FED **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.

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 **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

Alaska Statute 23.10.050 – 23.10.150 establishes minimum

wage and overtime pay standards for employment subject to

two times the Alaska minimum wage. Other exceptions to

Alaska minimum wage and overtime

requirements do not apply to any individual

employed as follows:

By U.S., state or local governments (i.e., political

In voluntary service in the nonprofit activities of a

organization's nonprofit activities;

on a straight commission basis;

than 30 hours in any week

or exchange motor vehicles

capacity as defined in regulations of the

religious, charitable, cemetery, educational or other

nonprofit organization which are related only to the

In a bona fide executive, professional or administrative

Commissioner of Labor and Workforce Development

and in the FLSA; or in certain computer occupations,

An individual who is employed by a motor vehicle

analyze or reference requests for service, repair or

analysis of motor vehicles; (b) arrange financing for

An individual who provides emergency medical

services only on a voluntary basis; serves with a

provides ski patrol services on a voluntary basis;

A student participating in a University of Alaska

A person licensed under AS 08.54 and who is

employed by a registered guide or master guide

licensed under AS 08.54 for the first 60 workdays so

An independent taxicab driver who establishes the

driving area and hours, who contracts on a flat rate

basis for use of the cab, permit or dispatch services,

Solely as a watchman or caretaker on a premises out

of operation for longer than four months;

An individual engaged in activities for a

temporary assistance program)

In delivery of newspapers to the consumer;

In the search for placer or hard rock minerals;

nonprofit religious, charitable, civic, cemetery,

recreational or educational organization where the

employer-employee relationship does not, in fact,

By a nonprofit educational or child care facility to

exist, and where services rendered to the organization

under a work activity requirement of AS 47.27 (Alaska

serve in place of a parent of children in residence if the

employment requires residence at the facility and is

compensated on a cash basis exclusive of room and

unmarried person; or \$15,000 for a married couple.

Overtime Hours

The standard workweek shall not exceed 40 hours per week

or eight hours per day. Should an employer find it necessary

overtime hours shall be compensated at the rate of one and

Compensation at the overtime rate is not

required in the following cases:

By an employer who employs three or fewer people in

An individual employed in handling, packing, storing,

pasteurizing, drying, canning, or preparing in their raw or natural state agricultural or horticultural

to employ an employee in excess of these standards,

one-half times the regular rate of pay.

the regular course of business;

board at an annual rate of not less than \$10,000 for an

and who is compensated solely by the customers

practicum described under AS 14.40.065;

employed during a calendar year;

the sale of motor vehicles and related products and

services that are part of the sale; or (c) solicit, sell, lease

full-time fire department only on a voluntary basis; or

dealer and whose primary duty is to (a) receive,

or as an outside salesman, or as any salesman working

Youth under age 18 employed part-time for not more •

In the taking of aquatic life; or the hand picking of

In domestic service (including babysitting) in or about

the minimum wage requirement follow.

In agriculture;

a private home;

subdivisions)

its provisions. These standards are generally applicable to all •

employees. School bus drivers, however, shall receive at least .

DEPARTMENT OF LABOR UNITED STATES OF AMERICA

AK

WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT

Department of Labor and Workforce Development

Summary of Alaska Wage and Hour Act

Effective January 1, 2023, the Alaska minimum wage shall be \$10.85 per hour.

equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may

from coworkers and the public, which may be used by the

The Department has authority to recover back wages and an

employee to express breast milk

ENFORCEMENT

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.

1-866-487-9243

TTY: 1-877-889-5627

or other dairy products;

Agricultural employees

An employee employed as a seamen;

provision of medical services;

bargaining agreement);

defined in AS 18.28.100

vear during the mining season:

minimum wage:

(see AS 23.10.060(d)(18));

Workers engaged in planting or tending trees,

cruising, surveying, bucking or felling timber,

preparing or transporting logs or other forestry

products to the mill, processing plant, railroad or

eggs, cream or milk in their raw or natural state;

