

NORTH DAKOTA MINIMUM WAGE

ND MINIMUM WAGE & WORK CONDITIONS SUMMARY

State Capitol 600 East Boulevard Avenue Bismarck, ND 58505-3040
Hours: M-F - 8:00a.m. - 5:00p.m.
DEPARTMENT OF LABOR AND HUMAN RIGHTS (701) 328-2660 1-800-582-8032 Fax - (701) 328-2031 TTY - 1-800-366-6888
e-mail: labor@nd.gov web site: www.nd.gov/labor

MINIMUM WAGE RATE: **\$7.25** per hour on 7/24/09
Effective Date: August 1, 2015
North Dakota does not have a Training Wage.

OVERTIME N.D. Admin. Code § 46-02-07-02(4)
• Overtime pay must be paid at one and one-half times the employee's regular rate of pay for hours worked over forty in any work week.
• A work week is a seven consecutive-day period defined by the employer.
• Overtime is computed on a weekly basis, regardless of the length of the pay period.
• Overtime is based only on hours worked. Paid holidays, paid time off or sick leave need not be counted in computing overtime hours.
• Compensatory time is not legal in private employment for non-exempt employees — overtime hours may not be "banked" and used for time off in another work week.
• Employees working more than one job under the control of the same employer must have all hours worked counted toward overtime.
• *Exemptions from overtime are listed on the reverse side of this poster (below). Formulas for calculating overtime are available in N.D. Admin. Code Section 46-03-01.*

MEAL PERIODS N.D. Admin. Code § 46-02-07-02(5)
• A minimum 30-minute meal period must be provided in shifts exceeding five hours when there are two or more employees on duty.
• Employees may waive their right to a meal period upon agreement with the employer.
• Employees do not have to be paid for meal periods if they are completely relieved of their duties and the meal period is at least thirty minutes in length.
• Employees are not completely relieved if they are required to perform any duties during the meal period.
• Other breaks (such as 15 minute "coffee" breaks) are not required by law, but must be paid breaks if they are offered by the employer.

PAID TIME OFF N.D. Admin. Code § 46-02-07-02(12)
• Applies unless a limitation below is met
• Paid time off includes annual leave, earned time, personal days, or other provisions providing compensation for vacation. If sick leave is combined with such time, the total amount of the hours may not exceed the total amount of paid time off if it is kept in a separate balance.
• Once paid time off is made available for an employee's use, any unused portion of such time is considered wages upon separation from employment and must be paid at the regular rate of pay earned by the employee prior to separation.
• No employment contract or policy may provide for forfeiture of earned paid time off upon separation.

LIMITATIONS ON PAID TIME OFF N.D. Admin. Code § 34-14-09.2
• If an employee separates from employment voluntarily, a private employer may withhold payment for accrued paid time off if the following three conditions are all met:
a. At the time of hiring, the employer provided the employee written notice of the limitation on payment of accrued paid time off;
b. The employee has been employed by the employer for less than one year; and
c. The employee gave the employer less than five days' written or verbal notice.
• If an employer withholds accrued paid time off from an employee, the employer must provide the employee written notice of the limitation on payment of accrued paid time off.
a. The paid time off was awarded by the employer but not yet earned by the employee; and
b. Before awarding the paid time off, the employer provided the employee written notice of the limitation on payment of accrued paid time off.

PAYDAYS & RECORD KEEPING N.D.C.C. § 34-14-02, 03 and N.D. Admin. Code § 46-02-07-02
• Employees must be paid at least once on the regular payday designated in advance by the employer.
• Every employer must furnish to an employee each pay period a check stub or voucher indicating hours worked, rate of pay, required state and federal deductions, and any authorized deductions.
• When an employee is terminated from employment, separates from employment voluntarily, or is suspended from work as the result of an industrial disciplinary suspension or compensation become due and payable at the regular payday(s) established in advance by the employer for the period(s) worked by the employee.
• When an employer terminates an employee, the employer shall pay those wages to the employee by certified mail at an address designated by the employee or as otherwise agreed upon by both parties.

DEDUCTIONS FROM PAY N.D.C.C. § 34-14-04.1
• An employer may deduct from an employee's salary or federal law to be withheld from employee compensation or where a court has ordered the employer to withhold compensation, an employer only may withhold from the compensation due employees:
1. Advances paid to employees, other than undocumented cash.
2. A recurring deduction authorized in writing.
3. A non-recurring deduction authorized in writing, when the source of the deduction is cited specifically.
4. A non-recurring deduction for damage, breakage, shortage, or negligence must be authorized by the employee at the time of the deduction.

