State of California
Department of Industrial Relations
Division of Labor Standards Enforcement

PAYDAY NOTICE

REGULAR PAYDAYS FOR EMPLOYEES OF AllGood Driving School
(FIRM NAME)

_____ SHALL BE AS FOLLOWS:

Bi-weekly,every other Wednesday.

THIS IS IN ACCORDANCE WITH SECTIONS 204, 204A, 204B, 205, AND 205.5
OF THE CALIFORNIA LABOR CODE

BY Mike Thomas

TITLE CFO

DLSE 8 (REV. 06-02) ***PLEASE POST***

NO SMOKING

These are no smoking premises.
It is an offence to smoke or knowingly to permit smoking in these premises.

If you observe someone smoking here, a complaint may be made to

.....

EMERGENCY

AMBULANCE: 911

FIRE — RESCUE: 911

HOSPITAL: 911

PHYSICIAN: n/a

ALTERNATE: _____

POLICE: 911

CAL/OSHA: 800-963-9424

Posting is required by Title 8 Section 1512 (e), California Code of Regulations

March 1990
S-500

State of California
Department of Industrial Relations
Cal/OSHA Publications
P.O. Box 420603
San Francisco, CA 94142-0603

"EEO is the Law" Poster Supplement

Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations revisions

The Disability section is revised as follows:

DISABILITY
Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. 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.

The following section is added:

GENETICS
Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

The EEOC contact information is revised as follows:

The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at www.eeoc.gov or in most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at www.eeoc.gov.

Employers Holding Federal Contracts or Subcontracts section revisions

The Individuals with Disabilities section is revised as follows:

INDIVIDUALS WITH DISABILITIES
Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. 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. 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, Special Disabled Veterans section is revised as follows:

DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS
The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination and requires affirmative action to employ and advance in employment disabled veterans, recently separated veterans (within three years of discharge or release from active duty), other protected veterans (veterans who served during a war or in a campaign or expedition for which a campaign badge has been authorized), and Armed Forces service medal veterans (veterans who, while on active duty, participated in a U.S. military operation for which an Armed Forces service medal was awarded).

The following section is added:

RETALIATION
Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these Federal laws.

The OFCCP contact information is revised as follows:

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

Equal Employment Opportunity is

THE LAW

Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship.

DISABILITY

Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. 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.

AGE

The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

SEX (WAGES)

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment.

GENETICS

Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

RETALIATION

All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice.

WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED

There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is suspected:

The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at www.eeoc.gov or in most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at www.eeoc.gov.

Employers Holding Federal Contracts or Subcontracts

Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

INDIVIDUALS WITH DISABILITIES

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. 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. 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.

DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination and requires affirmative action to employ and advance in employment disabled veterans, recently separated veterans (within three years of discharge or release from active duty), other protected veterans (veterans who served during a war or in a campaign or expedition for which a campaign badge has been authorized), and Armed Forces service medal veterans (veterans who, while on active duty, participated in a U.S. military operation for which an Armed Forces service medal was awarded).

RETALIATION

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these Federal laws.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately:

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

Programs or Activities Receiving Federal Financial Assistance

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

INDIVIDUALS WITH DISABILITIES

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

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

TIME OFF TO VOTE

Polls are open from 7:00 a.m. to 8:00 p.m. each Election Day. If you are scheduled to be at work during that time, California law allows you to take up to two hours off to vote, without losing any pay.

You may take as much time as you need to vote, but only two hours of that time will be paid.

Your time off for voting can be only at the beginning or end of your regular work shift, unless you make another arrangement with your employer.

If you think you will need time off to vote, you must notify your employer at least two working days prior to the election.

California Elections Code section 14000

Secretary of State Debra Bowen 1500 11th Street, 5th Floor Sacramento, CA 95814

(800) 345-VOTE (8683) www.sos.ca.gov

The Division of Labor Standards Enforcement believes that the sample posting below meets the requirements of Labor Code Section 1102.8(a). This document must be printed to 8.5 x 14 inch paper with margins no larger than one-half inch in order to conform to the statutory requirement that the lettering be larger than size 14 point type.

WHISTLEBLOWERS ARE PROTECTED

It is the public policy of the State of California to encourage employees to notify an appropriate government or law enforcement agency, person with authority over the employee, or another employee with authority to investigate, discover, or correct the violation or noncompliance, and to provide information to and testify before a public body conducting an investigation, hearing or inquiry, when they have reason to believe their employer is violating a state or federal statute, or violating or not complying with a local, state or federal rule or regulation.

Who is protected?

Pursuant to California Labor Code Section 1102.5, employees are the protected class of individuals. "Employee" means any person employed by an employer, private or public, including, but not limited to, individuals employed by the state or any subdivision thereof, any county, city, city and county, including any charter city or county, and any school district, community college district, municipal or public corporation, political subdivision, or the University of California. [California Labor Code Section 1106]

What is a whistleblower?

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

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

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

What protections are afforded to whistleblowers?

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

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

How to report improper acts

If you have information regarding possible violations of state or federal statutes, rules, or regulations, or violations of fiduciary responsibility by a corporation or limited liability company to its shareholders, investors, or employees, call the California State Attorney General's Whistleblower Hotline at 1-800-952-5225. The Attorney General will refer your call to the appropriate government authority for review and possible investigation.

THIS POSTER MUST BE DISPLAYED WHERE EMPLOYEES CAN EASILY READ IT

(Poster may be printed on 8 ½" x 11" letter size paper)

HEALTHY WORKPLACES/HEALTHY FAMILIES ACT OF 2014
PAID SICK LEAVE

Entitlement:

- An employee who, on or after July 1, 2015, works in California for 30 or more days within a year from the beginning of employment is entitled to paid sick leave.
- Paid sick leave accrues at the rate of one hour per every 30 hours worked, paid at the employee's regular wage rate. Accrual shall begin on the first day of employment or July 1, 2015, whichever is later.
- Accrued paid sick leave shall carry over to the following year of employment and may be capped at 48 hours or 6 days. However, subject to specified conditions, if an employer has a paid sick leave, paid leave or paid time off policy (PTO) that provides no less than 24 hours or three days of paid leave or paid time off, no accrual or carry over is required if the full amount of leave is received at the beginning of each year in accordance with the policy.

Usage:

- An employee may use accrued paid sick days beginning on the 90th day of employment.
- An employer shall provide paid sick days upon the oral or written request of an employee for themselves or a family member for the diagnosis, care or treatment of an existing health condition or preventive care, or specified purposes for an employee who is a victim of domestic violence, sexual assault, or stalking.
- An employer may limit the use of paid sick days to 24 hours or three days in each year of employment.

Retaliation or discrimination against an employee who requests paid sick days or uses paid sick days or both is prohibited. An employee can file a complaint with the Labor Commissioner against an employer who retaliates or discriminates against the employee.

For additional information you may contact your employer or the local office of the Labor Commissioner. Locate the office by looking at the list of offices on our website http://www.dir.ca.gov/dlse/DistrictOffices.htm using the alphabetical listing of cities, locations, and communities. Staff is available in person and by telephone.

OFFICIAL NOTICE

INDUSTRIAL WELFARE COMMISSION
ORDER NO. 4-2001
REGULATING
WAGES, HOURS AND WORKING CONDITIONS IN THE

PROFESSIONAL, TECHNICAL, CLERICAL, MECHANICAL AND SIMILAR OCCUPATIONS

Effective January 1, 2002 as amended

Sections 4(A) and 10(C) amended and republished by the Department of Industrial Relations, effective July 1, 2014, pursuant to AB 10, Chapter 351, Statutes of 2013 and AB 1835, Chapter 230, Statutes of 2006

This Order Must Be Posted Where Employees Can Read It Easily

● Please Post With This Side Showing ●

OFFICIAL NOTICE

Effective January 1, 2001 as amended

Sections 4(A) and 10(C) amended and republished by the Department of Industrial Relations, effective July 1, 2014, pursuant to AB 10, Chapter 351, Statutes of 2013 and AB 1835, Chapter 230, Statutes of 2006

INDUSTRIAL WELFARE COMMISSION
ORDER NO. 4-2001
REGULATING
WAGES, HOURS AND WORKING CONDITIONS IN THE

PROFESSIONAL, TECHNICAL, CLERICAL, MECHANICAL AND SIMILAR OCCUPATIONS

TAKE NOTICE: To employers and representatives of persons working in industries and occupations in the State of California: The Department of Industrial Relations amends and republishes the minimum wage and meals and lodging credits in the Industrial Welfare Commission's Orders as a result of legislation enacted (AB 10, Ch. 351, Stats of 2013, amending section 1182.12 of the California Labor Code, and AB 1835, Ch. 230, Stats of 2006, adding sections 1182.12 and 1182.13 to the California Labor Code.) The amendments and republishing make no other changes to the IWC's Orders.

1. APPLICABILITY OF ORDER

This order shall apply to all persons employed in professional, technical, clerical, mechanical, and similar occupations whether paid on a time, piece rate, commission, or other basis, except that:

(A) Provisions of Sections 3 through 12 shall not apply to persons employed in administrative, executive, or professional capacities. The following requirements shall apply in determining whether an employee's duties meet the test to qualify for an exemption from those sections:

(1) Executive Exemption. A person employed in an executive capacity means any employee:

(a) Whose duties and responsibilities involve the management of the enterprise in which he/she is employed or of a customarily recognized department or subdivision thereof; and

(b) Who customarily and regularly directs the work of two or more other employees therein; and

(c) Who has the authority to hire or fire other employees or whose suggestions and recommendations as to the hiring or firing and as to the advancement and promotion or any other change of status of other employees will be given particular weight; and

(d) Who customarily and regularly exercises discretion and independent judgment; and

(e) Who is primarily engaged in duties which meet the test of the exemption. The activities constituting exempt work and non-exempt work shall be construed in the same manner as such items are construed in the following regulations under the Fair Labor Standards Act effective as of the date of this order: 29 C.F.R. Sections 541.102, 541.104-111, and 541.115-116. Exempt work shall include, for example, all work that is directly and closely related to exempt work and work which is properly viewed as a means for carrying out exempt functions. The work actually performed by the employee during the course of the workweek must, first and foremost, be examined and the amount of time the employee spends on such work, together with the employer's realistic expectations and the realistic requirements of the job, shall be considered in determining whether the employee satisfies this requirement.

(f) Such an employee must also earn a monthly salary equivalent to no less than two (2) times the state minimum wage for full-time employment. Full-time employment is defined in Labor Code Section 515(c) as 40 hours per week.

(2) Administrative Exemption. A person employed in an administrative capacity means any employee:

(a) Whose duties and responsibilities involve either:

(i) The performance of office or non-manual work directly related to management policies or general business operations of his/her employer or his/her employer's customers; or

(ii) The performance of functions in the administration of a school system, or educational establishment or institution, or of a department or subdivision thereof, in work directly related to the academic instruction or training carried on therein; and

(b) Who customarily and regularly exercises discretion and independent judgment; and

(c) Who regularly and directly assists a proprietor, or an employee employed in a bona fide executive or administrative capacity (as such terms are defined for purposes of this section); or

(d) Who performs under only general supervision work along specialized or technical lines requiring special training, experience, or knowledge; or

(e) Who executes under only general supervision special assignments and tasks; and

(f) Who is primarily engaged in duties that meet the test of the exemption. The activities constituting exempt work and non-exempt work shall be construed in the same manner as such terms are construed in the following regulations under the Fair Labor Standards Act effective as of the date of this order: 29 C.F.R. Sections 541.201-205, 541.207-208, 541.210, and 541.215. Exempt work shall include, for example, all work that is directly and closely related to exempt work and work which is properly viewed as a means for carrying out exempt functions. The work actually performed by the employee during the course of the workweek must, first and foremost, be examined and the amount of time the employee spends on such work, together with the employer's realistic expectations and the realistic requirements of the job, shall be considered in determining whether the employee satisfies this requirement.

(g) Such employee must also earn a monthly salary equivalent to no less than two (2) times the state minimum wage for full-time employment. Full-time employment is defined in Labor Code Section 515(c) as 40 hours per week.

(3) Professional Exemption. A person employed in a professional capacity means any employee who meets all of the following requirements:

(a) Who is licensed or certified by the State of California and is primarily engaged in the practice of one of the following recognized professions: law, medicine, dentistry, optometry, architecture, engineering, teaching, or accounting; or

(b) Who is primarily engaged in an occupation commonly recognized as a learned or artistic profession. For the purposes of this subsection, "learned or artistic profession" means an employee who is primarily engaged in the performance of:

(i) Work requiring knowledge of an advanced type in a field or science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study, as distinguished from a general academic education and from an apprenticeship, and from training in the performance of routine mental, manual, or physical processes, or work that is an essential part of or necessarily incident to any of the above work; or

(ii) Work that is original and creative in character in a recognized field of artistic endeavor (as opposed to work which can be produced by a person endowed with general manual or intellectual ability and training), and the result of which depends primarily on the invention, imagination, or talent of the employee or work that is an essential part of or necessarily incident to any of the above work; and

(iii) Whose work is predominantly intellectual and varied in character (as opposed to routine mental, manual, mechanical,
or physical work) and is of such character that the output produced or the result accomplished cannot be standardized in relation to a given period of time.

(c) Who customarily and regularly exercises discretion and independent judgment in the performance of duties set forth in subparagraphs (a) and (b).

(d) Who earns a monthly salary equivalent to no less than two (2) times the state minimum wage for full-time employment. Full-time employment is defined in Labor Code Section 515 (c) as 40 hours per week.

(e) Subparagraph (b) above is intended to be construed in accordance with the following provisions of federal law as they existed as of the date of this wage order: 29 C.F.R. Sections 541.207, 541.301(a)-(d), 541.302, 541.306, 541.307, 541.308, and 541.310.

(f) Notwithstanding the provisions of this subparagraph, pharmacists employed to engage in the practice of pharmacy, and registered nurses employed to engage in the practice of nursing, shall not be considered exempt professional employees, nor shall they be considered exempt from coverage for the purposes of this subparagraph unless they individually meet the criteria established for exemption as executive or administrative employees.

(g) Subparagraph (f) above shall not apply to the following advanced practice nurses:

(i) Certified nurse midwives who are primarily engaged in performing duties for which certification is required pursuant to Article 2.5 (commencing with Section 2746) of Chapter 6 of Division 2 of the Business and Professions Code.

(ii) Certified nurse anesthetists who are primarily engaged in performing duties for which certification is required pursuant
to Article 7 (commencing with Section 2825) of Chapter 6 of Division 2 of the Business and Professions Code.

(iii) Certified nurse practitioners who are primarily engaged in performing duties for which certification is required pursuant to Article 8 (commencing with Section 2834) of Chapter 6 of Division 2 of the Business and Professions Code.

(iv) Nothing in this subparagraph shall exempt the occupations set forth in clauses (i), (ii), and (iii) from meeting the requirements of subsection 1(A)(3)(a)–(d) above.

(h) Except, as provided in subparagraph (i), an employee in the computer software field who is paid on an hourly basis shall be exempt, if *all* of the following apply:

(i) The employee is primarily engaged in work that is intellectual or creative and that requires the exercise of discretion and independent judgment.

(ii) The employee is primarily engaged in duties that consist of one or more of the following:

—The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software, or system functional specifications.

—The design, development, documentation, analysis, creation, testing, or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications.

