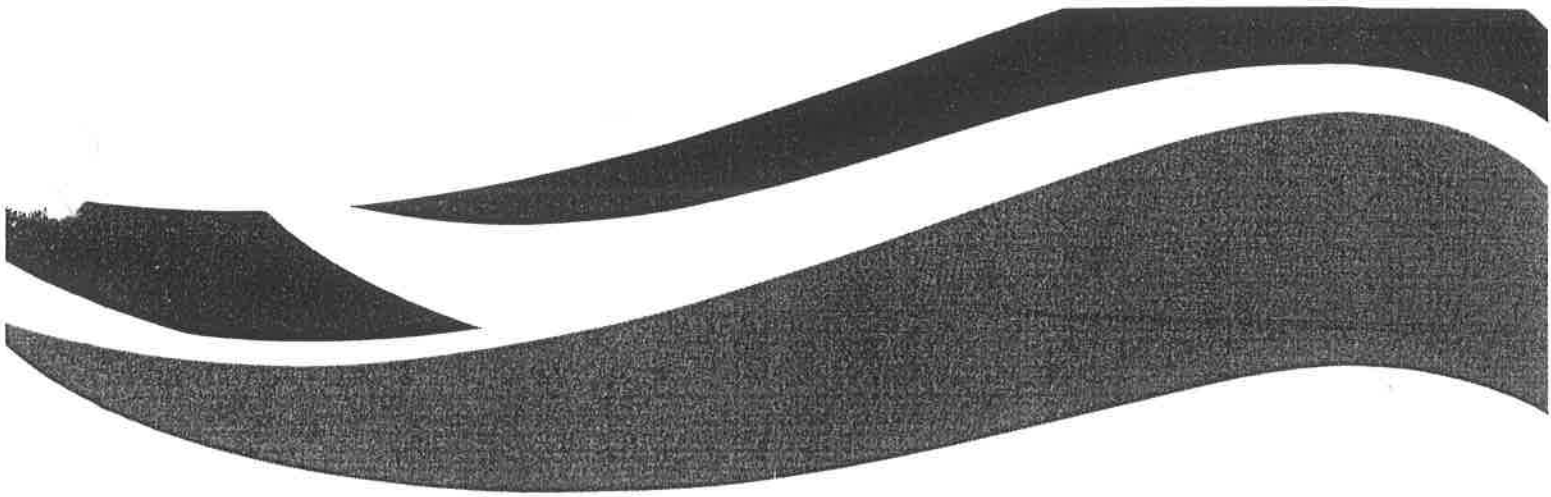
La sección Veteranos con Discapacidades Especiales, de la Era de Vietnam está revisada de la siguiente manera:

VETERANOS PROTEGIDOS

La Ley de Asistencia de Reajuste de los Veteranos de la Era de Vietnam de 1974, en su forma enmendada, 38 USC 4212, prohíbe la discriminación laboral y requiere la acción afirmativa para reclutar, contratar, y progresar en el empleo, a favor de los veteranos discapacitados, veteranos recientemente separados (es decir, dentro de los tres años de la descarga o liberación del servicio activo), veteranos en servicio activo en tiempos de guerra, veteranos insignia de campaña y veteranos de las fuerzas armadas con medalla de servicio.

Suplemento Obligatorio para la CIOE P/E-1 (Revisado el 11/09) “IOE es la Ley” Cartel.

Si usted cree que ha experimentado discriminación, contáctese con la OFCCP: 1-800-397-6251 | TTY 1-877-889-5627 | www.dol.gov.



PAY TRANSPARENCY NONDISCRIMINATION PROVISION

The contractor will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with the contractor's legal duty to furnish information. 41 CFR 60-1.35(c)

If you believe that you have experienced discrimination contact OFCCP
1.800.397.6251 | TTY 1.877.889.5627 | www.dol.gov/ofccp



200 CONSTITUTION AVENUE NW | WASHINGTON, DC 20210 | tel: 1-800-397-6251 | TTY: 1-877-889-5627 | www.dol.gov/ofccp

WORKER'S COMPENSATION NOTICE

Your employer is required to provide for payment of benefits under the Worker's Compensation Act of the State of Indiana.