EMPLOYMENT AT WILL N.D.C.C. § 34-03-01
• Employment relationships without a specific term exist at the will of both parties and can be terminated by either party upon notice to the other. No minimum length of term (for example, a two-week notice) is required. Contracts specifying a term of employment pre-empt the at-will provision.
YOUTH EMPLOYMENT N.D.C.C. ch. 34-07
• Employment & Age Certificates (work permits) are required for workers ages 14 & 15 and are available from the Department of Labor, Job Service Offices, County School Superintendents' offices, and local schools.
• Restricted hours for youth, ages 14 & 15:
• Maximum hours per day: 8 hours school day, 8 per non-school day.
• Maximum hours per week: 18 per school week (any week in which school attendance is required any part of 4 or more days), 40 per non-school week.
• Work only between 7 a.m. - 7 p.m., (until 9 p.m. from June 1st - Labor Day).
• Hazardous job duties for youth, ages 14 & 15:
• Workers ages 14 & 15 are prohibited from performing certain job duties defined as hazardous in labor law.

RIGHT TO WORK N.D.C.C. § 34-01-14
• An individual's right to work may not be denied or abridged due to membership or nonmembership in any labor union or labor organization.

POSTING REQUIRED
Must be posted in a conspicuous place in a commonly frequented area in which employees work
Additional Information
• An employee engaged in a bona fide executive, administrative, or professional capacity.
• An employee whose primary duties consist of:
a. The management of an enterprise, or a recognized department or subsection thereof;
b. Directing the work of two or more other employees; and
c. The work requires that the employee or whose suggestions will be given particular weight.
• An administrative - an employee whose primary duties consist of:
a. Office or non-manual work directly related to management policies or general business operations; and
b. Who customarily and regularly exercises discretion and independent judgment.
• A bona fide salesperson - an employee whose primary duties consist of:
a. Work requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study as distinguished from training in the performance of routine mental, manual, or physical processes;
b. Maintaining the consistent exercise of discretion and judgment in its performance; and
c. Work that is predominantly intellectual and varied in character as opposed to routine mental, manual, or physical work.
• An employee engaged in an agricultural occupation - growing, raising, preparing, or delivering agricultural commodities for market.
• An employee spending at least 51% of the employee's work time providing maintenance or shelter for cattle, or care, or protection to aged or disabled individuals. No more than 20% of the hours worked in the week may be household work (cleaning, laundry, or meal preparation).
N.D.C.C. § 34-06-03.1

TAXI DRIVERS AND HEALTHCARE OVERTIME PROVISIONS N.D. Admin. Code § 46-02-07-02(4)
• Taxicab drivers must be paid overtime for all hours worked in excess of five hours and twenty minutes in a work week.
• Hospitals and residential care establishments may adopt, by agreement with their employees, a fourteen-day overtime period, if the employees are paid at least time and one-half their regular rate for hours worked over eight in a day or eighty in a fourteen-day work period.

TIPS N.D. Admin. Code § 46-02-07-03
• Gratuities offered to an employee by a customer belong to the employee and may not be retained by the employer.
• Employees may claim a tip credit of 28% of the minimum wage. If the minimum direct wage payable to a tipped employee is \$4.86 per hour effective July 24, 2009. The employer must maintain written records verifying that tipped employees receive at least the full minimum wage for all hours worked when the direct wage and tips are combined.
• A tipped employee is any service employee in an occupation in which he or she receives more than thirty dollars per month in tips.
• A service employee is any employee who is providing direct service to the customer and to whom that customer shows appreciation for that service by tipping that employee for the direct service. The employer must regularly and customarily provide personal face-to-face service to individual customers, which the customer would recognize as being performed for his or her benefit. Services such as cooking and dishwashing are not included.
• An employer who elects to use the tip credit must inform the employee in advance.
• Tip pooling is allowed only among the tipped employees. A vote of the employees is required to allow tip pooling to be taken, and fifty percent plus one of all tipped employees must approve it. The employer must maintain a written record of each vote on tip pooling, including names of employees voting and the vote totals. A vote on whether to pool tips is required if requested by fifty-one percent or more of the tipped employees. The tipped employees shall provide documentation verifying the request. Time spent in meetings called by the employees exclusively for tip issues is not work time. Gaming sites, which regularly have four or fewer tipped employees on duty, can require tip pooling among all tipped employees at the site. Fit bosses or supervisors at gaming sites are not tipped employees and cannot be part of the tip pool when performing functions of those positions other than dealing blackjack (twenty-one).

