LAWS

from intrusion from coworkers and the public, which may be

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

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

prohibits retaliating against or discharging workers who file a

from the minimum wage, and/or overtime pay

Special provisions apply to workers in American

Islands, and the Commonwealth of Puerto Rico.

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

apprentices, and workers with disabilities may be paid

less than the minimum wage under special certificates

wage and overtime pay protections and correctly

classified independent contractors are not.

Certain full-time students, student learners,

Some state laws provide greater employee

Certain occupations and establishments are exempt

Samoa, the Commonwealth of the Northern Mariana

complaint or participate in any proceeding under the FLSA.

are determined to be willful or repeated. The law also

ADDITIONAL INFORMATION

minimum wage or overtime pay provisions of the law. Civil

used by the employee to express breast milk.

ENFORCEMENT

FED **EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT**

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

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

At least 1½ times the regular rate of pay for all hours worked

over 40 in a workweek. **CHILD LABOR**

AZ

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 iobs declared hazardous by the Secretary of Labor. Youths 14 and

15 years old may work outside school hours in various nonmanufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural

TIP CREDIT Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped

employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference. **NURSING MOTHERS**

The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA's overtime requirements in order for the employee to express breast milk for her nursing child for one year after the child's birth each time 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

WAGE AND HOUR DIVISION OF LABOR UNITED STATES OF AMERICA

UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243 TTY: 1-877-889-5627

issued by the Department of Labor.

www.dol.gov/whd

REV. 07/2016

THE FAIR WAGES AND HEALTHY FAMILIES ACT

Effective January 1, 2023, Arizona's Minimum Wage Is: \$13.85 per hour

employed by a parent or a sibling; any person who is employed performing babysitting services in the employer's home on a casual basis; any person employed by the State of **EXEMPTIONS:**

Arizona or the United States government; or any person employed in a small business that grosses less than \$500,000 in annual revenue, if that small business is exempt from having to pay a minimum wage under section 206(a) of title 29 of the United States Code. For any employee who customarily and regularly receives tips or gratuities, an employer may pay tipped employees a maximum of \$3.00 per hour less than the minimum wage if the

The Fair Wages and Healthy Families Act (the "Act") does not apply to any person who is

TIPS AND GRATUITIES: employer can establish by its records that for each week, when adding tips received to wages paid, the employee received not less than the minimum wage for all hours worked. Certain **RETALIATION &** Employers are prohibited from discriminating against or subjecting any person to retaliation

for: (1) asserting any claim or right under the Act; (2) assisting any person in doing so; or (3) informing any person of their rights under the Act. Any person or organization may file a complaint with the Industrial Commission's Labor Department alleging that an employer has violated the Act. Certain time limits apply. A civil

action may also be filed as provided in the Act. Violations of the Act may result in penalties. For additional information regarding the Act, you may refer to the Industrial Commission's website at www.azica.gov or contact the Industrial Commission's Labor Department: 800 W. Washington, Phoenix, Arizona 85007-2022; (602) 542-4515.

THIS POSTER MUST BE CONSPICUOUSLY DISPLAYED IN A PLACE THAT IS ACCESSIBLE TO EMPLOYEES

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

AZ

AZ

DISCRIMINATION

ENFORCEMENT:

INFORMATION:

PROHIBITED:

Work Exposure to Methicillin-Resistant Staphylococcus Aureus (MRSA), Spinal Meningitis, or Tuberculosis (TB)

Employees are notified that a claim may be made for a condition, infection, disease or disability involving or related to MRSA, spinal meningitis, or TB within the provisions of the Arizona Workers' Compensation Law. (A.R.S. § 23-1043.04) Such a claim shall include the occurrence of a significant exposure at work, which is defined to mean an exposure