—The documentation, testing, creation, or modification of computer programs related to the design of software or hardware for computer operating systems.

(iii) The employee is highly skilled and is proficient in the theoretical and practical application of highly specialized information to computer systems analysis, programming, and software engineering. A job title shall not be determinative of the applicability of this exemption.

(iv) The employee's hourly rate of pay is not less than forty-one dollars ($41.00). The Office of Policy, Research and Legislation shall adjust this pay rate on October 1 of each year to be effective on January 1 of the following year by an amount equal to the percentage increase in the California Consumer Price Index for Urban Wage Earners and Clerical Workers.*

(i) The exemption provided in subparagraph (h) does not apply to an employee if *any* of the following apply:

(i) The employee is a trainee or employee in an entry-level position who is learning to become proficient in the theoretical and practical application of highly specialized information to computer systems analysis, programming, and software engineering.

(ii) The employee is in a computer-related occupation but has not attained the level of skill and expertise necessary to work independently and without close supervision.

(iii) The employee is engaged in the operation of computers or in the manufacture, repair, or maintenance of computer hardware and related equipment.

(iv) The employee is an engineer, drafter, machinist, or other professional whose work is highly dependent upon or facilitated by the use of computers and computer software programs and who is skilled in computer-aided design software, including CAD/CAM, but who is not in a computer systems analysis or programming occupation.

* Pursuant to Labor Code section 515.5, subdivision (a)(4), the Office of Policy, Research and Legislation, Department of Industrial Relations, has adjusted the minimum hourly rate of pay specified in this subdivision to be $49.77, effective January 1, 2007. This hourly rate of pay is adjusted on October 1 of each year to be effective on January 1, of the following year, and may be obtained at www.dir.ca.gov/IWC or by mail from the Department of Industrial Relations.

(v) The employee is a writer engaged in writing material, including box labels, product descriptions, documentation, promotional material, setup and installation instructions, and other similar written information, either for print or for on screen media or who writes or provides content material intended to be read by customers, subscribers, or visitors to computer-related media such as the World Wide Web or CD-ROMs.

(vi) The employee is engaged in *any* of the activities set forth in subparagraph (h) for the purpose of creating imagery for effects used in the motion picture, television, or theatrical industry.

(B) Except as provided in Sections 1, 2, 4, 10, and 20, the provisions of this order shall not apply to any employees directly employed by the State or any political subdivision thereof, including any city, county, or special district.

(C) The provisions of this order shall not apply to outside salespersons.

(D) The provisions of this order shall not apply to any individual who is the parent, spouse, child, or legally adopted child of the employer.

(E) The provisions of this order shall not apply to any individual participating in a national service program, such as AmeriCorps, carried out using assistance provided under Section 12571 of Title 42 of the United States Code. (See Stats. 2000, ch. 365, amending Labor Code Section 1171.)

2. DEFINITIONS

(A) An "alternative workweek schedule" means any regularly scheduled workweek requiring an employee to work more than eight (8) hours in a 24-hour period.

(B) "Commission" means the Industrial Welfare Commission of the State of California.

(C) "Division" means the Division of Labor Standards Enforcement of the State of California.

(D) "Emergency" means an unpredictable or unavoidable occurrence at unscheduled intervals requiring immediate action.

(E) "Employ" means to engage, suffer, or permit to work.

(F) "Employee" means any person employed by an employer.

(G) "Employees in the health care industry" means any of the following:

(1) Employees in the health care industry providing patient care; or

(2) Employees in the health care industry working in a clinical or medical department, including pharmacists dispensing prescriptions in any practice setting; or

(3) Employees in the health care industry working primarily or regularly as a member of a patient care delivery team; or

(4) Licensed veterinarians, registered veterinary technicians and unregistered animal health technicians providing patient care.

(H) "Employer" means any person as defined in Section 18 of the Labor Code, who directly or indirectly, or through an agent or any other person, employs or exercises control over the wages, hours, or working conditions of any person.

(I) "Health care emergency" consists of an unpredictable or unavoidable occurrence at unscheduled intervals relating to health care delivery, requiring immediate action.

(J) "Health care industry" is defined as hospitals, skilled nursing facilities, intermediate care and residential care facilities, convalescent care institutions, home health agencies, clinics operating 24 hours per day, and clinics performing surgery, urgent care, radiology, anesthesiology, pathology, neurology or dialysis.

(K) "Hours worked" means the time during which an employee is subject to the control of an employer, and includes all the time the employee is suffered or permitted to work, whether or not required to do so. Within the health care industry, the term "hours worked" means the time during which an employee is suffered or permitted to work for the employer, whether or not required to do so, as interpreted in accordance with the provisions of the Fair Labor Standards Act.

(L) "Minor" means, for the purpose of this order, any person under the age of 18 years.

(M) "Outside salesperson" means any person, 18 years of age or over, who customarily and regularly works more than half the working time away from the employer's place of business selling tangible or intangible items or obtaining orders or contracts for products, services or use of facilities.

(N) "Primarily" as used in Section 1, Applicability, means more than one-half the employee's work time.

(O) "Professional, Technical, Clerical, Mechanical, and Similar Occupations" includes professional, semiprofessional, managerial, supervisorial, laboratory, research, technical, clerical, office work, and mechanical occupations. Said occupations shall include, but not be limited to, the following: accountants; agents; appraisers; artists; attendants; audio-visual technicians; bookkeepers; bundlers; billposters; canvassers; carriers; cashiers; checkers; clerks; collectors; communications and sound technicians; compilers; copy holders; copy readers; copy writers; computer programmers and operators; demonstrators and display representatives; dispatchers; distributors; door-keepers; drafters; elevator operators; estimators; editors; graphic arts technicians; guards; guides; hosts; inspectors; installers; instructors; interviewers; investigators; librarians; laboratory workers; machine operators; mechanics; mailers; messengers; medical and dental technicians and technologists; models; nurses; packagers; photographers; porters and cleaners; process servers; printers; proof readers; salespersons and sales agents; secretaries; sign erectors; sign painters; social workers; solicitors; statisticians; stenographers; teachers; telephone, radio-telephone, telegraph and call-out operators; tellers; ticket agents; tracers; typists; vehicle operators; x-ray technicians; their assistants and other related occupations listed as professional, semiprofessional, technical, clerical, mechanical, and kindred occupations.

(P) "Shift" means designated hours of work by an employee, with a designated beginning time and quitting time.

(Q) "Split shift" means a work schedule, which is interrupted by non-paid non-working periods established by the employer, other than bona fide rest or meal periods.

(R) "Teaching" means, for the purpose of Section 1 of this order, the profession of teaching under a certificate from the Commission for Teacher Preparation and Licensing or teaching in an accredited college or university.

(S) "Wages" includes all amounts for labor performed by employees of every description, whether the amount is fixed or ascertained by the standard of time, task, piece, commission basis, or other method of calculation.

(T) "Workday" and "day" mean any consecutive 24-hour period beginning at the same time each calendar day.

(U) Workweek" and "week" mean any seven (7) consecutive days, starting with the same calendar day each week. "Workweek" is a fixed and regularly recurring period of 168 hours, seven (7) consecutive 24-hour periods.

3. HOURS AND DAYS OF WORK

(A) Daily Overtime - General Provisions

(1) The following overtime provisions are applicable to employees 18 years of age or over and to employees 16 or 17 years of age who are not required by law to attend school and are not otherwise prohibited by law from engaging in the subject work. Such employees shall not be employed more than eight (8) hours in any workday or more than 40 hours in any workweek unless the employee receives one and one-half (1½) times such employee's regular rate of pay for all hours worked over 40 hours in the workweek. Eight (8) hours of labor constitutes a day's work. Employment beyond eight (8) hours in any workday or more than six (6) days in any workweek is permissible provided the employee is compensated for such overtime at not less than:

(a) One and one-half (1½) times the employee's regular rate of pay for all hours worked in excess of eight (8) hours up to and including 12 hours in any workday, and for the first eight (8) hours worked on the seventh (7th) consecutive day of work in a workweek; and

(b) Double the employee's regular rate of pay for all hours worked in excess of 12 hours in any workday and for all hours worked in excess of eight (8) hours on the seventh (7th) consecutive day of work in a workweek.

(c) The overtime rate of compensation required to be paid to a nonexempt full-time salaried employee shall be computed by using the employee's regular hourly salary as one-fortieth (1/40) of the employee's weekly salary.

(B) Alternative Workweek Schedules

(1) No employer shall be deemed to have violated the daily overtime provisions by instituting, pursuant to the election procedures set forth in this wage order, a regularly scheduled alternative workweek schedule of not more than ten (10) hours per day within a 40 hour workweek without the payment of an overtime rate of compensation. All work performed in any workday beyond the schedule established by the agreement up to 12 hours a day or beyond 40 hours per week shall be paid at one and one-half (1½) times the employee's regular rate of pay. All work performed in excess of 12 hours per day and any work in excess of eight (8) hours on those days worked beyond the regularly scheduled number of workdays established by the alternative workweek agreement shall be paid at double the employee's regular rate of pay. Any alternative workweek agreement adopted pursuant to this section shall provide for not less than four (4) hours of work in any shift. Nothing in this section shall prohibit an employer, at the request of the employee, to substitute one day of work for another day of the same length in the shift provided by the alternative workweek agreement on an occasional basis to meet the personal needs of the employee without the payment of overtime. No hours paid at either one and one-half (1½) or double the regular rate of pay shall be included in determining when 40 hours have been worked for the purpose of computing overtime compensation.

(2) If an employer whose employees have adopted an alternative workweek agreement permitted by this order requires an employee to work fewer hours than those that are regularly scheduled by the agreement, the employer shall pay the employee overtime compensation at a rate of one and one-half (1½) times the employee's regular rate of pay for all hours worked in excess of eight (8) hours, and double the employee's regular rate of pay for all hours worked in excess of 12 hours for the day the employee is required to work the reduced hours.

(3) An employer shall not reduce an employee's regular rate of hourly pay as a result of the adoption, repeal or nullification of an alternative workweek schedule.

(4) An employer shall explore any available reasonable alternative means of accommodating the religious belief or observance of an affected employee that conflicts with an adopted alternative workweek schedule, in the manner provided by subdivision (j) of Section 12940 of the Government Code.

(5) An employer shall make a reasonable effort to find a work schedule not to exceed eight (8) hours in a workday, in order to accommodate any affected employee who was eligible to vote in an election authorized by this section and who is unable to work the alternative workweek schedule established as the result of that election.

(6) An employer shall be permitted, but not required, to provide a work schedule not to exceed eight (8) hours in a workday to accommodate any employee who is hired after the date of the election and who is unable to work the alternative workweek schedule established by the election.

(7) Arrangements adopted in a secret ballot election held pursuant to this order prior to 1998, or under the rules in effect prior to 1998, and before the performance of the work, shall remain valid after July 1, 2000 provided that the results of the election are reported by the employer to the Office of Policy, Research and Legislation by January 1, 2001, in accordance with the requirements of subsection (C) below (Election Procedures). If an employee was voluntarily working an alternative workweek schedule of not more than ten (10) hours a day as of July 1, 1999, that alternative workweek schedule was based on an individual agreement made after January 1, 1998 between the employee and employer, and the employee submitted, and the employer approved, a written request on or before May 30, 2000 to continue the agreement, the employee may continue to work that alternative workweek schedule without payment of an overtime rate of compensation for the hours provided in the agreement. The employee may revoke his/her voluntary authorization to continue such a schedule with 30 days written notice to the employer. New arrangements can only be entered into pursuant to the provisions of this section. Notwithstanding the foregoing, if a health care industry employer implemented a reduced rate for 12-hour shift employees in the last quarter of 1999 and desires to reimplement a flexible work arrangement that includes 12-hour shifts at straight time for the same work unit, the employer must pay a base rate to each affected employee in the work unit that is no less than that employee's base rate in 1999 immediately prior to the date of the rate reduction.

(8) Notwithstanding the above provisions regarding alternative workweek schedules, no employer of employees in the health care industry shall be deemed to have violated the daily overtime provisions by instituting, pursuant to the election procedures set forth in this wage order a regularly scheduled alternative workweek schedule that includes workdays exceeding ten (10) hours but not more than 12 hours within a 40 hour workweek without the payment of overtime compensation, provided that:

(a) An employee who works beyond 12 hours in a workday shall be compensated at double the employee's regular rate of pay for all hours in excess of 12;

(b) An employee who works in excess of 40 hours in a workweek shall be compensated at one and one-half (1½) times the employee's regular rate of pay for all hours over 40 hours in the workweek;

(c) Any alternative workweek agreement adopted pursuant to this section shall provide for not less than four (4) hours of work in any shift;

(d) The same overtime standards shall apply to employees who are temporarily assigned to a work unit covered by this subsection;

(e) Any employer who instituted an alternative workweek schedule pursuant to this subsection shall make a reasonable effort to find another work assignment for any employee who participated in a valid election prior to 1998 pursuant to the provisions of Wage

Orders 4 and 5 and who is unable to work the alternative workweek schedule established;

(f) An employer engaged in the operation of a licensed hospital or in providing personnel for the operation of a licensed hospital who institutes, pursuant to a valid order of the Commission, a regularly scheduled alternative workweek that includes no more than three (3) 12-hour workdays, shall make a reasonable effort to find another work assignment for any employee who participated in the vote which authorized the schedule and is unable to work the 12-hour shifts. An employer shall not be required to offer a different work assignment to an employee if such a work assignment is not available or if the employee was hired after the adoption of the 12 hour, three (3) day alternative workweek schedule.

(9) No employee assigned to work a 12-hour shift established pursuant to this order shall be required to work more than 12 hours in any 24-hour period unless the chief nursing officer or authorized executive declares that:

(a) A "health care emergency", as defined above, exists in this order; and

(b) All reasonable steps have been taken to provide required staffing; and

(c) Considering overall operational status needs, continued overtime is necessary to provide required staffing.

(10) Provided further that no employee shall be required to work more than 16 hours in a 24-hour period unless by voluntary mutual agreement of the employee and the employer, and no employee shall work more than 24 consecutive hours until said employee receives not less than eight (8) consecutive hours off duty immediately following the 24 consecutive hours of work.

(11) Notwithstanding subsection (B)(9) above, an employee may be required to work up to 13 hours in any 24-hour period if the employee scheduled to relieve the subject employee does not report for duty as scheduled and does not inform the employer more than two (2) hours in advance of that scheduled shift that he/she will not be appearing for duty as scheduled.

(C) Election Procedures

Election procedures for the adoption and repeal of alternative workweek schedules require the following:

(1) Each proposal for an alternative workweek schedule shall be in the form of a written agreement proposed by the employer. The proposed agreement must designate a regularly scheduled alternative workweek in which the specified number of work days and work hours are regularly recurring. The actual days worked within that alternative workweek schedule need not be specified. The employer may propose a single work schedule that would become the standard schedule for workers in the work unit, or a menu of work schedule options, from which each employee in the unit would be entitled to choose. If the employer proposes a menu of work schedule options, the employee may, with the approval of the employer, move from one menu option to another.