MEETINGS AND TRAINING N.D. Admin. Code § 46-02-07-02(6)
• Attendance at lectures, meetings, training programs and similar activities need not be counted as working time if all the following criteria are met:
a. Attendance is outside of the employee's regular working hours.
b. Attendance is in fact voluntary.
c. The course, lecture, or meeting is not directly related to the employee's job.
d. The employee does not perform any productive work during such attendance.
• Training or education mandated by the state, federal government, or any political subdivision for a specific occupation need not be counted as work-time.

TRAVEL TIME N.D. Admin. Code § 46-02-07-02(7)
• The following types of travel time are not considered work time for which an employee must be compensated: 1) Ordinary travel from home to work, 2) Time spent as a passenger on an airplane, train, bus, or other mode of regular working hours, 3) Activities that are merely incidental use of an employer-provided vehicle for commuting time to work.
• The following types of travel time are considered work time for which an employee must be compensated: 1) Travel during regular work hours, 2) Travel on non-work days during regular work hours (regular work hours are those typically worked by an employee on work days), 3) Travel time from job site to job site or from office to job site, 4) The driver of a vehicle is working any time when required to travel by the employer, 5) One-day assignments performed at the employer's request (regardless of driver or passenger status).

ON-CALL N.D. Admin. Code § 46-02-07-02(8)
• When employees are required to remain on-call on the employer's premises or so close thereto that they cannot use the time effectively for their own purposes, they are considered to be working and must be compensated.
• When employees are on-call and are not required to remain on the employer's premises but are required to respond to a beeper or leave word at home or the employer's business where they may be reached, they are not considered to be working and need not be compensated.

BONUSES AND COMMISSIONS N.D. Admin. Code § 46-02-07-02(15)
• An earned bonus is an amount paid in addition to salary, wages, or commission. An earned bonus is compensable when an employee performs the requirements set forth in a contract or an agreement between the parties.
• A commission is a fee or percentage given for compensation to an individual for completion of a sale, service, or transaction. Upon separation from employment, the past practices, policies, and entire employment relationship will be used to determine if the commission is earned and compensable.

ROOM AND BOARD N.D. Admin. Code § 46-02-07-02(13)
• The reasonable value, not exceeding the employer's actual cost, of board, lodging, and other facilities customarily furnished by the employer for the employee's benefit may be deducted from the employee's minimum wage for all hours worked during any pay period.
UNIFORMS N.D. Admin. Code § 46-02-07-02(11)
• An employer may require an employee to purchase uniforms if the cost of such uniforms does not bring that employee's wage below the hourly minimum wage for all hours worked during any pay period.

EMPLOYMENT DISCRIMINATION N.D.C.C. ch. 14-02.4
• Employers may not discriminate against employees or applicants on the basis of race, color, religion, sex, pregnancy, national origin, age, mental or physical disability, status with respect to marriage or public assistance, participation in lawful activity off the employer's premises during non-working hours which is not in direct conflict with the essential business-related functions of the employer, or opposition to such discrimination in the workplace.
EMPLOYEE RETALIATION N.D.C.C. § 34-01-20
• An employer may not discharge, discipline, threaten, discriminate, or penalize an employee regarding the employee's compensation, conditions, location, or privileges of employment because:
• The employer, or person acting on behalf of an employer, in good faith, reports a violation of federal, state, or local law, ordinance, regulation, or rule to an employer, a governmental body, or law enforcement official.
• The employer is requested by a public body or official to participate in an investigation, a hearing, or an inquiry.
• The employer refuses an employer's order to perform an act that the employee believes violates local, state, or federal law, ordinance, rule, or regulation. The employer must have a bona fide basis in fact for that belief and shall inform the employer that the order is being refused for that reason. Public employees should also see N.D.C.C. ch. 34-11.1: Public Employees Relations Act for further information.