An employee under a voluntary flexible work

other transportation terminal if the total number of

employees in such lumber operations does not exceed

An individual employed as an outside buyer of poultry,

An employee under a flexible work hour plan which is

plan if the employee and employer have signed a

Department (Overtime rates must be paid for work

over 40 hours a week and over the hours specified on

A community health aide employed by a local or

regional health organization as those terms are

Work performed by certain flat-rate mechanics

primarily engaged in servicing automobiles, light

An employee of a small mining operation where not

more than 12 people are employed, as long as the

individual is not employed in excess of 12 hours per

day or 56 hours per week during a period of not more

than 14 workweeks in the aggregate in any calendar

trucks, and motor homes, subject to certain and

specific provisions (see AS 23.10.060(d)(17));

An employee employed in connection with

publication of a weekly, semiweekly or daily

newspaper with a circulation of less than 1000;

Casual employees as defined by regulations of the

Commissioner of Labor and Workforce Development;

miles one way if the driver's pay includes overtime pay

for work in excess of 40 hours per week or eight hours

per day, and if the rate of pay is comparable to the

Work performed by an employee under a voluntary

written agreement addressing the trading of work

shifts among employees, if employed by an air carrier

subject to subchapter II of the Railway Labor Act (45

U.S.C.181-188), including employment as a customer

service representative, subject to certain provisions

Work performed by a flight crew member employed

telephone exchange that has fewer than 750 stations;

engaged in handling telegraphic, telephone or radio

messages under an agency or contract arrangement

with a telegraph or communications company where

the telegraph message or communications revenue of

An employee in otherwise exempted employment

or a proprietor in a retail or service establishment

by an air carrier subject to 45 U.S.C. 181-188

A switchboard operator employed in a public

(subchapter II of the Railway Labor Act);

the agency does not exceed \$500/month.

NOTE: This is not a complete list of exemptions to minimum

purposes only and is not to be construed as having the effect

Inquiries should be made to: Wage and Hour Administration,

1251 Muldoon Road, Suite 113, Anchorage, AK 99504 Phone:

Recordkeeping

Alaska Department of Labor and Workforce Development,

(907) 269-4900 Email: statewide.wagehour@alaska.gov

An employer shall keep for a period of at least three years

place of employment.

all payroll information and records for each employee at the

Post in a Prominent Place

wage and overtime provisions. Refer to AS 23.10.055 and

AS 23.10.060. The above text is intended for informational

A line haul truck driver for a trip exceeding 100 road

the flexible work hour plan not included in a collective

written agreement which has been approved by the

included as part of a collective bargaining agreement;

www.dol.gov/whd

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.

commodities for market, or in making cheese, butter



REV. 07/2016

WH1088

FED

FED

EMPLOYEE POLYGRAPH PROTECTION ACT The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either

FEDERAL

for pre-employment screening or during the course of employment. Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector

EMPLOYEE RIGHTS

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.

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 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.

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.

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

DEPARTMENT

WAGE AND HOUR DIVISION OF LABOR UNITED STATES DEPARTMENT **UNITED STATES** OF LABOR OF AMERICA

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

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION **LEAVE ENTITLEMENTS**

FAMILY AND MEDICAL LEAVE ACT

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;

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.

For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse,

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. BENEFITS & PROTECTIONS

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

ELIGIBILITY REQUIREMENTS

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

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.

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 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:

Under

The Alaska Human Rights Law and

(AS 18.80.220)

Title VII of the Federal Civil Rights Act,

SEXUAL HARASSMENT

IS ILLEGAL

Sexual comments or conduct that interferes with your work or creates a hostile work environment; or

Your employer has made decisions about your job based on whether you accepted or rejected sexual advances,

You may be the victim of sexual harassment.

If you believe you may have been sexually harassed, contact the Alaska Human Rights Commission. Statutes of

Retaliation for Complaining About Sexual Harassment is UNLAWFUL.

It is illegal for your employer to fire you or to take other actions against you because you report or oppose sexual harassment.

