

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.

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

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,

restrictions. Different rules apply in agricultural employment.

Employers of "tipped employees" who meet certain conditions

may claim a partial wage credit based on tips received by their

employees. Employers must pay tipped employees a cash wage

of at least \$2.13 per hour if they claim a tip credit against their

the minimum hourly wage, the employer must make up the

The FLSA requires employers to provide reasonable break time

for a nursing employee to express breast milk for their nursing

child for one year after the child's birth each time the employee

needs to express breast milk. Employers must provide a place,

other than a bathroom, that is shielded from view and free fron

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

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

non-mining, non-hazardous jobs with certain work hours

FED

**OVERTIME PAY** 

40 in a workweek.

**CHILD LABOR** 

TIP CREDIT

difference

**PUMP AT WORK** 

DEPARTMENT

UNITED STATES

OF LABOR

OF AMERICA

AK

the employee to express breast milk.

LABOR LAWS

### **Since 1953**

**EMPLOYEE RIGHTS** 

**UNDER THE FAIR LABOR STANDARDS ACT** 

ENFORCEMENT

# **FEDERAL**

# ALASKA

**HEALTH INSURANCE PROTECTION** 



### **EMPLOYEE POLYGRAPH PROTECTION ACT**

#### **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
- 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 disgualifying 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 are obligated to serve in the uniformed service: uniformed service:
- have applied for membership in the
- uniformed service; or then an employer may not deny you:
  - initial employment;
  - promotion; or reemployment; any benefit of employment
- retention in employment;
- because of this status.

connection.

FED

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

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

- If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military. Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are
- reemployed, generally without any waiting periods or exclusions (e.g., preexisting condition exclusions) except for service-connected illnesses or injuries.

#### **ENFORCEMENT**

- The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.
- For assistance in filing a complaint, or for any other information on USERRA, contact VETS at **1-866-4-USA-DOL** or visit its website at https://www.dol.gov/agencies/vets/. An interactive online USERRA Advisor can be viewed at https://webapps.dol.gov/elaws/vets/userra.
- If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation.
- You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

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

DEPARTMENT OF LABOR UNITED STATES OF AMERICA 1-866-487-9243 www.dol.gov/agencies/whd WH1088 REV. 04/2023 FED

#### Department of Labor and Workforce Development Summary of Alaska Wage and Hour Act

WAGE AND HOUR DIVISION

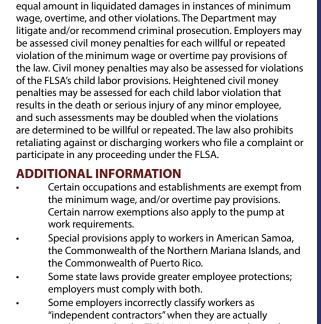
UNITED STATES DEPARTMENT

OF LABOR

Effective January 1, 2024, the Alaska minimum wage shall be \$11.73 per hour. Alaska Statute 23.10.050 – 23.10.150 establishes minimum commodities for market, or in making cheese, butter wage and overtime pay standards for employment subject to or other dairy products; its provisions. These standards are generally applicable to all Agricultural employees; employees. School bus drivers, however, shall receive at least . An employee employed as a seamen; two times the Alaska minimum wage. Other exceptions to Workers engaged in planting or tending trees, cruising, the minimum wage requirement follow. surveying, bucking or felling timber, preparing or transporting logs or other forestry products to the Alaska minimum wage and overtime mill, processing plant, railroad or other transportation

requirements do not apply to any individual employed as follows:

In agriculture: In the taking of aquatic life; or the hand picking of shrimp



The Department has authority to recover back wages and an

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

## FAMILY AND MEDICAL LEAVE ACT

#### What is FMLA leave?

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with job-protected leave for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees.