This poster summarizes provisions contained in the ND Minimum Wage & Work Conditions Order North Dakota Administrative Code (N.D. Admin. Code) Chapter 46-02-07, as well as selected provisions of North Dakota Century Code (N.D.C.C.) Title 34 and N.D.C.C. Chapter 14-02.4.

ANTI-DISCRIMINATION NOTICE

It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which documents(s) they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination.
For information, please contact The Office of Special Counsel for Immigration Related Unfair Employment Practices Office at 800-255-7688.

FEDERAL MINIMUM WAGE

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

The law requires employers to display this poster where employees can readily see it.
OVERTIME PAY At least 1 1/2 times your regular rate of pay for all hours worked over 40 in a workweek.
CHILD LABOR An employer may not employ a child under the age of 16 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 the employer 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
1-866-488-6343
TTY: 1-877-889-5627
www.dol.gov

WHD 1842 REV 01/16

EOC-9102 and OCFP-8108 Versions Usable With 11/09 Supplement

EMPLOYEE POLYGRAPH PROTECTION ACT

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 who refuses to take a lie detector test, or from discharging, disciplining, or discriminating against an 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 (in kind of detector) tests to be administered in the private sector, subject to certain pre-employment prospective employees of security service firms (armed 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, the right to refuse to take a test, and the right to a test, and the right 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.



UNEMPLOYMENT COMPENSATION

THIS POSTER MUST BE POSTED IN A CONSPICUOUS PLACE TO EMPLOYEES.
THIS EMPLOYER IS SUBJECT TO THE UNEMPLOYMENT COMPENSATION LAWS OF THE STATE OF NORTH DAKOTA

Employer Name: _____
Account #: _____

YOU MAY BE ELIGIBLE FOR UNEMPLOYMENT COMPENSATION BENEFITS IF YOU MEET THE ELIGIBILITY REQUIREMENTS
To file a claim for unemployment compensation benefits:
• Online: www.jobsnd.com. Click on UI ICE logo
or call: 1-701-328-4995 or TTY: RELAY ND 1-800-366-6888 (for hearing impaired only)

The North Dakota Unemployment Compensation Law requires subject employers to post this notice near the location(s) where worker's service is performed. Employers are prohibited from posting this notice if they are not currently liable for coverage. NDCC 52-06-35 NDRC 27-02-04-01

Job Service North Dakota is an Equal Opportunity Employer/Program Provider
Auxiliary Aids and Services are available. Upon request to individuals with disabilities. JSNO 4032 (R.05/06)

FMLA - FAMILY AND MEDICAL LEAVE ACT

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT
THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

LEAVE ENTITLEMENTS Eligible employees who work for a covered employer can take up to 12 weeks of 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 leave 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.

BENEFITS & PROTECTIONS 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 involuntarily in any proceeding under or related to the FMLA.

ELIGIBILITY REQUIREMENTS An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:
• Have worked for the employer for at least 12 months;
• 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.
REQUITING 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 file 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.

WHD 1842 REV 01/16
For additional information or file a complaint:
1-866-4-USWAGE
TTY: 1-877-889-5627
WWW.WAGEHOUR.DOL.GOV
Wage and Hour Division

WHD 1842 REV 01/16

EOC-9102 and OCFP-8108 Versions Usable With 11/09 Supplement

WITHHOLDING STATUS

YOU MAY NEED TO CHECK YOUR WITHHOLDING
Since you last filed form W-4 with your employer did you...
• Marry or divorce?
• Gain or lose a dependent?
• Change your name?
• Here are other major changes to...
• Your non-wage income (interest, dividends, capital gains, etc.)?
• Your family wage income (you or your spouse started or ended a job)?
• Your itemized deductions?
• Your filing status?
If you can answer "YES" to any of these questions or you owed extra tax when you filed your last return, you may need to file a new form W-4.

See your employer for a copy of Form W-4 or call the IRS at 1-800-828-3676.
Now is the time to check your withholding. For more details, get Publication 919, How Do I Adjust My Tax Withholding, or use the Withholding Calculator at www.irs.gov/individuals on the IRS web site.
Employer: Please post or publish this Bulletin Board Poster so that your employees will see it. Please indicate where they can get forms and information on this subject.

