

FEDERAL LABOR LAWS

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

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

- ### REEMPLOYMENT RIGHTS
- You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:
 - you ensure that your employer receives advance written or verbal notice of your service;
 - you have five years or less of cumulative service in the uniformed services while with that particular employer;
 - you return to work or apply for reemployment in a timely manner after conclusion of service and
 - you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and wages you would have obtained had you not been absent due to military service or, in some cases, a comparable job.

- ### RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION
- If you:
 - are a past or present member of the uniformed service;
 - have applied for membership in the uniformed service; or
 - are obligated to serve in the uniformed service,
 then an employer may not deny you:
 - initial employment;
 - reemployment;
 - retention in employment;
 - promotion; or
 - any benefits of employment because of this status.

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

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS and may be viewed on the internet at this address: <http://www.dol.gov/eis/vets/usaerrarights.htm>. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.



U.S. Department of Labor 1-866-487-2365 U.S. Department of Justice Office of Special Counsel 1-800-336-4590 EEOC 1-800-649-3024 Publication Date – April 2017

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?

- 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
- Color
- Religion
- National origin
- Sex (including pregnancy, childbirth, and related medical 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)

What Employment Practices can be Challenged as Discriminatory?

- 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, pregnancy, childbirth, or related medical condition, or a sincerely held religious belief, observance or practice
- Benefits
- Job training
- Classification
- Referral

What Can You Do if You Believe Discrimination has Occurred?

Contact the EEOC promptly if you suspect discrimination. Do not delay, because there is 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://eefilingportal.eoc.gov/portal/cspn.aspx>

Call 1-800-669-4000 (toll free) 1-800-669-6820 (TTY) 1-844-234-5122 (ASL video phone)

Visit an EEOC field office (information at www.eoc.gov/field-office)

E-Mail info@eoc.gov

Additional information about the EEOC, including information about filing a charge of discrimination, is available at www.eoc.gov.

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE \$7.25 PER HOUR BEGINNING JULY 24, 2009

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

OVERTIME PAY At least 1½ times the regular rate of pay for all hours worked over 40 in a workweek.

CHILD LABOR An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hour restrictions. Different rules apply in agricultural employment.

TIP CREDIT Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employer's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.

NURSING MOTHERS The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA's overtime requirements in order for the employee to express breast milk for her nursing child for one year after the child's birth each time such employee has a need to express breast milk. Employers are also required to provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

ENFORCEMENT The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the law.

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 employees are considered jointly 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.

EMPLOYEE RIGHTS UNDER THE H-2A PROGRAM

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

The Immigration and Nationality Act (INA) allows for the employment of temporary, non-immigrant workers in agriculture (H-2A WORKERS) only if the employment of U.S. workers would not be adversely impacted. To ensure that U.S. workers are not adversely impacted, H-2A WORKERS and OTHER WORKERS employed on an H-2A work contract or by an H-2A employer in the same agricultural work as the H-2A workers have the following rights:

DISCLOSURE

- To receive accurate, WRITTEN INFORMATION about the wages, hours, working conditions, and benefits of the employment being offered
- To receive this information prior to getting a visa and no later than on the first day of work
- To receive this information in a language understood by the worker

WAGES

- To be PAID at least twice per month at the rate stated in the work contract
- To be informed, in writing, of all DEDUCTIONS (not otherwise required by law) that will be made from the worker's paycheck
- To be guaranteed employment for at least THREE-FOURTHS (75%) of the total hours promised in the work contract

TRANSPORTATION

- To be provided or, upon completion of 50 percent of the work contract period, reimbursed for reasonable costs incurred to the place of employment for transportation and subsistence (lodging incurred on the employer's behalf and meals)
- Upon completion of the work contract, to be provided or paid for return transportation and subsistence
- For workers living in employer-provided housing, to be provided TRANSPORTATION, at no cost to the worker, between the housing and the worksite
- All employer-provided transportation must meet applicable standards, be properly insured, and be operated by licensed drivers