Notice to Employees

exposure in the course of employment to MRSA through Certain classes of employees (as defined below) may more easily establish a claim related to MRSA, spinal meningitis or

in the course of employment to aerosolized MRSA, spinal

meningitis or TB bacteria. Significant exposure also includes

TB by meeting the following requirements: The employee's regular course of employment involves handling or exposure to MRSA, spinal meningitis or TB. For purposes of establishing a claim under this section, "employee" is limited to firefighters, law enforcement officers, correction officers, probation officers, emergency medical technicians and paramedics who are not employed

by a health care institution; No later than thirty (30) calendar days after a possible significant exposure, the employee reports in writing to the employer the details of the exposure; A diagnosis is made within the following time-frames:

a. For a claim involving MRSA, the employee must be diagnosed with MRSA within fifteen (15) days after the employee reports pursuant to Item No. 2 above;

employee must be diagnosed with spinal meningitis within two (2) to eighteen (18) days of the possible significant exposure; and For a claim involving TB, the employee is diagnosed with TB within twelve (12) weeks of the possible significant exposure. Expenses for post-exposure evaluation and follow-up,

For a claim involving spinal meningitis, the

including reasonably required prophylactic treatment for MRSA, spinal meningitis, and TB is considered a medical benefit under the Arizona Workers' Compensation Act for any significant exposure that arises out of and in the course of employment if the employee files a claim for the significant exposure or the employee reports in writing the details of the exposure. Providing post-exposure evaluation and follow-up, including prophylactic treatment, does not, however, constitute acceptance of a claim for a condition infection, disease or disability involving or related to a

significant exposure. Employers must post this notice in a conspicuous place next

to the Workers' Compensation Notice to Employees

REV. 07/2011

Workers' Compensation Law TO BE POSTED BY EMPLOYER **POLICY NUMBER**

NOTICE TO EMPLOYEES

RE: ARIZONA WORKERS' COMPENSATION LAW All employees are hereby notified that this employer has complied with the provisions of the Arizona Workers' Compensation Law (Title 23, Chapter 6, Arizona Revised Statutes) as amended, and all the rules and regulations of The Industrial Commission of Arizona made in pursuance thereof, and has secured the payment of compensation to employees by insuring the payment of such compensation with:

All employees are hereby further notified that in the event they do not specifically reject the provisions of the said compulsory law, they are deemed by the laws of Arizona to have accepted the provisions of said law and to have elected to accept compensation under the terms thereof; and that under the terms thereof employees have the right to reject the same by written notice thereof prior to any injury sustained, and that the blanks and forms for such notice are available to all employees at the office of this employer

KEEP POSTED IN A CONSPICUOUS PLACE.

A SER COLOCADO POR EL PATRON

los empleados garantizando el pago de dicha compensacion por medio de:

AVISO A LOS EMPLEADOS RE: LEY DE COMPENSACION PARA LOS TRABAJADORES DE ARIZONA

A todos los empleados se les notifica por este medio que este patron ha cumplido con las provisiones de la Ley de Compensacion para los Trabajadores de Arizona (Titulo 23, Capitulo 6, Estatutos Enmendados de Arizona) tal como han sido enmendados, y con todas las reglas y ordenanzas de La Comision Industrial de Arizona hechas en cumplimiento de esta, y ha asegurado el pago de compensacion a

Ademas, a todos los empleados se les notifica por este medio que en caso de que especificadamente ellos no rechazen las disposiciones de dicha ley obligatoria, se les considerara bajo las leyes de Arizona de haber aceptado las provisiones de dicha ley y de haber escogido aceptar la compensacion bajo estos terminos; tambien bajo estos terminos los empleados tienen el derecho de rechazar la misma por medio de una notificacion por escrito antes de que sufran alguna lesion, todos los formularios o formas en blanco para tal notificación por escrito estaran disponibles para todos los empleados en la oficina de este patror

COLOQUESE EN LUGAR VISIBLE.

Work Exposure to Bodily Fluids NOTICE TO EMPLOYEES

Re: Human Immunodeficiency Virus (HIV), Acquired Immune Deficiency Syndrome (AIDS) & Hepatitis C Employees are notified that a claim may be made for a condition infection, disease, or disability involving or related to the Human Immunodeficiency Virus (HIV), Acquired Immune Deficiency Syndrome (AIDS), or Hepatitis C within the provisions of the Arizona Workers' Compensation Law, and the rules of The Industrial Commission of Arizona. Such a claim shall include the occurrence of a significant exposure at work, which generally means contact of an employee's ruptured or broken skin or mucous membrane with a person's blood, semen, vaginal fluid, surgical fluid(s) or any other fluid(s) containing blood. AN **EMPLOYEE MUST CONSULT A PHYSICIAN TO SUPPORT A**