(2) In order to be valid, the proposed alternative workweek schedule must be adopted in a secret ballot election, before the performance of work, by at least a two-thirds (2/3) vote of the affected employees in the work unit. The election shall be held during regular working hours at the employees' work site. For purposes of this subsection, "affected employees in the work unit" may include all employees in a readily identifiable work unit, such as a division, a department, a job classification, a shift, a separate physical location, or a recognized subdivision of any such work unit. A work unit may consist of an individual employee as long as the criteria for an identifiable work unit in this subsection are met.

(3) Prior to the secret ballot vote, any employer who proposed to institute an alternative workweek schedule shall have made a disclosure in writing to the affected employees, including the effects of the proposed arrangement on the employees' wages, hours, and benefits. Such a disclosure shall include meeting(s), duly noticed, held at least 14 days prior to voting, for the specific purpose of discussing the effects of the alternative workweek schedule. An employer shall provide that disclosure in a non-English language, as well as in English, if at least five (5) percent of the affected employees primarily speak that non-English language. The employer shall mail the written disclosure to employees who do not attend the meeting. Failure to comply with this paragraph shall make the election null and void.

(4) Any election to establish or repeal an alternative workweek schedule shall be held at the work site of the affected employees. The employer shall bear the costs of conducting any election held pursuant to this section. Upon a complaint by an affected employee, and after an investigation by the labor commissioner, the labor commissioner may require the employer to select a neutral third party to conduct the election.

(5) Any type of alternative workweek schedule that is authorized by the Labor Code may be repealed by the affected employees. Upon a petition of one-third (1/3) of the affected employees, a new secret ballot election shall be held and a two-thirds (2/3) vote of the affected employees shall be required to reverse the alternative workweek schedule. The election to repeal the alternative workweek schedule shall be held not more than 30 days after the petition is submitted to the employer, except that the election shall be held not less than 12 months after the date that the same group of employees voted in an election held to adopt or repeal an alternative workweek schedule. However, where an alternative workweek schedule was adopted between October 1, 1999 and October 1, 2000, a new secret ballot election to repeal the alternative workweek schedule shall not be subject to the 12-month interval between elections. The election shall take place during regular working hours at the employees' work site. If the alternative workweek schedule is revoked, the employer shall comply within 60 days. Upon proper showing of undue hardship, the Division of Labor Standards Enforcement may grant an extension of time for compliance.

(6) Only secret ballots may be cast by affected employees in the work unit at any election held pursuant to this section. The results of any election conducted pursuant to this section shall be reported by the employer to the Office of Policy, Research and Legislation within 30 days after the results are final, and the report of election results shall be a public document. The report shall include the final tally of the vote, the size of the unit, and the nature of the business of the employer.

(7) Employees affected by a change in the work hours resulting from the adoption of an alternative workweek schedule may not be required to work those new work hours for at least 30 days after the announcement of the final results of the election.

(8) Employers shall not intimidate or coerce employees to vote either in support of or in opposition to a proposed alternative workweek. No employees shall be discharged or discriminated against for expressing opinions concerning the alternative workweek election or for opposing or supporting its adoption or repeal. However, nothing in this section shall prohibit an employer from expressing his/her position concerning that alternative workweek to the affected employees. A violation of this paragraph shall be subject to Labor Code Section 98 *et seq.*

(D) The provisions of subsections (A), (B) and (C) above shall not apply to any employee whose earnings exceed one and one-half ($1^1/_2$) times the minimum wage if more than half of that employee's compensation represents commissions.

(E) One and one-half ($1^1/_2$) times a minor's regular rate of pay shall be paid for all work over 40 hours in any workweek except minors16 or 17 years old who are not required by law to attend school and may therefore be employed for the same hours as an adult are subject to subsection (A) or (B) and (C) above.

(**VIOLATIONS OF CHILD LABOR LAWS** are subject to civil penalties of from $500 to $10,000 as well as to criminal penalties. Refer to California Labor Code Sections 1285 to 1312 and 1390 to 1399 for additional restrictions on the employment of minors and for descriptions of criminal and civil penalties for violation of the child labor laws. Employers should ask school districts about any required

work permits.)

(F) An employee may be employed on seven (7) workdays in one workweek when the total hours of employment during such workweek do not exceed 30 and the total hours of employment in any one workday thereof do not exceed six (6).

(G) If a meal period occurs on a shift beginning or ending at or between the hours of 10 p.m. and 6 a.m., facilities shall be available for securing hot food and drink or for heating food or drink, and a suitable sheltered place shall be provided in which to consume such food or drink.

(H) The provisions of Labor Code Sections 551 and 552 regarding one (1) day's rest in seven (7) shall not be construed to prevent an accumulation of days of rest when the nature of the employment reasonably requires the employee to work seven (7) or more consecutive days; provided, however, that in each calendar month, the employee shall receive the equivalent of one (1) day's rest in seven (7).

(I) Except as provided in subsections (E), (H) and (L), this section shall not apply to any employee covered by a valid collective bargaining agreement if the agreement expressly provides for the wages, hours of work, and working conditions of the employees, and if the agreement provides premium wage rates for all overtime hours worked and a regular hourly rate of pay for those employees of not less than 30 percent more than the state minimum wage.

(J) Notwithstanding subsection (I) above, where the employer and a labor organization representing employees of the employer have entered into a valid collective bargaining agreement pertaining to the hours of work of the employees, the requirement regarding the equivalent of one (1) day's rest in seven (7) (see subsection (H) above) shall apply, unless the agreement expressly provides otherwise.

(K) The provisions of this section are not applicable to employees whose hours of service are regulated by:

(1) The United States Department of Transportation Code of Federal Regulations, Title 49, Sections 395.1 to 395.13, Hours of Service of Drivers; or

(2) Title 13 of the California Code of Regulations, subchapter 6.5, Section 1200 and following sections, regulating hours of drivers.

(L) No employee shall be terminated or otherwise disciplined for refusing to work more than 72 hours in any workweek, except in an emergency as defined in Section 2(D).

(M) If an employer approves a written request of an employee to make up work time that is or would be lost as a result of a personal obligation of the employee, the hours of that makeup work time, if performed in the same workweek in which the work time was lost, may not be counted toward computing the total number of hours worked in a day for purposes of the overtime requirements, except for hours in excess of 11 hours of work in one (1) day or 40 hours of work in one (1) workweek. If an employee knows in advance that he/she will be requesting makeup time for a personal obligation that will recur at a fixed time over a succession of weeks, the employee may request to make up work time for up to four (4) weeks in advance; provided, however, that the makeup work must be performed in the same week that the work time was lost. An employee shall provide a signed written request for each occasion that the employee makes a request to make up work time pursuant to this subsection. While an employer may inform an employee of this makeup time option, the employer is prohibited from encouraging or otherwise soliciting an employee to request the employer's approval to take personal time off and make up the work hours within the same workweek pursuant to this subsection.

4. MINIMUM WAGES

(A) Every employer shall pay to each employee wages not less than nine dollars ($9.00) per hour for all hours worked, effective July 1, 2014, and not less than ten dollars ($10.00) per hour for all hours worked, effective January 1, 2016, except:

LEARNERS. Employees during their first 160 hours of employment in occupations in which they have no previous similar or related experience, may be paid not less than 85 percent of the minimum wage rounded to the nearest nickel.

(B) Every employer shall pay to each employee, on the established payday for the period involved, not less than the applicable minimum wage for all hours worked in the payroll period, whether the remuneration is measured by time, piece, commission, or otherwise.

(C) When an employee works a split shift, one (1) hour's pay at the minimum wage shall be paid in addition to the minimum wage for that workday, except when the employee resides at the place of employment.

(D) The provisions of this section shall not apply to apprentices regularly indentured under the State Division of Apprenticeship Standards.

5. REPORTING TIME PAY

(A) Each workday an employee is required to report for work and does report, but is not put to work or is furnished less than half said employee's usual or scheduled day's work, the employee shall be paid for half the usual or scheduled day's work, but in no event for less than two (2) hours nor more than four (4) hours, at the employee's regular rate of pay, which shall not be less than the minimum wage.

(B) If an employee is required to report for work a second time in any one workday and is furnished less than two (2) hours of work on the second reporting, said employee shall be paid for two (2) hours at the employee's regular rate of pay, which shall not be less than the minimum wage.

(C) The foregoing reporting time pay provisions are not applicable when:

(1) Operations cannot commence or continue due to threats to employees or property; or when recommended by civil authorities; or

(2) Public utilities fail to supply electricity, water, or gas, or there is a failure in the public utilities, or sewer system; or

(3) The interruption of work is caused by an Act of God or other cause not within the employer's control.

(D) This section shall not apply to an employee on paid standby status who is called to perform assigned work at a time other than the employee's scheduled reporting time.

6. LICENSES FOR DISABLED WORKERS

(A) A license may be issued by the Division authorizing employment of a person whose earning capacity is impaired by physical disability or mental deficiency at less than the minimum wage. Such licenses shall be granted only upon joint application of employer and employee and employee's representative if any.

(B) A special license may be issued to a nonprofit organization such as a sheltered workshop or rehabilitation facility fixing special minimum rates to enable the employment of such persons without requiring individual licenses of such employees.

(C) All such licenses and special licenses shall be renewed on a yearly basis or more frequently at the discretion of the Division. (See California Labor Code, Sections 1191 and 1191.5)

7. RECORDS

(A) Every employer shall keep accurate information with respect to each employee including the following:

(1) Full name, home address, occupation and social security number.

(2) Birth date, if under 18 years, and designation as a minor.

(3) Time records showing when the employee begins and ends each work period. Meal periods, split shift intervals and total daily hours worked shall also be recorded. Meal periods during which operations cease and authorized rest periods need not be recorded.

(4) Total wages paid each payroll period, including value of board, lodging, or other compensation actually furnished to the employee.

(5) Total hours worked in the payroll period and applicable rates of pay. This information shall be made readily available to the employee upon reasonable request.

(6) When a piece rate or incentive plan is in operation, piece rates or an explanation of the incentive plan formula shall be provided to employees. An accurate production record shall be maintained by the employer.

(B) Every employer shall semimonthly or at the time of each payment of wages furnish each employee, either as a detachable part of the check, draft, or voucher paying the employee's wages, or separately, an itemized statement in writing showing: (1) all deductions; (2) the inclusive dates of the period for which the employee is paid; (3) the name of the employee or the employee's social security number; and (4) the name of the employer, provided all deductions made on written orders of the employee may be aggregated and shown as one item.

(C) All required records shall be in the English language and in ink or other indelible form, properly dated, showing month, day and year, and shall be kept on file by the employer for at least three years at the place of employment or at a central location within the State of California. An employee's records shall be available for inspection by the employee upon reasonable request.

(D) Clocks shall be provided in all major work areas or within reasonable distance thereto insofar as practicable.

8. CASH SHORTAGE AND BREAKAGE

No employer shall make any deduction from the wage or require any reimbursement from an employee for any cash shortage, breakage, or loss of equipment, unless it can be shown that the shortage, breakage, or loss is caused by a dishonest or willful act, or by the gross negligence of the employee.

9. UNIFORMS AND EQUIPMENT

(A) When uniforms are required by the employer to be worn by the employee as a condition of employment, such uniforms shall be provided and maintained by the employer. The term "uniform" includes wearing apparel and accessories of distinctive design or color.

NOTE: This section shall not apply to protective apparel regulated by the Occupational Safety and Health Standards Board.

(B) When tools or equipment are required by the employer or are necessary to the performance of a job, such tools and equipment shall be provided and maintained by the employer, except that an employee whose wages are at least two (2) times the minimum wage provided herein may be required to provide and maintain hand tools and equipment customarily required by the trade or craft. This subsection (B) shall not apply to apprentices regularly indentured under the State Division of Apprenticeship Standards.

NOTE: This section shall not apply to protective equipment and safety devices on tools regulated by the Occupational Safety and Health Standards Board.

(C) A reasonable deposit may be required as security for the return of the items furnished by the employer under provisions of subsections (A) and (B) of this section upon issuance of a receipt to the employee for such deposit. Such deposits shall be made pursuant to Section 400 and following of the Labor Code or an employer with the prior written authorization of the employee may deduct from the employee's last check the cost of an item furnished pursuant to (A) and (B) above in the event said item is not returned. No deduction shall be made at any time for normal wear and tear. All items furnished by the employer shall be returned by the employee upon completion of the job.

10. MEALS AND LODGING

(A) "Meal" means an adequate, well-balanced serving of a variety of wholesome, nutritious foods.

(B) "Lodging" means living accommodations available to the employee for full-time occupancy which are adequate, decent, and sanitary according to usual and customary standards. Employees shall not be required to share a bed.

(C) Meals or lodging may not be credited against the minimum wage without a voluntary written agreement between the employer and the employee. When credit for meals or lodging is used to meet part of the employer's minimum wage obligation, the amounts so credited may not be more than the following:

	Effective July 1, 2014	**Effective January 1, 2016**
LODGING		
Room occupied alone……	$42.33 per week	$47.03 per week
Room shared……	$34.94 per week	$38.82 per week
Apartment – two thirds (2/3) of the ordinary rental value, and in no event more than:……	$508.38 per month	$564.81 per month
Where a couple are both employed by the employer, two thirds (2/3) of the ordinary rental value, and in no event more than:	$752.02 per month	$835.49 per month
MEALS		
Breakfast……..	$3.26	$3.62
Lunch……...	$4.47	$4.97
Dinner……...	$6.01	$6.68

(D) Meals evaluated as part of the minimum wage must be bona fide meals consistent with the employee's work shift. Deductions shall not be made for meals not received or lodging not used.

(E) If, as a condition of employment, the employee must live at the place of employment or occupy quarters owned or under the control of the employer, then the employer may not charge rent in excess of the values listed herein.

11. MEAL PERIODS

(A) No employer shall employ any person for a work period of more than five (5) hours without a meal period of not less than 30 minutes, except that when a work period of not more than six (6) hours will complete the day's work the meal period may be waived by mutual consent of the employer and the employee. Unless the employee is relieved of all duty during a 30 minute meal period, the meal period shall be considered an "on duty" meal period and counted as time worked. An "on duty" meal period shall be permitted only when the nature of the work prevents an employee from being relieved of all duty and when by written agreement between the parties an on-the-job paid meal period is agreed to. The written agreement shall state that the employee may, in writing, revoke the agreement at any time.

(B) If an employer fails to provide an employee a meal period in accordance with the applicable provisions of this order, the employer shall pay the employee one (1) hour of pay at the employee's regular rate of compensation for each workday that the meal period is not provided.

(C) In all places of employment where employees are required to eat on the premises, a suitable place for that purpose shall be designated.

(D) Notwithstanding any other provision of this order, employees in the health care industry who work shifts in excess of eight (8) total hours in a workday may voluntarily waive their right to one of their two meal periods. In order to be valid, any such waiver must be documented in a written agreement that is voluntarily signed by both the employee and the employer. The employee may revoke the waiver at any time by providing the employer at least one (1) day's written notice. The employee shall be fully compensated for all working time, including any on-the-job meal period, while such a waiver is in effect.

12. REST PERIODS

(A) Every employer shall authorize and permit all employees to take rest periods, which insofar as practicable shall be in the middle of each work period. The authorized rest period time shall be based on the total hours worked daily at the rate of ten (10) minutes net rest time per four (4) hours or major fraction thereof. However, a rest period need not be authorized for employees whose total daily work time is less than three and one-half ($3^1/_2$) hours. Authorized rest period time shall be counted as hours worked for which there shall be no deduction from wages.