Any employee who is injured while at work should report the injury immediately to their supervisor, employer, or designated representative.

The worker's compensation insurance carrier or the administrator for

A.L.M Holding Company

(name of company)

is:

Zurich Claims Services

(name of insurance carrier or administrator)

PO Box 49547

(mailing address)

Colorado Springs, CO 80949-9537

(city, state, zip)

800-987-3373

(telephone number)

(contact person)

For more information about rights or procedures under the Indiana Worker's Compensation system, call or write:

Worker's Compensation Board of Indiana

Ombudsman Division

402 W. Washington St., Rm W196

Indianapolis, IN 46204

(317) 232-3808

1-800-824-2667

NOTICIA DE COMPENSACION PARA TRABAJADORES

A su empleador le es requerido proveer pagos de beneficios bajo el Acta de Compensación para Trabajadores del Estado de Indiana.

Cualquier empleado que sea lesionado mientras esté trabajando debe reportar el accidente laboral inmediatamente a su supervisor, empleador o representante designado.

La compañía de seguro de compensación del trabajador o el administrador de la compañía
A.L.M Holding Company es:
(nombre de la compañía)

Zurich Claims Services
(nombre de la compañía de seguro/administrador)

PO Box 49547
(dirección)

Colorado Springs, CO 80949-9537
(ciudad, estado, código postal)

800-987-3373
(número de teléfono)

(persona de contacto)

Para más información acerca de sus derechos o los procedimientos bajo el sistema de compensación para trabajadores de Indiana, llame o escriba a:

**Worker's Compensation Board of Indiana
Ombudsman Division
402 W. Washington St., Rm W196
Indianapolis, IN 46204
(317) 232-3808
1-800-824-2667**

SAFETY AND HEALTH PROTECTION ON THE JOB

INTRODUCTION:

The intent of the Indiana Occupational Safety and Health Act of 1974, Indiana Code 22-8-1.1, is to assure, so far as possible, safe and healthful working conditions for the workers in the State.

The Indiana Department of Labor has primary responsibility for administering and enforcing the Act and the safety and health standards promulgated under its provisions.

Requirements of the Act include the following:

EMPLOYERS:

Each employer shall establish and maintain conditions of work which are reasonably safe and healthful for employees and free from recognized hazards that are causing or likely to cause death or serious physical harm to employees. The Act further requires that employers comply with the Occupational Safety and Health Standards, Rules, and Regulations.

EMPLOYEES:

All employees shall comply with Occupational Safety and Health Standards and all rules, regulations, and orders issued under the Act, which are applicable to their own actions and conduct.

INSPECTION:

The Act requires that an opportunity be provided for employees and their representatives to bring possible safety and health violations to the attention of the Department of Labor inspector in order to aid the inspection. This requirement may be fulfilled by allowing a representative of the employees and a representative of the employer to accompany the inspector during inspection. Where there is no employee representative, the inspector shall consult with a reasonable number of employees.

COMPLAINT:

Employees have the right to file a complaint with the Department of Labor. There shall be an inspection where reasonable grounds exist for the Department of Labor to believe there may be a hazard. Unless permission is given by the employees complaining to release their names, they will be withheld from the employer. Telephone Number (317) 232-2693.

The Act provides that no employer shall discharge, suspend, or otherwise discriminate in terms of conditions of employment against any employees for their failure or refusal to engage in unsafe practices or for filing a complaint, testifying, or otherwise acting to exercise their rights under the Act.

Employees who believe they have been discriminated against may file a complaint with the Department of Labor within 30 days of the alleged discrimination. Please note that extensions of the 30-day filing requirement may be granted under certain special circumstances, such as where the employer has concealed or misled the employee regarding the grounds for discharge. However, a grievance-arbitration proceeding, which is pending, would not be considered justification for an extension of the 30-day filing period. The Commissioner of Labor shall investigate said complaint and upon finding discrimination in violation of the Act, shall order the employer to provide necessary relief to the employees. This relief may include rehiring, reinstatement to the job with back pay, and restoration of seniority.