ALASKA STATE COMMISSION FOR HUMAN RIGHTS

800 A Street, Suite 204, Anchorage, AK 99501

TOLL FREE 800-478-4692

In Anchorage 274-4692

https://humanrights.alaska.gov/

Department of Labor and Workforce Development

Emergency Information

All fatalities or injuries resulting in hospitalization must be reported immediately (within 8 hours) to the Alaska

Department of Labor and Workforce Development, Division of Labor Standards and Safety at 1-800-770-4940

1251 MULDOON ROAD, SUITE 109

NOTICE: This state requires an employer to display a Workers' Compensation posting furnished by the employer's insurance carrier or a

state agency. Employers should contact their insurance carrier or the appropriate state agency to obtain a copy of this state's Workers'

Compensation posting or notice of compliance/certificate of insurance. Employees should refer to the Workers' Compensation posting

or notice of compliance/certificate of insurance furnished by the state or the employer's insurance carrier for information about Workers

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

IT DOES NOT FULFILL THIS STATE'S WORKERS' COMPENSATION POSTING REQUIREMENT.

Department of Labor and Workforce Development

Notice to Employees

Anchorage, AK 99504

PHONE: (907) 269-4940

or to the OSHA 24-hour hot line at 1-800-321-6742 (AS 18.60.058(a))

DEPARTMENT OF LABOR **WHD UNITED STATES** OF AMERICA

If you have experienced:

Unwelcome Sexual Advances;

Requests for Sexual Favors;

comments, or conduct,

AK

AK

DOCTOR

POLICE __

FIRE DEPT.

P.O. Box 111149

Compensation.

AK

1111 W. 8TH STREET, SUITE 304

JUNEAU, AK 99811-1149

PHONE: (907) 465-4855

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 • WH1420

REV. 04/2016

REV. 10/2022

NOTICE: This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under the Fair Labor Standards Act posting, which indicates the federal minimum wage. Where federal and state rates both apply to an employee, the U.S. Department of Labor dictates that the employee is entitled to the higher minimum wage rate. THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

Department of Labor and Workforce Development **Summary of Alaska Child Labor Law**

HOURS OF WORK RESTRICTIONS: NO MINOR UNDER 18 MAY WORK

MORE THAN 6 DAYS IN ANY WORK WEEK ALASKA YOUTH UNDER THE AGE OF 14 MAY WORK ONLY IN THE FOLLOWING OCCUPATIONS:

Newspaper sales and delivery. Baby-sitting, handiwork and domestic employment in or about private homes.

The entertainment industry, with an approved work permit from the Alaska Wage and Hour Administration.

WHEN SCHOOL IS IN SESSION. Hours will be limited to a total of nine hours of school attendance plus employment

in any one day; work will be performed only between the hours of 5 a.m. and 9 p.m. and total hours worked will be

DURING SCHOOL VACATIONS. Work hours will be limited to 40 hours per week between the hours of 5 a.m. and 9 p.m.

MINORS 17 AND UNDER CANNOT BE EMPLOYED IN: Occupations in manufacturing, handling or use of explosives.

Occupations of motor vehicle driver or helper (some limited restrictions).

Mining operations including coal. Logging or occupations in the operations of any sawmill, lathe mill, shingle mill or cooperage.

Operation of power-driven woodworking machines.

Occupations with exposure to radioactive substances and to ionizing radiation. Operation of elevators or other power-driven hoisting apparatus.

Operation of power-driven metal forming, punching and shearing machines.

Occupations involving slaughtering, meat packing, processing or rendering.

Occupations involved in the operation and cleaning of power-driven bakery machines. Occupations involved in the operation of power-driven paper products machines.

Occupations involved in the manufacture of brick, tile and kindred products. Occupations involved in the operation and cleaning of circular saws, band saws, and guillotine shears.

14. Occupations involved in wrecking, demolition and shipwrecking operations.

Occupations involved in roofing operations. Occupations involved with excavation operations. Electrical work with voltages exceeding 220, or outside erection or repair and meter testing including telegraph

and telephone lines.

Occupations involving exposure to bloodborne pathogens. Occupations involved in canvassing, peddling, solicitation of door-to-door contributions, or acting as an outside

ADDITIONAL RESTRICTIONS FOR 14 & 15 YEAR OLDS: Occupations in manufacturing, mining or processing, including workrooms or places where goods are

manufactured, mined or otherwise processed. Occupations involved in operation of power-driven machinery other than office machines.

