

LABOR LAWS

Since 1953

FEDERAL

The Act also permits polygraph testing, subject to restrictions, of

certain employees of private firms who are reasonably suspected

The law does not preempt any provision of any State or local law

of involvement in a workplace incident (theft, embezzlement,

etc.) that resulted in economic loss to the employer.



EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

WAGE AND HOUR DIVISION

UNITED STATES DEPARTMENT

Minimum Wage Law

OF LABOR

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 11/2 times the regular rate of pay for all hours worked over 40 in a workweek

CHILD LABOR

FED

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 ninimum 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 hielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast

TWC provides information to employers and employees about

Establishes a minimum wage for non-exempt employees

Requires covered employers to provide each employee

disseminating information about state minimum wage

Contains provisions concerning agricultural piece rate

Exempts a variety of employers from its coverage

Texas adopts the federal minimum wage rate. Effective July 24,

The Texas Minimum Wage Act does not prohibit employees from

bargaining collectively with their employers for a higher wage.

With specified restrictions, employers may count tips and the

An employer does not need to pay an employee who lives on

the business premises for on-call time in addition to assigned

vage to an employee who is a patient or client of the Texas

Department of Mental Health and Mental Retardation, or to

other individuals due to age (see the law for details), or to

Nage Rate Complaints & Deadline

the law requires may choose to take legal action.

Under certain conditions, an employer may pay a sub-minimum

Individuals who believe they have been paid at a rate lower than

abor dictates that the employee is entitled to the higher minimum wage rate.

For further information about Texas' child

labor laws, call:

800-832-9243 (TDD 800-735-2989)

his poster provides some guidelines to the Texas child labor

laws, but it is not complete. Chapter 51, Texas Labor Code,

governs the employment of children under Texas state law.

INIMUM AGE FOR EMPLOYMENT IS 14; however, state and

ederal laws provide for certain exceptions. Please call TWC's

labor law. The Fair Labor Standards Act (FLSA) governs federal

laws and guidelines pertaining to child labor. For information

concerning federal child labor laws, consult your local office

of the U.S. Department of Labor, Wage and Hour Division or

Prohibited occupations are the same for both federal and state

law. The hazardous occupations designated by an asterisk (*)

have provisions for employment of persons below the age

of eighteen (18), provided applicable apprentice or student-

learner certification has been obtained. Persons desiring specific

information about these exceptions should contact the nearest

Occupations declared particularly hazardous or detrimental to

the health or well-being of all children 14 through 17 years of

(1) in or about plants or establishments other than retail

establishments which manufacture or store explosives or

articles containing explosive components other than retail

(2) involving the driving of motor vehicles and outside helpers

B. in or about any place where logging or sawmill operations

The following are prohibited occupations for

14- through 17-year-old children:

office of the United States Department of Labor

call 866-487-9243

age include occupations

are in progress, or

C. in excavations.

establishments

Wage and Hour Department concerning questions about

with a written earnings statement containing certain

their respective rights, <u>duties</u> and remedies under the Texas

Designates TWC as the agency responsible for

information about the employee's pay

Provides civil remedies for its violation

2009, the federal minimum wage is \$7.25 per hour.

value of meals and lodging toward minimum wage.

DEPARTMENT OF LABOR UNITED STATES OF AMERICA	V

ΤX

Overview

Minimum Wage Act.

The Texas Minimum Wage Act

requirements

Current Minimum Wage

workers

working hours.

TX

productivity impairments

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

1-866-487-9243

TTY: 1-877-889-5627

An individual has two years from the date wages were due to file

a lawsuit to recover the unpaid wages plus an additional equal

amount as liquidated damages. The employer can be assessed

Employers must provide employees a written earnings statement

with information on that enables employees to determine from

a single document whether they have been paid correctly for a

The primary exemption from the Texas Minimum Wage Act is

for any person covered by the federal Fair Labor Standards Act

• Employment in, of or by religious, educational, charitable

reasonable attorney's fees and court costs.

Earnings Statement

Other specific exemptions include:

given pay period.

Exemptions

(FLSA).

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www.dol.gov/whd

WH1088

REV. 07/2016

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 emplovment

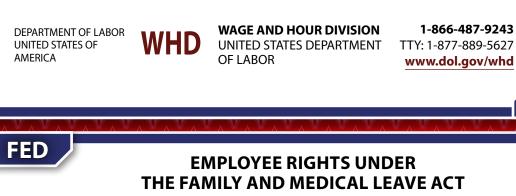
PROHIBITIONS

distributors and dispensers.