Eligible employees can take up to 12 workweeks of FMLA leave in a 12-month period for:

- The birth, adoption or foster placement of a child with you,
- Your serious mental or physical health condition that makes you unable to work,
- To care for your spouse, child or parent with a serious mental or physical health condition, and Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military
- servicemembe

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

You have the right to use FMLA leave in **one block of time**. When it is medically necessary or otherwise permitted, you may take FMLA leave **intermittently in separate blocks of time, or on a reduced schedule** by working less hours each day or week. Read Fact Sheet #28M(c) for more information.

YOUR EMPLOYEE RIGHTS UNDER THE

WH1462

REV. 02/2022

U.S. Equal Employment Opportunity Commission

#### Know Your Rights: Workplace Discrimination is Illegal

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

#### Who is Protected?

- Employees (current and former), including managers and temporary employees Job applicants
- Union members and applicants for membership in a union

#### What Types of Employment Discrimination are Illegal?

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

Conduct that coerces, intimidates, threatens, or interferes with someone exercising their rights, or someone assisting or encouraging someone else to exercise rights, regarding disability discrimination (including accommodation) or

#### pregnancy accommodation What can You Do if You Believe

**Discrimination has Occurred?** Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimin

individuals with disabilities at all levels of employment, including the executive level.

#### **Protected Veteran Status**

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.

REV. 05/2022

#### The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers. The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the

Federal Government to certain private individuals engaged in national security-related activities.

for pre-employment screening or during the course of employment.

take a test or for exercising other rights under the Act.

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.

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either

Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector

Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the

test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to

#### EXAMINEE RIGHTS

employer

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PROHIBITIONS

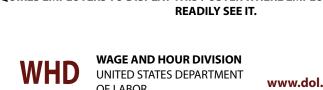
**EXEMPTIONS** 

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.

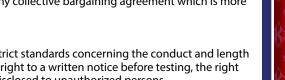
#### **ENFORCEMENT**

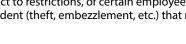
The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions.

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



1-866-487-9243 www.dol.gov/agencies/whd OF LABOR





In domestic service (including babysitting) in or about a private home; By U.S., state or local governments (i.e., political subdivisions)

In voluntary service in the nonprofit activities of a religious, charitable, cemetery, educational or other nonprofit organization which are related only to the organization's nonprofit activities;

In a bona fide executive, professional or administrative capacity as defined in regulations of the Commissioner of Labor and Workforce Development and in the FLSA; or in certain computer occupations, or as an outside salesman, or as any salesman working on a straight commission basis;

Youth under age 18 employed part-time for not more than 30 hours in any week

An individual who is employed by a motor vehicle dealer and whose primary duty is to (a) receive, analyze or reference requests for service, repair or analysis of motor vehicles; (b) arrange financing for the sale of motor vehicles and related products and services that are part of the sale; or (c) solicit, sell, lease or exchange motor vehicles:

An individual who provides emergency medical services only on a voluntary basis; serves with a full-time fire department only on a voluntary basis; or provides ski patrol services on a voluntary basis;

A student participating in a University of Alaska practicum described under AS 14.40.065;

A person licensed under AS 08.54 and who is employed by a registered guide or master guide licensed under AS 08.54 for the first 60 workdays so employed during a calendar year;

An independent taxicab driver who establishes the driving area and hours, who contracts on a flat rate basis for use of the cab, permit or dispatch services, and who is compensated solely by the customers served:

Solely as a watchman or caretaker on a premises out of operation for longer than four months

In delivery of newspapers to the consumer; In the search for placer or hard rock minerals;

An individual engaged in activities for a nonprofit religious, charitable, civic, cemetery, recreational or educational organization where the employer-employee relationship does not, in fact, exist, and where services rendered to the organization under a work activity requirement of AS 47.27 (Alaska temporary assistance program);

By a nonprofit educational or child care facility to serve in place of a parent of children in residence if the employment requires residence at the facility and is compensated on a cash basis exclusive of room and board at an annual rate of not less than \$10,000 for an unmarried person; or \$15,000 for a married couple.