Occupations in construction (including demolition and repair) except office work.

Any work in an establishment that serves alcoholic beverages.

Public messenger service.

Occupations in or about canneries, except office work. Work performed in or about boilers, engine rooms or retorts.

Work involved with maintenance or repair of the establishment's machines or equipment. Occupations that involve working from windowsills, ladders, scaffolds or their substitutes.

Occupations handling or operation of power-driven food slicers, grinders, choppers, cutters and bakery type Work in freezers, meat coolers, or preparation of meat for sale.

Loading/unloading to or from trucks, railroad cars or conveyers. 13. Occupations in warehouses and storage except office and clerical work. 14. Occupations involving use of sharpened tools.

15. Occupations in transportation of persons or property except office or sales work.

BREAKS: A minor under 18 years of age who is scheduled to work six consecutive hours is entitled to a 30-minute break during

A minor under 18 who works five consecutive hours is entitled to a 30-minute break before continuing to work.

All minors 16 and under must have a work permit on file with the Department. If the employer has a restaurant designation and is licensed to sell alcohol, then all minors 17 years of age must also have an approved work permit.

TOBACCO & PULL-TABS:

AS 11.76.106 restricts access to areas where tobacco and tobacco products are sold. Minors under 19 may not sell tobacco or tobacco products in the course of their employment. 15 AAC 160.480(b) prohibits the sale of pull-tabs by anyone under the age of 21.

MARIJUANA & CANNABIS INDUSTRY: AS 17.38.070 restricts the employment of persons under the age of 21 from working in any and all branches of the cannabis/marijuana industry, including but not limited to planting, cultivating, harvesting, processing, packaging,

ANCHORAGE, AK 99504 JUNEAU, AK 99802-1149 (907) 269-4900 (907) 465-4842

Copyright 2023 J. J. Keller & Associates, Inc. • Neenah, WI • Printed in the USA

(907) 451-2886

FAIRBANKS, AK 99701 FEDERAL STATUTES ARE IN SOME CASES STRICTER THAN STATE STATUTES

FOR FEDERAL INFORMATION, CONTACT THE U. S. DEPARTMENT OF LABOR AT 1-866-487-9243

FOR FURTHER INFORMATION CONTACT: ALASKA WAGE AND HOUR

ADMINISTRATION

You and your employer both pay your UI premiums (taxes). You pay about 27 percent and your employer pays 73 percent. Generally speaking, if you receive one week of UI benefits, you receive as much or more than you paid into the program for the year. Your employer may withhold from your of the maximum annual taxable wage set for the calendar

As an employee of this company, you are covered

by Unemployment Insurance (UI). The UI program is

administered by the Division of Employment and Training

Services of the Alaska Department of Labor and Workforce

The purpose of UI is to provide partial replacement of

wages between jobs. If a business has to reduce wages

or hours, or temporarily lay off workers, UI gives workers

financial security and temporary buying power so they can

their trained work force. UI payments protect the economy

reemployed. UI helps to reduce the family and community

in Alaska's communities until unemployed workers are

problems caused by layoffs or a lack of jobs.

remain in the community. This, in turn, helps employers keep

earnings the employee portion of the UI tax. Wages in excess year are non-taxable. Current and past years' maximum annual taxable wage base and the employee portion of the UI tax rates are posted on the Employment Security Tax website at: labor.alaska.gov/estax/faq/w1.htm. As with any insurance, you must meet certain qualifications to be eligible for benefits. You must

file your claim for UI, and register for work with the Alaska Employment Service or your union. You must also be ready, willing and able to accept suitable work. If you quit or are fired from your last job, or if anything is keeping you from accepting full-time work, you may not immediately be eligible for benefits.

