

EMPLOYMENT

POSTER COMPLIANCE DATE 01/2021

In addition, an employer may not retaliate against anyone assisting in the

enforcement of USERRA rights, including testifying or making a statement in

connection with a proceeding under USERRA, even if that person has no service

If you leave your job to perform military service, you have the right to

you and your dependents for up to 24 months while in the military.

elect to continue your existing employer-based health plan coverage for

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

The U.S. Department of Labor, Veterans Employment and Training Service

(VETS) is authorized to investigate and resolve complaints of USERRA

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

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

employer for violations of USERRA.

Office of Special Counsel, as applicable, for representation.

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:

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

http://www.dol.gov/vets/programs/userra/poster.htm. Federal law requires

http://www.dol.gov/vets. An interactive online USERRA Advisor can be

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

You may also bypass the VETS process and bring a civil action against an

(e.g., pre-existing condition exclusions) except for service-connected

Since 1953

LAWS

FEDERAL



EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip

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

DEPARTMENT OF LABOR

CA

UNITED STATES OF AMERICA

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

> WAGE AND HOUR DIVISION WHD UNITED STATES DEPARTMENT OF LABOR

and such assessments may be doubled when the violations are determined to 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 be willful or repeated. The law also prohibits retaliating against or discharging minimum hourly wage, the employer must make up the difference. workers who file a complaint or participate in any proceeding under the FLSA NURSING MOTHERS ADDITIONAL INFORMATION The FLSA requires employers to provide reasonable break time for a nursing

Certain occupations and establishments are exempt from the minimum mother employee who is subject to the FLSA's overtime requirements in orde wage, and/or overtime pay provisions. for the employee to express breast milk for her nursing child for one year after Special provisions apply to workers in American Samoa, the the child's birth each time such employee has a need to express breast milk. 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

labor violation that results in the death or serious injury of any minor employee,



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 certificates issued by the Department of Labor.



Amends General Minimum Wage Order and IWC Industry and Occupation Orders

PLEASE POST NEXT TO YOUR IWC OR INDUSTRY OCCUPATION ORDER

OFFICIAL NOTICE California Minimum Wage

MW-2021

EFFECTIVE DATE	Employers with 25 or Fewer Employees*	Employers with 26 or More Employees*		
January 1, 2021	\$13.00	\$14.00		
January 1, 2022	\$14.00	\$15.00		
January 1, 2023	\$15.00	\$15.00		
	PREVIOUS YEAR			
January 1, 2020	\$12.00	\$13.00		

*Employees treated as employed by a single qualified taxpayer pursuant to Revenue and Taxation Code section 23626 are treated as employees of that single taxpayer. To employers and representatives of persons working in industries and occupations in the State of California:

SUMMARY OF ACTIONS

TAKE NOTICE that on April 4, 2016, the Governor of California signed legislation passed by the California Legislature, raising the minimun wage for all industries. (SB 3, Stats of 2016, amending section 1182.12. of the California Labor Code.) Pursuant to its authority under Labor Code section 1182.13, the Department of Industrial Relations amends and republishes Sections 2, 3, and 5 of the General Minimum Wage Order, MW-2019. Section 1, Applicability, and Section 4, Separability, have not been changed. Consistent with this enactment, amendment: are made to the minimum wage, and the meals and lodging credits sections of all of the IWC's industry and occupation orders. This summary must be made available to employees in accordance with the IWC's wage orders. Copies of the full text of the amended wage orders may be obtained by downloading online at https://www.dir.ca.gov/iwc/WageOrderIndustries.htm or by contacting your local Division of Labor Standards Enforcement office.

APPLICABILITY

The provisions of this Order shall not apply to outside salespersons and individuals who are the parent, spouse, or children of the employer previously contained in this Order and the IWC's industry and occupation orders. Exceptions and modifications provided by statute or in Section I, Applicability, and in other sections of the IWC's industry and occupation orders may be used where any such provisions are enforceable and applicable to the employe

MINIMUM WAGE

ployer shall pay to each employee wages not less than those stated above, on each effective date, per hour for all hours worked. **MEALS AND LODGING CREDITS - TABLE**

When credit for meals or lodging is used to meet part of the employer's minimum wage obligation, the amounts so credited pursuant to a oluntary written agreement may not be more than the following

EFFECTIVE:	JANUARY 1, 2020		JANUARY 1, 2021		JANUARY 1, 2022		JANUARY 1, 2023
For an employer who employs: LODGING	26 or More Employees	25 or Fewer Employees	26 or More Employees	25 or Fewer Employees	26 or More Employees	25 or Fewer Employees	All Employers regardless of number of Employees
Room occupied alone	\$61.13/ week	\$56.43/ week	\$65.83/ week	\$61.13/ week	\$70.53/ week	\$65.83/ week	\$70.53 /week
Room shared	\$50.46/ week	\$46.58/ week	\$54.34/ week	\$50.46/ week	\$58.22/ week	\$54.34/ week	\$58.22 /week
Apartment — two thirds (2/3) of the ordinary rental value, and in no event more than:	\$734.21/ month	\$677.75/ month	\$790.67/ month	\$734.21/ month	\$847.12/ month	\$790.67/ month	\$847.12 /month
Where a couple are both employed by the employer, two thirds (2/3) of the ordinary rental value, and in no event more than:	\$1086.07/ month	\$1002.56/ month	\$1169.59/ month	\$1086.07/ month	\$1253.10/ month	\$1169.59/ month	\$1253.10 /month
MEALS							
Breakfast	\$4.70	\$4.34	\$5.06	\$4.70	\$5.42	\$5.06	\$5.42
Lunch	\$6.47	\$5.97	\$6.97	\$6.47	\$7.47	\$6.97	\$7.47
	1	1	1	1	1	1	Ì

\$8.68 \$8.01 \$9.35 \$8.68 \$10.02 \$9.35 \$10.02 Meals or lodging may not be credited against the minimum wage without a voluntary written agreement between the employer and the employee. When credit for meals or lodging is used to meet part of the employer's minimum wage obligation, the amounts so credited may not be more than the amounts stated in the table above.

SEPARABILITY

re application of any provision of this Order, or any section, subsection, subdivision, sentence, clause, phrase, word or portion of this Order should be held invalid, unconstitutional, unauthorized, or prohibited by statute, the remaining provisions thereof shall not be affected thereby, but shall continue to be given full force and effect as if the part so held invalid or unconstitutional had not been included herein.