HOUSING

- For any worker who is not reasonably able to return to his/her residence within the same day, to be provided HOUSING AT NO COST
- Employer-provided housing must meet applicable safety standards
- Workers who live in employer-provided housing must be offered three meals per day at no more than a DOL-specified cost, or provided free and convenient cooking and kitchen facilities

ADDITIONAL PROVISIONS

- To be provided state WORKERS' COMPENSATION insurance or its equivalent
- To be provided, at no cost, all TOOLS, SUPPLIES, and EQUIPMENT required to perform the assigned duties
- TO BE FREE FROM DISCRIMINATION or DISCHARGE for filing a complaint, testifying, or exercising your rights in any way or helping others to do so
- Employers MUST comply with all other applicable laws (including the prohibition against holding workers' passports or other immigration documents)
- Employers and their agents, including foreign recruiters, or anyone working on behalf of the employer, MUST NOT receive payment from any worker for any costs related to obtaining the H-2A certification (such as application and recruitment fees)
- Employers MUST display this poster where employees can readily see it
- Employers MUST NOT pay off or displace similarly employed U.S. workers within 60 days of the date of need for H-2A workers
- Employers MUST hire any eligible U.S. worker who applies during the first 50 percent of the approved work contract period

Workers who believe their rights under the program have been violated may file confidential complaints.

For additional information:
1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627
WWW.DOL.GOV/WHD

IF YOU HAVE THE RIGHT TO WORK

Don't let anyone take it away.

If you have the skills, experience, and legal right to work, your citizenship or immigration status does not matter. You should not be asked to provide your name, address, or other identifying information to anyone who is not a federal, state, or local government official. If you are asked to provide such information, you should ask for the name, title, and contact information of the official who is asking for it. If you are asked to provide such information, you should ask for the name, title, and contact information of the official who is asking for it.

Call IER if an employer:

- Does not hire you or fires you because of your national origin
- Does not hire you or fires you because of your race
- Does not hire you or fires you because of your sex
- Does not hire you or fires you because of your religion
- Does not hire you or fires you because of your age
- Does not hire you or fires you because of your disability
- Does not hire you or fires you because of your genetic information
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The law can be complicated. Call IER to get more information on protections from discrimination based on citizenship status and national origin.

Immigrant and Employee Rights Section (IER) 1-866-255-7488 TTY: 1-800-237-2515 www.dol.gov/whd/ier

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EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

Eligible employees who are covered by the Family and Medical Leave Act (FMLA) are entitled to 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 employer's job
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent

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

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

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

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

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

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

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

- Have worked for the employer for at least 12 months
- Have at least 2,080 hours of service in the 12 months before taking leave
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite

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

Generally, employers 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 procedure.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so as to determine if the leave qualifies for FMLA protection. Sufficient information would include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot care for the employee, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a season 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.

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

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

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
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Job Safety and Health IT'S THE LAW!

All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request 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.

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.

This poster is available free from OSHA.

Contact OSHA. We can help.

1-800-321-OSHA (6742) • TTY 1-877-889-5627 • www.osha.gov

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OKLAHOMA LABOR LAWS

Your Rights Under the Oklahoma Minimum Wage Act



Employee Health, Morals & Wages

It's against the law for employers to have workers in jobs that hurt their health. It's against the law for employers to have workers in jobs that hurt their morals. It's against the law for employers to pay workers less than adequate wages.

Federal Minimum Wage

Unless the law says it's okay, employers can't pay less than the federal minimum wage.

Employer Defined

The law defines an "employer" as having ten or more full-time workers in one place or more than \$100,000 of business a year.