have earned wages in jobs that are covered by the law,

REV. 01/2018

JAN2023

675 SEVENTH AVENUE, STATION J1

REV. 02/2018

FAIRBANKS, AK 99701-4596

PHONE (907) 451-2890

To file a **NEW** claim or **REOPEN** an existing Alaska claim for UI

benefits on the Internet, go to labor.alaska.gov and click on

To file for UI by telephone and for all other UI assistance,

contact your local UI claim center. The phone numbers are

listed below. If you do not reside in one of the cities below,

The toll-free telephone number to connect to Alaska Relay is

You may be entitled to a refund of excess employee

contributions to the UI Trust Fund if you had two or more

employers in a calendar year, your withholdings exceeded

the maximum annual employee tax and your overpayment

is \$5 or greater. For the year you are claiming a refund, the

calendar year. (If you had more than the legal maximum

To obtain an Employee Application for Refund, write the

P.O. Box 115509, Juneau, AK 99811-5509 or email Tax

at: esd.tax@alaska.gov or download the form at:

We are an equal opportunity employer/program.

labor.alaska.gov/estax/forms/toc_forms.htm.

individuals with disabilities.

Form 07-1012

Alaska Department of Labor and Workforce Development,

Auxiliary aids and services are available upon request to

Alaska employers are required by law to post this notice.

employee deduction withheld by any one employer, your

employer is responsible for refunding this excess deduction

filing deadline for your application is Dec. 31 of the following

"File Unemployment Benefits Online:

Juneau/outside Alaska: (907) 465-5552

All other areas in Alaska: (888) 252-2557

(800) 770-8973 or voice (800) 770-8255.

use the toll free number.

Anchorage: (907) 269-4700

Fairbanks: (907) 451-2871

FED

REEMPLOYMENT RIGHTS

perform service in the uniformed service and:

with that particular employer;

conclusion of service; and

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

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 https://www.dol.gov/agencies/vets/. An interactive online USERRA Advisor can be viewed at https://webapps.dol.gov/elaws/vets/userra. 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: https://www.dol.gov/agencies/vets/programs/userra/poster Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.

connection with a proceeding under USERRA, even if that person has no service U.S. Department of Labor • 1-866-487-2365 U.S. Department of Justice Office of Special Counsel

ENFORCEMENT

Employer Support of the Guard and Reserve • 1-800-336-4590

REV. 05/2022

U.S. Equal Employment Opportunity Commission **Know Your Rights: Workplace Discrimination is Illegal**

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

What can You Do if You Believe Discrimination has Occurred? Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or Union members and applicants for membership

> reach the EEOC in any of the following ways: **Submit** an inquiry through the EEOC's public portal: https://publicportal.eeoc.gov/Portal/Login.aspx 1-800-669-4000 (toll free) 1-800-669-6820 (TTY)

> > 1–844–234–5122 (ASL video phone

an EEOC field office (information at

300 days, depending on where you live/work). You can

www.eeoc.gov/field-office) **E-Mail** *info@eeoc.gov* Additional information about the EEOC, including information about

filing a charge of discrimination, is

available at www.eeoc.gov. EMPLOYERS HOLDING FEDERAL **CONTRACTS OR SUBCONTRACTS**

The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action commitments of companies doing business with the Federal Government. If you are applying for a job with, or are an employee of, a company with a Federal contract or subcontract, you are protected under Federal law from

discrimination on the following bases: Race, Color, Religion, Sex, Sexual Orientation, **Gender Identity, National Origin** Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors 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. **Asking About, Disclosing, or Discussing Pay** Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees.

Disability for a disability or a sincerely-held religious belief, 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 by Federal contractors. Disability discrimination includes not making reasonable accommodation to the known physical or

mental limitations of an otherwise qualified individual

individuals with disabilities at all levels of employment, including the executive level. **Protected Veteran Status** The Vietnam Era Veterans' Readjustment Assistance

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

U.S. Department of Labor

veterans

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors under these Federal laws Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities should contact immediately: The Office of Federal Contract Compliance Programs (OFCCP)

200 Constitution Avenue, N.W. Washington, D.C. 20210 1-800-397-6251 (toll-free) If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's

calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor and on OFCCP's "Contact Us" vebpage at https://www.dol.gov/agencies/ofccp/contact. PROGRAMS OR ACTIVITIES RECEIVING

FEDERAL FINANCIAL ASSISTANCE

Help Desk at https://ofccphelpdesk.dol.gov/s/, or by

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.