AMENDED PROVISIONS

This Order amends the minimum wage and meals and lodging credits in MW-2019, as well as in the IWC's industry and occupation orders. (See Orders 1-15, Secs. 4 and 10; and Order 16, Secs. 4 and 9.) This Order makes no other changes to the IWC's industry and occupation orders.

These Amendments to the Wage Orders shall be in effect as of January 1, 2021.

Questions about enforcement should be directed to the Labor Commissioner's Office. For the address and telephone number of the office nearest you, information can be found on the internet at <u>www.dir.ca.gov/DLSE/dlse.html</u> or under a search for "California Labor commissioner's Office" on the internet or any other directory. The Labor Commissioner has offices in the following cities: Bakersfield, El ntro, Fresno, Long Beach, Los Angeles, Oakland, Redding, Sacramento, Salinas, San Bernardino, San Diego, San Francisco, San Jose, Santa Ana, Santa Barbara, Santa Rosa, Stockton, and Van Nuys

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.

Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

EXEMPTIONS

FED

PROHIBITIONS

DEPARTMENT OF LABOR

FED

DISABILITY

hardship.

SEX (WAGES)

UNITED STATES OF AMERICA

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

Title VII of the Civil Rights Act of 1964, as amended, protects

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.

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

pay, fringe benefits, job training, classification, referral, and

other aspects of employment. GINA also restricts employers'

of genetic information. Genetic information includes

information about genetic tests of applicants, employees,

or their family members: the manifestation of diseases or

disorders in family members (family medical history); and

THIS POSTER MUST BE DISPLAYED WHERE EMPLOYEES CAN EASILY READ IT

(Poster may be printed on $8 \frac{1}{2}$ " x 11" letter size paper)

HEALTHY WORKPLACES/HEALTHY FAMILIES ACT OF 2014

PAID SICK LEAVE

Paid sick leave accrues at the rate of one hour per every 30 hours worked, paid at the

year from the beginning of employment is entitled to paid sick leave.

An employee who, on or after July 1, 2015, works in California for 30 or more days within a

employee's regular wage rate. Accrual shall begin on the first day of employment or July 1,

Accrued paid sick leave shall carry over to the following year of employment and may be

of leave is received at the beginning of each year in accordance with the policy

PERPETRATION OF ACTS OF HATE VIOLENCE AND HUMAN TRAFFICKING

liscrimination and harassment in employment based on your actual or perceived

capped at 48 hours or 6 days. However, subject to specified conditions, if an employer has a

paid sick leave, paid leave or paid time off policy (PTO) that provides no less than 24 hours or

three days of paid leave or paid time off, no accrual or carry over is required if the full amount

DFEH

THE DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

CALIFORNIA LAW PROHIBITS WORKPLACE DISCRIMINATION &

HARASSMENT

THE MISSION OF THE DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING IS TO PROTECT THE PEOPLE OF CALIFORNIA

FROM UNLAWFUL DISCRIMINATION IN EMPLOYMENT, HOUSING AND PUBLIC ACCOMMODATIONS, AND FROM THE

The California Department of Fair Employment and Housing (DFEH) enforces laws that protect you from illegal

THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT (GOVERNMENT CODE SECTIONS 12900 THROUGH 12996) AND ITS

IMPLEMENTING REGULATIONS (CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTIONS 11000 THROUGH 11141):

requests for or receipt of genetic services by applicants,

employees, or their family members.

2015, whichever is later

CA

Entitlement

CA

ANCESTRY

COLOR

AGE (40 and above)

GENETIC INFORMATION

record or history of cancer)

MILITARY OR VETERAN STATUS

other characteristics listed above

12950, or use material from DFEH.

and sexual orientation.

federal law.

REV. 01/01/2016

MARITAL STATUS

DISABILITY (physical, mental, HIV and AIDS)

GENDER IDENTITY, GENDER EXPRESSION

MEDICAL CONDITION (genetic characteristics, cancer or a

Prohibit harassment of employees, applicants, unpaid

interns, volunteers, and independent contractors by any

persons and require employers to take all reasonable steps to prevent harassment. This includes a prohibition against

sexual harassment, gender harassment, harassment based

on pregnancy, childbirth, breastfeeding and/or related

medical conditions, as well as harassment based on all

Require that all employers provide information to each

remedies that apply to sexual harassment. Employers may

ither develop their own publications, which must meet

standards set forth in California Government Code section

regarding the prevention of sexual harassment, including

harassment based on gender identity, gender expression

rohibit employers from limiting or prohibiting the use

usiness necessity. The employer must notify employees

Also prohibits employers from discriminating against an

applicant or employee because they possess a driver's

cense issued to a person who is unable to prove that

their presence in the United States is authorized under

Require employers to reasonably accommodate an

employee, unpaid intern, or job applicant's religious

beliefs and practices, including the wearing or carrying

of religious clothing, jewelry or artifacts, and hair styles

facial hair, or body hair, which are part of an individual's

of the language restriction and consequences for violation.

of any language in any workplace unless justified by

Require employers with 5 or more employees and all

public entities to provide training for all employees

of their employees on the nature, illegality, and legal

acquisition of genetic information and strictly limits disclosure

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

applicants and employees from discrimination in hiring,

promotion, discharge, pay, fringe benefits, job training,

law from discrimination on the following bases:

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.

WAGE AND HOUR DIVISION

UNITED STATES DEPARTMENT OF LABOR

RETALIATION

OCCURRED

www.eeoc.gov.

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft,

embezzlement, etc.) that resulted in economic loss to the employer The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests. **EXAMINEE RIGHTS**

Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

ENFORCEMENT

The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions.

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



Equal Employment Opportunity is THE LAW

in a campaign or expedition for which a campaign badge has All of these Federal laws prohibit covered entities been authorized), and Armed Forces service medal veterans from retaliating against a person who files a charge of (veterans who, while on active duty, participated in a U.S. discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice.

WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS

There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should vou ultimately need to, you should contact EEOC promptly when discrimination is suspected: The U.S. Equal Employment Opportunity Commission (EEOC) 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at <u>www.eeoc.gov</u> or in most telephone directories in the U.S. Government or Federal overnment section. Additional information about EEOC, including information about charge filing, is available at Government, Department of Labor.