All employees are also afforded protection from discrimination under Federal Occupational Safety and Health Act and may file a complaint with the U.S. Secretary of Labor within 30 days of the alleged discrimination.

VIOLATION NOTICE:

When an alleged violation of any provision of the Act has occurred, the Department of Labor shall promptly issue a written order to the employer, who shall be required to post it prominently at or near the place where the alleged violation occurred until it is made safe and required safeguards are provided or 3 days, whichever is longer.

PROPOSED PENALTIES:

The Act provides for CIVIL penalties of not more than \$7,000 for each serious violation and CIVIL penalties of up to \$7,000 for each non-serious violation. Any employer who fails to correct a violation within the prescribed abatement period may be assessed a CIVIL penalty of not more than \$7,000 for each day beyond the abatement date during which such violation continues. Also, any employer who knowingly or repeatedly violates the Act may be assessed CIVIL penalties of not more than \$70,000 for each violation. A minimum penalty of \$5,000 may be imposed for each knowing violation. A violation of posting requirements can bring a penalty of up to \$7,000.

VOLUNTARY ACTIVITY:

The Act encourages efforts by labor and management, before the Department of Labor inspections, to reduce injuries and illnesses arising out of employment.

The Act encourages employers and employees to reduce workplace hazards voluntarily and to develop and improve safety and health programs in all workplaces and industries.

Such cooperative action would initially focus on the identification and elimination of hazards that could cause death, injury, or illness to employees and supervisors.

The Act provides a consultation service to assist in voluntary compliance and give recommendations for the abatement of cited violations. This service is available upon a written request from the employer to INSafe. Telephone Number (317) 232-2688.

COVERAGE:

The Act does not cover those hired for domestic service in or about a private home and those covered by a federal agency. Those exempted from the Act's coverage include employees in maritime services, who are covered by the U.S. Department of Labor, and employees in atomic energy activities who are covered by the Atomic Energy Commission.

NOTE:

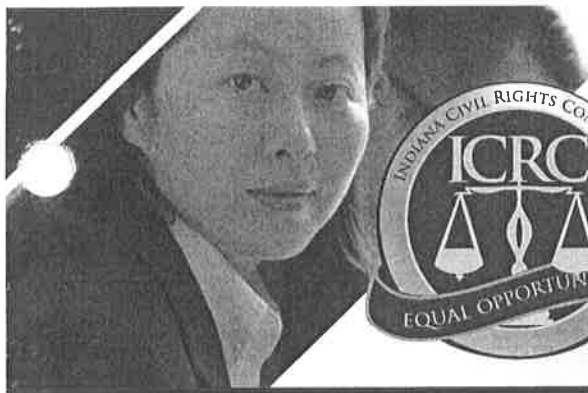
Under a plan approved March 6, 1974, by the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA), the State of Indiana is providing job safety and health protection for workers throughout the State. OSHA will monitor the operation of this plan to assure that continued approval is merited. Any person may make a complaint regarding the State administration of this plan directly to the OSHA Regional Office, Regional Administrator, Region V, U.S. Department of Labor, Occupational Safety and Health Administration, 230 South Dearborn Street, Chicago, Illinois 60604, Telephone Number (312) 353-2220.

MORE INFORMATION:

INDIANA DEPARTMENT OF LABOR
402 West Washington Street, Room W195
Indianapolis, Indiana 46204
Telephone: (317) 232-2655
TT/Voice: (800) 743-3333
Fax: (317) 233-3790
Internet: <http://www.in.gov/dol>



EMPLOYERS: This poster must be displayed prominently in the workplace.