Publication 213 (Rev. 11-2009)
Cat. No. R0497
Department of the Treasury
Internal Revenue Service www.irs.gov

EEOC - EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW

EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW
PRIVATE EMPLOYERS, STATE AND LOCAL GOVERNMENTS, EDUCATIONAL INSTITUTIONS, EMPLOYMENT AGENCIES AND LABOR ORGANIZATIONS
Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases:
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.
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 two years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.
RETALIATION Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OCFPC proceeding, or otherwise opposes discrimination.
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, you should 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 offices are 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:
disabilities at all levels of employment, including executive level.
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 two years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.
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OCFPC: 1-800-397-6251 | TTY: 1-877-889-5627 | www.dol.gov

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

or activities which receive Federal financial assistance.
INDIVIDUALS WITH DISABILITIES Section 504 of the Rehabilitation Act of 1973, as amended, prohibits discrimination against individuals with disabilities 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 or activity which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

EOC-9102 and OCFP-8108 Versions Usable With 11/09 Supplement

WORKFORCE SAFETY AND INSURANCE IMPORTANT NOTICE TO EMPLOYEES

IMPORTANT NOTICE TO WORKERS

When You Are Injured On The Job:
Notify your employer immediately of the accident and your injury. By law, you must give written or oral notice to your employer within seven days of an accident or after the general nature of your injury becomes apparent. If you fail to notify your employer, Workforce Safety & Insurance (WSI) may consider that failure when deciding whether your claim will be accepted. **NOTE: Even if you feel your injury is not serious enough to need medical treatment, it is important you report your accident to your employer so they are informed of the potential hazard.**

Seek first aid or medical attention promptly after a workplace injury. If your employer does not have a Designated Medical Provider (DMP), you may go to a doctor of your choice. If your employer does have a DMP, you are required to see your employer's DMP, UNLESS you informed your employer, in writing, of a different medical provider before any injury occurred. In order to effectively select a DMP, your employer is required to give written notice of the identity and the terms of the preferred provider program:
(1) To the employer's employees when the employer makes an initial selection of a preferred provider.
(2) To the employer's employees when the employer changes the selection of the preferred provider.
(3) To an employee at the time of hire.
(4) To the employer's employees at least annually after the initial notice.

An employer that has selected a preferred provider shall display notice of the identity of the preferred provider and the terms of the preferred provider program in a conspicuous manner at fixed worksites, and wherever feasible at mobile worksites, and in a sufficient number of places to reasonably inform employees of the identity of the preferred provider and the terms of the preferred provider program. Failure to give written notice, to properly post notice, or to reasonably inform employees of the terms of the preferred provider programs as required under this subsection invalidates the selection.

Contact your employer or WSI for more detailed information about this requirement. Emergency medical treatment is exempt from the DMP requirement. Inform the doctor that your injury is a workers' compensation injury. Also, inform the doctor of your work duties and ask if you can return to work within any work restrictions the doctor may impose. Follow restrictions, both on and off the job.

File a claim with WSI immediately after a work-related injury occurs (within 24 hours of occurrence).
Use one of three methods:
1) online at www.WorkforceSafety.com, available 24 hours/weekends/holidays (follow online instructions);
2) by hand by completing the First Report of Injury (FROI) Form, or 3) telephonically by calling 1-800-777-5033, 8 a.m. - 5 p.m. on business days.

Whichever claim filing method is used, complete the FROI form with your employer, if possible. Answer all questions fully and honestly on the form. Be sure to have your employer complete the employer's portion of the FROI form. If you have received benefits for an injury and are now off the employer's compensation injury. Also, inform the doctor of your work duties and ask if you can return to work within any work restrictions the doctor may impose. Follow restrictions, both on and off the job.

WSI will inform you of your claim number. In writing, upon registering your claim.
Keep in touch with your employer and provide them with periodic updates on your condition.
Notify WSI immediately:
1) when you perform any type of work activity, whether you receive pay for it or not;
2) if you change your address or telephone number; or
3) if you apply for either Social Security disability or retirement benefits or are found to be eligible for these benefits.

Types of Benefits Available:
• Wage Replacement
• Medical Benefits
• Pharmacy Benefits
WSI will pay for prescriptions that are part of the necessary work-related medical care when obtained at pharmacies and medical facilities that are contracted with WSI's prescription benefit management company. WSI does not reimburse for prescriptions that are paid out-of-pocket by an injured worker.
• Reimbursement for Personal Expenses
• Return-to-Work Services
• Death Benefits