Section 504 of the Rehabilitation Act of 1973. as

Individuals with Disabilities

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

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.

REV. 10/20/2022

Safety and Health Protection on the Job ALASKA LAW AS 18.60.010 to .105 – provides safety and health protection for workers through promotion of safe and healthful working conditions

EMPLOYERS: Each employer shall furnish to each of his employees, employment, and a place of employment free from recognized hazards that are causing or are likely to cause death or serious harm to his employees; and shall comply with occupational safety and health standards issued under the law.

throughout the State. Requirements of the law include the following:

EMPLOYEES: Each employee shall comply with all occupational safety and health standards, rules, regulations, and orders issued under the law that apply to his own actions and conduct on the job. The Alaska Department of Labor and Workforce Development has the primary responsibility for administering the law. It issues occupational safety and health standards, and its Compliance Officers conduct job site inspections to ensure compliance with the

INSPECTION: The law requires that a representative of the employer and a representative authorized by the employees be given an opportunity to accompany the Compliance Officer for the purpose of aiding the inspection. Pursuant to AS 18.60.087, time spent by an employee aiding the inspection shall be considered as time worked, and the employee shall be compensated accordingly.

COMPLIANCE Employees or their representatives have the right to file a complaint in writing with the nearest Alaska Department of Labor and Workforce Development office requesting an inspection if they believe unsafe or unhealthful conditions exist in their workplace. **COMPLAINT:** Their names will be withheld upon request. Employees and their representatives have a right to call an inspector's attention to possible violations in writing or orally.

The law provides that employees may not be discharged or discriminated against in any way for filing safety and health complaints

or otherwise exercising their rights under the law. DISCRIMINATION Pursuant to AS 18.60.089, an employee may not be discharged or discriminated against because they filed a complaint, instituted, or caused to be instituted a proceeding related to the enforcement of occupational safety and health standards, or has testified **COMPLAINT:** or is expected to testify in a proceeding related to occupational safety and health. An employee who believes they have been

CITATION: If upon inspection, the Compliance Officer believes an employer has violated the law, a citation alleging such violations will be issued to the employer. Each citation will specify a time period within which the alleged violation must be corrected. The citation must be prominently displayed at or near the place of alleged violation for five days, or until it is corrected, whichever is later, to warn employees of dangers that may exist there.

PROPOSED The law provides for mandatory penalties against employers of up to \$14,502.00 for each serious violation and for optional penalties of up to \$14,502.00 for any other violations. Penalties of up to \$14,502.00 per day may be proposed for failure to correct **PENALTY:** violations within the proposed time period. Also, any employer who willfully or repeatedly violates the law may be assessed penalties of up to \$145,027.00 for each violation.

Criminal penalties are also provided for in the law. Any willful violation resulting in death of an employee upon conviction is punishable by a fine not more than \$10,000 or by imprisonment for not more than 6 months, or by both. Conviction of an employer after a first conviction doubles these maximum penalties. **VOLUNTARY** While providing penalties for violations, the law also encourages efforts by labor and management, before an inspection, to reduce

injuries and illnesses arising out of employment. **ACTIVITY:** The Alaska Department of Labor and Workforce Development 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. Upon request of employer, the Alaska Department of Labor and Workforce Development will

MORE INFORMATION: Health at the addresses shown at the bottom of this page.

PROGRAM Under a plan approved July 31, 1973, by the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA), the **COMPLAINT:** State of Alaska 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 U.S. Department of Labor, OSHA, Region X, 300 Fifth Avenue, Suite 1280, Seattle, WA 98104, Phone (206) 757-6700.

About toxic and hazardous substances and physical agents AS 18.60.068 requires this information be displayed in a prominent place on business premises.

Employers must inform employees about the locations and nature of operations, which could result in exposure to toxic or hazardous substances Employers must train employees in the health effects of the toxic or hazardous substances and physical agents to which they are exposed and in the purpose, proper use, and limitations of personal protective equipment.