FED

or any collective bargaining agreement which is more restrictive Employers are generally prohibited from requiring or requesting with respect to lie detector tests. any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an **EXAMINEE RIGHTS** employee or prospective employee for refusing to take a test or Where polygraph tests are permitted, they are subject to for exercising other rights under the Act. numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including **EXEMPTIONS** the right to a written notice before testing, the right to refuse or Federal, State and local governments are not affected by the discontinue a test, and the right not to have test results disclosed law. Also, the law does not apply to tests given by the Federal to unauthorized persons. Government to certain private individuals engaged in national **ENFORCEMENT** security-related activities. The Act permits polygraph (a kind of lie detector) tests to be The Secretary of Labor may bring court actions to restrain administered in the private sector, subject to restrictions, to violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions. certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers,

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.



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
- 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.

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 involved 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:

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.

Who is Protected?

FED

- Employees (current and former), including managers and temporary employees
- Job applicants
- Union members and applicants for membership in a union
- What Organizations are Covered?
- Most private employers State and local governments (as employers)
- Educational institutions (as employers)
- Unions Staffing agencies

What Types of Employment Discrimination are Illegal?

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

Race

WH1462

REV. 07/2016

- Color
- Religion
- National origin
- Sex (including pregnancy and related conditions, sexual orientation, or gender identity)
- Age (40 and older) Disability

 - Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)
 - Retaliation for filing a charge, reasonably opposing discrimination, or
 - participating in a discrimination lawsuit, investigation, or proceeding.

What Employment Practices can be Challenged as Discriminatory?

- All aspects of employment, including: Discharge, firing, or lay-off
- Harassment (including unwelcome verbal or physical conduct) Hiring or promotion
- Assignment
- Pay (unequal wages or compensation)
- Failure to provide reasonable accommodation for a disability or a sincerely-held religious belief, observance or practice
- Benefits
- Job training
- Classification
- Referral
- Obtaining or disclosing genetic information of employees
- Requesting or disclosing medical information of employees
- Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or proceeding

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 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:

- **Submit** an inquiry through the EEOC's public portal: https://publicportal.eeoc.gov/Portal/Login.aspx

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

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 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.

Protected Veteran Status

contractors under these Federal laws

https://www.dol.gov/agencies/ofccp/contact.

Race, Color, National Origin, Sex

U.S. Department of Labor

Washington, D.C. 20210

1-800-397-6251 (toll-free)

200 Constitution Avenue, N.W.

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.

Retaliation is prohibited against a person who files a complaint of discrimination,

action obligations under OFCCP's authorities should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP)

participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal

Any person who believes a contractor has violated its nondiscrimination or affirmative

If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access

calling an OFCCP regional or district office, listed in most telephone directories under

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL

FINANCIAL ASSISTANCE

In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended,

Federal financial assistance. Employment discrimination is covered by Title VI if the

Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination

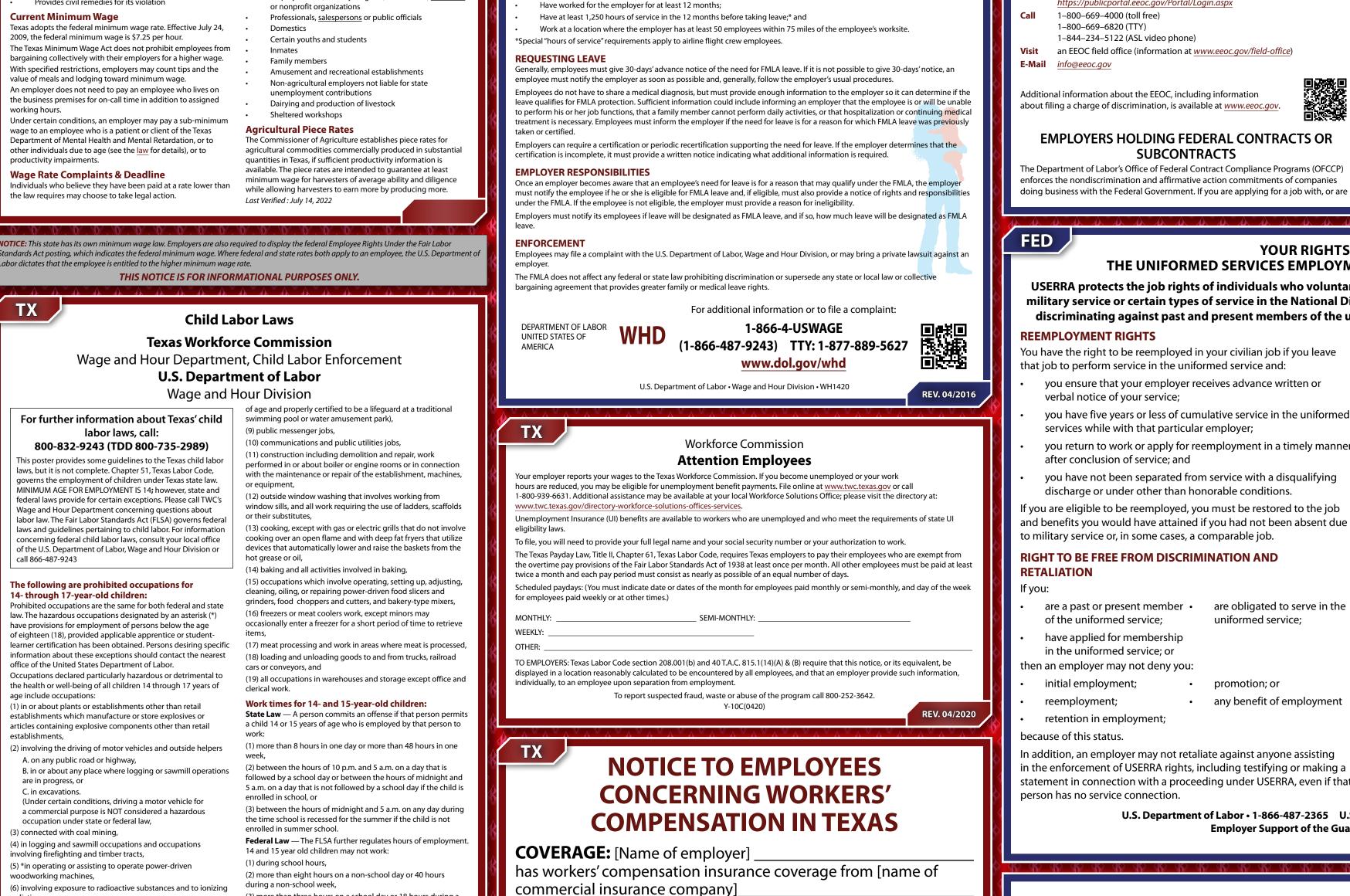
on the basis of race, color or national origin in programs or activities receiving

telecommunications relay services. OFCCP may also be contacted by submitting

a question online to OFCCP's Help Desk at <u>https://ofccphelpdesk.dol.gov/s/</u>, or by

U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at

Retaliation



primary objective of the financial assistance is provision of emplo 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.

REV. 10/20/2022

REV. 05/2022

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

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

- You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:
- you ensure that your employer receives advance written or
- you have five years or less of cumulative service in the uniformed
- you return to work or apply for reemployment in a timely manner
- you have not been separated from service with a disqualifying

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.

- are obligated to serve in the uniformed service;
- any benefit of employment

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

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 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.

U.S. Department of Labor • 1-866-487-2365 U.S. Department of Justice Office of Special Counsel Employer Support of the Guard and Reserve • 1-800-336-4590

(3) connected with coal mining, (4) in logging and sawmill occupations and occupations involving firefighting and timber tracts, (5) *in operating or assisting to operate power-driven

(Under certain conditions, driving a motor vehicle for

a commercial purpose is NOT considered a hazardous

voodworking machines, (6) involving exposure to radioactive substances and to ionizing

(7) in operating or assist to operate power-driven hoisting

A. on any public road or highway

occupation under state or federal law,

apparatus such as elevators, cranes, derricks, hoists, high-lift trucks, (8) * in operating or assisting to operate power-driven metal forming, punching, and shearing machines,

of age and properly certified to be a lifeguard at a traditional swimming pool or water amusement park), (9) public messenger jobs (10) communications and public utilities jobs,

performed in or about boiler or engine rooms or in connection with the maintenance or repair of the establishment, machines, or equipment,

window sills, and all work requiring the use of ladders, scaffolds or their substitutes

cooking over an open flame and with deep fat fryers that utilize devices that automatically lower and raise the baskets from the hot grease or oil