(B) If an employer fails to provide an employee a rest period in accordance with the applicable provisions of this order, the employer shall pay the employee one (1) hour of pay at the employee's regular rate of compensation for each workday that the rest period is not provided.

13. CHANGE ROOMS AND RESTING FACILITIES

(A) Employers shall provide suitable lockers, closets, or equivalent for the safekeeping of employees' outer clothing during working hours, and when required, for their work clothing during non-working hours. When the occupation requires a change of clothing, change rooms or equivalent space shall be provided in order that employees may change their clothing in reasonable privacy and comfort. These rooms or spaces may be adjacent to but shall be separate from toilet rooms and shall be kept clean.

NOTE: This section shall not apply to change rooms and storage facilities regulated by the Occupational Safety and Health Standards Board.

(B) Suitable resting facilities shall be provided in an area separate from the toilet rooms and shall be available to employees during work hours.

14. SEATS

(A) All working employees shall be provided with suitable seats when the nature of the work reasonably permits the use of seats.

(B) When employees are not engaged in the active duties of their employment and the nature of the work requires standing, an adequate number of suitable seats shall be placed in reasonable proximity to the work area and employees shall be permitted to use such seats when it does not interfere with the performance of their duties.

15. TEMPERATURE

(A) The temperature maintained in each work area shall provide reasonable comfort consistent with industry-wide standards for the nature of the process and the work performed.

(B) If excessive heat or humidity is created by the work process, the employer shall take all feasible means to reduce such excessive heat or humidity to a degree providing reasonable comfort. Where the nature of the employment requires a temperature of less than 60° F., a heated room shall be provided to which employees may retire for warmth, and such room shall be maintained at not less than 68°.

(C) A temperature of not less than 68° shall be maintained in the toilet rooms, resting rooms, and change rooms during hours of use.

(D) Federal and State energy guidelines shall prevail over any conflicting provision of this section.

16. ELEVATORS

Adequate elevator, escalator or similar service consistent with industry-wide standards for the nature of the process and the work performed shall be provided when employees are employed four floors or more above or below ground level.

17. EXEMPTIONS

If, in the opinion of the Division after due investigation, it is found that the enforcement of any provision contained in Section 7, Records; Section 12, Rest Periods; Section 13, Change Rooms and Resting Facilities; Section 14, Seats; Section 15, Temperature; or Section 16, Elevators, would not materially affect the welfare or comfort of employees and would work an undue hardship on the employer, exemption may be made at the discretion of the Division. Such exemptions shall be in writing to be effective and may be revoked after reasonable

notice is given in writing. Application for exemption shall be made by the employer or by the employee and/or the employee's representative to the Division in writing. A copy of the application shall be posted at the place of employment at the time the application is filed with the Division.

18. FILING REPORTS

(See California Labor Code, Section 1174(a))

19. INSPECTION

(See California Labor Code, Section 1174)

20. PENALTIES

(See California Labor Code, Section 1199)

(A) In addition to any other civil penalties provided by law, any employer or any other person acting on behalf of the employer who violates, or causes to be violated, the provisions of this order, shall be subject to the civil penalty of:

(1) Initial Violation — $50.00 for each underpaid employee for each pay period during which the employee was underpaid in addition to the amount which is sufficient to recover unpaid wages.

(2) Subsequent Violations — $100.00 for each underpaid employee for each pay period during which the employee was underpaid in addition to an amount which is sufficient to recover unpaid wages.

(3) The affected employee shall receive payment of all wages recovered.

(B) The labor commissioner may also issue citations pursuant to California Labor Code Section 1197.1 for non-payment of wages for overtime work in violation of this order.

21. SEPARABILITY

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

22. POSTING OF ORDER

Every employer shall keep a copy of this order posted in an area frequented by employees where it may be easily read during the workday. Where the location of work or other conditions make this impractical, every employer shall keep a copy of this order and make it available to every employee upon request.

QUESTIONS ABOUT ENFORCEMENT of the Industrial Welfare Commission orders and reports of violations should be directed to the Division of Labor Standards Enforcement. A listing of the DLSE offices is on the back of this wage order. Look in the white pages of your telephone directory under CALIFORNIA, State of, Industrial Relations for the address and telephone number of the office nearest you. The Division has offices in the following cities: Bakersfield, El Centro, Fresno, Long Beach, Los Angeles, Oakland, Redding, Sacramento, Salinas, San Bernardino, San Diego, San Francisco, San Jose, Santa Ana, Santa Barbara, Santa Rosa, Stockton, Van Nuys.

SUMMARIES IN OTHER LANGUAGES

The Department of Industrial Relations will make summaries of wage and hour requirements in this Order available in Spanish, Chinese and certain other languages when it is feasible to do so. Mail your request for such summaries to the Department at:
P.O. box 420603, San Francisco, CA 94142-0603.

RESUMEN EN OTROS IDIOMAS

El Departamento de Relaciones Industriales confeccionara un resumen sobre los requisitos de salario y horario de esta Disposicion en español, chino y algunos otros idiomas cuando sea posible hacerlo. Envie por correo su pedido por dichos resumenes al Departamento a: P.O. box 420603, San Francisco, CA 94142-0603.

其它文字的摘錄

工業關係處將摘錄本規則中有關工資和工時的規定，用西班牙文、中文印出。其它文字如有需要，也將同樣辦理。如果您有需要，可以來信索閱，請寄到：

Department of Industrial Relations
P.O. box 420603
San Francisco, CA 94142-0603

All complaints are handled confidentially. For further information or to file your complaints, contact the State of California at the following department offices:

Division of Labor Standards Enforcement (DLSE)

BAKERSFIELD
Division of Labor Standards Enforcement
7718 Meany Ave.
Bakersfield, CA 93308
661-587-3060

EL CENTRO
Division of Labor Standards Enforcement
1550 W. Main St.
El Centro, CA 92643
760-353-0607

FRESNO
Division of Labor Standards Enforcement
770 E. Shaw Ave., Suite 222
Fresno, CA 93710
559-244-5340

LONG BEACH
Division of Labor Standards Enforcement
300 Oceangate, 3rd Floor
Long Beach, CA 90802
562-590-5048

LOS ANGELES
Division of Labor Standards Enforcement
320 W. Fourth St., Suite 450
Los Angeles, CA 90013
213-620-6330

OAKLAND
Division of Labor Standards Enforcement
1515 Clay Street, Room 801
Oakland, CA 94612
510-622-3273

REDDING
Division of Labor Standards Enforcement
250 Hemsted Drive, 2nd Floor, Suite A
Redding, CA 96002
530-225-2655

SACRAMENTO
Division of Labor Standards Enforcement
2031 Howe Ave, Suite 100
Sacramento, CA 95825
916-263-1811

SALINAS
Division of Labor Standards Enforcement
1870 N. Main Street, Suite 150
Salinas, CA 93906
831-443-3041

SAN BERNARDINO
Division of Labor Standards Enforcement
464 West 4th Street, Room 348
San Bernardino, CA 92401
909-383-4334

SAN DIEGO
Division of Labor Standards Enforcement
7575 Metropolitan, Room 210
San Diego, CA 92108
619-220-5451

SAN FRANCISCO
Division of Labor Standards Enforcement
455 Golden Gate Ave. 10th Floor
San Francisco, CA 94102
415-703-5300

SAN FRANCISCO – HEADQUARTERS
Division of Labor Standards Enforcement
455 Golden Gate Ave. 9th Floor
San Francisco, CA 94102
415-703-4810

SAN JOSE
Division of Labor Standards Enforcement
100 Paseo De San Antonio, Room 120
San Jose, CA 95113
408-277-1266

SANTA ANA
Division of Labor Standards Enforcement
605 West Santa Ana Blvd., Bldg. 28, Room 625
Santa Ana, CA 92701
714-558-4910

SANTA BARBARA
Division of Labor Standards Enforcement
411 E. Canon Perdido, Room 3
Santa Barbara, CA 93101
805-568-1222

SANTA ROSA
Division of Labor Standards Enforcement
50 “D” Street, Suite 360
Santa Rosa, CA 95404
707-576-2362

STOCKTON
Division of Labor Standards Enforcement
31 E. Channel Street, Room 317
Stockton, CA 95202
209-948-7771

VAN NUYS
Division of Labor Standards Enforcement
6150 Van Nuys Boulevard, Room 206
Van Nuys, CA 91401
818-901-5315

EMPLOYERS: Do not send copies of your alternative workweek election ballots or election procedures.

Only the results of the alternative workweek election shall be mailed to:

Department of Industrial Relations
Office of Policy, Research and Legislation
P.O. Box 420603
San Francisco, CA 94142-0603
(415) 703-4780

Prevailing Wage Hotline (415) 703-4774

STATE OF CALIFORNIA - DEPARTMENT OF INDUSTRIAL RELATIONS
Division of Workers' Compensation

Notice to Employees--Injuries Caused By Work

You may be entitled to workers' compensation benefits if you are injured or become ill because of your job. Workers' compensation covers most work-related physical or mental injuries and illnesses. An injury or illness can be caused by one event (such as hurting your back in a fall) or by repeated exposures (such as hurting your wrist from doing the same motion over and over).

Benefits. Workers' compensation benefits include:

- **Medical Care:** Doctor visits, hospital services, physical therapy, lab tests, x-rays, medicines, medical equipment and travel costs that are reasonably necessary to treat your injury. You should never see a bill. There are limits on chiropractic, physical therapy and occupational therapy visits.
- **Temporary Disability (TD) Benefits:** Payments if you lose wages while recovering. For most injuries, TD benefits may not be paid for more than 104 weeks within five years from the date of injury.
- **Permanent Disability (PD) Benefits:** Payments if you do not recover completely and your injury causes a permanent loss of physical or mental function that a doctor can measure.
- **Supplemental Job Displacement Benefit:** A nontransferable voucher, if you are injured on or after 1/1/2004, your injury causes permanent disability, and your employer does not offer you regular, modified, or alternative work.
- **Death Benefits:** Paid to your dependents if you die from a work-related injury or illness.

Naming Your Own Physician Before Injury or Illness (Predesignation). You may be able to choose the doctor who will treat you for a job injury or illness. If eligible, you must tell your employer, in writing, the name and address of your personal physician or medical group *before* you are injured. You must obtain their agreement to treat you for your work injury. For instructions, see the written information about workers' compensation that your employer is required to give to new employees.

If You Get Hurt:

1. **Get Medical Care.** If you need emergency care, call 911 for help immediately from the hospital, ambulance, fire department or police department. If you need first aid, contact your employer.
2. **Report Your Injury.** Report the injury immediately to your supervisor or to an employer representative. Don't delay. There are time limits. If you wait too long, you may lose your right to benefits. Your employer is required to provide you with a claim form within one working day after learning about your injury. Within one working day after you file a claim form, your employer or claims administrator must authorize the provision of all treatment, up to ten thousand dollars, consistent with the applicable treatment guidelines, for your alleged injury until the claim is accepted or rejected.
3. **See Your Primary Treating Physician (PTP).** This is the doctor with overall responsibility for treating your injury or illness.
   - If you predesignated your personal physician or a medical group, you may see your personal physician or the medical group after you are injured.
   - If your employer is using a medical provider network (MPN) or a health care organization (HCO), in most cases you will be treated within the MPN or HCO unless you predesignated a personal physician or medical group. An MPN is a group of physicians and health care providers who provide treatment to workers injured on the job. You should receive information from your employer if you are covered by an HCO or a MPN. Contact your employer for more information.
   - If your employer is not using an MPN or HCO, in most cases the claims administrator can choose the doctor who first treats you when you are injured, unless you predesignated a personal physician or medical group.
4. **Medical Provider Networks.** Your employer may be using an MPN, which is a group of health care providers designated to provide treatment to workers injured on the job. If you have predesignated a personal physician or medical group prior to your work injury, then you may go there to receive treatment from your predesignated doctor. If you are treating with a non-MPN doctor for an existing injury, you may be required to change to a doctor within the MPN. For more information, see the MPN contact information below:

MPN website: _____

MPN Effective Date: _____ MPN Identification number: _____

If you need help locating an MPN physician, call your MPN access assistant at: _____

If you have questions about the MPN or want to file a complaint against the MPN, call the MPN Contact Person at: _____

Discrimination. It is illegal for your employer to punish or fire you for having a work injury or illness, for filing a claim, or testifying in another person's workers' compensation case. If proven, you may receive lost wages, job reinstatement, increased benefits, and costs and expenses up to limits set by the state.

Questions? Learn more about workers' compensation by reading the information that your employer is required to give you at time of hire. If you have questions, see your employer or the claims administrator (who handles workers' compensation claims for your employer):

Claims Administrator_____ Phone _____

Workers' compensation insurer _____(Enter "self-insured" if appropriate)

You can also get free information from a State Division of Workers' Compensation Information (DWC) & Assistance Officer. The nearest Information & Assistance Officer can be found at location: _____ or by calling toll-free **(800) 736-7401**. Learn more information about workers' compensation online: www.dwc.ca.gov and access a useful booklet "Workers' Compensation in California: A Guidebook for Injured Workers."

False claims and false denials. Any person who makes or causes to be made any knowingly false or fraudulent material statement or material representation for the purpose of obtaining or denying workers' compensation benefits or payments is guilty of a felony and may be fined and imprisoned.

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

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 hours restrictions. Different rules apply in agricultural employment.

TIP CREDIT

Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least $2.13 per hour if they claim a tip credit against their 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 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 FLSA.

ADDITIONAL INFORMATION

- Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions.
- Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.
- Some state laws provide greater employee protections; employers must comply with both.
- Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not.
- Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd

WH1088 REV 07/16

EMPLOYEE RIGHTS

EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.

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 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 employer.

The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.

EXAMINEE RIGHTS

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

ENFORCEMENT

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

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

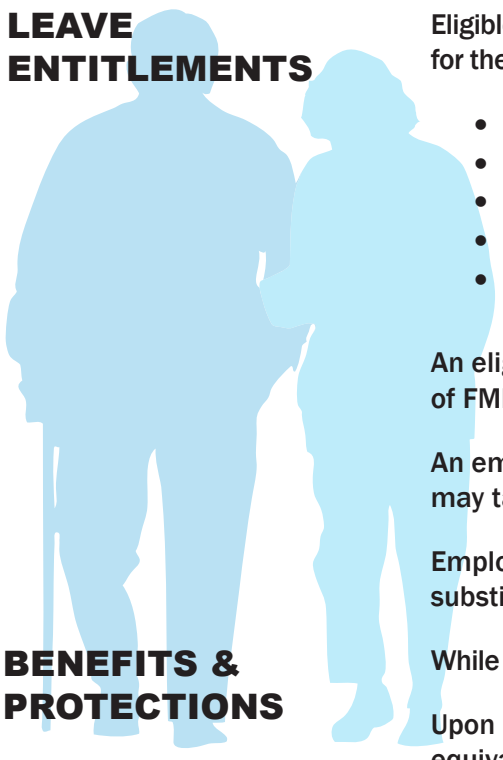
WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd

WH1462 REV 07/16

EMPLOYEE RIGHTS
UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION



LEAVE ENTITLEMENTS

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or 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.