Certain classes of employees may more easily establish a claim related to HIV, AIDS, or Hepatitis C if they meet the following

CLAIM. Claims cannot arise from sexual activity or illegal drug

The employee's regular course of employment involves handling or exposure to blood, semen, vaginal fluid, surgical fluid(s) or any other fluid(s) containing blood. Included in this category are health care providers, forensic laboratory workers, fire fighters, law enforcemen officers, emergency medical technicians, paramedics and

NO LATER THAN TEN (10) CALENDAR DAYS after a possible significant exposure which arises out of and in the course of employment, the employee reports in writing to the employer the details of the exposure

as provided by Commission rules. Reporting forms

are available at the office of this employer or from the Industrial Commission of Arizona, 800 W. Washington Phoenix, Arizona 85007, (602) 542-4661 or 2675 E. Broadway, Tucson, Arizona 85716, (520) 628-5181. If an employee chooses not to complete the reporting form, that employee may be at risk of losing a prima facie claim possible significant exposure the employee has blood drawn, and NO LATER THAN THIRTY (30) CALENDAR

DAYS the blood is tested for **HIV OR HEPATITIS C** by NO LATER THAN EIGHTEEN (18) MONTHS after the date of the possible significant exposure at work, the employee is retested and the results of the test are HIV for the presence of HIV, or **NO LATER THAN SEVEN** (7) MONTHS after the date of the possible significant exposure at work, the employee is retested and the

presence of Hepatitis C. **KEEP POSTED IN CONSPICUOUS PLACE NEXT TO WORKERS' COMPENSATION NOTICE TO EMPLOYEES**

results of the test are positive for the presence of Hepatitis

C or the employee has been diagnosed as positive for the

THIS NOTICE IS APPROVED BY THE INDUSTRIAL COMMISSION OF ARIZONA FOR CARRIER USE ICA FORM 04-615-01

The Fair Wages and Healthy Families Act

Earned Paid Sick Time

The Fair Wages and Healthy Families Act (the "Act") does not apply to any person who is employed by a parent or a sibling; any person who is employed performing babysitting **EXEMPTIONS:** services in the employer's home on a casual basis; or any person employed by the State of Arizona or the United States government.

Beginning July 1, 2017, employees are entitled to earned paid sick time and accrue a minimum of one hour of earned paid sick time for every 30 hours worked, subject to the Employees whose employers have less than 15 employees may only accrue or use 24

ENTITLEMENT AND hours of earned paid sick time per year. Employees whose employers have 15 or more employees may only accrue or use 40 hours of earned paid sick time per year.

Employers are permitted to select higher accrual and use limits. Earned paid sick time may be used for the following purposes: (1) medical care or mental or physical illness, injury, or health condition; or (2) a public health emergency; and (3) absence due to domestic violence, sexual violence, abuse, or stalking. Employees may use earned paid sick time for themselves or for family members. See Arizona Revised Statutes §

23-373 for more information. Employers are prohibited from discriminating against or subjecting any person to **RETALIATION & DISCRIMINATION** PROHIBITED:

TERMS OF USE:

AMOUNT:

retaliation for: (1) asserting any claim or right under the Act, including requesting or using earned paid sick time; (2) assisting any person in doing so; or (3) informing any person of their rights under the Act. Each employee has the right to file a complaint with the Industrial Commission's Labor Department alleging that an employer has violated the Act. Certain time limits apply. A civil

ENFORCEMENT: action may also be filed as provided in the Act. Violations of the Act may result in penalties. For additional information regarding the Act, you may refer to the Industrial Commission's **INFORMATION:** website at www.azica.gov or contact the Industrial Commission's Labor Department: 800 W. Washington, Phoenix, Arizona 85007-2022; (602) 542-4515.

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THIS POSTER MUST BE CONSPICUOUSLY POSTED IN A PLACE THAT IS ACCESSIBLE TO EMPLOYEES

FED

OF LABOR

UNITED STATES

OF AMERICA

FED

EMPLOYEE RIGHTS EMPLOYEE POLYGRAPH PROTECTION ACT

EXAMINEE RIGHTS

ENFORCEMENT

The Employee Polygraph Protection Act prohibits are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in most private employers from using lie detector tests either for pre-employment screening or during the economic loss to the employer. course of employment. The law does not preempt any provision of any State or local law or any collective bargaining agreement which is

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

rights under the Act. **EXEMPTIONS** Federal, State and local governments are not affected

by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities. The Act permits polygraph (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 The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who

THIS POSTER WHERE EMPLOYEES AND JOB **APPLICANTS CAN READILY SEE IT.**

court actions.

WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR

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

more restrictive with respect to lie detector tests.

Where polygraph tests are permitted, they are subject to

numerous strict standards concerning the conduct and

length of the test. Examinees have a number of specific

testing, the right to refuse or discontinue a test, and the

The Secretary of Labor may bring court actions to restrain

THE LAW REQUIRES EMPLOYERS TO DISPLAY

violations and assess civil penalties against violators.

Employees or job applicants may also bring their own

right not to have test results disclosed to unauthorized

rights, including the right to a written notice before

1-866-487-9243 WH1462

FEDERAL

FED

Union members and applicants for membership in a union

State and local governments (as employers)

What Types of Employment Discrimination are Illegal?

Under the EEOC's laws, an employer may not discriminate against you, regardless of

Sex (including pregnancy and related conditions, sexual orientation, or gender

Genetic information (including employer requests for, or purchase, use, or

Failure to provide reasonable accommodation for a disability or a sincerely-held

disclosure of genetic tests, genetic services, or family medical history)

Retaliation for filing a charge, reasonably opposing discrimination, or

participating in a discrimination lawsuit, investigation, or proceeding.

What Employment Practices can be Challenged as Discriminatory?

Harassment (including unwelcome verbal or physical conduct)

Obtaining or disclosing genetic information of employees

Requesting or disclosing medical information of employees

What can You Do if You Believe Discrimination has Occurred?

an inquiry through the EEOC's public portal:

1–844–234–5122 (ASL video phone)

Conduct that might reasonably discourage someone from opposing

discrimination, filing a charge, or participating in an investigation or

Contact the EEOC promptly if you suspect discrimination. Do not delay, because there

are strict time limits for filing a charge of discrimination (180 or 300 days, depending

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

Educational institutions (as employers)

What Organizations are Covered?

your immigration status, on the bases of:

Most private employers

Staffing agencies

Age (40 and older)

All aspects of employment, including:

Discharge, firing, or lay-off

Pay (unequal wages or compensation)

religious belief, observance or practice

Hiring or promotion

Assignment

Benefits

Job training

Classification

Color

Religion

Disability

REV. 07/2016

EMPLOYEE RIGHTS UNDER THE FAMILY

AND MEDICAL LEAVE ACT The United States Department of Labor Wage and Hour Division

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected

leave in a 12-month period for the following reasons: The birth of a child or placement of a child for adoption or foster care;

To 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;

To bond with a child (leave must be taken within 1 year of the child's birth or placement);

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

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule. Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the

employer's normal paid leave policies. **BENEFITS & PROTECTIONS** While employees are on FMLA leave, employers must continue health insurance coverage as if the

employees were not on leave. Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

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

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

Have worked for the employer for at least 12 months;

Work at a location where the employer has at least 50 employees within 75 miles of the employee's

Have at least 1,250 hours of service in the 12 months before taking leave;* and

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

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to

give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the 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 <mark>un</mark>der 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.

law or collective bargaining agreement that provides greater family or medical leave rights.

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

DEPARTMENT OF LABOR

UNITED STATES

OF AMERICA

AZ

AZ

WITH RESPECT TO:

INCLUDE:

Meet all other eligibility requirements.

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

U.S. Department of Labor • Wage and Hour Division • WH1420



REV. 04/2016

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

Advisor can be viewed at https://webapps.dol.gov/elaws/vets/userra. If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation.

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

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

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

Department of Economic Security

Your Partner for a Stronger Arizona **Notice to Employees** YOU ARE COVERED BY UNEMPLOYMENT INSURANCE (UI)

For an explanation of what this insurance means to you, visit our website at www.azui.com for a copy of the pamphlet A Guide to Arizona Benefits. You may obtain additional information from the Unemployment Insurance office by calling (602) 364-2722 in the Phoenix area, (520) 791-2722 in the Tucson area, or toll free at 1-877-600-2722.