Employers Holding Federal Contracts or

aspects of employment. Disability discrimination includes not Subcontracts making reasonable accommodation to the known physical or Applicants to and employees of companies with a Federal mental limitations of an otherwise gualified individual with ernment contract or subcontract are protected under a disability who is an applicant or employee, barring undue Federal law from discrimination on the following bases

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN Executive Order 11246, as amended, prohibits job

The Age Discrimination in Employment Act of 1967, as discrimination on the basis of race, color, religion, sex or amended, protects applicants and employees 40 years of age national origin, and requires affirmative action to ensure or older from discrimination based on age in hiring, promotion equality of opportunity in all aspects of employment. discharge, pay, fringe benefits, job training, classification, **INDIVIDUALS WITH DISABILITIES**

referral, and other aspects of employment. Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals from discrimination on the In addition to sex discrimination prohibited by Title VII of basis of disability in hiring, promotion, discharge, pay, fringe the Civil Rights Act, as amended, the Equal Pay Act of 1963, benefits, job training, classification, referral, and other as amended, prohibits sex discrimination in the payment of aspects of employment. Disability discrimination includes not wages to women and men performing substantially equal making reasonable accommodation to the known physical work, in jobs that require equal skill, effort, and responsibility, or mental limitations of an otherwise gualified individual under similar working conditions, in the same establishment with a disability who is an applicant or employee, barring

military operation for which an Armed Forces service medal was awarded) RETALIATION Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these Federal laws. Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately:

REV. 07/2016

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

Programs or Activities Receiving Federal Financial Assistance

of 1964, as amended. Title VI of the Civil Rights Act of 1964

RACE, COLOR, NATIONAL ORIGIN, SEX In addition to the protections of Title VII of the Civil Rights Act

as amended, prohibits discrimination on the basis of race. color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial

assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination

on the basis of sex in educational programs or activities which receive Federal financial assistance.

INDIVIDUALS WITH DISABILITIES Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of

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

connection

illnesses or iniuries.

violations.

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 HEALTH INSURANCE PROTECTION

applicants to the uniformed services. **REEMPLOYMENT RIGHTS**

FED

- You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:
- you ensure that your employer receives advance written or verbal notice of your service:
- you have five years or less of cumulative service in the uniformed services while with that particular employer; **ENFORCEMEN1** you return to work or apply for reemployment in a timely manner after
- conclusion of service: and
- you have not been separated from service with a disqualifying discharge or under other than honorable conditions. f you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in

some cases, a comparable job. **RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION**

- are obligated to serve in the are a past or present member of the uniformed service; uniformed service have applied for membership in the uniformed service; or en an emplover mav not deny you: initial employment; promotion; or •
- any benefit of employment reemployment; retention in employment;
- because of this status.
- 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

REV. 04/2017

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

LEAVE ENTITLEMENTS

BENEFITS & PROTECTIONS

employment terms and conditions.

ELIGIBILITY REOUIREMENTS

FED

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;

leave, the employee must comply with the employer's normal paid leave policies.

unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

- 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;

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

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

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

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.

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

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

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

I.S. Department of Labor dictates that the employee is entitled to the higher minimum wage rate



provider to complete.

RIGHTS ACT (CFRA):

Department (EDD).

lfeh.ca.gov

Toll Free: 800.884.1684

alifornia Relay Service (711)

apply to employers of 1 or more.

TTY: 800.700.2320

odation, transfer, or PDL.

ADDITIONAL LEAVE UNDER THE CALIFORNIA FAMILY

Under the California Family Rights Act (CFRA), if you have more

than 12 months of service with an employer, and have worked

you want to begin your leave, you may have a right to a family

at least 1.250 hours in the 12-month period before the date

care or medical leave (CFRA leave). This leave may be up to

2 workweeks in a 12-month period for the birth, adoption

or foster care placement of your child, or for your own serious

health condition or that of your child, parent, spouse, domestic

partner, grandparent, grandchild, or sibling. Employers may pay

their employees while taking CFRA leave, but employers are not

required to do so, unless the employee is taking accrued paid

may be eligible for California's Paid Family Leave (PFL) program,

time-off while on CFRA leave. Employees taking CFRA leave

which is administered by the Employment Developmen

If you have been subjected to discrimination,

TO FILE A COMPLAINT

arassment, or retaliation at work, or have beer

Department of Fair Employment and Housing

If you have a disability that requires a reasonable

accommodation, DFEH can assist you with your complaint

Contact us through any method above or, for individuals who are

deaf or hard of hearing or have speech disabilities, through the

*PDL, CFRA leave, and anti-discrimination protections apply to

employers of 5 or more employees; anti-harassment protection

DFEH-E09P-EN

REV. 01/2021

DWC 7

improperly denied PDLor CFRA leave, file a complain

YOUR EMPLOYER* HAS AN OBLIGATION TO: Reasonably accommodate your medical needs related to pregnancy, childbirth, or related conditions (such as rarily modifying your work duties, providing you with a stool or chair, or allowing more frequent breaks);

Transfer you to a less strenuous or hazardous position (if one is available) or duties if medically needed because of your pregnancy;

Provide you with pregnancy disability leave (PDL) of up to four months (the working days you normally would work in one-third of a year or 17 1/3 weeks) and return you to your same job when you are no longer disabled by your egnancy or, in certain instances, to a comparable job. aking PDL, however, does not protect you from non-leave related employment actions, such as a layoff;

Provide a reasonable amount of break time and use of a room or other location in close proximity to the employee' work area to express breast milk in private as set forth in the Labor Code; and

Never discriminate, harass, or retaliate on the basis of employer may be justified in delaying your reasonable pregnancy.

FOR PREGNANCY DISABILITY LEAVE: PDL is not for an automatic period of time, but for the

period of time that you are disabled by pregnancy, hildbirth, or related medical condition. Your health care rovider determines how much time you will need.