#### **Overtime Hours**

The standard workweek shall not exceed 40 hours per week or eight hours per day. Should an ei to employ an employee in excess o overtime hours shall be compensat one-half times the regular rate of p

#### Compensation at the ov required in the foll

- By an employer who employ the regular course of busine
- An individual employed in h pasteurizing, drying, cannii raw or natural state agricult

**VOTICE:** This state has its own minin he Fair Labor Standards Act posting

ployee, the U.S. Department of L

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provision of medical services An employee under a flexible work hour plan which is

included as part of a collective bargaining agreement; An employee under a voluntary flexible work plan if the employee and employer have signed a written agreement which has been approved by the Department (Overtime rates must be paid for work over 40 hours a week and over the hours specified on the flexible work hour plan not included in a collective bargaining agreement);

terminal if the total number of employees in such

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

Hospital employees whose duties include the

An individual employed as an outside buyer of poultry,

lumber operations does not exceed 12:

A community health aide employed by a local or regional health organization as those terms are defined in AS 18.28.100;

Work performed by certain flat-rate mechanics primarily engaged in servicing automobiles, light trucks, and motor homes, subject to certain and specific provisions (see AS 23.10.060(d)(17));

An employee of a small mining operation where not more than 12 people are employed, as long as the individual is not employed in excess of 12 hours per day or 56 hours per week during a period of not more than 14 workweeks in the aggregate in any calendar year during the mining season;

An employee employed in connection with publication of a weekly, semiweekly or daily newspaper with a circulation of less than 1000;

Casual employees as defined by regulations of the Commissioner of Labor and Workforce Development;

A line haul truck driver for a trip exceeding 100 road miles one way if the driver's pay includes overtime pay for work in excess of 40 hours per week or eight hours per day, and if the rate of pay is comparable to the minimum wage;

Work performed by an employee under a voluntary written agreement addressing the trading of work shifts among employees, if employed by an air carrier subject to subchapter II of the Railway Labor Act (45 U.S.C.181-188), including employment as a customer service representative, subject to certain provisions (see AS 23.10.060(d)(18));

Work performed by a flight crew member employed by an air carrier subject to 45 U.S.C. 181-188 (subchapter II of the Railway Labor Act);

A switchboard operator employed in a public telephone exchange that has fewer than 750 stations

An employee in otherwise exempted employment or a proprietor in a retail or service establishment engaged in handling telegraphic, telephone or radio messages under an agency or contract arrangement with a telegraph or communications company where the telegraph message or communications revenue of

the agency does not exceed \$500/month. NOTE: This is not a complete list of exemptions to minimum wage and overtime provisions. Refer to AS 23.10.055 and AS 23.10.060. The above text is intended for informational purposes only and is not to be construed as having the effect

Inquiries should be made to: Wage and Hour, Alaska Department of Labor and Workforce Development, 1251

FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to use any employer-provided paic leave if your employer's paid leave policy covers the reason for which you need FMLA leave.

#### Am I eligible to take FMLA leave?

- You are an **eligible employee** if **all** of the following apply:
- You work for a covered employer,
- You have worked for your employer at least 12 months,
- You have at least 1,250 hours of service for your employer during the 12 months before your leave, and Your employer has at least 50 employees within 75 miles of your work location.
- Airline flight crew employees have different "hours of service" requirements.

#### You work for a **covered employer** if **one** of the following applies:

- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,
- You work for an elementary or public or private secondary school, or

You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management.

#### How do I request FMLA leave?

#### Generally, to request FMLA leave you must:

- Follow your employer's normal policies for requesting leave,
- Give notice at least 30 days before your need for FMLA leave, or
- If advance notice is not possible, give notice as soon as possible.

You **do not have to share a medical diagnosis** but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You must also inform your employer if FMLA leave was previously taken or approved for the same reason when requesting additional leave.

Your employer may request certification from a health care provider to verify medical leave and may request certification of a qualifying exigency.

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.

State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress.