IF YOU BECOME UNEMPLOYED, YOU MAY BE ELIGIBLE FOR UNEMPLOYMENT BENEFITS IF YOU: Open or reopen a claim by going on line at www.azui.com. If you do not have internet access, go to your nearest

Arizona Department of Economic Security (ADES) Employment Service (ES) office for assistance. Were separated from your last job for a non-disqualifying reason. Meet the wage requirements established by law.

Are registered for work with Arizona Job Connection – DES will attempt to register you based on the information you provide when your claim is filed. Actively seek work and remain available and able to accept suitable employment.

You may receive partial unemployment insurance payments if your hours and wages are reduced.

Equal Opportunity Employer / Program • Auxiliary aids and services are available upon request to individuals with disabilities • To request this document in alternative format or for further information about this policy, contact the UI Tax Office at 602-771-6606; TTY/TDD Services: 7-1-1 • Disponible en español en línea o en la oficina local

Hiring, Promotion, Transfer, Termination, Salary or Benefits, Lay-Off, Apprenticeship and

Arizona Law Prohibits Discrimination in Employment ON THE BASIS OF: Race, Color, Religion, Sex, Age (40+), National Origin, Disability or Results of Genetic Testing. Employers, Employment Agencies or Labor Unions.

Training Programs, Job Referrals, or Union Membership. **REMEDY MAY** Employment, Reinstatement, Back Pay, Promotion or Lost Benefits

*Intake form available online at www.azag.gov LA LEY DE ARIZONA PROHIBE DISCRIMINACION EN EL EMPLEO

POR RAZONES DE: Raza, Color, Religion, Sexo, Edad (40+), Origen Nacional, Incapacidad o Resultados de Prueba

POR PARTE DE: Empleador, Agencias de Empleo, o Sindicatos. CON RESPECTO A: Ocupacion, Ascenso, Transferencia, Terminacion, Salarios o Beneficios, Despido, Aprendizaje de Trabajo, Referencias de Trabajo, o Miembrecia en Sindicatos.

Empleo, Re-Empleo, Sueldo Atrasado, Ascenso o Beneficios Perdidos. **PUEDEN INCLUIR:** *Formulario de cuestionario esta disponible en nuestro sitio de web: www.azag.gov **PHOENIX OFFICE: TUCSON OFFICE:** 2005 N. CENTRAL AVENUE **400 WEST CONGRESS STREET STATE OF ARIZONA** Tucson, Arizona 85701 PHOENIX, ARIZONA 85004

OFFICE OF THE ATTORNEY GENERAL

Civil Rights Division

THIS NOTICE MUST BE POSTED IN A CONSPICUOUS WELL LIGHTED PLACE FREQUENTED BY EMPLOYEES, JOB SEEKERS, APPLICANTS FOR UNION MEMBERSHIP, OR PATRONS.

AZ

(602) 542-5263

(877) 491-5742 TOLL FREE

(877) 624-8090 TTY TOLL

Constructive Discharge

Notification of A.R.S. §23-1502

An employee is encouraged to communicate to the employer whenever the employee believes working conditions may become intolerable to the employee and may cause the employee to resign. Under section 23-1502, Arizona Revised Statutes, an employee may be required to notify an appropriate representative of the employer in writing that a working condition exists that the employee believes is intolerable, that will compel the employee to resign or that tes a constructive discharge, if the employee wants to preserve the right to bring a claim against the employe alleging that the working condition forced the employee to resign. Under the law, an employee may be required to wait for fifteen calendar days after providing written notice before the employee may resign if the employee desires to preserve the right to bring a constructive discharge claim against the

employer. An employee may be entitled to paid or unpaid leave of absence of up to fifteen calendar days while waiting for the employer to respond to the employee's written communication about the employee's working condition.

U.S. Equal Employment Opportunity Commission

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

under Federal law from discrimination on the following bases: Employees (current and former), including managers and temporary employees

an employee of, a company with a Federal contract or subcontract, you are protected

Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Executive Order 11246, as amended, prohibits employment discrimination by Federal

contractors based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

Asking About, Disclosing, or Discussing Pay Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees.

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified

individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated

veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans. Retaliation is prohibited against a person who files a complaint of discrimination,

participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors under these Federal laws

Programs (OFCCP) U.S. Department of Labor 200 Constitution Avenue, N.W. Washington, D.C. 20210

1-800-397-6251 (toll-free) If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at https://ofccphelpdesk.dol.gov/s/, or by

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL

Race, Color, National Origin, Sex In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits

Individuals with Disabilities Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

Federal agency providing such assistance.