Once your employer has been informed that you need to take PDL, your employer must guarantee in writing that you can return to work in your same or a comparable position if you request a written guarantee. Your employer may require you to submit written medical certification from your health

are provider substantiating the need for your leave. PDL may include, but is not limited to, additional or more frequent breaks, time for prenatal or postnatal medical appointments, and doctor-ordered bed rest, and covers onditions such as severe morning sickness, gestational diabetes, pregnancy-induced hyper-tension, preeclampsia, recovery from childbirth or loss or end of pregnancy, and/or post-partum depression

PDL does not need to be taken all at once but can be taken on an as-needed basis as required by your health care provider, including intermittent leave or a reduced work Your leave will be paid or unpaid depending on your

emplover's policy for other medical leaves. You may also be eligible for state disability insurance or Paid Family Leave (PFL), administered by the California Employment evelopment Department At your discretion, you can use any vacation or other paid

time off during your PDL. Your employer may require or you may choose to use any available sićk leavé during your PDL

Your employer is required to continue your group health coverage during your PDL at the same level and under the same conditions that coverage would have been provided if you had continued in employment continuously for the

luration of your leave *his guidance is for informational purposes only, does not* Taking PDL may impact certain of your benefits and your establish substantive policy or rights, and does not constitute seniority date; please contact your employer for details. legal advice.

NOTICE OBLIGATIONS AS AN EMPLOYEE:

non-conforming

Give your employer reasonable notice. To receive reasonable ccommodation, obtain a transfer, or take PDL, you must give your employer sufficient notice for your employer

CA DFEH The Department of Fair Employment and Housing

TRANSGENDER RIGHTS IN THE WORKPLACE WHAT DOES "TRANSGENDER" MEAN?

allowed to dress in accordance with their gender identity and gender expression. Transgender or gender non-confor Transgender is a term used to describe people whose gender identity differs from the sex they were assigned at birth. Gender employees may not be held to any different standard of dress or expression is defined by the law to mean a "person's genderprooming than any other employee. related appearance and behavior whether or not stereotypically What are the obligations of employers when associated with the person's assigned sex at birth." Gender it comes to bathrooms, showers, and locker identity and gender expression are protected characteristics

rooms? under the Fair Employment and Housing Act. That means that All employees have a right to safe and appropriate restroom and employers may not discriminate against someone because locker room facilities. This includes the right to use a restroom of they identify as transgender or gender non-conforming. This locker room that corresponds to the employee's gender identity, includes the perception that someone is transgender or gender regardless of the employee's assigned sex at birth. In addition, where possible, an employer should provide an easily accessible unisex single stall bathroom for use by any employee who

WHAT IS A GENDER TRANSITION? "Social transition" involves a process of socially desires increased privacy, regardless of the underlying reason.

CA Department of Industrial Relations Division of Workers' Compensation Notice to Employees - Injuries Caused by Work to make appropriate plans. Sufficient notice means u may be entitled to workers' compensation benefits if you are injured or become ill because of your job. Workers' compensation covers 30 days advance notice if the need for the reasonable most work-related physical or mental injuries and illnesses. An injury or illness can be caused by one event (such as hurting your back in a fall) or by repeated exposures (such as hurting your wrist from doing the same motion over and over). accommodation, transfer, or PDL is foreseeable, or as soon as practicable if the need is an emergency or unforeseeable Benefits. Workers' compensation benefits include Provide a written medical certification from your health care provider. Except in a medical emergency where there is no time to obtain it, your employer may require therapy visits you to supply a written medical certification from your health care provider of the medical need for your easonable accommodation, transfer or PDL. If the need mental function that a doctor can measure is an emergency or unforeseeable, you must provide this certification within the time frame your employer requests unless it is not practicable for you to do so under the circumstances despite your diligent, good faith efforts. You employer must provide at least 15 calendar days for you to submit the certification. See if your employer has a copy before you are injured. You must obtain their agreement to treat you for your work injury. For instructions, see the written information about of a medical certification form to give to your health care vorkers' compensation that your employer is required to give to new employees. If You Get Hurt: Please note that if you fail to give your employer reasonable advance notice or, if your employer requires it, written medical certification of your medical need, your

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

Medical Care: Doctor visits, hospital services, physical therapy, lab tests, x-rays, medicines, medical equipment and travel costs that are easonably necessary to treat your injury. You should never see a bill. There are limits on chiropractic, physical therapy and occupational Temporary Disability (TD) Benefits: Payments if you lose wages while recovering. For most injuries, TD benefits may not be paid for more than 104 weeks within five years from the date of iniury.

Permanent Disability (PD) Benefits: Payments if you do not recover completely and your injury causes a permanent loss of physical or

Supplemental Job Displacement Benefit: A nontransferable voucher, if you are injured on or after 1/1/2004, your injury causes permanent disability, and your employer does not offer you regular, modified, or alternative work. **Death Benefits:** Paid to your dependents if you die from a work-related injury or illness.

Naming Your Own Physician Before Injury or Illness (Predesignation). You may be able to choose the doctor who will treat you for a job injury or illness. If eligible, you must tell your employer, in writing, the name and address of your personal physician or medical group

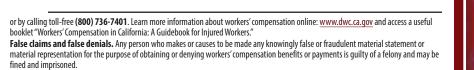
Get Medical Care. If you need emergency care, call 911 for help immediately from the hospital, ambulance, fire department or police department. If you need first aid, contact your employer

- Report Your Injury. Report the injury immediately to your supervisor or to an employer representative. Don't delay. There are time limits. If you wait too long, you may lose your right to benefits. Your employer is required to provide you with a claim form within one working day after learning about your injury. Within one working day after you file a claim form, your employer or claims administrator ust authorize the provision of all treatment, up to ten thousand dollars, consistent with the applicable treatment guidelines, for your
- alleged injury until the claim is accepted or rejected. See Your Primary Treating Physician (PTP). This is the doctor with overall responsibility for treating your injury or illness
- If you predesignated your personal physician or a medical group, you may see your personal physician or the medical group after you are injured.
- If your employer is using a medical provider network (MPN) or a health care organization (HCO), in most cases you will be treated within the MPN or HCO unless you predesignated a personal physician or medical group. An MPN is a group of physicians and health care providers who provide treatment to workers injured on the job. You should receive information from your employer if you are
- covered by an HCO or a MPN. Contact your employer for more information. If your employer is not using an MPN or HCO, in most cases the claims administrator can choose the doctor who first treats you when
- you are injured, unless you predesignated a personal physician or medical group. Medical Provider Networks. Your employer may be using an MPN, which is a group of health care providers designated to provide treatment to workers injured on the job. If you have predesignated a personal physician or medical group prior to your work injury, then you may go there to receive treatment from your predesignated doctor. If you are treating with a non-MPN doctor for an existing injury,
- pu may be required to change to a doctor within the MPN. For more information, see the MPN contact information below **MPN** WEBSITE:
- MPN EFFECTIVE DATE **MPN** IDENTIFICATION NUMBER: IF YOU NEED HELP LOCATING AN MPN PHYSICIAN, CALL YOUR MPN ACCESS ASSISTANT AT:
- IF YOU HAVE QUESTIONS ABOUT THE MPN OR WANT TO FILE A COMPLAINT AGAINST THE MPN, CALL THE MPN
- Discrimination. It is illegal for your employer to punish or fire you for having a work injury or illness, for filing a claim, or testifying in nother person's workers' compensation case. If proven, you may receive lost wages, job reinstatement, increased benefits, and costs and openses up to limits set by the state.
- Questions? Learn more about workers' compensation by reading the information that your employer is required to give you at time of hire. If you have questions, see your employer or the claims administrator (who handles workers' compensation claims for your employe CLAIMS ADMINISTRATOR