(15) occupations which involve operating, setting up, adjusting, cleaning, oiling, or repairing power-driven food slicers and grinders, food choppers and cutters, and bakery-type mixers, (16) freezers or meat coolers work, except minors may occasionally enter a freezer for a short period of time to retrieve items

(17) meat processing and work in areas where meat is processed (18) loading and unloading goods to and from trucks, railroad cars or convevors, and

clerical work.

a child 14 or 15 years of age who is employed by that person to (1) more than 8 hours in one day or more than 48 hours in one

(2) between the hours of 10 p.m. and 5 a.m. on a day that is followed by a school day or between the hours of midnight and 5 a.m. on a day that is not followed by a school day if the child is enrolled in school, or

(3) between the hours of midnight and 5 a.m. on any day during the time school is recessed for the summer if the child is not enrolled in summer schoo

14 and 15 year old children may not work:

(2) more than eight hours on a non-school day or 40 hours during a non-school week

(3) more than three hours on a school day or 18 hours during a school week, and

(4) between 7 p.m. and 7 a.m. during the school year, or between 9 p.m. and 7 a.m. from June 1 and Labor Day.

Child actor definition — a child under the age of 14 who is to be

Child actor extra definition — a child under the age of 14 who is

employed as an extra without any speaking, singing, or dancing

Every person applying for child actor authorization must submit

an application for authorization on a form provided by the Texa

Special authorization for child actors to be employed as extras is

granted without the need for filing an application if the employe

meets the Texas Workforce Commission's requirements. Contact

PENALTIES:

State of Texas — An offense under Chapter 51, Texas

Labor Code, is a Class B misdemeanor, except for the

which is a Class A misdemeanor. If the Commission

determines that a person who employs a child has

Commission may assess an administrative penalty

against that person in an amount not to exceed

\$10,000 for each violation. The attorney general

offense of employing a child under 14 to sell or solicit

violated this Act, or a rule adopted under this Act, the

may seek injunctive relief in district court against an

established by this Act relating to the employment of

101 E. 15th Street • Austin, Texas 78778-

REV. 09/2022

TX

RELAY TEXAS: 800-735-2989 (TDD)

employer who repeatedly violates the requirements

roles, usually in the background of the performance

Child Actors- state law

Workforce Commission

0001

(512) 463-2222

Equal Opportunity Employer/Services

800-735-2988 (Voice)

www.texasworkforce.org

1-800-832-9243 for instruction.

employed as an actor or other performer

(9) in connection with mining, other than coal, (10) * in operating or assisting to operate power-driven meat

processing machines, and occupations including slaughtering, meat packing, processing, or rendering (11) in operating or assisting to operate power-driven bakery

machines (12) * involved in the operation of power-driven paper-products

machines, balers and compactors, (13) in manufacturing brick, tile, and kindred products, (14) * in operating or assisting to operate power-driven circular saws, bandsaws and guillotine shears, abrasive cutting discs, reciprocating saws, chain saws and wood-chippers (15) in wrecking, demolition, and ship-breaking operations, (16) * in roofing operations and on or about a roof, and

(17) * in connection with excavation operations Additional prohibited occupations that apply under state law:

(1) Occupations involved in sales and solicitation by a child under 18 years of age. Consult 51.0145 Texas Labor Code for exceptions and requirements

(2) Occupations in sexually oriented businesses by a child under 21 years of age.

Additional prohibited occupations that apply only to 14- and 15-year-old children:

children. Occupations declared particularly hazardous or detrimental to he health or well-being of 14- and 15-year-old children include: Federal — The FLSA prescribes a maximum (1) mining, manufacturing, or processing occupations, including administrative penalty of \$11,000 per violation and/ duties in workrooms or places where goods are manufactured, or criminal prosecution and fines. mined, or otherwise processed,

(2) operating or assisting in operating power-driven machinery or hoisting apparatus other than typical office machines. (3) work as a ride attendant or ride operator at an amusement park or a "dispatcher" at the top of elevated water slides, (4) driving a motor vehicle or helping a driver, (5) occupations involved in transporting persons or property by

rail, highway, air, water, pipeline, or other means, (6) youth peddling, sign waving, or door-to-door sales, (7) poultry catching or cooping,

(8) lifeguarding at a natural environment such as a lake, river, ocean beach, quarry, pond (youth must be at least 15 years

ΤX

NOTICE TO EMPLOYEES CONCERNING ASSISTANCE **AVAILABLE IN THE WORKERS' COMPENSATION SYSTEM** FROM THE OFFICE OF INJURED EMPLOYEE COUNSEL

WHCL

Have you been injured on the job? As an injured employee in Texas, you have the right to free assistance from the Office of Injured Employee Counsel (OIEC). OIEC is the state agency that assists unrepresented injured employees with their claim in the workers' compensation system.