Equal Employment Opportunity is the Law

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

Race | Color | Sex | Disability | Ancestry | Religion | National Origin | Veteran Status

This includes:

Discriminatory hiring, firing, training, discipline, compensation, promotion and other terms or conditions of employment

Denial of equal benefits or privileges

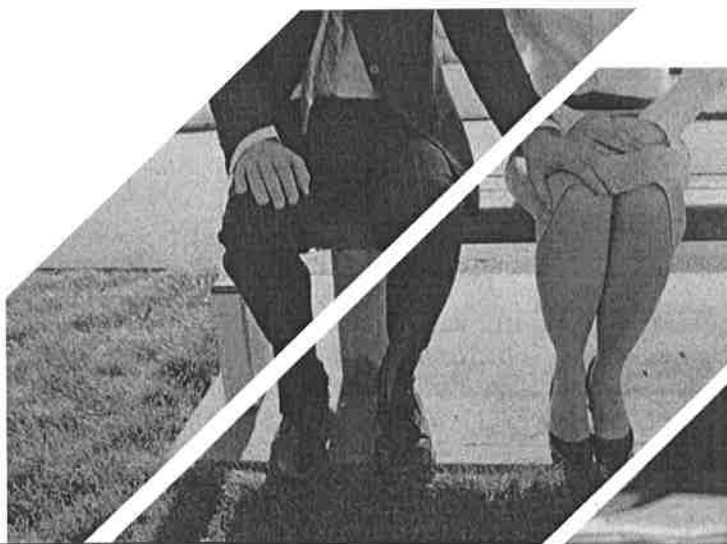
Denying a reasonable accommodation to a qualified individual with a disability or an employee with deeply held religious beliefs

Conducting medical examinations (except in limited circumstances)

Harassing employees because of their membership in a protected class

Retaliating against a person for filing a complaint, testifying at a hearing or assisting in an investigation

Failing to hire an applicant based on their status as a veteran



Contact Us

Indiana Civil Rights Commission
100 North Senate Avenue, Room N103
Indianapolis, IN 46204

Office: (317) 232-2600 | Toll Free: (800) 628-2909
Hearing Impaired: (800) 743-3333 | Fax: (317) 232-6580
E-mail: icrc@crc.in.gov | Website: www.in.gov/icrc



This Business is Subject to Indiana's Unemployment Insurance Laws

If you lose your job or work less than full time, you may be eligible for unemployment insurance benefits. Information is available on-line at **www.in.gov/dwd**. Computers are available at any Indiana WorkOne Center.

No deductions are made from employees' pay for unemployment insurance. This employer pays this tax.

www.in.gov/dwd

1-800-891-6499



La igualdad de oportunidades laborales es Ley

Los candidatos a puestos de trabajo y empleados de la mayoría de los empleadores privados, gobiernos estatales y locales, instituciones educativas, agencias de empleo y organizaciones laborales con una dotación de seis o más personas cuentan con protección legal, a nivel estatal y federal, contra la discriminación por los siguientes motivos:

Raza | Color | Sexo | Discapacidad | Linaje
Religión | Nacionalidad | Condición de Veterano

Esto incluye:

Prácticas discriminatorias de contratación, despido, capacitación, disciplina, remuneración, promoción y otros términos o condiciones de empleo.

Negación de otorgar los mismos beneficios o privilegios

Negación de satisfacer condiciones edilicias especiales razonables para una persona calificada con una discapacidad o a un empleado con profundas creencias religiosas.

Realización de exámenes médicos (excepto en circunstancias limitadas).

Hostigamiento a los empleados por su pertenencia a una clase protegida.

Represalias contra una persona por presentar un reclamo, testificar en una audiencia o colaborar en una investigación.

El no contratar a un aplicante basándose en su condición de veterano.



Contáctenos:

Indiana Civil Rights Commission
100 North Senate Avenue, Room N103
Indianapolis, IN 46204

Oficina: (317) 232-2600 | Llamada sin cargo: (800) 628-2909
Personas con problemas auditivos: (800) 743-3333
Fax: (317) 232-6580 | Correo electrónico: icrc@crc.in.gov
Sitio: www.in.gov/icrc

PROTECCIÓN DE LA SALUD Y LA SEGURIDAD EN EL TRABAJO

INTRODUCCIÓN:

La intención de la Ley de 1974 de Seguridad y Salud Ocupacional del Estado de Indiana, Código de Indiana 22-8-1.1, es asegurar, en la medida de lo posible, condiciones seguras y saludables para los trabajadores del Estado.

El Departamento de Indiana del Trabajo tiene como responsabilidad primaria administrar y hacer cumplir la Ley y los estándares de seguridad y de la salud promulgados bajo sus disposiciones.