PHONE

WORKERS' COMPENSATION INSURER

(Enter "self-insured" if appropriate You can also get free information from a State Division of Workers' Compensation Information (DWC) & Assistance Officer. The nearest nformation & Assistance Officer can be found at location:



Your employer may not be liable for the payment of workers' compensation benefits for any injury that arises from your voluntary participation in any **off-duty, recreational, social, or athletic activity** that is not part of your work-related dutie



FAMILY CARE & MEDICAL LEAVE & PREGNANCY DISABILITY LEAVE THE MISSION OF THE DEPARTMENT OF FAIR EMPLOYMENT AND verbally, as soon as you learn of the need for the leave. Failure to HOUSING IS TO PROTECT THE PEOPLE OF CALIFORNIA FROM comply with these notice rules is grounds for, and may result in.

UNLAWFUL DISCRIMINATION IN EMPLOYMENT, HOUSING, BUSINESS deferral of the requested leave until you comply with this notice ESTABLISHMENTS, AND STATE-FUNDED PROGRAMS AND ACTIVITIES. AND FROM HATE VIOLENCE AND HUMAN TRAFFICKING Under California law, you may have the right to take

We may require certification from your health care provider before Illowing you a leave for pregnancy disability or for your own serious ob-protected leave to care for your own serious healt health condition. We also may require certification from the health ondition or a family member with a serious health care provider of your child, parent or spouse, who has a serious condition, or to bond with a new child (via birth, adoption health condition, before allowing you a leave to take care of that or foster care). California law also requires employers family member. When medically necessary, leave may be taken on an intermittent or reduced work schedule

NOTICE: This state has its own minimum waae 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 GENETICS

undue hardship. Section 503 also requires that Federal Title II of the Genetic Information Nondiscrimination Act of contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge,

of employment, including the executive level. DISABLED. RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination and requires affirmative action to employ and advance in EEOC-P/E-1 employment disabled veterans, recently separated veterans (within three years of discharge or release from active duty), other protected veterans (veterans who served during a war o

Division of Labor Standards Enforcement, Office of the Labor Commissioner

NATIONAL ORIGIN (includes language use and possession

of a driver's license issued to persons unable to prove their

RACE (including, but not limited to, hair texture and

13. Require employment agencies to serve all applicants

equally, refuse discriminatory job orders, and prohibit

employers and employment agencies from making

discriminatory pre-hiring inquiries or publishing help

wanted advertisements that express a discriminatory

14. Prohibit unions from discriminating in member admission

reports, or assists another person to oppose unlawfu

The law provides for remedies for individuals who experience

These remedies include hiring, front pay, back pay, promotion

reinstatement, cease-and-desist orders, expert witness fees,

reasonable attorney's fees and costs, punitive damages, and

Job applicants, unpaid interns, and employees: If you believe

file a complaint with DFEH. Independent contractors and

you have experienced discrimination or harassment you may

volunteers: If you believe you have been harassed, you may fil

Complaints must be filed within three years* of the last act

of discrimination/harassment. For victims who are under the

age of eighteen, not later than three years after the last act

of discrimination/harassment or one year after the victim's

To schedule an appointment, contact the Communication

If you have a disability that requires a reasonable

prohibited discrimination or harassment in the workplace.

15. Prohibit retaliation against a person who opposes,

and/or related medical conditions)

SEXUAL ORIENTATION

hiring preference.

discrimination.

FILING A COMPLAINT

motional distress damages.

eighteenth birthday, whichever is late

a complaint with DFEH

Center below

or dispatching members to jobs.

mited to, such hairstyles as braids, locks, and twists)

RELIGION (includes religious dress and grooming practices)

SEX/GENDER (includes pregnancy, childbirth, breastfeeding

presence in the United States is authorized under federal law)

protective hairstyles. Protective hairstyles includes, but is not

Usage

nent against persons with disabilities who, with o without reasonable accommodation, can perform the essentia functions of the job. If you believe you have been discriminated against in a

An employee may use accrued paid sick days beginning on the 90th day of employment.

condition or preventive care, or specified purposes for an employee who is a victim of

An employer may limit the use of paid sick days to 24 hours or three days in each year of

Retaliation or discrimination against an employee who requests paid sick days or uses paid sick days or

both is prohibited. An employee can file a complaint with the Labor Commissioner against an employe

http://www.dir.ca.gov/dlse/DistrictOffices.htm using the alphabetical listing of cities, locations, and

For additional information you may contact your employer or the local office of the

Labor Commissioner. Locate the office by looking at the list of offices on our website

domestic violence, sexual assault, or stalking

who retaliates or discriminates against the employee.

communities. Staff is available in person and by telephone.

employment

DLSE Paid Sick Leave Posting

An employer shall provide paid sick days upon the oral or written request of an employee

for themselves or a family member for the diagnosis, care or treatment of an existing health

program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance. EEOC 9/02 and OFCCP 8/08 Versions Useable With 11/09

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.

REV. 11/2009

*Special "hours of service" requirements apply to airline flight crew employees. **REQUESTING LEAVE** Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the

employer as soon as possible and, generally, follow the employer's usual procedures.