BENEFITS & PROTECTIONS

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

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

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

ELIGIBILITY REQUIREMENTS

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

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

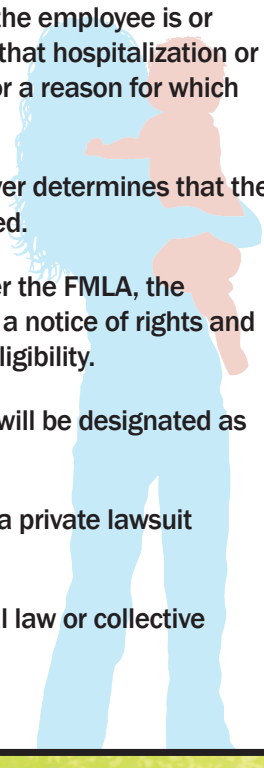
*Special "hours of service" requirements apply to airline flight crew employees.

REQUESTING LEAVE

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

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

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



EMPLOYER RESPONSIBILITIES

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

ENFORCEMENT

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

U.S. Department of Labor | Wage and Hour Division

WH1420 REV 04/16

SAFETY AND HEALTH PROTECTION ON THE JOB

State of California
Department of Industrial Relations

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

WHAT AN EMPLOYER MUST DO:

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

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

You must have a written and effective Injury and Illness Prevention Program (IIPP) meeting the requirements of California Code of Regulations, title 8, section 3203 (www.dir.ca.gov/title8/3203.html).

You must be aware of hazards your employees face on the job and keep records showing that each employee has been trained in the hazards unique to each job assignment.

You must correct any hazardous condition that you know may result in injury to employees. Failure to do so could result in criminal charges, monetary penalties, and even incarceration.

You must notify a local Cal/OSHA district office of any serious injury or illness, or death, occurring on the job. Be sure to do this immediately after calling for emergency help to assist the injured employee. Failure to report a serious injury or illness, or death, within 8 hours can result in a minimum civil penalty of $5,000.

WHAT AN EMPLOYER MUST NEVER DO:

Never permit an employee to do work that violates Cal/OSHA workplace safety and health regulations.

Never permit an employee to be exposed to harmful substances without providing adequate protection.

Never allow an untrained employee to perform hazardous work.

EMPLOYEES HAVE CERTAIN WORKPLACE SAFETY & HEALTH RIGHTS:

As an employee, you (or someone acting for you) have the right to file a confidential complaint and request an inspection of your workplace if you believe conditions there are unsafe or unhealthful. This is done by contacting the local Cal/OSHA district office (see list of offices). Your name is not revealed by Cal/OSHA, unless you request otherwise.

You also have the right to bring unsafe or unhealthful conditions to the attention of the Cal/OSHA investigator inspecting your workplace.

Any employee has the right to refuse to perform work that would violate an occupational safety or health standard or order where such violation would create a real and apparent hazard to the employee or other employees.

You may not be fired or punished in any way for filing a complaint about unsafe or unhealthful working conditions, or for otherwise exercising your rights to a safe and healthful workplace. If you feel that you have been fired or punished for exercising your rights, you may file a complaint about this type of discrimination by contacting the nearest office of the California Department of Industrial Relations, Division of Labor Standards Enforcement (Labor Commissioner's Office) or the San Francisco office of the U.S. Department of Labor, Occupational Safety and Health Administration. (Employees of state or local government agencies may only file these complaints with the California Labor Commissioner's Office.) Consult your local telephone directory for the office nearest you.

EMPLOYEES ALSO HAVE RESPONSIBILITIES:

To keep the workplace and your coworkers safe, you should tell your employer about any hazard that could result in an injury or illness to an employee.
While working, you must always obey state workplace safety and health laws.

SPECIAL RULES APPLY FOR WORK AROUND HAZARDOUS SUBSTANCES:

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

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

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

Employers must allow access by employees or their representatives to accurate records of employee exposures to potentially toxic materials or harmful physical agents, and notify employees of any exposures in concentration or levels exceeding the exposure limits allowed by Cal/OSHA standards.

Any employee or their representative has the right to observe monitoring or measuring of employee exposure to hazards conducted to comply with Cal/OSHA regulations.

WHEN CAL/OSHA COMES TO THE WORKPLACE:

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

Inspections are also conducted when an employee files a valid complaint with Cal/OSHA.

Cal/OSHA also goes on-site to the workplace to investigate a serious injury or illness, or fatality.

When an inspection begins, the Cal/OSHA investigator will show official identification.

The employer, or someone the employer chooses, will be given an opportunity to accompany the investigator during the inspection. An authorized representative of the employees will be given the same opportunity. Where there is no authorized employee representative, the investigator will talk to a reasonable number of employees about safety and health conditions at the workplace.

VIOLATIONS, CITATIONS, AND PENALTIES:

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

Penalty amounts depend in part on the classification of the violation as regulatory, general, serious, repeat, or willful; and whether the employer failed to abate a previous violation involving the same hazardous condition. Base penalty amounts, penalty adjustment factors, and minimum and maximum penalty amounts are set forth in California Code of Regulations, title 8, section 336 (www.dir.ca.gov/title8/336.html). In addition, a willful violation that causes death or permanent impairment of the body of any employee can result, upon conviction, in a fine of up to $250,000 or imprisonment up to three years, or both, and if the employer is a corporation or limited liability company, the fine may be up to $1.5 million.

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

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

HELP IS AVAILABLE:

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

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

DIVISION OF OCCUPATIONAL SAFETY AND HEALTH (CAL/OSHA)

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

District Offices

American Canyon	3419 Broadway St., Ste. H8, American Canyon 94503	(707) 649-3700
Bakersfield	7718 Meany Ave., Bakersfield 93308	(661) 588-6400
Foster City	1065 East Hillsdale Bl., Ste. 110, Foster City 94404	(650) 573-3812
Fremont	39141 Civic Center Dr., Ste. 310, Fremont 94538	(510) 794-2521
Fresno	2550 Mariposa St., Rm. 4000, Fresno 93721	(559) 445-5302
Long Beach	3939 Atlantic Ave., Ste. 212, Long Beach 90807	(562) 506-0810
Los Angeles	320 West Fourth St., Rm. 820, Los Angeles 90013	(213) 576-7451
Modesto	4206 Technology Dr., Ste. 3, Modesto 95356	(209) 545-7310
Monrovia	800 Royal Oaks Dr., Ste. 105, Monrovia 91016	(626) 239-0369
Oakland	1515 Clay St., Ste. 1303, Box 41, Oakland 94612	(510) 622-2916
Redding	381 Hemsted Dr., Redding 96002	(530) 224-4743
Sacramento	2424 Arden Way, Ste. 160, Sacramento 95825	(916) 263-2800
San Bernardino	464 West Fourth St., Ste. 332, San Bernardino 92401	(909) 383-4321
San Diego	7575 Metropolitan Dr., Ste. 207, San Diego 92108	(619) 767-2280
San Francisco	455 Golden Gate Ave., Rm. 9516, San Francisco 94105	(415) 557-0100
Santa Ana	2000 E. McFadden Ave., Ste. 122, Santa Ana 92705	(714) 558-4451
Van Nuys	6150 Van Nuys Blvd., Ste. 405, Van Nuys 91401	(818) 901-5403

Regional Offices

San Francisco	455 Golden Gate Ave., Rm 9516, San Francisco 94102	(415) 557-0300
Sacramento	2424 Arden Way Ste. 300, Sacramento 95825	(916) 263-2803
Santa Ana	2000 E. McFadden Ave. Ste. 119, Santa Ana 92705	(714) 558-4300
Monrovia	750 Royal Oaks Dr., Ste. 105, Monrovia 91016	(626) 470-9122

Cal OSHA Consultation Services

Field / Area Offices

•Fresno / Central Valley	2550 Mariposa Mall, Rm. 2005 Fresno 93721	(559) 445-6800
•La Palma / Los Angeles / Orange County	1 Centerpointe Dr., Ste. 150 La Palma 90623	(714) 562-5525
•Oakland/ Bay Area	1515 Clay St., Ste 1103 Oakland 94612	(510) 622-2891
•Sacramento / Northern CA	2424 Arden Way, Ste. 410 Sacramento 95825	(916) 263-0704
•San Bernardino	464 West Fourth St., Ste. 339 San Bernardino 92401	(909) 383-4567
•San Diego / Imperial County	7575 Metropolitan Dr., Ste. 204 San Diego 92108	(619) 767-2060
•San Fernando Valley	6150 Van Nuys Blvd., Ste. 307 Van Nuys 91401	(818) 901-5754

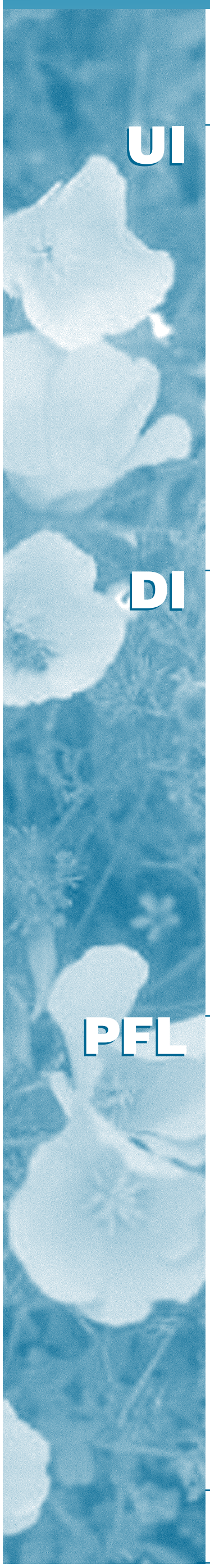
Consultation Region Office

•Fresno	2550 Mariposa Mall, Rm. 3014 Fresno 93721	(559) 445-6800

Enforcement of Cal/OSHA workplace safety and health standards is carried out by the Division of Occupational Safety and Health, under the California Department of Industrial Relations, which has primary responsibility for administering the Cal/OSHA program. Safety and health standards are promulgated by the Occupational Safety and Health Standards Board. Anyone desiring to register a complaint alleging inadequacy in the administration of the California Occupational Safety and Health Plan may do so by contacting the San Francisco Regional Office of the Occupational Safety and Health Administration (OSHA), U.S. Department of Labor Tel: (415) 625-2547. OSHA monitors the operation of state plans to assure that continued approval is merited. **October 2017**

Notice to Employees:

Employment Development Department
State of California



THIS EMPLOYER IS REGISTERED WITH THE EMPLOYMENT DEVELOPMENT DEPARTMENT (EDD) AS REQUIRED BY THE CALIFORNIA UNEMPLOYMENT INSURANCE CODE AND IS REPORTING WAGE CREDITS TO THE EDD THAT ARE BEING ACCUMULATED FOR YOU TO BE USED AS A BASIS FOR:

Unemployment Insurance

(funded entirely by employers' taxes)

Unemployment Insurance (UI) is paid for by your employer and provides partial income replacement when you are unemployed or your hours are reduced due to no fault of your own. To claim UI benefit payments you must also meet all UI eligibility requirements, including that you must be available for work and searching for work.

How to File a New UI Claim

Use one of the following methods:

- **Online:** UI Online℠ is the fastest and most convenient way to file your UI claim. Visit **www.edd.ca.gov/UI_Online** to get started.
- **Phone:** Representatives are available at the following toll-free numbers, Monday through Friday between **8 a.m. to 12 noon** (Pacific Standard Time) except during state holidays.

English	**1-800-300-5616**	**Cantonese**	**1-800-547-3506**	**Vietnamese**	**1-800-547-2058**
Spanish	**1-800-326-8937**	**Mandarin**	**1-866-303-0706**	**TTY**	**1-800-815-9387**

- **Fax or Mail:** When accessing UI Online to file a new claim, some customers will be instructed to fax or mail their UI application to the EDD. If this occurs, the *Unemployment Insurance Application*, DE 1101I, will display. For faster and more secure processing, fax the completed form to the number listed on the form. If mailing your UI application, use the address on the form and allow additional time for processing.

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

Disability Insurance

(funded entirely by employees' contributions)

Disability Insurance (DI) is funded by employees' contributions and provides partial wage replacement benefits to eligible Californians who are unable to work due to a non-work-related illness, injury, pregnancy, or disability.

Your employer must provide the *Disability Insurance Provisions*, DE 2515 brochure, to newly hired employees and to each employee who is unable to work due to a non-work-related illness, injury, pregnancy, or disability.

How to File a New DI Claim

Use one of the following methods:

- **Online:** SDI Online is the fastest and most convenient way to file your claim. Visit **www.edd.ca.gov/SDI_Online** to get started.
- **Mail:** To file a claim with the EDD by mail, complete and submit a *Claim for Disability Insurance (DI) Benefits*, DE 2501 form. You can obtain a paper claim form from your employer, physician/practitioner, visiting a State Disability Insurance office, online at **www.edd.ca.gov/Forms**, or by calling 1-800-480-3287.

Note: If your employer maintains an approved Voluntary Plan for DI coverage, contact your employer for assistance.

For more information about DI, visit **www.edd.ca.gov/disability** or call 1-800-480-3287.
State government employees should call 1-866-352-7675.
TTY (for deaf or hearing-impaired individuals only) is available at 1-800-563-2441.

Paid Family Leave

(funded entirely by employees' contributions)

Paid Family Leave (PFL) is funded by employees' contributions and provides partial wage replacement benefits to eligible Californians who need time off work to care for seriously ill child, parent, parent-in-law, grandparent, grandchild, sibling, spouse, or registered domestic partner. Benefits are also available to parents who need time off work to bond with a new child entering the family by birth, adoption, or foster care placement.

Your employer must provide the *Paid Family Leave*, DE 2511 brochure, to newly hired employees and to each employee who is taking time off work to care for a seriously ill family member or to bond with a new child.

How to File a New PFL Claim

Use one of the following methods:

- **Online:** SDI Online is the fastest and most convenient way to file your claim. Visit **www.edd.ca.gov/SDI_Online** to get started.
- **Mail:** To file a claim with the EDD by mail, complete and submit a *Claim for Paid Family Leave (PFL) Benefits*, DE 2501F form. You can obtain a paper claim form from your employer, a physician/practitioner, visiting a State Disability Insurance office, online at **www.edd.ca.gov/Forms**, or by calling 1-877-238-4373.

Note: If your employer maintains an approved Voluntary Plan for PFL coverage, contact your employer for assistance.

For more information about PFL, visit **www.edd.ca.gov/disability** or call 1-877-238-4373.
State government employees should call 1-877-945-4747.
TTY (for deaf or hearing-impaired individuals only) is available at 1-800-445-1312.

Note: Some employees may be exempt from coverage by the above insurance programs. It is illegal to make a false statement or to withhold facts to claim benefits. For additional general information, visit the EDD website at **www.edd.ca.gov**.

THE DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

FAMILY CARE AND MEDICAL LEAVE AND PREGNANCY DISABILITY LEAVE

Under the California Family Rights Act of 1993 (CFRA), if you have more than 12 months of service with us and have worked at least 1,250 hours in the 12-month period before the date you want to begin your leave, and if we employ 50 or more employees at your worksite or within 75 miles of your worksite, you may have a right to a family care or medical leave (CFRA leave). This leave may be up to 12 workweeks in a 12-month period for the birth, adoption, or foster care placement of your child or for your own serious health condition or that of your child, parent or spouse. If we employ less than 50 employees at your worksite or within 75 miles of your worksite, but at least 20 employees at your worksite or within 75 miles of your worksite, you may have a right to a family care leave for the birth, adoption, or foster care placement of your child under the New Parent Leave Act (NPLA). Similar to CFRA leave, the NPLA leave may be up to 12 workweeks in a 12-month period. While the law provides only unpaid leave, employees may choose or employers may require use of accrued paid leave while taking CFRA leave under certain circumstances and employees may choose to use accrued paid leave while taking NPLA leave.