#### What does my employer need to do?

#### If you are eligible for FMLA leave, your **employer** must:

- Allow you to take job-protected time off work for a qualifying reason,
- Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave,
- Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave.

Your employer cannot interfere with your FMLA rights or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your employer must confirm whether you are eligible or not eligible for FMLA leave. If your employer determines that you are eligible, your employer must notify you in writing

- About your FMLA rights and responsibilities, and
- How much of your requested leave, if any, will be FMLA-protected leave.

#### Where can I find more information?

#### Call 1-866-487-9243 or visit dol.gov/fmla to learn more.

If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit inst your employer in court. Scan the QR code to learn about our WHD complaint process

of these standards, ated at the rate of one and pay.	Muldoon Road, Suite 113, Anchorage, AK 99504 Phone: (907) 269-4900 Email: <u>statewide.wagehour@alaska.gov</u>	DEPARTMENT OF LABOR		
vertime rate is not llowing cases: bys three or fewer people in ess; handling, packing, storing, ng, or preparing in their	<b>Recordkeeping</b> An employer shall keep for a period of at least three years all payroll information and records for each employee at the place of employment. <b>Post in a Prominent Place</b>	UNITED STATES OF AMERICA WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR	WH1420	
tural or horticultural	REV. 12/2023	AK	$\mathbb{V}_{\Lambda}\mathbb{V}_{\Lambda}\mathbb{V}_{\Lambda}\mathbb{V}_{\Lambda}\mathbb{V}_{\Lambda}\mathbb{V}_{\Lambda}\mathbb{V}_{\Lambda}\mathbb{V}_{\Lambda}\mathbb{V}_{\Lambda}$	
	e also required to display the federal Employee Rights Under ninimum wage. Where federal and state rates both apply to an	The Alaska Human Rights Law and (AS 18.80.220) Title VII of the Federal Civil Rights Act, SEXUAL HARASSMENT		
	ee is entitled to the higher minimum wage rate. MATIONAL PURPOSES ONLY.			
artment of Labor and Workforce Development		IS ILLEGAL If you have experienced:		
ummary of Alask	a Child Labor Law	Unwelcome Sexual Advances;		
<b>KRESTRICTIONS:</b>	NO MINOR UNDER 18 MAY WORK	Requests for Sexual Favors;		

, on the bases of:		its for fining a charge of discrimination (160 of	veterans.
Race	300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:		Retaliation
Color		, 5,	Retaliation is prohibited against a person who files a
Religion	Submit	an inquiry through the EEOC's public portal: https://publicportal.eeoc.gov/Portal/Login.aspx	complaint of discrimination, participates in an OFCCP
National origin	Call	1–800–669–4000 (toll free)	proceeding, or otherwise opposes discrimination by
Sex (including pregnancy, childbirth, and related	Call	1–800–669–4000 (toli nee) 1–800–669–6820 (TTY)	Federal contractors under these Federal laws.
medical conditions, sexual orientation, or gender identity)		1–844–234–5122 (ASL video phone)	Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations
Age (40 and older)	Visit	an EEOC field office (information at	under OFCCP's authorities should contact immediately:
Disability		www.eeoc.gov/field-office)	The Office of Federal Contract Compliance
Genetic information (including employer requests	E-Mail	info@eeoc.gov	Programs (OFCCP) U.S. Department of Labor
for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)	Additional information about		200 Constitution Avenue, N.W. Washington, D.C. 20210
Retaliation for filing a charge, reasonably		ling a charge of	1–800–397–6251 (toll-free)
opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding	discrimi <u>www.ee</u>	ation, is available at c.gov.	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
Interference, coercion, or threats related to exercising rights regarding disability		MPLOYERS HOLDING FEDERAL	contacted by submitting a question online to OFCCP's Help Desk at <i>https://ofccphelpdesk.dol.gov/s/</i> , or by
discrimination or pregnancy accommodation CONTRACTS OR SUBCONTRACTS		calling an OFCCP regional or district office, listed in	

## CONTRACTS OR SUBCONTRACTS

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

### Race, Color, Religion, Sex, Sexual Orientation,

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.