Employee Defined

The law says an "employee" is a worker for an "employer." But, an "employee" is not:
 (1) a worker on a farm; a worker on a ranch; a worker with animals on a farm or ranch; or a mechanic on a farm or ranch;
 (2) a maid;
 (3) a federal government worker;
 (4) someone who volunteers for a charity, church, or nonprofit club;
 (5) a newspaper vendor or carrier;
 (6) a railroad worker;
 (7) any worker who is already being paid the federal minimum wage or more;
 (8) executives; someone in an administrative job; professionals; or an "outside" salesman;
 (9) any person employed as part-time employee not on permanent status. A part-time employee is defined as an employee who is employed less than twenty-five (25) hours a week;
 (10) anyone younger than 18 who hasn't graduated from school, and anyone younger than 22 who is in school;
 (11) anyone who works in a feedstore; or
 (12) a reserve deputy sheriff.

Uniforms

The law says the cost of uniforms given to workers can be added to wages in figuring the minimum wage.

Investigation of Wage Claims

The law says the Commissioner of Labor, **Leslie Osborn**, can investigate whether wages are due workers. She will write down her findings. If any employee's employment has terminated and the Commissioner finds that wages are due, a penalty of 2% per day up to the total amount of the wage claim may be added to the wages due. She will mail her findings to the employer and the worker by certified mail. If the employer pays the wages (and the penalty) and the worker accepts the payment, that's the end of the wage claim.

Employer Liability

If a court finds an employer hasn't paid all wages due, the law says the employer is liable for double the amount of the wages minus any sums already paid to the worker. The employer is also liable for court costs and reasonable attorney fees of at least \$100. An employer can't defend a wage claim by arguing that there was an agreement with the worker to work for less than the lawful wage. The law says an employer who pays or even agrees to pay less than the lawful wage is guilty of a misdemeanor. The punishment could be a fine of not more than \$500. The punishment could be as much as six (6) months in the county jail. The punishment could be both a fine and jail time.

IT'S THE LAW!

1-888-269-5353

www.ok.gov/odol

Oklahoma Department of Labor Employment Standards Division

Sus Derechos a la Ley del Sueldo Minimo de Oklahoma



La Salud Moral del Empleado y Sueldos

Es ilegal que empleadores tengan a sus empleados en trabajos que hagan da o a su salud. Es ilegal que empleadores tengan a sus empleados en trabajos que le hagan da o a su moral. Es ilegal que los empleadores paguen sueldos menores de los sueldos mínimos a sus empleados.

Sueldo Federal Mínimo

A menos que la ley diga que esta bien los empleadores no pueden pagar menos del sueldo mínimo federal.

Empleador Definido

La ley define "a un empleador" como alguien que tiene diez o más trabajadores de tiempo completo en un lugar o tiene ingresos mas de \$100,000 dólares por a o.

Empleado Definido

La ley dice que "un empleado" es un trabajador para "un empleador". Pero, "un empleado" no puede ser:
 (1) un trabajador en una granja; un trabajador en un rancho; un trabajador con animales en una granja o rancho; o un mecánico trabajando en una granja o rancho;
 (2) una criada;
 (3) un trabajador del gobierno federal;
 (4) alguien que se ofrece voluntariamente para una caridad, iglesia, o club no lucrativo;
 (5) un vendedor de periódico o cargador;
 (6) un trabajador de ferrocarril;
 (7) cualquier trabajador a quien pagan ya el salario mínimo federal de \$7.25 dólares por hora o más;
 (8) ejecutivos; alguien en un trabajo administrativo; profesionales; o un vendedor "de exterior";
 (9) alguien que trabaja menos de 25 horas por semana en una posición temporal;
 (10) alguien más joven que 18 a os quién no se ha graduado de la escuela, y alguien más joven de 22 a os quién está liendo a la escuela;
 (11) alguien que trabaja en una tienda de comida para animales, grangas etc.
 (12) un diputado de la reserva de sheriff.

Otros Empleados Protegidos

La ley dice que los empleadores deben pagar a todos los trabajadores quienes tienen mas de 18 a os cuando menos \$2.00 dólares por hora. La ley dice que todos los empleados son cubiertos por el Acto de Sueldo Mínimo de Oklahoma.

Propinas, Cuartos y Ospedage

La ley dice que las propinas, cuartos y ospedage pueden ser a adidos a sueldos en la figuración del sueldo mínimo. Sin embargo, las propinas, cuartos y ospedages no pueden ser ser más del 50% de los sueldos.