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

USERRA violations.

against past and present members of the uniformed services, and applicants to the uniformed services. REEMPLOYMENT RIGHTS **HEALTH INSURANCE PROTECTION** If you leave your job to perform military service, you have the right to

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

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

the uniformed service; or then an employer may not deny you:

initial employment; reemployment; any benefit of employment retention in employment;

employer for violations of USERRA.

Employee Safety and Health Protection

The Arizona Occupational Safety and Health Act of 1972 (Act), provides safety and health protection for employees in Arizona. The Act requires each employer to furnish his employees with a place of employment free from recognized hazards that might cause serious injury or death. The Act further requires that employers and employees comply with all workplace safety and health standards, rules and regulations promulgated by the Industrial Commission. The Arizona Division of Occupational Safety and Health (ADOSH), a division of the Industrial

As an employee, you have the following rights:

You have the right to notify your employer or ADOSH about workplace hazards. You may ask

participate in the inspection. If you believe you have been discriminated against for making safety and health complaints, or for exercising your rights under the Act, you have a right to file a complaint with

You have the right to see any citations that have been issued to your employer. Your employer

You have the right to obtain copies of your medical records or records of your exposure to

You have the right to protest the time frame given for correction of any violation.

The Industrial Commission and ADOSH do not cover employers of household domestic labor, those in maritime activities (covered by OSHA), those in atomic energy activities (covered by the Atomic Energy Commission) and those in mining activities (covered by the Arizona Mine Inspector's office). To file a complaint, report an emergency or seek advice and assistance from ADOSH, contact the nearest ADOSH office:

Industrial Commission web site: www.ica.state.az.us

520-628-5478

Toll free: 855-268-5251

the Arizona Occupational Safety and Health plan may do so at the following address:

230 N. 1st Ave., Ste. 202 **PHOENIX, AZ 85003** Telephone: 602-514-7250

TWO ways to verify poster compliance!

QR CODE Scan with phone camera:

ONLINE

Go to: JJKeller.com/LLPverify

Enter this code: 62758-012023

602-542-5795

Toll free: 855-268-5251

J. J. Keller & Associates, Inc. JJKeller.com/laborlaw 800-327-6868

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Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities should contact immediately: The Office of Federal Contract Compliance

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

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

If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the

Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for serviceconnected illnesses or injuries. **ENFORCEMENT**

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

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

elect to continue your existing employer-based health plan coverage

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

For assistance in filing a complaint, or for any other information on USERRA, contact VETS at **1-866-4-USA-DOL** or visit its website at https://www.dol.gov/agencies/vets/. An interactive online USERRA

Commission of Arizona, administers and enforces the requirements of the Act.

ADOSH within 30 days of the discriminatory action. You are also afforded protection from

must post the citations at or near the location of the alleged violation.

Your employer must post this notice in your workplace.

800 West Washington 2675 East Broadway **PHOENIX AZ. 85007 Tucson, AZ. 85716**

U.S. DEPARTMENT OF LABOR – OSHA

To update your labor law posters contact



REV. 10/2011

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

(502) 628-6500

(877) 491-5740 TOLL FREE

(877) 624-8090 TTY TOLL FREE

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REV. 07/2013

an EEOC field office (information at www.eeoc.gov/field-office) E-Mail Additional information about the EEOC, including information about filing a charge of discrimination,

FED

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

1-800-669-4000 (toll free)

1-800-669-6820 (TTY)

SUBCONTRACTS The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action commitments of companies doing business with the Federal Government. If you are applying for a job with, or are

promotion; or

notice of your service;

the uniformed service; uniformed service; have applied for membership in

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

ADOSH to keep your name confidential. You have the right to request that ADOSH conduct an inspection if you believe there are unsafe and/or unhealthful conditions in your workplace. You or your representative may

discrimination under the Federal Occupational Safety and Health Act and may file a complaint with the U.S. Secretary of Labor within 30 days of the discriminatory action.

toxic and harmful substances or conditions.

PHOENIX: Tucson:

Note: Persons wishing to register a complaint alleging inadequacy in the administration of