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

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

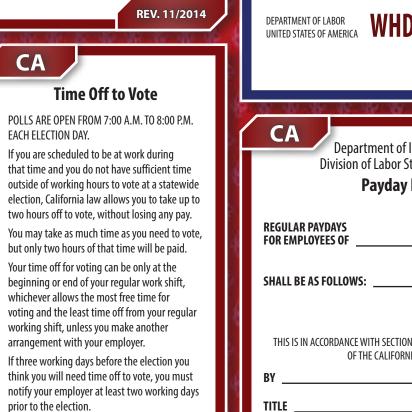
EMPLOYER RESPONSIBILITIES

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee it 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.

ENFORCEMEN[®]

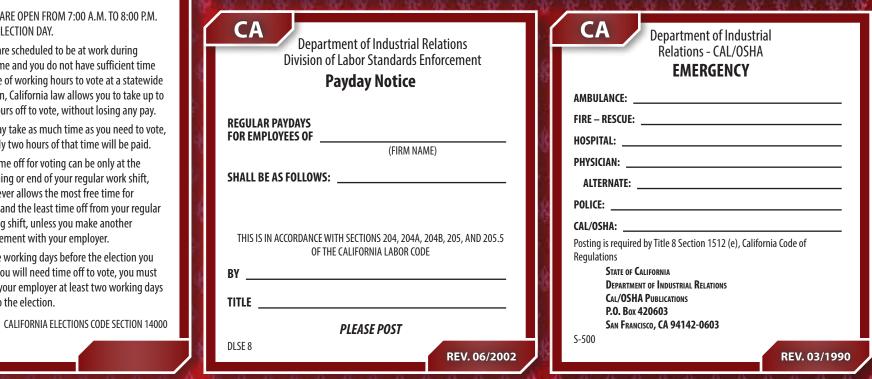
Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer. The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.



For additional information or to file a complaint: 1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627 www.dol.gov/whd

REV. 04/2016





Department of Industrial Relations - CAL/OSHA

Safety and Health Protection on the Job

California law provides workplace safety and health protections for workers through regulations enforced by the Division of Occupational Safety and Health (Cal/OSHA). This poster explains some basic requirements and procedures to comply with the state's workplace safety and health standards and orders. The law requires that this poster be displayed. Failure to do so could result in a substantial penalty. Cal/OSHA standards can be found at www.dir.ca.gov/samples/search/query.htm. WHAT AN EMPLOYER MUST DO:

All employers must provide work and workplaces that are safe and healthful. In other words, as an employer, you must follow state laws governing job safety and health. Failure to do so can result in a threat to the life or health of workers, and substantial monetary penalties.

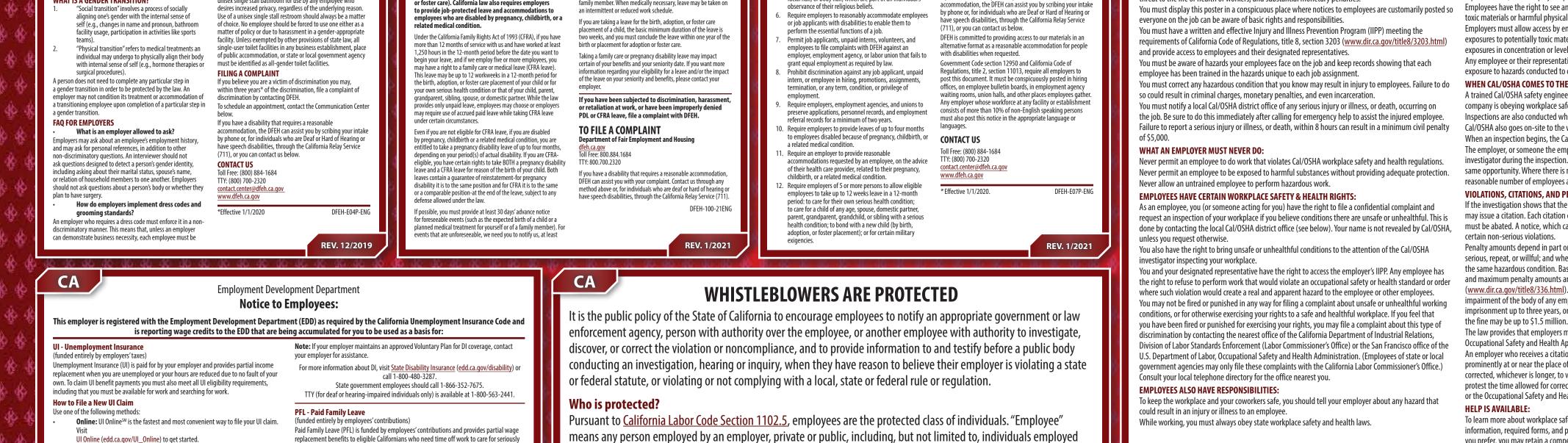
You must display this poster in a conspicuous place where notices to employees are customarily posted so everyone on the job can be aware of basic rights and responsibilities.

SPECIAL RULES APPLY FOR WORK AROUND HAZARDOUS SUBSTANCES: Employers who use any substance that is listed as a hazardous substance in California Code of Regulations, title 8, section 339 (www.dir.ca.gov/title8/339.html), or is covered by the Hazard Communication standard (www.dir.ca.gov/title8/5194.html) must provide employees information on the hazardous chemicals in their work areas, access to safety data sheets, and training on how to use hazardous chemicals safelv

Employers shall make available on a timely and reasonable basis a safety data sheet on each hazardous substance in the workplace upon request of an employee, an employee's collective bargaining representative, or an employee's physician.

Employees have the right to see and copy their medical records and records of exposure to potentially toxic materials or harmful physical agents.

Employers must allow access by employees or their representatives to accurate records of employee exposures to potentially toxic materials or harmful physical agents, and notify employees of an exposures in concentration or levels exceeding the exposure limits allowed by Cal/OSHA standards. Any employee or their representative has the right to observe monitoring or measuring of employee exposure to hazards conducted to comply with Cal/OSHA regulations.



<u>UI Online (edd.ca.gov/UI_Online)</u> to get started. **Phone:** Representatives are available at the following toll-free numbers. Monday through Friday between **8 a.m. to 12 noon** (Pacific Standard Time) except during state holidays

1-800-300-5616 Cantonese 1-800-547-3506 Vietnamese 1-800-547-2058

1-800-326-8937 Mandarin 1-866-303-0706 TTY 1-800-815-9387 Fax or Mail: When accessing UI Online to file a new claim, some customers will

be instructed to fax or mail their UI application to the EDD. If this occurs, the Unemployment Insurance Application (DE 1101I), will display. For faster and more secure processing, fax the completed form to the number listed on the form. If mailing your UI application, use the address on the form and allow additional time for processin

Important: Waiting to file your UI claim may delay benefit payments.