Uniformes

La ley dice que el costo de uniformes entregados a los trabajadores pueden ser a adidos a los sueldos en la figuración del sueldo mínimo.

Investigación de Reivindicaciones Salariales

La ley dice que el Comisario de Trabajo, Leslie Osborn, puede investigar si sueldos se deben a los trabajadores. El anotará sus conclusiones. Si ella encuentra que los sueldos son debidos, una pena de 10% será a adida a los sueldos debidos. El enviará sus conclusiones al empleador y al trabajador por correo certificado. Si el empleador paga los sueldos (y el penalti) y el trabajador acepta el pago, esto termina la queja de sueldos.

Responsabilidad de Patrón

Si un tribunal encuentra que el empleador no ha pagado todos los sueldos debidos, la ley dice que el empleador es responsable en pagar el doble la cantidad de los sueldos menos cualquier suma ya pagada al trabajador. El empleador es también responsable en pagar los costos del tribunal y costos razonables de abogado de cuando menos \$100 dólares. El empleador no puede defender una queja de sueldos sosteniendo que había un acuerdo con el trabajador para trabajar por menos del sueldo legal. La ley dice que un empleador quien paga o se pone de acuerdo en pagar menos de los sueldos legales estará culpable de un delito de menor cuantía. El castigo podría ser una multa de no más de \$500 dólares. El castigo podría ser un maximo de seis (6) meses en la cárcel del condado. El castigo podría ser ambos la multa y tiempo en la cárcel.

Es La Ley!