Los requisitos la Ley incluyen los siguientes detalles:

PATRONES:

Cada patrón debe establecer y mantener condiciones de trabajo que sean razonablemente seguras y saludables para los empleados y libres de riesgos reconocidos que causen o puedan causar deceso o daño físico grave a sus empleados. Además la Ley requiere que los patrones cumplan con las Normas, Reglamentos y Reglas de Seguridad y Salud Ocupacional.

EMPLEADOS:

Cada empleado deberá cumplir con todas las normas, reglas, reglamentos y disposiciones de seguridad y salud ocupacional, publicadas conforme a la Ley que apliquen a sus propias acciones y conducta en el trabajo.

INSPECCIÓN:

La Ley exige que se les dé la oportunidad a los empleados y a sus representantes, que denuncien posibles violaciones en la seguridad y salud ante el inspector del Departamento del Trabajo ayudando así en la inspección. Puede cumplirse con este requisito al permitirse que un representante del patrón y un representante de los empleados, puedan acompañar al inspector durante la inspección. Cuando no haya un representante de los empleados, el inspector debe consultar con una cantidad razonable de empleados.

DENUNCIA:

Los empleados tienen el derecho de deponer una denuncia con el Departamento del Trabajo. Habrá una inspección si hay razones suficientes para que el Departamento del Trabajo crea que pueda existir peligro. Los nombres de los empleados que realicen la denuncia serán resguardados, y no públicos ante sus patrones. Número telefónico: (317) 232-2693.

La Ley establece que ningún patrón debe despedir, suspender o discriminar a un empleado, si los mismos realizan una denuncia; testifiquen o actúan de acuerdo a la ley que protege sus derechos como trabajadores y/o se niegan a trabajar bajo prácticas inseguras o de riesgo para los mismos.

Cualquier empleado que piense que haya sido discriminado puede completar una denuncia ante el Departamento de Trabajo, dentro de un plazo de 30 días de ejercida tal discriminación. Por favor, tenga en cuenta que es posible obtener extensiones al plazo de 30 días bajo ciertas circunstancias especiales; por ejemplo cuando el patrón esconde o engaña al empleado respecto a la razón de su despido. Sin embargo, un procedimiento conciliatorio de arbitraje que está pendiente no se considera una justificación para extender un periodo de extensión de plazo. El Comisario del Trabajo debe investigar dicha denuncia y, de corroborar una discriminación que viole la Ley, deberá ordenar al patrón que establezca una indemnización correspondiente al desagravio padecido por el/los empleados. Esta indemnización puede incluir reconstrucción, reincorporación al trabajo con sueldo retroactivo y restablecimiento de antigüedad.

La Ley Federal de la Seguridad y Salud Ocupacional ofrece protección a los empleados víctimas de discriminación. Los empleados pueden completar una denuncia ante La Secretaría del Trabajo de los Estados Unidos en un plazo de 30 días a partir de la supuesta discriminación.

NOTIFICACIÓN DE VIOLACIÓN:

Cuando se produzca cualquier violación a las disposiciones de la Ley, el Departamento de Trabajo deberá emitir una orden por escrito al empleador. Este estará obligado a publicar esa nota en un lugar destacado, visible para los trabajadores o cerca del lugar donde ocurrió

la presunta violación, y deberá permanecer visible hasta que sea seguro y se hayan implementado las garantías exigidas o por un periodo de 3 días; lo que tome más tiempo.

SANCIONES PROPUESTAS:

La Ley estipula sanciones CIVILES a patrones por violaciones severas y no tan severas que oscilan en los US\$ 7,000; siendo este tope para las más severas. A cualquier patrón que no corrija una violación dentro del período prescrito, se le puede estipular una sanción CIVIL de hasta US\$ 7,000 por cada día posterior al vencimiento del plazo. Asimismo, a cualquier patrón que intencional o repetidamente viole la Ley, se le puede asignar sanciones CIVILES de hasta US\$ 70,000 por cada violación. También se puede aplicar una sanción mínima de US\$ 5,000 por cada infracción conocida. Si se transgrede el requerimiento de publicación puede haber una sanción hasta de US\$ 7,000.