You can contact OIEC by calling its toll-free telephone number: 1-866-393-6432.

More information about OIEC and its Ombudsman Program is available at the agency's website (www.oiec.texas.gov).

OMBUDSMAN PROGRAM

What Is An Ombudsman? An Ombudsman is an employee of OIEC who can assist you if you have a dispute with your employer's insurance carrier. An Ombudsman's assistance is free of charge. Each Ombudsman has completed a comprehensive training program designed specifically to assist you with your dispute.

An Ombudsman can help you identify and develop the disputed issues in your case and attempt to resolve them. If the issues cannot be resolved, the Ombudsman can help you request a dispute resolution proceeding at the Texas Department of Insurance, Division of Workers' Compensation.

Once a proceeding is scheduled an Ombudsman can:

Help you prepare for the proceeding (Benefit Review Conference and/or Contested Case Hearing);

insurance policy]

Any injuries or occupational diseases which occur on or after that date will be handled by [name of commercial insurance company]

in the event of work-related injury or occupational disease. This

coverage is effective from [effective date of workers' compensation

An employee or a person acting on the employee's behalf, must notify the employer of an injury or occupational disease not later than the 30th day after the date on which the injury occurs or the date the employee knew or should have known of an occupational disease, unless the Texas Department of Insurance, Division of Workers' Compensation (Division) determines that good cause existed for failure to provide timely notice. Your employer is required to provide you with coverage information, in writing, when you are hired or whenever the employer becomes, or ceases to be, covered by workers' compensation insurance.

EMPLOYEE ASSISTANCE: The Division provides free information about how to file a workers' compensation claim. Division staff will answer any questions you may have about workers' compensation and process any requests for dispute resolution of a claim. You can obtain this assistance by contacting your local Division field office or by calling 1-800-252-7031. The Office of Injured Employee Counsel (OIEC) also provides free assistance to injured employees and will explain your rights and responsibilities under the Workers' Compensation Act. You can obtain OIEC's assistance by contacting an OIEC customer service representative in your local Division field office or by calling 1-866-EZE-OIEC (1-866-393-6432).

SAFETY VIOLATIONS HOTLINE: The Division has a 24 hour toll-free telephone number for reporting unsafe conditions in the workplace that may violate occupational health and safety laws. Employers are prohibited by law from suspending, terminating, or discriminating against any employee because he or she in good faith reports an alleged occupational health or safety violation. Contact the Division at 1-800-452-9595.

Notice 6 • TEXAS DEPARTMENT OF INSURANCE, DIVISION OF WORKERS' COMPENSATION • Rule 110.101(e)(1)

EQUAL EMPLOYMENT OPPORTUNITY IS ... IGUALIDAD DE OPORTUNIDADES EN EL EMPLEO ES ... Texas

Si usted cree que ha sido discriminado, comuníquese con la

				הטו			
The Law in Texas The law prohibits employers, employment agencies and labor unions from denying equal employment opportunities in				La Ley en Texas La ley prohíbe a los empleadores, agencias de empleo y sindicatos de negar la igualidad de oportunidades de empleo el			
• • •	hiring promotion discharge pay	•	fringe benefits membership training other aspects of	• • •	ocupar ascensos desocupar pago	• • •	membrecia entrenamiento otros aspectos del empleo
dis The Ste	employment because of race, color, national origin, religion, sex, age, or disability. The Sex Protected Class includes Sexual Harassment, Gender Stereotyping, Pregnancy Discrimination, Gender Identity, and Sexual Orientation.				 beneficios por causa de raza, color, nacionalidad, religion, sexo, edad, o incapacidad. La clase protegida por sexo incluye acoso sexual, estereotipos de género, discriminación por embarazo, identidad de género y orientación sexual. 		
		lf	you believe you have been o Texas Workforce Comm		5	the	



Job Safety and Health IT'S THE LAW!

All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a workrelated injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact 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.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.
- 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.

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



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