1-888-269-5353

www.ok.gov/odol

Oklahoma Department of Labor Employment Standards Division

Your Rights Under the Oklahoma Minimum Wage Act

40 O.S. § 197.1 et seq.

WHO IS AN EMPLOYEE?	WHO IS AN EMPLOYER?	WHAT IS THE CIVIL PENALTY FOR VIOLATIONS?
<p>40 O.S. § 197.4 (e) - "Employee" includes any individual employed by an employer but shall not include:</p> <p>(1) An individual employed on a farm, in the employ of any person, in connection with the cultivation of the soil, or in connection with raising or harvesting any agricultural commodity, including raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and fur-bearing animals and wildlife, or in the employ of the owner or tenant or other operator of a farm in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment;</p> <p>(2) Any individual employed in domestic service or in a private home;</p> <p>(3) Any individual employed by the United States government;</p> <p>(4) Any individual working as a volunteer in a charitable, religious or other nonprofit organization;</p> <p>(5) Any newspaper vendor or carrier;</p> <p>(6) Any employee of any carrier subject to regulation by Part I of the Interstate Commerce Act;</p> <p>(7) Any employee of any employer who is subject to the provisions of any Federal Fair Labor Standards Act or to any Federal Wage and Hour Law now in effect or enacted hereafter; and who is paying the minimum wage under the provisions of this act;</p> <p>(8) Any employee employed in a bona fide executive, administrative, or professional capacity, or in the capacity of outside salesman;</p> <p>(9) Any person employed as part-time employee not on permanent status. A part-time employee is defined as an employee who is employed less than twenty-five (25) hours a week;</p> <p>(10) Any person who is less than eighteen (18) years of age and is not a high school graduate or a graduate of a vocational training program; and any person who is less than twenty-two (22) years of age and who is a student regularly enrolled in a high school, college, university or vocational training program;</p> <p>(11) Any individual employed in a feedstore operated primarily for the benefit and use of farmers and ranchers; or</p> <p>(12) Any individual working as a reserve force deputy sheriff.</p>	<p>40 O.S. § 197.4 (d) - "Employer" means any individual, partnership, association, corporation, business trust, or any person or group of persons, hiring more than ten full-time employees or equivalent at any one location or place of business, provided, however, if an employer has less than ten full-time employees or equivalent at any one location or place of business but does a gross business of more than One Hundred Thousand Dollars (\$100,000.00) annually, said employer shall not be exempt under the provisions of this act. This act shall not apply to employees subject to the Fair Labor Standards Act of 1938, as amended, and who are paying the minimum wage under the provisions of said act, nor to employers whose employees are exempt.</p>	<p>40 O.S. § 197.8 - The Commissioner, after investigation, shall promptly make his findings in writing as to whether or not additional wages are due the employee. If the Commissioner finds that additional wages are due, ten percent (10%) of such amount due shall be added as penalty for such wage deficiency. The Commissioner shall mail said findings to the employer and to the employee by certified mail. Payment by the employer and acceptance by the employee of the amount so determined by the Commissioner shall absolve the employer of any further liability to the employee with respect to wages claimed by the employee for the period he was employed by the employer.</p> <p>40 O.S. § 197.9 - Any employer who is found by a court of competent jurisdiction to have paid an employee wages less than those to which such employee is entitled, under or by virtue of this act, shall be liable to such employee for double the full amount of such wages, less any amount actually paid to such employee by the employer, and for court costs, and such reasonable attorney fees as may be allowed by the court, which in no case shall be less than One Hundred Dollars (\$100.00). Any agreement between such employee and the employer to work for less than such wage rate shall be no defense to such action.</p>
	<p>Oklahoma Department of Labor</p> <p>Leslie Osborn Commissioner of Labor</p> <p>State Minimum Wage \$7.25 per hour Effective July 24, 2009</p>	<p>WHAT IS THE CRIMINAL PENALTY FOR VIOLATIONS?</p> <p>40 O.S. § 197.13 - Any employer, or the officer or agent of any corporation, who pays or agrees to pay to any employee less than the rate of compensation required by this act, upon conviction, shall be guilty of a misdemeanor and shall be punished by a fine of not more than Five Hundred Dollars (\$500.00), or by imprisonment in the county jail for not more than six (6) months, or by both such fine and imprisonment.</p>
	<p>HOW DO UNIFORMS AFFECT MINIMUM WAGE?</p> <p>40 O.S. § 197.17 - Business establishments that furnish uniforms to their employees may take credit against the minimum wage in an amount equal to the reasonable cost of furnishing the uniforms.</p>	
<p>NOTICE:</p> <p>The State law requires employers to display this poster in such a manner so as to be accessible to all employees in each establishment under the control of the employer. It shall be unlawful to employ workers in any industry or occupation within the State of Oklahoma under conditions of labor detrimental to their health or morals and it shall be unlawful to employ workers in any industry within the State of Oklahoma at wages which are not adequate for their maintenance. Except as otherwise provided in the Oklahoma Minimum Wage Act, no employer within the State of Oklahoma shall pay any employee a wage of less than the current federal minimum wage for all hours worked.</p>		
<p>409 NE 28th Street, 3rd Floor, Oklahoma City, Oklahoma 73105 Telephone 405-521-6100 Fax 405-521-6018 www.ok.gov/labor Toll-free 1-888-269-5353</p>		

CC-Form-1A Oklahoma Workers' Compensation Notice and Instruction to Employers and Employees

All employees of this employer who are entitled to benefits of the Administrative Workers' Compensation Act are hereby notified that this employer has complied with all rules of the Workers' Compensation Commission and that this employer has secured payment of compensation for all employees and their dependents in accordance with the Act. All employees are further notified this employer will furnish first aid, medical, surgical, hospital, optometric, podiatric, chiropractic and nursing services, medicine, crutches and other apparatus as may be reasonably necessary in connection with the injury received by the employee, as well as payments of compensation to any injured employee or the employee's dependents as provided in the Act.

Any employee who has suffered a compensable injury covered by the Administrative Workers' Compensation Act is entitled to vocational rehabilitation services, including retraining and job placement, if, as a result of the injury, the employee is unable to perform work for which the person has previous training or experience.

The Oklahoma Workers' Compensation Commission has a Counselor Division to provide information to injured workers, employers, and other interested persons.