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.

reasonable accommodation to the known physical or

mental limitations of an otherwise gualified individual

Disability discrimination includes not making

#### Asking About, Disclosing, or Discussing Pay Executive Order 11246, as amended, protects Failure to provide reasonable accommodation applicants and employees of Federal contractors from

for a disability; pregnancy, childbirth, or related discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees.

Classification

What Organizations are Covered?

State and local governments (as employers)

What Employment Practices can be Challenged

Harassment (including unwelcome verbal or

Pay (unequal wages or compensation)

Educational institutions (as employers)

Most private employers

All aspects of employment, including:

Discharge, firing, or lay-off

Staffing agencies

physical conduct)

Assignment

Benefits

**INSPECTION:** 

**COMPLAINT:** 

**CITATION:** 

PROPOSED

VOLUNTARY

**ACTIVITY:** 

MORE

REV. 02/2018

**INFORMATION:** 

PROGRAM

**COMPLAINT:** 

PENALTY:

REV. 04/2023

Hiring or promotion

Unions

as Discriminatory?

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

#### **PROGRAMS OR ACTIVITIES RECEIVING** FEDERAL FINANCIAL ASSISTANCE **Race, Color, National Origin, Sex** discrimination on the following bases: In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil **Gender Identity, National Origin** Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is

provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

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.

#### Individuals with Disabilities

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

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

### REV. 06/27/2023

#### **Department of Labor and Workforce Development**

# Safety and Health Protection on the Job

#### ALASKA LAW AS 18.60.010 to .105 - provides safety and health protection for workers through promotion of safe and healthful working conditions throughout the State. Requirements of the law include the following:

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

> Each employee shall comply with all occupational safety and health standards, rules, regulations, and orders issued under the law that apply to his own actions and conduct on the job.

**EMPLOYEES:** The Alaska Department of Labor and Workforce Development has the primary responsibility for administering the law. It issues occupational safety and health standards, and its Compliance Officers conduct job site inspections to ensure compliance with the

> The law requires that a representative of the employer and a representative authorized by the employees be given an opportunity to accompany the Compliance Officer for the purpose of aiding the inspection. Pursuant to AS 18.60.087, time spent by an employee aiding the inspection shall be considered as time worked, and the employee shall be compensated accordingly. Where there is no authorized employee representative, the Compliance Officer must consult with a reasonable number of

medical condition; or a sincerely-held religious belief, observance or practice Disability Job training Section 503 of the Rehabilitation Act of 1973, as