ACTIVIDAD VOLUNTARIA:

La Ley fomenta los esfuerzos por parte de trabajadores y la gerencia, antes de una inspección del Departamento del Trabajo, para reducir daños o enfermedades ocasionadas por el trabajo.

La Ley fomenta a los patrones y empleados a reducir voluntariamente los riesgos en el lugar de trabajo y a desarrollar y mejorar los programas de seguridad y salud en todos los lugares de trabajo e industrias.

Tal acción cooperativa se enfocará inicialmente en la identificación y eliminación de riesgos que puedan causar deceso, daños o enfermedades a empleados y supervisores.

La Ley ofrece un servicio de consultoría para ayudar con el cumplimiento voluntario y dar recomendaciones para la extinción de dichas infracciones. Este servicio está disponible siguiendo una petición por escrito por parte del patrón al Departamento de Trabajo con atención dirigida a la agencia de INSafe. Número telefónico (317) 233-2688.

COBERTURA:

La Ley no ampara a aquellos contratados para servicios domésticos dentro o cerca de un domicilio privado y aquellos amparados por una agencia federal. Aquellos exentos de la cobertura de la Ley incluye a los empleados de servicios marítimos, amparados por el Departamento del Trabajo de los Estados Unidos, y los empleados en actividades relacionadas con la energía atómica que están amparados por la Comisión de la Energía Atómica.

NOTA:

Bajo un plan aprobado el 6 de marzo de 1974 por el Departamento del Trabajo de los Estados Unidos, la Administración de Seguridad y Salud Ocupacional (OSHA, por sus siglas en inglés), del Estado de Indiana ofrece protección de la salud y la seguridad en el trabajo para los trabajadores de todo el Estado. OSHA hará el monitoreo de operación de este plan para asegurar que merezca la aprobación continua. Cualquier persona puede ingresar una denuncia referente a la administración estatal de este plan directamente ante la oficina regional de OSHA. Administrador Regional, Región V, Departamento del Trabajo de los Estados Unidos, Administración de Seguridad y Salud Ocupacional, 230 South Dearborn Street, Chicago, Illinois 60604, Número telefónico (312) 353-2220.

POR MÁS INFORMACIÓN:

Departamento Del Trabajo Del Estado De Indiana
402 West Washington Street, Room W195
Indianapolis, Indiana 46204

Tel: (317) 232-2655

Teletipo/Voz: 1(800) 743-3333

Fax: (317) 233-3790

*IOSHA: Indiana Occupational Safety and Health Administration

PATRONES: Este póster debe mostrarse visiblemente en el lugar de trabajo.





INDIANA
WORKFORCE
DEVELOPMENT
AND ITS **WorkOne** CENTERS

Esta Empresa es Sujeta a las Leyes de Indiana de Seguro de Desempleo

Si usted pierde su empleo o trabaja menos de tiempo completo, descubra si usted puede ser elegible para el seguro de desempleo reportandose inmediatamente a la oficina más cercana de Indiana Desarrollo De Labor.

Para solicitar beneficios, por favor traiga su tarjeta de Seguro Social, el nombre y la dirección correcta de su patrón más reciente.

No se hace ningunas deducciones de el pago de los empleados de parte del seguro de desempleo. Este patrón paga este impuesto. Si usted tiene más preguntas sobre este programa, pongase en contacto con el departamento de Indiana Desarrollo De Labor, Avenida Del Norte Del Senado 10, Indianapolis, IN 46204. Teléfono: 1-800-891-6499.

www.in.gov/dwd

1-800-891-6499

Indiana Minimum Wage Law

\$7.25 per hour effective July 24, 2009

Indiana law requires this poster to be displayed in a conspicuous place in the area where employees are employed.

Most Indiana employers and employees are covered by the minimum wage and overtime provisions of the federal Fair Labor Standards Act (FLSA); however those not covered under federal law may still be covered by the Indiana Minimum Wage Law.

Both the federal and Indiana state minimum wage increased from \$6.55 per hour to \$7.25 per hour, effective July 24, 2009.