Mediation is available to help resolve certain workers' compensation disputes. For information, call the Counselor Division at 405-522-5308 or In-State Toll Free 855-291-3612.

Signature of Employer

Insurer Name and Address

Date of Expiration of Insurance Policy (Not applicable to employers insured by self-insurance)

Employee's Responsibilities In Case of Work Related Injury

If accidentally injured or affected by cumulative trauma or an occupational disease arising out of and in the course of employment, however slight, the employee should notify the employer immediately. If this employer is a partnership, notice shall be given to any partner. If this employer is a corporation, notice shall be given to any agent or officer of the corporation upon whom legal process may be served. Notice shall also be given to the person in charge of business at the location of operations where the injury occurred. Unless oral or written notice is given to the employer within thirty (30) days, the claim for compensation may be forever barred.

The employee may file a claim for compensation with the WORKERS' COMPENSATION COMMISSION for an accidental injury, death, cumulative trauma or occupational disease or illness occurring ON OR AFTER February 1, 2014. Forms to file a compensation claim should be furnished by this employer and also are available from the Workers' Compensation Commission. The forms are posted on the Commission's website, www.wcc.ok.gov.

A claim for compensation must be filed with the Commission within the time specified by law, or be forever barred. Based on law effective May 28, 2019, a claim for compensation for any accidental injury must be filed with the Commission within one (1) year of the date of injury or, if the employee has received benefits under Title 85A for the injury, six (6) months from the date of the last issuance of such benefits; a death claim must be filed within two (2) years of the date of death; a claim for compensation for occupational disease or illness must be filed within two (2) years of the last injurious exposure; and a claim for compensation for cumulative trauma must be filed within one (1) year of the date of injury.

Claims for compensation for accidental injury, death, cumulative trauma or occupational disease or illness occurring BEFORE February 1, 2014 may be filed with the WORKERS' COMPENSATION COURT OF EXISTING CLAIMS and are subject to different notice of injury requirements and claims filing deadlines than those for accidental injury, death, cumulative trauma or occupational disease or illness occurring on or after February 1, 2014. Failure to comply with applicable notice requirements and deadlines may operate to forever bar the claim. Contact the WORKERS' COMPENSATION COURT OF EXISTING CLAIMS for additional information.

Employer's Responsibilities

The employer must provide employees with immediate first aid, medical, surgical, hospital, optometric, podiatric, chiropractic, and nursing services, medicine, crutches and other apparatus as may be reasonably necessary in connection with the injury received by the employee. This applies to care for all injuries and illnesses arising out of and in the course of employment, regardless of their character. Within ten (10) days after the date of receipt of notice or knowledge of death or injury that results in the loss of time beyond the shift or medical attention away from the work site, the employer or the employer's representative MUST send a report thereof to the Workers' Compensation Commission via Electronic Data Interchange as specified in Commission rules.

No agreement by any employee to pay any portion of the premium paid by the employer to a carrier or a benefit fund or department maintained by the employer for the purpose of providing compensation or medical services and supplies as required by the workers' compensation laws, shall be valid. Any employer who makes a deduction for such purposes from the pay of any employee entitled to benefits under the workers' compensation laws shall be guilty of a misdemeanor.

No agreement by any employee to waive workers' compensation rights and benefits shall be valid. Any person who commits workers' compensation fraud, upon conviction, shall be guilty of a felony punishable by imprisonment, a fine or both.

Workers' Compensation Commission
1915 North Stars Avenue
Oklahoma City, Oklahoma 73105-4918
Tele. 405-522-5308 (OKC) • 918-295-3732 (TU) • In-State Toll Free 855-291-3612
Web Site • www.wcc.ok.gov

Rev. 1-1-21

This notice must be posted and maintained by the employer in one or more conspicuous places on the work premises.

STATE OF OKLAHOMA CHILD LABOR LAW

Section 71 et. seq. of Title 40 of the Oklahoma Statutes
Applicable to minors UNDER 16 years of age

Minimum Age 14 years of age
Employment Certificate Employment certificate is issued by the school and is required for all employed minors, including home schooled minors and minors from out-of-state working in Oklahoma.