Even if you are not eligible for CFRA or NPLA leave, if you are disabled by pregnancy, childbirth or a related medical condition, you are entitled to take a pregnancy disability leave of up to four months, depending on your period(s) of actual disability. If you are CFRA- or NPLA-eligible, you have certain rights to take BOTH a pregnancy disability leave and a CFRA or NPLA leave for reason of the birth of your child. Both leaves contain a guarantee of reinstatement -for pregnancy disability it is to the same position and for CFRA or NPLA it is to the same or a comparable position -at the end of the leave, subject to any defense allowed under the law.

If possible, you must provide at least 30 days' advance notice for foreseeable events (such as the expected birth of a child or a planned medical treatment for yourself or of a family member). For events that are unforeseeable, we need you to notify us, at least verbally, as soon as you learn of the need for the leave. Failure to comply with these notice rules is grounds for, and may result in, deferral of the requested leave until you comply with this notice policy.

We may require certification from your health care provider before allowing you a leave for pregnancy disability or for your own serious health condition. We also may require certification from the health care provider of your child, parent or spouse, who has a serious health condition, before allowing you a leave to take care of that family member. When medically necessary, leave may be taken on an intermittent or reduced work schedule.

If you are taking a leave for the birth, adoption, or foster care placement of a child, the basic minimum duration of the leave is two weeks, and you must conclude the leave within one year of the birth or placement for adoption or foster care.

Taking a family care or pregnancy disability leave may impact certain of your benefits and your seniority date. If you want more information regarding your eligibility for a leave and/or the impact of the leave on your seniority and benefits, please contact _____.

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 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 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 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, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military.

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

ENFORCEMENT

- ☆ The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.

- ☆ For assistance in filing a complaint, or for any other information on USERRA, contact VETS at **1-866-4-USA-DOL** or visit its website at **http://www.dol.gov/vets**. An interactive online USERRA Advisor can be viewed at **http://www.dol.gov/elaws/userra.htm**.

- ☆ 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: **http://www.dol.gov/vets/programs/userra/poster.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

Publication Date — April 2017

U.S. Department of Labor

OSHA®
Occupational Safety and Health Administration

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.

This poster is available free from OSHA.

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.

Contact OSHA. We can help.

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

OSHA 3165-04R 2019

EMPLOYEE RIGHTS

FOR WORKERS WITH DISABILITIES PAID AT SUBMINIMUM WAGES

This establishment has a certificate authorizing the payment of subminimum wages to workers who are disabled for the work they are performing. Authority to pay subminimum wages to workers with disabilities generally applies to work covered by the **Fair Labor Standards Act (FLSA)**, **McNamara-O'Hara Service Contract Act (SCA)**, and/or **Walsh-Healey Public Contracts Act (PCA)**. Such subminimum wages are referred to as "commensurate wage rates" and are less than the basic hourly rates stated in an SCA wage determination and/or less than the FLSA minimum wage of **$7.25 per hour**. A "commensurate wage rate" is based on the worker's individual productivity, no matter how limited, in proportion to the wage and productivity of experienced workers who do not have disabilities that impact their productivity when performing essentially the same type, quality, and quantity of work in the geographic area from which the labor force of the community is drawn.

Employers shall make this poster available and display it where employees and the parents and guardians of workers with disabilities can readily see it.

WORKERS WITH DISABILITIES

Subminimum wages under section 14(c) are not applicable unless a worker's disability actually impairs the worker's earning or productive capacity for the work being performed. The fact that a worker may have a disability is not in and of itself sufficient to warrant the payment of a subminimum wage.

For purposes of payment of commensurate wage rates under a certificate, a worker with a disability is defined as: An individual whose earnings or productive capacity is impaired by a physical or mental disability, including those related to age or injury, for the work to be performed.

Disabilities which may affect productive capacity include an intellectual or developmental disability, psychiatric disability, a hearing or visual impairment, and certain other impairments. The following do not ordinarily affect productive capacity for purposes of paying commensurate wage rates: educational disabilities; chronic unemployment; receipt of welfare benefits; nonattendance at school; juvenile delinquency; and correctional parole or probation.

WORKER NOTIFICATION

Each worker with a disability and, where appropriate, the parent or guardian of such worker, shall be informed orally and in writing by the employer of the terms of the certificate under which such worker is employed.

KEY ELEMENTS OF COMMENSURATE WAGE RATES

- **Nondisabled worker standard**—The objective gauge (usually a time study of the production of workers who do not have disabilities that impair their productivity for the job) against which the productivity of a worker with a disability is measured.
- **Prevailing wage rate**—The wage paid to experienced workers who do not have disabilities that impair their productivity for the same or similar work and who are performing such work in the area. Most SCA contracts include a wage determination specifying the prevailing wage rates to be paid for SCA-covered work.
- **Evaluation of the productivity of the worker with a disability**—Documented measurement of the production of the worker with a disability (in terms of quantity and quality).

The wages of all workers paid commensurate wages must be reviewed, and adjusted if appropriate, at periodic intervals. At a minimum, the productivity of hourly-paid workers must be reevaluated at least every six months and a new prevailing wage survey must be conducted at least once every twelve months. In addition, prevailing wages must be reviewed, and adjusted as appropriate, whenever there is a change in the job or a change in the prevailing wage rate, such as when the applicable state or federal minimum wage is increased.

WIOA

The Workforce Innovation and Opportunity Act of 2014 (WIOA) amended the Rehabilitation Act by adding section 511, which places limitations on the payment of subminimum wages to individuals with disabilities by mandating the completion of certain requirements prior to and during the payment of a subminimum wage.

EXECUTIVE ORDER 13658

Executive Order 13658, Establishing a Minimum Wage for Contractors, established a minimum wage that generally must be paid to workers performing on or in connection with a covered contract with the Federal Government. Workers covered by this Executive Order and due the full Executive Order minimum wage include workers with disabilities whose wages are calculated pursuant to certificates issued under section 14(c) of the FLSA.

FRINGE BENEFITS

Neither the FLSA nor the PCA have provisions requiring vacation, holiday, or sick pay nor other fringe benefits such as health insurance or pension plans. SCA wage determinations may require such fringe benefit payments (or a cash equivalent). Workers paid under a certificate authorizing commensurate wage rates must receive the full fringe benefits listed on the SCA wage determination.

OVERTIME

Generally, if a worker is performing work subject to the FLSA, SCA, and/or PCA, that worker must be paid at least 1 1/2 times their regular rate of pay for all hours worked over 40 in a workweek.

CHILD LABOR

Minors younger than 18 years of age must be employed in accordance with the child labor provisions of the FLSA. No persons under 16 years of age may be employed in manufacturing or on a PCA contract.

PETITION PROCESS

Workers with disabilities paid at subminimum wages may petition the Administrator of the Wage and Hour Division of the Department of Labor for a review of their wage rates by an Administrative Law Judge. No particular form of petition is required, except that it must be signed by the worker with a disability or his or her parent or guardian and should contain the name and address of the employer. Petitions should be mailed to: Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue NW, Washington, D.C. 20210.

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd

WH1284 REV 01/18

DFEH

THE DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

THE MISSION OF THE DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING IS TO PROTECT THE PEOPLE OF CALIFORNIA FROM UNLAWFUL DISCRIMINATION IN EMPLOYMENT, HOUSING AND PUBLIC ACCOMMODATIONS, AND FROM THE PERPETRATION OF ACTS OF HATE VIOLENCE AND HUMAN TRAFFICKING.

CALIFORNIA LAW PROHIBITS WORKPLACE DISCRIMINATION & HARASSMENT

The California Department of Fair Employment and Housing (DFEH) enforces laws that protect you from illegal discrimination and harrasment in employment based on your actual or perceived:

- ANCESTRY
- AGE (40 and above)
- COLOR
- DISABILITY (physical, mental, HIV and AIDS)
- GENETIC INFORMATION
- GENDER IDENTITY, GENDER EXPRESSION
- MARITAL STATUS
- MEDICAL CONDITION (genetic characteristics, cancer or a record or history of cancer)
- MILITARY OR VETERAN STATUS
- NATIONAL ORIGIN (includes language use and possession of a driver's license issued to persons unable to prove their presence in the United States is authorized under federal law)
- RACE (including, but not limited to, hair texture and protective hairstyles. Protective hairstyles includes, but is not limited to, such hairstyles as braids, locks, and twists)
- RELIGION (includes religious dress and grooming practices)
- SEX/GENDER (includes pregnancy, childbirth, breastfeeding and/or related medical conditions)
- SEXUAL ORIENTATION

CALIFORNIA LAW PROHIBITS WORKPLACE DISCRIMINATION & HARASSMENT

DFEH

THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT (GOVERNMENT CODE SECTIONS 12900 THROUGH 12996) AND ITS IMPLEMENTING REGULATIONS (CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTIONS 11000 THROUGH 11141):

1. Prohibit harassment of employees, applicants, unpaid interns, volunteers, and independent contractors by any persons and require employers to take all reasonable steps to prevent harassment. This includes a prohibition against sexual harassment, gender harassment, harassment based on pregnancy, childbirth, breastfeeding and/or related medical conditions, as well as harassment based on all other characteristics listed above.

2. Require that all employers provide information to each of their employees on the nature, illegality, and legal remedies that apply to sexual harassment. Employers may either develop their own publications, which must meet standards set forth in California Government Code section 12950, or use material from DFEH.

3. Require employers with 5 or more employees and all public entities to provide training for all employees regarding the prevention of sexual harassment, including harassment based on gender identity, gender expression, and sexual orientation.

4. Prohibit employers from limiting or prohibiting the use of any language in any workplace unless justified by business necessity. The employer must notify employees of the language restriction and consequences for violation. Also prohibits employers from discriminating against an applicant or employee because they possess a driver's license issued to a person who is unable to prove that their presence in the United States is authorized under federal law.

5. Require employers to reasonably accommodate an employee, unpaid intern, or job applicant's religious beliefs and practices, including the wearing or carrying of religious clothing, jewelry or artifacts, and hair styles, facial hair, or body hair, which are part of an individual's observance of their religious beliefs.

6. Require employers to reasonably accommodate employees or job applicants with disabilities to enable them to perform the essential functions of a job.

7. Permit job applicants, unpaid interns, volunteers, and employees to file complaints with DFEH against an employer, employment agency, or labor union that fails to grant equal employment as required by law.

8. Prohibit discrimination against any job applicant, unpaid intern, or employee in hiring, promotions, assignments, termination, or any term, condition, or privilege of employment.

9. Require employers, employment agencies, and unions to preserve applications, personnel records, and employment referral records for a minimum of two years.

10. Require employers to provide leaves of up to four months to employees disabled because of pregnancy, childbirth, or a related medical condition.

11. Require an employer to provide reasonable accommodations requested by an employee, on the advice of their health care provider, related to their pregnancy, childbirth, or a related medical condition.

12. Require employers of 20 or more persons to allow eligible employees to take up to 12 weeks leave in a 12-month period for the birth of a child or the placement of a child for adoption or foster care; also require employers of 50 or more persons to allow eligible employees to take up to 12 weeks leave in a 12-month period for an employee's own serious health condition or to care for a parent, spouse, or child with a serious health condition.

13. Require employment agencies to serve all applicants equally, refuse discriminatory job orders, and prohibit employers and employment agencies from making discriminatory pre-hiring inquiries or publishing help-wanted advertisements that express a discriminatory hiring preference.

14. Prohibit unions from discriminating in member admissions or dispatching members to jobs.

15. Prohibit retaliation against a person who opposes, reports, or assists another person to oppose unlawful discrimination.

FILING A COMPLAINT

The law provides for remedies for individuals who experience prohibited discrimination or harassment in the workplace. These remedies include hiring, front pay, back pay, promotion, reinstatement, cease-and-desist orders, expert witness fees, reasonable attorney's fees and costs, punitive damages, and emotional distress damages.

Job applicants, unpaid interns, and employees: If you believe you have experienced discrimination or harassment you may file a complaint with DFEH. Independent contractors and volunteers: If you believe you have been harassed, you may file a complaint with DFEH.

Complaints must be filed within three years* of the last act of discrimination/harassment. For victims who are under the age of eighteen, not later than three years after the last act of discrimination/harassment or one year after the victim's eighteenth birthday, whichever is later.

To schedule an appointment, contact the Communication Center below.

If you have a disability that requires a reasonable accommodation, the DFEH can assist you by scribing your intake by phone or, for individuals who are Deaf or Hard of Hearing or have speech disabilities, through the California Relay Service (711), or you can contact us below.

DFEH is committed to providing access to our materials in an alternative format as a reasonable accommodation for people with disabilities when requested.

Government Code section 12950 and California Code of Regulations, title 2, section 11013, require all employers to post this document. It must be conspicuously posted in hiring offices, on employee bulletin boards, in employment agency waiting rooms, union halls, and other places employees gather. Any employer whose workforce at any facility or establishment consists of more than 10% of non-English speaking persons must also post this notice in the appropriate language or languages.

CONTACT US

Toll Free: (800) 884-1684
TTY: (800) 700-2320
contact.center@dfeh.ca.gov
www.dfeh.ca.gov

* Effective 1/1/2020.

YOUR RIGHTS AND OBLIGATIONS AS A PREGNANT EMPLOYEE

DFEH

YOUR EMPLOYER HAS AN OBLIGATION TO:

- Reasonably accommodate your medical needs related to pregnancy, childbirth or related conditions (such as temporarily modifying your work duties, providing you with a stool or chair, or allowing more frequent breaks);
- Transfer you to a less strenuous or hazardous position (where one is available) or duties if medically needed because of your pregnancy; and
- Provide you with pregnancy disability leave (PDL) of up to four months (the working days you normally would work in one-third of a year or 17 1/3 weeks) and return you to your same job when you are no longer disabled by your pregnancy or, in certain instances, to a comparable job. Taking PDL, however, does not protect you from non-leave related employment actions, such as a layoff.
- Provide a reasonable amount of break time and use of a room or other location in close proximity to the employee's work area to express breast milk in private as set forth in the Labor Code.

FOR PREGNANCY DISABILITY LEAVE:

- PDL is not for an automatic period of time, but for the period of time that you are disabled by pregnancy. Your health care provider determines how much time you will need.
- Once your employer has been informed that you need to take PDL, your employer must guarantee in writing that you can return to work in your same position if you request a written guarantee. Your employer may require you to submit written medical certification from your health care provider substantiating the need for your leave.
- PDL may include, but is not limited to, additional or more frequent breaks, time for prenatal or postnatal medical appointments, doctor-ordered bed rest, severe morning sickness, gestational diabetes, pregnancy-induced hypertension, preeclampsia, recovery from childbirth or loss or end of pregnancy, and/or post-partum depression.
- PDL does not need to be taken all at once but can be taken on an as-needed basis as required by your health care provider, including intermittent leave or a reduced work schedule, all of which counts against your four month entitlement to leave.
- Your leave will be paid or unpaid depending on your employer's policy for other medical leaves. You may also be eligible for state disability insurance or Paid Family Leave (PFL), administered by the California Employment Development Department.
- At your discretion, you can use any vacation or other paid time off during your PDL.
- Your employer may require or you may choose to use any available sick leave during your PDL.
- Your employer is required to continue your group health coverage during your PDL at the same level and under the same conditions that coverage would have been provided if you had continued in employment continuously for the duration of your leave.
- Taking PDL may impact certain of your benefits and your seniority date; please contact your employer for details.
- If possible, you must provide at least 30 days' advance notice for foreseeable events (such as the expected birth of a child or a planned medical treatment for yourself). For events that are unforeseeable, we need you to notify your employer, at least verbally, as soon as you learn of the need for the leave. Failure to comply with these notice rules is grounds for, and may result in, deferral of the requested leave until you comply with this notice policy.