- Referral
- Obtaining or disclosing genetic information of

#### **HOURS OF WORK** STRICTIONS: NO MINOR UNDER TO MAT WORK Sexual comments or conduct that interferes with your work or creates a hostile work environment; or **MORE THAN 6 DAYS IN ANY WORK WEEK** Your employer has made decisions about your job based on whether you accepted or rejected sexual advances, comments, or conduct, ALASKA YOUTH UNDER THE AGE OF 14 MAY WORK ONLY IN THE FOLLOWING OCCUPATIONS: You may be the victim of sexual harassment. Newspaper sales and delivery. If you believe you may have been sexually harassed, contact the Alaska Human Rights Commission. Statutes of Baby-sitting, handiwork and domestic employment in or about private homes. 2. limitation apply. The entertainment industry, with an approved work permit from the Alaska Wage and Hour Administration. Retaliation for Complaining About Sexual Harassment is UNLAWFUL. 14 & 15 YEAR OLDS: WHEN SCHOOL IS IN SESSION. Hours will be limited to a total of nine hours of school attendance plus employment It is illegal for your employer to fire you or to take other actions against you because you report or oppose sexual harassment. in any one day; work will be performed only between the hours of 5 a.m. and 9 p.m. and total hours worked will be ALASKA STATE COMMISSION FOR HUMAN RIGHTS limited to 23 in any week. 800 A STREET, SUITE 204, ANCHORAGE, AK 99501 DURING SCHOOL VACATIONS. Work hours will be limited to 40 hours per week between the hours of 5 a.m. and 9 p.m. TOLL FREE 800-478-4692 IN ANCHORAGE 274-4692 MINORS 17 AND UNDER CANNOT BE EMPLOYED IN: https://humanrights.alaska.gov/ Occupations in manufacturing, handling or use of explosives. Occupations of motor vehicle driver or helper (some limited restrictions). Mining operations including coal. Logging or occupations in the operations of any sawmill, lathe mill, shingle mill or cooperage. AK Department of Labor and Workforce Development Operation of power-driven woodworking machines. Occupations with exposure to radioactive substances and to ionizing radiation. **Emergency Information** Operation of elevators or other power-driven hoisting apparatus. Operation of power-driven metal forming, punching and shearing machines. DOCTOR Occupations involving slaughtering, meat packing, processing or rendering. AMBULANCE \_\_\_\_\_ 10. Occupations involved in the operation and cleaning of power-driven bakery machines. HOSPITAL \_\_\_\_\_ Occupations involved in the operation of power-driven paper products machines. 11. 12. Occupations involved in the manufacture of brick, tile and kindred products. POLICE 13. Occupations involved in the operation and cleaning of circular saws, band saws, and guillotine shears. FIRE DEPT. 14. Occupations involved in wrecking, demolition and shipwrecking operations. OTHER 15. Occupations involved in roofing operations. Occupations involved with excavation operations. All fatalities or injuries resulting in hospitalization must be reported immediately (within 8 hours) to the Alaska 16. Department of Labor and Workforce Development, Division of Labor Standards and Safety at 1-800-770-4940 Electrical work with voltages exceeding 220, or outside erection or repair and meter testing including telegraph 17. or to the OSHA 24-hour hot line at 1-800-321-6742 (AS 18.60.058(a)) and telephone lines. Occupations involving exposure to bloodborne pathogens. 1111 W. 8TH STREET, SUITE 304 Occupations involved in canvassing, peddling, solicitation of door-to-door contributions, or acting as an outside 1251 MULDOON ROAD, SUITE 109 675 SEVENTH AVENUE, STATION J1 P.O. Box 111149 ANCHORAGE, AK 99504 FAIRBANKS, AK 99701-4596 salesman JUNEAU, AK 99811-1149 Рноме: (907) 269-4940 PHONE (907) 451-2890 ADDITIONAL RESTRICTIONS FOR 14 & 15 YEAR OLDS: PHONE: (907) 465-4855 Occupations in manufacturing, mining or processing, including workrooms or places where goods are manufactured, mined or otherwise processed. Occupations involved in operation of power-driven machinery other than office machines. Occupations in construction (including demolition and repair) except office work. **NOTICE:** This state requires an employer to display a Workers' Compensation posting furnished by the employer's insurance carrier or a Any work in an establishment that serves alcoholic beverages. state agency. Employers should contact their insurance carrier or the appropriate state agency to obtain a copy of this state's Workers' Public messenger service. Compensation posting or notice of compliance/certificate of insurance. Employees should refer to the Workers' Compensation posting or notice of compliance/certificate of insurance furnished by the state or the employer's insurance carrier for information about Workers' Occupations in or about canneries, except office work. Compensation. Work performed in or about boilers, engine rooms or retorts. THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY. Work involved with maintenance or repair of the establishment's machines or equipment. IT DOES NOT FULFILL THIS STATE'S WORKERS' COMPENSATION POSTING REQUIREMENT. Occupations that involve working from windowsills, ladders, scaffolds or their substitutes. Occupations handling or operation of power-driven food slicers, grinders, choppers, cutters and bakery type 10. mixers. AK Work in freezers, meat coolers, or preparation of meat for sale. Department of Labor and Workforce Development 11. 12. Loading/unloading to or from trucks, railroad cars or conveyers. Notice to Employees 13. Occupations in warehouses and storage except office and clerical work. As an employee of this company, you are covered To file a **NEW** claim or **REOPEN** an existing Alaska claim for UI 14. Occupations involving use of sharpened tools. benefits on the Internet, go to labor.alaska.gov and click on by Unemployment Insurance (UI). The UI program is 15. Occupations in transportation of persons or property except office or sales work. administered by the Division of Employment and Training Services of the Alaska Department of Labor and Workforce **BREAKS:** Development A minor under 18 years of age who is scheduled to work six consecutive hours is entitled to a 30-minute break during The purpose of UI is to provide partial replacement of the workday. wages between jobs. If a business has to reduce wages use the toll free number. A minor under 18 who works five consecutive hours is entitled to a 30-minute break before continuing to work. or hours, or temporarily lay off workers, UI gives workers financial security and temporary buying power so they can ALCOHOL: remain in the community. This, in turn, helps employers keep All minors 16 and under must have a work permit on file with the Department. If the employer has a restaurant their trained work force. UI payments protect the economy