Employers are required to have an employment certificate from the school before a minor is allowed to work.

Note to Issuing Officer(s): Minors must comply with compulsory School Laws, Title 70 Section 10

Hours Standard School in session - minors restricted to:
No more than three (3) hours per school day
No more than eight (8) hours per non-school day
No more than eighteen (18) hours per school week

School not in session - minors restricted to:
No more than eight (8) hours per non-school day
No more than forty (40) hours per non-school week

Break Periods For every five (5) hours worked - Thirty (30) minute rest period
For every eight (8) hours worked - One (1) hour rest period

Times Standard From Tuesday after Labor Day through May 31st - minors:
Can not work before 7:00 a.m. and not after 7:00 p.m.

Prohibited Occupations

From June 1st through Labor Day - minors:
Can not work before 7:00 a.m. and not after 9:00 p.m.

Occupations which threaten health and well-being include, but not limited to:

Baking	Communications	Construction
Cooking	Coolers	Cutters
Demolition	Freezers	Fryers
Gills	Hoisting devices	Ladders
Loading	Machinery	Manufacturing
Mining	Motor vehicles	Mowers
Power-Driven	Processing	Public messenger
Public Utilities	Repair	Slicers
Storage	Tandem	Unloading
Warehouse	Weed eaters	Work rooms
	Youth peddling	

For information on hazardous occupations for 16 and 17 year olds, contact the United States Department of Labor at 1-866-487-9243

Oklahoma Department of Labor

1-888-269-5353

www.labor.ok.gov

YOUR RIGHTS UNDER OKLAHOMA'S USERRA

THE OKLAHOMA UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

Oklahoma's USERRA, 44 O.S. § 4300 et seq., protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service in the Oklahoma state military forces. USERRA also prohibits employers from discriminating against past and present members of the Oklahoma state military forces, and applicants to the Oklahoma state military forces.

Oklahoma state military forces include the National Guard of the State of Oklahoma, which includes an army component and an air force component; the Oklahoma State Guard; and any other military force organized under the Constitution and laws of the State of Oklahoma when not in a status placing them under exclusive federal jurisdiction. Unless otherwise established by Oklahoma law, the unorganized militia or any other state military force that does not meet this definition shall not be considered part of the "state military forces."

REEMPLOYMENT RIGHTS

You have the right to be reemployed in your civilian job if you leave that job to perform service in the Oklahoma state military forces and:

- you ensure that your employer receives advance written or verbal notice of your service;
- you have five years or less of cumulative service in the uniformed services while with that particular employer;
- you return to work or apply for reemployment in a timely manner after conclusion of service; and
- you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

If you:

- are a past or present member of the Oklahoma state military forces;
- have applied for membership in the Oklahoma state military forces; or
- are obligated to serve in the Oklahoma state military forces.

Then an employer, including a state agency, may not deny you:

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

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

HEALTH INSURANCE PROTECTION

- If you leave your job to perform military service in the Oklahoma state military forces, 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 service of the Oklahoma state military forces.
- Even if you don't elect to continue coverage during your service in the Oklahoma state military forces, 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 Oklahoma Commissioner of Labor is authorized to investigate and resolve complaints of Oklahoma USERRA violations.
- For assistance in filing a complaint, or for any other information on USERRA, contact the Oklahoma Department of Labor's Wage & Hour Division at 1-405-521-6100 or visit its website at <http://www.ok.gov/labor>.
- If you file a complaint with the Oklahoma Department of Labor ("ODOL") against a state government employer and ODOL is unable to resolve it, you may request that your case be referred to the District Attorney with relevant jurisdiction for representation.
- You may also bypass the ODOL complaint process and bring a civil action against an employer for violations of Oklahoma's USERRA.

The rights listed here may vary depending on the circumstances. 44 O.S. § 4354 requires employers to notify employees of their rights under Oklahoma's USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.



OKLAHOMA STATE UNIVERSITY