NOTICE OBLIGATIONS AS AN EMPLOYEE:

- Give your employer reasonable notice. To receive reasonable accommodation, obtain a transfer, or take PDL, you must give your employer sufficient notice for your employer to make appropriate plans. Sufficient notice means 30 days advance notice if the need for the reasonable accommodation, transfer, or PDL is foreseeable, otherwise as soon as practicable if the need is an emergency or unforeseeable.
- Provide a Written Medical Certification from Your Health Care Provider. Except in a medical emergency where there is no time to obtain it, your employer may require you to supply a written medical certification from your health care provider of the medical need for your reasonable accommodation, transfer or PDL. If the need is an emergency or unforeseeable, you must provide this certification within the time frame your employer requests, unless it is not practicable for you to do so under the circumstances despite your diligent, good faith efforts. Your employer must provide at least 15 calendar days for you to submit the certification. See your employer for a copy of a medical certification form to give to your health care provider to complete.
- Please note that if you fail to give your employer reasonable advance notice or, if your employer requires it, written medical certification of your medical need, your employer may be justified in delaying your reasonable accommodation, transfer, or PDL.

ADDITIONAL RIGHTS UNDER CALIFORNIA FAMILY RIGHTS ACT (CFRA) LEAVE AND NEW PARENT LEAVE ACT (NPLA):

Under the California Family Rights Act of 1993 (CFRA), if you have more than 12 months of service with us and have worked at least 1,250 hours in the 12-month period before the date you want to begin your leave, and if we employ 50 or more employees at your worksite or within 75 miles of your worksite, you may have a right to a family care or medical leave (CFRA leave). This leave may be up to 12 workweeks in a 12-month period for the birth, adoption, or foster care placement of your child or for your own serious health condition or that of your child, parent or spouse. If we employ less than 50 employees at your worksite or within 75 miles of your worksite, but at least 20 employees at your worksite or within 75 miles of your worksite, you may have a right to a family care leave for the birth, adoption, or foster care placement of your child under the New Parent Leave Act (NPLA). Similar to CFRA leave, the NPLA leave may be up to 12 workweeks in a 12-month period. While the law provides only unpaid leave, employees may choose or employers may require use of accrued paid leave while taking CFRA leave under certain circumstances and employees may choose to use accrued paid leave while taking NPLA leave.*

*CFRA and NPLA applies to all employees of the state of California and any other political or civil subdivision of the state and cities, regardless of the number of employees.

This notice is a summary of your rights and obligations under the Fair Employment and Housing Act (FEHA). For more information about your rights and obligations as a pregnant employee, contact your employer, visit the Department of Fair Employment and Housing's website at www.dfeh.ca.gov, or contact DFEH at (800) 884-1684 (voice or via relay operator 711), TTY (800) 700-2320, or contact.center@dfeh.ca.gov. The text of the FEHA and the regulations interpreting it are available on the Department of Fair Employment and Housing's website at www.dfeh.ca.gov.

CONTACT US

Toll Free: (800) 884-1684
TTY: (800) 700-2320
contact.center@dfeh.ca.gov
www.dfeh.ca.gov

DFEH-E09P-ENG / December 2019

WHAT DOES "TRANSGENDER" MEAN?

Transgender is a term used to describe people whose gender identity differs from the sex they were assigned at birth. Gender expression is defined by the law to mean a "person's gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth." Gender identity and gender expression are protected characteristics under the Fair Employment and Housing Act. That means that employers may not discriminate against someone because they identify as transgender or gender non-conforming. This includes the perception that someone is transgender or gender non-conforming.

WHAT IS A GENDER TRANSITION?

1. "Social transition" involves a process of socially aligning one's gender with the internal sense of self (e.g., changes in name and pronoun, bathroom facility usage, participation in activities like sports teams).

2. "Physical transition" refers to medical treatments an individual may undergo to physically align their body with internal sense of self (e.g., hormone therapies or surgical procedures).

A person does not need to complete any particular step in a gender transition in order to be protected by the law. An employer may not condition its treatment or accommodation of a transitioning employee upon completion of a particular step in a gender transition.

FAQ FOR EMPLOYERS

▪ What is an employer allowed to ask?

Employers may ask about an employee's employment history, and may ask for personal references, in addition to other non-discriminatory questions. An interviewer should not ask questions designed to detect a person's gender identity, including asking about their marital status, spouse's name, or relation of household members to one another. Employers should not ask questions about a person's body or whether they plan to have surgery.

▪ How do employers implement dress codes and grooming standards?

An employer who requires a dress code must enforce it in a non-discriminatory manner. This means that, unless an employer can demonstrate business necessity, each employee must be allowed to dress in accordance with their gender identity and gender expression. Transgender or gender non-conforming employees may not be held to any different standard of dress or grooming than any other employee.

▪ What are the obligations of employers when it comes to bathrooms, showers, and locker rooms?

All employees have a right to safe and appropriate restroom and locker room facilities. This includes the right to use a restroom or locker room that corresponds to the employee's gender identity, regardless of the employee's assigned sex at birth. In addition, where possible, an employer should provide an easily accessible unisex single stall bathroom for use by any employee who desires increased privacy, regardless of the underlying reason. Use of a unisex single stall restroom should always be a matter of choice. No employee should be forced to use one either as a matter of policy or due to harassment in a gender-appropriate facility. Unless exempted by other provisions of state law, all single-user toilet facilities in any business establishment, place of public accommodation, or state or local government agency must be identified as all-gender toilet facilities.

FILING A COMPLAINT

If you believe you are a victim of discrimination you may, within three years* of the discrimination, file a complaint of discrimination by contacting DFEH.

To schedule an appointment, contact the Communication Center below.

If you have a disability that requires a reasonable accommodation, the DFEH can assist you by scribing your intake by phone or, for individuals who are Deaf or Hard of Hearing or have speech disabilities, through the California Relay Service (711), or you can contact us below.

CONTACT US

Toll Free: (800) 884-1684
TTY: (800) 700-2320
contact.center@dfeh.ca.gov
www.dfeh.ca.gov

* Effective 1/1/2020.

Life's a little easier with eitc

earned income tax credit

EITC is for people who work for someone else or own or run a business or a farm. To qualify, you must have low to mid income and meet the following rules.

To qualify, you and your spouse (if filing a joint return):

- Must have earned income
- Must have a Social Security number that is valid for employment issued on or before the due date of the return (including extensions)
- Cannot have investment income, such as interest income, over a certain amount
- Generally must be a U.S. citizen or resident alien all year
- May not file as married filing separately
- May not be a qualifying child of another person
- May not file Form 2555 or 2555-EZ (related to foreign earned income)
- Must have a qualifying child or if you do not have a qualifying child, you must:
  - be at least age 25 but under age 65 at the end of the year,
  - live in the United States* for more than half the year, and
  - not qualify as a dependent of another person.

To claim the EITC, you have to file a federal tax return even if you owe no tax and are not required to file. File your tax return as soon as you have all the information you need about how much you earned. However, refunds for returns claiming the EITC can't be issued before mid-February. This delay applies to the entire refund, not just the portion associated with the EITC.

EITC provides a boost to help pay your bills or save for a rainy day.

Just imagine what you could do with EITC.

Do you want help with the EITC?

- Go to www.irs.gov/eitc for free information and to check out the interactive EITC Assistant to see if you qualify for the credit and estimate the amount of your EITC.
- Visit a Volunteer Income Tax Assistance (VITA) site for free tax help and preparation. Go to www.irs.gov/VITA or call 1-800-906-9887 to find a site.
- Use FreeFile at www.irs.gov/FreeFile for free online filing through commercially available tax preparation software.

Errors can delay the EITC part of your refund until corrected. If the IRS audits your return and finds an error in your claim of the EITC, you must pay back the amount of the EITC you received in error plus interest and penalties. You may also have to file Form 8862 for future claims. And, if the IRS finds your incorrect claim was due to reckless or intentional disregard of rules and regulations or fraud, we may ban you from claiming the EITC for 2 years or 10 years, depending on the reason for the error.

** U.S. military personnel on extended active duty outside the United States are considered to live in the United States while on active duty.*

El *EITC* es para las personas que trabajan para alguien más o son dueñas o dirigen un negocio o una granja. Para tener derecho, usted debe tener ingresos bajos a medios y cumplir con las siguientes reglas.

Para calificar, usted y su cónyuge (si presentan una declaración conjunta):

- Tienen que tener ingresos de trabajo
- Tienen que tener un número de Seguro Social válido para el empleo, emitido en la fecha de vencimiento de la declaración (incluidas las prórrogas), o antes
- No pueden tener ingresos de inversión, como ingresos de intereses, que superen cierta cantidad
- Por lo general, tienen que ser ciudadanos de los Estados Unidos o extranjeros residentes todo el año
- No pueden presentar la declaración como "casado que presenta por separado"
- No pueden ser un hijo calificado de otra persona
- No pueden presentar el Formulario 2555 o el Formulario 2555-EZ (relacionado con los ingresos ganados en el extranjero)
- Tienen que tener un hijo calificado o si no tienen un hijo calificado, ustedes tienen que:
  - tener 25 años de edad, pero menos de 65 años de edad al final del año,
  - vivir en los Estados Unidos* durante más de la mitad del año, y
  - no reunir los requisitos como dependientes de otra persona.

Para reclamar el *EITC*, usted tiene que presentar una declaración del impuesto federal, aún si no adeuda impuestos y no tiene el requisito de presentar una declaración. Presente su declaración de impuestos tan pronto como tenga toda la información que necesita sobre cuánto ganó. No obstante, los reembolsos de las declaraciones en las que se reclama el *EITC* no se pueden emitir antes de mediados de febrero. Esta demora se aplica al reembolso total, no sólo a la parte asociada al *EITC*. El *EITC* proporciona un impulso para ayudar a pagar sus facturas o ahorrar para los tiempos difíciles.

Sólo imagine lo que podría hacer con el *EITC*.

¿Desea ayuda con el *EITC*?

- Visite www.irs.gov/eitc para obtener información gratuita y consultar el asistente *EITC* interactivo para ver si califica para el crédito y estimar la cantidad de su *EITC*.
- Visite un sitio de Asistencia Voluntaria al Contribuyente con los Impuestos sobre los Ingresos (*VITA*, por sus siglas en inglés). Visite www.irs.gov/VITA o llame al 1-800-906-9887 para encontrar un sitio.
- Utilice *Free File* en www.irs.gov/FreeFile para la presentación gratuita en línea a través de software de preparación de impuestos, disponible comercialmente.

Los errores pueden demorar la parte del *EITC* de su reembolso, hasta que se corrijan. Si el *IRS* audita su declaración y encuentra un error en su reclamación del *EITC*, usted tiene que devolver la cantidad del *EITC* que recibió por error más multas e intereses. Es posible que también tenga que presentar el Formulario 8862 para las futuras reclamaciones. Y si el *IRS* encuentra que su reclamación incorrecta fue debido a descuido imprudente o intencional de las reglas y regulaciones o fraude, podemos prohibirle reclamar el *EITC* por 2 años o 10 años, dependiendo de la causa de su error.

** El personal militar de los EE.UU. en servicio activo prolongado fuera de los Estados Unidos se considera que vive en los Estados Unidos mientras está en servicio activo.*

Publication 962 (EN-SP) (Rev. 9-2019) Catalog Number 34506V
Department of the Treasury **Internal Revenue Service** www.irs.gov

EMPLOYEE RIGHTS

PAID SICK LEAVE AND EXPANDED FAMILY AND MEDICAL LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

The **Families First Coronavirus Response Act (FFCRA or Act)** requires certain employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020.

▸ PAID LEAVE ENTITLEMENTS

Generally, employers covered under the Act must provide employees:

Up to two weeks (80 hours, or a part-time employee's two-week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at:

- 100% for qualifying reasons #1-3 below, up to $511 daily and $5,110 total;
- ⅔ for qualifying reasons #4 and 6 below, up to $200 daily and $2,000 total; and
- Up to 12 weeks of paid sick leave and expanded family and medical leave paid at ⅔ for qualifying reason #5 below for up to $200 daily and $12,000 total.

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

▸ ELIGIBLE EMPLOYEES

In general, employees of private sector employers with fewer than 500 employees, and certain public sector employers, are eligible for up to two weeks of fully or partially paid sick leave for COVID-19 related reasons (see below). *Employees who have been employed for at least 30 days* prior to their leave request may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 below.

▸ QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19

An employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to **telework**, because the employee:

1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. has been advised by a health care provider to self-quarantine related to COVID-19;
3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
5. is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or
6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.

▸ ENFORCEMENT

The U.S. Department of Labor's Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA. Employers may not discharge, discipline, or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint, or institutes a proceeding under or related to this Act. Employers in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD.

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

For additional information or to file a complaint:
1-866-487-9243
TTY: 1-877-889-5627
dol.gov/agencies/whd

WH1422 REV 03/20

Amends General Minimum Wage Order and IWC Industry and Occupation Orders

PLEASE POST NEXT TO YOUR IWC OR INDUSTRY OCCUPATION ORDER

OFFICIAL NOTICE

California Minimum Wage

MW-2021

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

PREVIOUS YEAR

January 1, 2020	**$12.00**	**$13.00**

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

SUMMARY OF ACTIONS

TAKE NOTICE that on April 4, 2016, the Governor of California signed legislation passed by the California Legislature, raising the minimum wage for all industries. (SB 3, Stats of 2016, amending section 1182.12. of the California Labor Code.) Pursuant to its authority under Labor Code section 1182.13, the Department of Industrial Relations amends and republishes Sections 2, 3, and 5 of the General Minimum Wage Order, MW-2019. Section 1, Applicability, and Section 4, Separability, have not been changed. Consistent with this enactment, amendments are madeto the minimum wage, and the meals and lodging credits sections of all of the IWC's industry and occupation orders.

This summary must be made available to employees in accordance with the IWC's wage orders. Copies of the full text of the amended wage orders may be obtained by downloading online at https://www.dir.ca.gov/iwc/WageOrderIndustries.htm or by contacting your local Division of Labor Standards Enforcement office.

1. APPLICABILITY

The provisions of this Order shall not apply to outside salespersons and individuals who are the parent, spouse, or children of the employer previously contained in this Order and the IWC's industry and occupation orders. Exceptions and modifications provided by statute or in Section 1, Applicability, and in other sections of the IWC's industry and occupation orders may be used where any such provisions are enforceable and applicable to theemployer.

2. MINIMUM W AG ES

Every employer shall pay to each employee wages not less than those stated above, on each effective date, per hour for all hours worked.