DI - Disability Insurance funded entirely by employees' contributions

Disability Insurance (DI) is funded by employees' contributions and provides partial wage replacement benefits to eligible Californians who are unable to work due to a non-workrelated illness, injury, pregnancy, or disability. Your employer must provide the Disability Insurance Provisions (DE 2515) brochure, to newly hired employees and to each employee who is unable to work due to a non-workrelated illness, injury, pregnancy, or disability.

How to File a New DI Claim Use one of the following methods

CA

Online: SDI Online is the fastest and most convenient way to file your claim. Visit <u>DI Online</u> (<u>edd.ca.gov/SDI_Online</u>) to get started. Mail: To file a claim with the EDD by mail, complete and submit a Claim for

isability Insurance (DI) Benefits (DE 2501) form. You can obtain a paper claim form from your employer, physician/practitioner, visiting a State Disability nsurance office, online at EDD Forms and Publications (edd.ca.gov/Forms), or by alling1-800-480-3287



NOTICE TO EMPLOYEES **UNEMPLOYMENT INSURANCE BENEFITS** after excluding wages earned from a public or nonprofit educational institution(s).

This employer is registered under the California Unemployment Insurance Code and is Note: Some employees may be exempt from Unemployment and Disability Insurance reporting wage credits to the Employment Development Department (EDD) that are being accumulated for you to be used as a basis for Unemployment Insurance benefits. coverage

You may be eligible to receive Unemployment Insurance benefits if

UI Online at www.edd.ca.gov/UI Online. you are: Unemployed or working less than full-time. You may also file for Unemployment Insurance by calling toll-free from anywhere in the U.S. at: Out of work due to no fault of your own and physically able to work, ready to Enalish 1-800-300-5616 Mandarin accept work, and looking for work. 1-800-326-8937 Vietnamese Spanish

ill child, parent, parent-in-law, grandparent, grandchild, sibling, spouse, or registered domestic partner. Benefits are available to parents who need time off work to bond with a new child entering the family by birth, adoption, or foster care placement. Benefits are also available for eligible Californians who need time off work to participate in a qualifying event resulting from a spouse, registered domestic partner, parent, or child's military deployment to a foreign country Your employer must provide the *Paid Family Leave* (DE 2511) brochure, to newly hired employees and to each employee who is taking time off work to care for a seriously ill family members, to bond with a new child, or to participate in a gualifying military event How to File a New PFL Clain Use one of the following methods Online: SDI Online is the fastest and most convenient way to file your claim. Visit

SDI Online (edd.ca.gov/SDI_Online) to get started. Mail: To file a claim with the EDD by mail, complete and submit a Claim for Paid Family Leave (PFL) Benefits (DE 2501F) form. You can obtain a paper claim form from your employer, a physician/practitioner, visitinga State Disability Insurance

1-877-238-4373 **Note:** If your employer maintains an approved Voluntary Plan for PFL coverage, contact your employer for assistance.

For more information about PFL, visit <u>State Disability Insurance</u> (edd.ca.gov/disability) or call 1-877-238-4373 State government employees should call 1-877-945-4747.

TTY (for deaf or hearing-impaired individuals only) is available at 1-800-445-1312. Note: Some employees may be exempt from coverage by the above insurance programs.

It is illegal to make a false statement or to withhold facts to claim benefits. For additional information, visit the EDD (edd.ca.gov).

The fastest way to file for Unemployment Insurance (UI) is with

office, online at EDD Forms and Publications (edd.ca.gov/Forms), or by calling

1-866-303-0706

1-800-547-2058

means any person employed by an employer, private or public, including, but not limited to, individuals employed by the state or any subdivision thereof, any county, city, city and county, including any charter city or county, and any school district, community college district, municipal or public corporation, political subdivision, or the University of California. [California Labor Code Section 1106]

What is a whistleblower?

A "whistleblower" is an employee who discloses information to a government or law enforcement agency, person with authority over the employee, or to another employee with authority to investigate, discover, or correct the violation or noncompliance, or who provides information to or testifies before a public body conducting an investigation, hearing or inquiry, where the employee has reasonable cause to believe that the information discloses:

- A violation of a state or federal statute,
- A violation or noncompliance with a local, state or federal rule or regulation, or
- With reference to employee safety or health, unsafe working conditions or work practices in the employee's employment or place of employment.

A whistleblower can also be an employee who refuses to participate in an activity that would result in a violation of a state or federal statute, or a violation of or noncompliance with a local, state or federal rule or regulation.

What protections are afforded to whistleblowers?

- An employer may not make, adopt, or enforce any rule, regulation, or policy preventing an employee from being a whistleblower.
- An employer may not retaliate against an employee who is a whistleblower.
- An employer may not retaliate against an employee for refusing to participate in an activity that would result in a violation of a state or federal statute, or a violation or noncompliance with a state or federal rule or regulation.
- An employer may not retaliate against an employee for having exercised his or her rights as a whistleblower in any former employment.

Under <u>California Labor Code Section 1102.5</u>, if an employer retaliates against a whistleblower, the employer may be required to reinstate the employee's employment and work benefits, pay lost wages, and take other steps necessary to comply with the law.

WHEN CAL/OSHA COMES TO THE WORKPLACE:

A trained Cal/OSHA safety engineer or industrial hygienist may visit the workplace to make sure your company is obeying workplace safety and health laws.

Inspections are also conducted when an employee files a valid complaint with Cal/OSHA. Cal/OSHA also goes on-site to the workplace to investigate a serious injury or illness, or fatality. When an inspection begins, the Cal/OSHA investigator will show official identification. The employer, or someone the employer chooses, will be given an opportunity to accompany the investigator during the inspection. An authorized representative of the employees will be given the same opportunity. Where there is no authorized employee representative, the investigator will talk to a reasonable number of employees about safety and health conditions at the workplace.