The Indiana Minimum Wage Law generally requires employers to pay employees at least the minimum wage for all hours worked and to pay employees 1 ½ times their regular rate of pay ("Overtime compensation") when employees work more than forty (40) hours during a work week. However, there are many exceptions to the overtime pay requirement. Most of those exceptions can be found at Indiana Code § 22-2-2-3 (a) – (p).

Indiana law requires every employer subject to the Indiana Minimum Wage Law to furnish each employee a statement of the hours worked by the employee, the wages paid to the employee, and a listing of the deductions made. The Indiana Minimum Wage Law also prohibits pay discrimination on the basis of sex.

Tipped Employees

Generally, employers must pay tipped employees at least \$2.13 per hour if the employer claims a tip credit. If the employee's tips combined with the hourly wage do not equal the minimum wage, the employer must make up the difference.

Training Wage

Indiana employers may pay \$4.25 per hour to employees under 20 years of age for the first 90 consecutive calendar days after the employee is initially employed by the employer.

Violations

Indiana law provides for both civil and criminal penalties for violation of the Indiana Minimum Wage Law.

For Additional Information

For additional information, please contact the Indiana Department of Labor's Wage and Hour Division by email at wagehour@dol.in.gov or phone (317) 232-2655.



402 West Washington Street, Room W195 • Indianapolis, Indiana 46204
(317) 232-2655 • www.in.gov/dol

Teen Work Hour Restrictions

Employers of minors who are 14, 15, 16 or 17 years of age are required by law to post the maximum number of hours that minors may be permitted to work in each day of the week. The information must be posted in a conspicuous place or in places where notices are customarily posted. For additional copies of this poster or for further information, please visit www.in.gov/dol/childlabor.htm.

14 and 15 year olds

Your work permit allows you to work

- 3 hours per school day
- 18 hours per school week
- 8 hours per non-school day
- 40 hours per non-school week
- No work before 7:00 a.m. or after 7:00 p.m.
 - Between June 1 and Labor Day you may work until 9:00 p.m.

16 Year Olds

Your work permit allows you to work

- 8 hours per day
- 30 hours per school week
- 40 hours per non-school week
- No more than 6 days per week
- Not before 6:00 a.m.
- Until 10:00 p.m.

With parental permission you may work

- 9 hours per day
- 40 hours per school week
- 48 hours per non-school week
- Until 11:00 p.m. on nights followed by a school day
- Until 12:00 a.m. on nights not followed by a school day

17 Year Olds

Your work permit allows you to work

- 8 hours per day
- 30 hours per school week
- 40 hours per non-school week
- No more than 6 days per week
- Not before 6:00 a.m. on school days
- Until 10:00 p.m. on nights followed by a school day
- No restricted end time on days not followed by a school day

With parental permission you may work

- 9 hours per day
- 40 hours per school week
- 48 hours per non-school week
- Until 11:30 p.m. on nights followed by a school day, or
- Until 1:00 a.m. on nights followed by a school day
 - No more than twice/week; not consecutively

Breaks Requirements For Minors

Workers under the age of 18 who work 6.0 hours or more are required to take 30 minutes of documented breaks.

The minor may take two 15 minute breaks or one 30 minute break.

Breaks must total 30 minutes or more, but never less.

Working Before 6:00 a.m. Or After 10:00 p.m.

Workers under the age of 18 must be accompanied by a co-worker who is at least 18 years of age when working before 6:00 a.m. or after 10:00 p.m. in an establishment that is open to the public

Working During School Hours

14 and 15 year olds may not work on a school day after 7:30 a.m. and before 3:30 p.m. 16 and 17 year olds may not work during school hours unless they have documented school permission.

Graduates/Withdrawn From School

16 and 17 year olds who have graduated or withdrawn from high school may work unlimited hours. Documentation must be in personnel files.



Indiana Department of Labor / Bureau of Child Labor
402 West Washington Street, Room W195, Indianapolis, Indiana 46204
Phone: (317) 232-2655 • Fax: (317) 233-3790 • TT Voice: 1-800-743-3333
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