Employers must keep on file and make available during the work-shift, Safety Data Sheets (SDS) for each toxic or hazardous substance or physical agent to which employees may be exposed. Employers must remove employees from exposure to the substance or physical agent if an SDS cannot be obtained and provided to employees within 15 calendar days of a request.

The Alaska Department of Labor and Workforce Development will provide assistance to employers in the form of SDS program development aids, on-site program review, and safety seminars. For more information, employers, employees and concerned citizens may contact the Alaska Department of Labor and Workforce Development, Labor

> • Consultation & Training 1-800-656-4972 • Enforcement 1-800-770-4940 • 24-hour OSHA hotline 1-800-321-6742

1111 West 8th Street, Suite 304 1251 Muldoon Road, Ste 109 P.O. Box 111149 ANCHORAGE, AK 99504 JUNEAU, AK 99811-1149 (907) 465-4855

TWO ways to verify poster compliance!

QR CODE Scan with phone camera:

ONLINE

Go to: JJKeller.com/LLPverify

Enter this code: 62746-012023

(907) 269-4940

(907) 451-2890 \mathbf{O}_{R} (907) 451-2888

675 7th Avenue, Station J

FAIRBANKS, AK 99701-4596

AKOSH 1-800-770-4940 or 24-hour OSHA hotline 1-800-321-6742 STATE OF ALASKA

LABOR STANDARDS & SAFETY Alaska Occupational Safety and Health

To update your labor law posters contact

J. J. Keller & Associates, Inc.

JJKeller.com/laborlaw

800-327-6868

REV. 06/2022

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 RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

any benefit of employment

you ensure that your employer receives advance written or verbal notice of your

you have five years or less of cumulative service in the uniformed services while

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

you have not been separated from service with a disqualifying discharge or

are a past or present member of the • are obligated to serve in the uniformed service: uniformed service:

uniformed service; or then an employer may not deny you: initial employment; promotion; or

have applied for membership in the

reemployment; retention in 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

REV. 07/2016

EMPLOYEE RIGHTS UNDER THE

FED

in a union

Religion

National origin

Age (40 and older)

proceeding.

as Discriminatory?

Hiring or promotion

observance or practice

Assignment

employees

What Organizations are Covered?

Most private employers

Who is Protected? Employees (current and former), including managers and temporary employees Job applicants

Educational institutions (as employers) Staffing agencies **What Types of Employment Discrimination are** Illegal?

State and local governments (as employers)

discriminate against you, regardless of your immigration status, on the bases of: Color

sexual orientation, or gender identity)

Retaliation for filing a charge, reasonably

opposing discrimination, or participating

in a discrimination lawsuit, investigation, or

What Employment Practices can be Challenged

Under the EEOC's laws, an employer may not

Disability Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)

Sex (including pregnancy and related conditions,

All aspects of employment, including: Discharge, firing, or lay-off Harassment (including unwelcome verbal or physical conduct)

Pay (unequal wages or compensation)

Failure to provide reasonable accommodation

Benefits Job training Classification Referral Obtaining or disclosing genetic information of

Requesting or disclosing medical information of Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or

Act of 1974, as amended, 38 U.S.C. 4212, prohibits

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

Department of Labor and Workforce Development

Where there is no authorized employee representative, the Compliance Officer must consult with a reasonable number of employees concerning safety and health conditions in the workplace.

discriminated against may file a complaint with the nearest OSHA and/or Alaska Occupational Safety and Health office within 30 days of the alleged discrimination.

furnish a consultant who will inspect the premises and identify hazards without assessing penalties. Additional information and copies of the law, specific safety and health standards, and other regulations may be obtained from the Alaska Department of Labor and Workforce Development, Division of Labor Standards & Safety, Alaska Occupational Safety and

IT'S YOUR RIGHT TO KNOW

Standards and Safety Division, Occupational Safety and Health, http://labor.alaska.gov/lss/oshhome.htm.

AS 18.60.058 (a) requires that employers must notify either AKOSH or OSHA within eight hours of an in-patient hospitalization, loss of an eye, amputation, or fatality.

65704F

FED-AK-ENG

62746

This poster is in compliance with federal and state posting requirements.