VIOLATIONS, CITATIONS, AND PENALTIES:

If the investigation shows that the employer has violated a safety and health standard or order, Cal/OSHA may issue a citation. Each citation carries a monetary penalty and specifies a date by which the violation must be abated. A notice, which carries no monetary penalty, may be issued in lieu of a citation for

Penalty amounts depend in part on the classification of the violation as regulatory, general, serious, repeat, or willful; and whether the employer failed to abate a previous violation involving the same hazardous condition. Base penalty amounts, penalty adjustment factors, and minimum and maximum penalty amounts are set forth in California Code of Regulations, title 8, section 336 (www.dir.ca.gov/title8/336.html). In addition, a willful violation that causes death or permanent impairment of the body of any employee can result, upon conviction, in a fine of up to \$250,000 or imprisonment up to three years, or both, and if the employer is a corporation or limited liability company,

The law provides that employers may appeal citations within 15 working days of receipt to the Occupational Safety and Health Appeals Board.

An employer who receives a citation, Order to Take Special Action, or Special Order must post it prominently at or near the place of the violation for three working days, or until the unsafe condition is corrected, whichever is longer, to warn employees of danger that may exist there. Any employee may protest the time allowed for correction of the violation to the Division of Occupational Safety and Health or the Occupational Safety and Health Appeals Board.

To learn more about workplace safety rules, you may contact Cal/OSHA Consultation Services for free information, required forms, and publications. You can also contact a local district office of Cal/OSHA. If you prefer, you may retain a competent private consultant, or ask your workers' compensation insurance carrier for guidance in obtaining information.

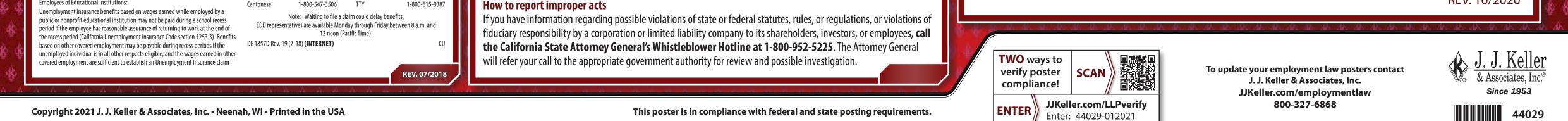
Call the FREE Worker Information Helpline – (866) 924-9757

DIVISION OF OCCUPATIONAL SAFETY AND HEALTH (CAL/OSHA)

HEADQUARTERS: 1515 Clay Street, Ste. 1901, Oakland, CA 94612 – Telephone (510) 286-7000

District Offices		
American Canyon	3419 Broadway St., Ste. H8, American Canyon 94503	(707) 649-3700
Bakersfield	7718 Meany Ave., Bakersfield 93308	(661) 588-6400
Foster City	1065 East Hillsdale Bl., Ste. 110, Foster City 94404	(650) 573-3812
Fremont	39141 Civic Center Dr., Ste. 310, Fremont 94538	(510) 794-2521
Fresno	2550 Mariposa St., Rm. 4000, Fresno 93721	(559) 445-5302
Long Beach	3939 Atlantic Ave., Ste. 212, Long Beach 90807	(562) 506-0810
Los Angeles	320 West Fourth St., Rm. 820, Los Angeles 90013	(213) 576-7451
Modesto	4206 Technology Dr., Ste. 3, Modesto 95356	(209) 545-7310
Monrovia	800 Royal Oaks Dr., Ste. 105, Monrovia 91016	(626) 239-0369
Oakland	1515 Clay St., Ste. 1303, Box 41, Oakland 94612	(510) 622-2916
Redding	381 Hemsted Dr., Redding 96002	(530) 224-4743
Sacramento	1750 Howe Ave., Ste. 430, Sacramento 95825	(916) 263-2800
San Bernardino	464 West Fourth St., Ste. 332, San Bernardino 92401	(909) 383-4321
San Diego	7575 Metropolitan Dr., Ste. 207, San Diego 92108	(619) 767-2280
San Francisco	455 Golden Gate Ave., Rm. 9516, San Francisco 94105	(415) 557-0100
Santa Ana	2 MacArthur Place, Ste. 720, Santa Ana 92707	(714) 558-4451
Van Nuys	6150 Van Nuys Blvd., Ste. 405, Van Nuys 91401	(818) 901-5403
Regional Offices		
San Francisco	455 Golden Gate Ave., Rm 9516, San Francisco 94102	(415) 557-0300
Sacramento	1750 Howe Ave., Ste. 440, Sacramento 95825	(916) 263-2803
Santa Ana	2 MacArthur Place, Ste. 720, Santa Ana 92707	(714) 558-4300
Monrovia	800 Royal Oaks Dr., Ste. 105, Monrovia 91016	(626) 471-9122
Cal OSHA Consultation Services		
Field / Area Offices		
 Fresno / Central Valley 	2550 Mariposa Mall, Rm. 2005, Fresno 93721	(559) 445-6800
 La Palma / Los Angeles / Orange County 	1 Centerpointe Dr., Ste. 150, La Palma 90623	(714) 562-5525
 Oakland / Bay Area 	1515 Clay St., Ste. 1103, Oakland 94612	(510) 622-2891
 Sacramento / Northern CA 	1750 Howe Ave., Ste. 490, Sacramento 95825	(916) 263-0704
 San Bernardino 	464 West Fourth St., Ste. 339, San Bernardino 92401	(909) 383-4567
San Diego / Imperial County	7575 Metropolitan Dr., Ste. 204, San Diego 92108	(619) 767-2060
San Fernando Valley	6150 Van Nuys Blvd., Ste. 307, Van Nuys 91401	(818) 901-5754
Consultation Region Office		
• Fresno	2550 Mariposa Mall, Rm. 3014, Fresno 93721	(559) 445-6800

Enforcement of Cal/OSHA workplace safety and health standards is carried out by the Division of Occupational Safety and Health, under the California Department of Industrial Relations, which has primary responsibility for administering the Cal/OSHA program. Safety and health standards are promulgated by the Occupational Safety and Health Standards Board. Anyone desiring to register a complaint alleging inadequacy in the administration of the California Occupational Safety and Health Plan may do so by contacting the San Francisco Regional Office of the Occupational Safety and Health Administration (OSHA), U.S. Department of Labor Tel: (415) 625-2547. OSHA monitors the operation of state plans to assure that continued approval is merited.



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