designation and is licensed to sell alcohol, then all minors 17 years of age must also have an approved work permit.

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

#### MARIJUANA & CANNABIS INDUSTRY:

AS 17.38.070 restricts the employment of persons under the age of 21 from working in any and all branches of the cannabis/marijuana industry, including but not limited to planting, cultivating, harvesting, processing, packaging, transporting or selling.

FOR FURTHER INFORMATION CONTACT: ALASKA WAGE AND HOUR ADMINISTRATION

"File Unemployment Benefits Online. To file for UI by telephone and for all other UI assistance, contact your local UI claim center. The phone numbers are listed below. If you do not reside in one of the cities below, Anchorage: (907) 269-4700 Juneau/outside Alaska: (907) 465-5552 Fairbanks: (907) 451-2871

in Alaska's communities until unemployed workers are

problems caused by layoffs or a lack of jobs.

website at: labor.alaska.gov/estax/faq/w1.htm.

As with any insurance, you must meet certain

reemployed. UI helps to reduce the family and community

All other areas in Alaska: (888) 252-2557 The toll-free telephone number to connect to Alaska Relay is (800) 770-8973 or voice (800) 770-8255.

You may be entitled to a refund of excess employee You and your employer both pay your UI premiums contributions to the UI Trust Fund if you had two or more (taxes). You pay about 27 percent and your employer pays employers in a calendar year, your withholdings exceeded 73 percent. Generally speaking, if you receive one week of UI the maximum annual employee tax and your overpayment benefits, you receive as much or more than you paid into the is \$5 or greater. For the year you are claiming a refund, the program for the year. Your employer may withhold from your earnings the employee portion of the UI tax. Wages in excess filing deadline for your application is Dec. 31 of the following of the maximum annual taxable wage set for the calendar calendar year. (If you had more than the legal maximum year are non-taxable. Current and past years' maximum employee deduction withheld by any one employer, your employer is responsible for refunding this excess deduction annual taxable wage base and the employee portion of the UI tax rates are posted on the Employment Security Tax to you.)

> To obtain an Employee Application for Refund, write the Alaska Department of Labor and Workforce Development, P.O. Box 115509, Juneau, AK 99811-5509 or email Tax

employees concerning safety and health conditions in the workplace.

Employees or their representatives have the right to file a complaint in writing with the nearest Alaska Department of Labor and Workforce Development office requesting an inspection if they believe unsafe or unhealthful conditions exist in their workplace. Their names will be withheld upon request.

- COMPLIANCE Employees and their representatives have a right to call an inspector's attention to possible violations in writing or orally.
  - The law provides that employees may not be discharged or discriminated against in any way for filing safety and health complaints or otherwise exercising their rights under the law.

Pursuant to AS 18.60.089, an employee may not be discharged or discriminated against because they filed a complaint, instituted, or caused to be instituted a proceeding related to the enforcement of occupational safety and health standards, or has testified DISCRIMINATION or is expected to testify in a proceeding related to occupational safety and health. An employee who believes they have been **COMPLAINT:** discriminated against may file a complaint with the nearest OSHA and/or Alaska Occupational Safety and Health office within 30 days of the alleged discrimination.

> If upon inspection, the Compliance Officer believes an employer has violated the law, a citation alleging such violations will be issued to the employer. Each citation will specify a time period within which the alleged violation must be corrected.

The citation must be prominently displayed at or near the place of alleged violation for five days, or until it is corrected, whichever is later, to warn employees of dangers that may exist there.

The law provides for mandatory penalties against employers of up to \$15,625.00 for each serious violation and for optional penalties of up to \$15,625.00 for any other violations. Penalties of up to \$15,625.00 per day may be proposed for failure to correct violations within the proposed time period. Also, any employer who willfully or repeatedly violates the law may be assessed penalties of up to \$156,259.00 for each violation. Current penalty supplements may be found here: https://labor.alaska.gov/lss/program\_directives.htm.

Criminal penalties are also provided for in the law. Any willful violation resulting in death of an employee upon conviction is punishable by a fine not more than \$10,000 or by imprisonment for not more than 6 months, or by both. Conviction of an employer after a first conviction doubles these maximum penalties.

While providing penalties for violations, the law also encourages efforts by labor and management, before an inspection, to reduce injuries and illnesses arising out of employment.

The Alaska Department of Labor and Workforce Development encourages employers and employees to reduce workplace hazards voluntarily and to develop and improve safety and health programs in all workplaces and industries.

Such cooperative action would initially focus on the identification and elimination of hazards that could cause death, injury, or illness to employees and supervisors. Upon request of an employer, the Alaska Department of Labor and Workforce Development will furnish a consultant who will inspect the premises and identify hazards without assessing penalties.

Additional information and copies of the law, specific safety and health standards, and other regulations may be obtained from the Alaska Department of Labor and Workforce Development, Division of Labor Standards & Safety, Alaska Occupational Safety and Health at the addresses shown at the bottom of this page.

Under a plan approved July 31, 1973, by the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA), the State of Alaska is providing job safety and health protection for workers throughout the State. OSHA will monitor the operation of this plan to assure that continued approval is merited. Any person may make a complaint regarding the State administration of this plan directly to the U.S. Department of Labor, OSHA, Region X, 300 Fifth Avenue, Suite 1280, Seattle, WA 98104, Phone (206) 757-6700.

#### **IT'S YOUR RIGHT TO KNOW**

#### About toxic and hazardous substances and physical agents

#### AS 18.60.068 requires this information be displayed in a prominent place on business premises.

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

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

The Alaska Department of Labor and Workforce Development will provide assistance to employers in the form of SDS program development aids, on-site program review, and safety seminars.

For more information, employees, employees and concerned citizens may contact the Alaska Department of Labor and Workforce Development, Labor Standards and Safety Division, Occupational Safety and Health, http://labor.alaska.gov/lss/oshhome.htm.

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

1111 West 8th Street, Suite 304		675 7th Avenue, Station J
•	1251 MULDOON ROAD, STE 109	Fairbanks, AK 99701-4596
P.O. Box 111149	Anchorage, AK 99504	(907) 451-2890
JUNEAU, AK 99811-1149 (907) 465-4855	(907) 269-4940	OR
(307) 403-4033		(907) 451-2888

AS 18.60.058 (a) requires that employers must notify either AKOSH or OSHA within eight hours of an in-patient hospitalization, loss of an eye, amputation, or fatality. AKOSH 1-800-770-4940 or 24-hour OSHA hotline 1-800-321-6742

#### **STATE OF ALASKA \_ABOR STANDARDS & SAFETY**