3. MEALS AND LODGING CREDITS - TAB LE

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

EFFECTIVE:	**JANUARY 1, 2020**		**JANUARY 1, 2021**		**JANUARY 1, 2022**		**JANUARY 1, 2023**
For an employer who employs: **LODGING**	**26 or More Employees**	**25 or Fewer Employees**	**26 or More Employees**	**25 or Fewer Employees**	**26 or More Employees**	**25 or Fewer Employees**	**All Employers regardless of number of Employees**
Room occupied alone	$61.13 /week	$56.43 /week	$65.83 /week	$61.13 /week	$70.53 /week	$65.83 /week	$70.53 /week
Room shared	$50.46 /week	$46.58 /week	$54.34 /week	$50.46 /week	$58.22 /week	$54.34 /week	$58.22 /week
Apartment – two thirds (2/3) of the ordinary rental value, and in no event more than:	$734.21 /month	$677.75 /month	$790.67 /month	$734.21 /month	$847.12 /month	$790.67 /month	$847.12 /month
Where a couple are both employed by the employer, two thirds (2/3) of the ordinary rental value, and in no event more than:	$1086.07 /month	$1002.56 /month	$1169.59 /month	$1086.07 /month	$1253.10 /month	$1169.59 /month	$1253.10 /month
MEALS							
Breakfast	$4.70	$4.34	$5.06	$4.70	$5.42	$5.06	$5.42
Lunch	$6.47	$5.97	$6.97	$6.47	$7.47	$6.97	$7.47
Dinner	$8.68	$8.01	$9.35	$8.68	$10.02	$9.35	$10.02

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

4. SEPARABILITY

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

5. AMENDED PROVISIONS

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

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

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

Notificación para los Empleados

Employment Development Department
State of California

Este empleador está registrado con el Departamento del Desarrollo del Empleo (EDD, por sus iniciales en inglés) conforme a las condiciones reglamentarias indicadas en el Código del Seguro de Desempleo de California (CUIC, por sus iniciales en inglés). El empleador se encarga de reportar cualquier retención hecha de los salarios/sueldos de sus empleados para propósitos del impuesto del Seguro Estatal de Discapacidad (SDI, sus iniciales en inglés) y esa retención se acumula para que usted la pueda utilizar como base para solicitar pagos de beneficios del:

Seguro de Discapacidad (DI, por sus iniciales en inglés)

Es financiado por las contribuciones hechas por el empleado y proporciona pagos de beneficios a los trabajadores elegibles que sufren de una pérdida total o parcial de sus salarios/sueldos debido a una discapacidad que no está relacionada con el empleo. Una discapacidad se puede considerar que es una enfermedad, un embarazo, o lesión que puede ser física o mental, la cual le impide a usted hacer su trabajo regular o acostumbrado.

El empleador debe proporcionarle una copia del folleto titulado *Información y Requisitos del Seguro de Discapacidad (DI)* (DE 2515/S), a cada empleado(a) nuevo(a) y a cada empleado(a) que tiene que dejar su empleo debido a una enfermedad, embarazo o lesión que no está relacionada con su empleo.

Cómo Puedo Obtener y Presentar una Solicitud para Beneficios del Seguro de Discapacidad (DI)

- Usted puede obtener la *Solicitud para Beneficios del Seguro de Discapacidad (DI)* (DE 2501/S) por medio de su doctor médico/profesional (médico), empleador o visitando cualquier oficina del Seguro Estatal de Discapacidad (SDI).
- Usted tiene que presentar al Departamento (EDD) la *Solicitud para Beneficios del Seguro de Discapacidad (DI)* (DE 2501/S) dentro de 49 días después del primer día en que quedo discapacitado. Usted puede perder su elegibilidad para recibir los pagos de beneficios del Seguro de Discapacidad (DI), si su solicitud es presentada tarde al Departamento (EDD).

Atención: Si usted está asegurado bajo un seguro privado (*voluntary plan*) por parte de su empleador y tiene una discapacidad que no está relacionada con el empleo, pregúntele a su empleador sobre los formularios apropiados que usted debe completar para solicitar los pagos de beneficios del seguro privado.

Permiso Familiar Pagado (PFL, por sus iniciales en inglés)

Es financiado por las contribuciones hechas por el empleado y proporciona pagos de beneficios a los trabajadores elegibles que sufren una pérdida total o parcial de sus salarios/sueldos debido a que tuvieron que tomar tiempo libre fuera de su empleo para proporcionar cuidado a un familiar que se encuentra gravemente enfermo, o para establecer lazos afectivos con un bebé recién nacido o niño(a) colocado(a) bajo el cuidado de crianza temporal (*foster care*) o en adopción permanente.

El empleador debe proporcionarle una copia del folleto titulado *Para el tiempo que usted necesita en momentos como estos. Permiso Familiar Pagado (PFL)* (DE 2511/S), a cada empleado(a) nuevo(a) y a cada empleado(a) que va a tomar tiempo libre fuera de su empleo para proporcionar cuidado a un familiar que se encuentra gravemente enfermo o para establecer lazos afectivos con un bebé recién nacido o niño(a) colocado(a) bajo el cuidado de crianza temporal (*foster care*) o en adopción permanente.

Cómo Puedo Obtener y Presentar una Solicitud para Beneficios del Permiso Familiar Pagado (PFL)

- Usted puede obtener la Solicitud para Beneficios del *Permiso Familiar Pagado (PFL)* [*Claim for Paid Family Leave Benefits (PFL)*] (DE 2501F) por medio de su doctor médico/profesional (médico), empleador o visitando cualquier oficina del Seguro Estatal de Discapacidad (SDI).
- Usted tiene que presentar al Departamento (EDD) la *Solicitud para Beneficios del Permiso Familiar Pagado (PFL) [Claim for Paid Family Leave Benefits (PFL)]* (DE 2501F) dentro de 41 días a partir de la fecha en que primero tomó tiempo libre para estar fuera de su empleo con el propósito de establecer lazos afectivos con un bebé recién nacido o niño(a) colocado(a) bajo el cuidado de crianza temporal (*foster care*) o en adopción permanente, o para proporcionar cuidado a un familiar que se encuentra gravemente enfermo. Usted puede perder su elegibilidad para recibir los pagos de beneficios del Permiso Familiar Pagado (PFL), si su solicitud es presentada tarde al Departamento (EDD).

Atención: Si usted está asegurado bajo un seguro privado (*voluntary plan*) por parte de su empleador y necesita tomar tiempo libre fuera de su empleo para proporcionar cuidado a un familiar que se encuentra gravemente enfermo o para establecer lazos afectivos con un bebé recién nacido o niño(a) colocado(a) bajo el cuidado de crianza temporal (*foster care*) o en adopción permanente, pregúntele a su empleador sobre los formularios apropiados que usted debe completar para solicitar los pagos de beneficios del seguro privado.

Para obtener más información sobre el Seguro de Discapacidad (DI) y el Permiso Familiar Pagado (PFL), visite la página por Internet titulada en inglés *State Disability Insurance* en **www.edd.ca.gov/disability**. Para comunicarse con la oficina del Seguro de Discapacidad (DI), llame al **1-866-658-8846**. Para los usuarios de TTY (teletipo), marquen al **1-800-563-2441**. Si quiere comunicarse con la oficina del Permiso Familiar Pagado (PFL), llame al **1-877-379-3819**. Para los usuarios de TTY (teletipo), marquen al **1-800-445-1312**.
Para los empleados del gobierno estatal, marquen al **1-866-352-7675** para comunicarse con el Seguro de Discapacidad (DI), y marquen al **1-877-945-4747** para comunicarse con el Permiso Familiar Pagado (PFL).

Por Favor Coloque Junto a su Orden de Industria y Ocupación de IWC

Modifica la Orden de Salario Mínimo General y las Órdenes de Industria y Ocupación de IWC

Notificación Oficial

Salario Mínimo de California

MW-2021

A PARTIR DEL	Empleadores con 25 o menos empleados *	Empleadores con 26 o más empleados *
1 de enero de 2021	**$13.00**	**$14.00**
1 de enero de 2022	**$14.00**	**$15.00**
1 de enero de 2023	**$15.00**	**$15.00**
Año anteriores		
1 de enero de 2020	**$12.00**	**$13.00**

*Los trabajadores a los cuales se considere empleados de un empleador único a los efectos del pago de impuestos según el Código tributario y de Rentas Públicas, artículo 23626 son considerados empleados de ése contribuyente único. A los empleadores y representantes de personas que trabajan en industrias y ocupaciones en el estado de California:

RESUMEN DE ACCIONES

DESE POR NOTIFICADO que el 4 de abril de 2016, el Gobernador de California el gobernador firmó legislación aprobada por la Legislatura de California que incrementa el salario mínimo para todas las industrias. (SB 3, Estatutos de 2016, que modifica el artículo 1182.12 del Código Laboral de California.) Acorde con la autoridad que le otorga el artículo 1182.13, el Departamento de Relaciones Industriales modifica y publica nuevamente los artículos 2, 3, y 5 de la Orden de Salario Mínimo General, MW-2014. El artículo 1: Aplicación, y el artículo 4: Divisibilidad, no se han cambiado. En conformidad con ésta promulgación, se enmiendan los artículos sobre salario mínimo y sobre créditos por alimentos y alojamiento de todas las órdenes de industria y ocupación de IWC.

Este resumen debe ser puesto a disposición de los empleados acorde a las órdenes sobre salarios de IWC. Se pueden obtener copias del texto completo de las órdenes de salario enmendadas descargándolas en línea en https://www.dir.ca.gov/iwc/WageOrderIndustries.htm o comunicándose con la oficina local del Comisionado Laboral (DLSE por sus siglas en inglés) que corresponde a su domicilio.

(1) ÁMBITO DE APLICACIÓN

Las disposiciones de ésta Orden no serán de aplicación a vendedores externos o a individuos que sean los padres, cónyuges o hijos del empleador previamente mencionado en ésta Orden y las órdenes de industria y ocupación de IWC. Las excepciones y modificaciones dispuestas por ley o en el artículo 1: Aplicación, o en otros artículos de las órdenes de industria y ocupación de IWC pueden ser utilizadas siempre que dichas disposiciones sean exigibles y aplicables al empleador.

(2) SALARIOS MÍNIMOS

Cada empleador deberá pagar a cada empleado un salario mínimo acorde con lo que se consigna en la tabla que figura arriba a partir del día de entrada en vigencia.

(3) ALIMENTOS Y ALOJAMIENTO - TABLA

Cuando se utilicen créditos por alimentos o alojamiento para cumplir con parte de la obligación del empleador de pagar salarios mínimos, los montos acreditados acorde con un acuerdo voluntario escrito no pueden sobrepasar los siguientes:

A PARTIR DEL:	1 de enero de 2020		1 de enero de 2021		1 de enero de 2022		1 de enero de 2023
Para un empleador que emplee:	26 o más Empleados	25 o menos Empleados	26 o más Empleados	25 o menos Empleados	26 o más Empleados	25 o menos Empleados	Todos los empleadores, independientemente del número de empleados
ALOJAMIENTO							
Habitación ocupada	$61.13 /semana	$56.43 /semana	$65.83 /semana	$61.13 /semana	$70.53 /semana	$65.83 /semana	$70.53 /semana
Habitación compartida	$50.46 /semana	$46.58 /semana	$54.34 /semana	$50.46 /semana	$58.22 /semana	$54.34 /semana	$58.22 /semana
Apartamento-dos tercios (2/3) del valor normal de alquiler, y en ningún caso más de..	$734.21 /mes	$677.75 /mes	$790.67 /mes	$734.21 /mes	$847.12 /mes	$790.67 /mes	$847.12 /mes
Cuando las dos personas de una pareja trabajan para el empleador, dos tercios del valor del alquiler normal y en ningún caso más de	$1086.07 /mes	$1002.56 /mes	$1169.59 /mes	$1086.07 /mes	$1253.10 /mes	$1169.59 /mes	$1253.10 /mes
ALIMENTOS							
Desayuno	$4.70	$4.34	$5.06	$4.70	$5.42	$5.06	$5.42
Almuerzo	$6.47	$5.97	$6.97	$6.47	$7.47	$6.97	$7.47
Cena	$8.68	$8.01	$9.35	$8.68	$10.02	$9.35	$10.02

Los alimentos y el alojamiento no pueden ser computados como parte del salario mínimo sin un acuerdo voluntario por escrito entre el empleador y el empleado. Cuando un crédito por alimentos y alojamiento se utilice para cumplir con parte de la obligación del empleador de pagar salarios mínimos, los montos acreditados no pueden superar los montos que constan en la tabla de arriba.

(4) DIVISIBILIDAD

Si la aplicación de cualquier disposición de esta Orden, o cualquier artículo, inciso, subdivisión, oración, cláusula, frase, palabra o parte de esta Orden fuera declarada inválida, inconstitucional, no autorizada o prohibida por ley, las disposiciones restantes de la misma no se verán afectadas por dicha circunstancia y continuarán teniendo plena vigencia y efecto como si la parte declarada inválida o inconstitucional no hubiese sido aquí incluida.

(5) DISPOSICIONES MODIFICADAS

Esta orden modifica el salario mínimo y los créditos por alimentos y alojamiento de MW-2017, así como de las órdenes de industria y ocupación de IWC. (Véanse Órdenes 1-15, Arts. 4 y 10; y Órdenes 16, Arts. 4 y 9.) Esta orden no hace ningún otro cambio a las órdenes de industria y ocupación de IWC.

Estas modificaciones a las Órdenes sobre Salario entrarán en vigencia a partir del 1 de enero de 2021.

Toda pregunta sobre cumplimiento debe ser dirigida a la Oficina del Comisionado Laboral. Para obtener la dirección y el número de teléfono de la oficina más cercana a su domicilio, puede encontrar información en la siguiente dirección electrónica: http://www.dir.ca.gov/DLSE/dlse.html o por medio de una búsqueda en cualquier índice o en internet ingresando “Oficina del Comisionado Laboral de California”. El Comisionado Laboral tiene oficinas en las siguientes ciudades: Bakersfield, El Centro, Fresno, Long Beach, Los Ángeles, Oakland, Redding, Sacramento, Salinas, San Bernardino, San Diego, San Francisco, San José, Santa Ana, Santa Bárbara, Santa Rosa, Stockton, y Van Nuys.

Employment Development Department
State of California

SEGURO DE DESEMPLEO

Presentar una Solicitud de Beneficios • Información de Pago • Información General

PRESENTE UNA SOLICITUD DE BENEFICIOS

QUIÉN DEBE PRESENTAR UNA SOLICITUD PARA BENEFICIOS

Es posible que Ud. sea elegible para recibir beneficios del Seguro de Desempleo (UI, por sus siglas en inglés) si Ud. está desempleado(a) o cuando sus horas de trabajo se le han reducido y Ud. está en condiciones físicas/mentales para trabajar, buscando trabajo de manera activa, y listo(a) para aceptar trabajo.

CUANDO PRESENTAR UNA SOLICITUD DE BENEFICIOS

Usted debe solicitar beneficios, tan pronto como Ud. se quede desempleado(a), o se le reduzcan sus horas de trabajo. Su solicitud de beneficios entrará en vigencia el domingo anterior a la fecha en que presentó su solicitud. Todas las solicitudes tienen una semana como período de espera sin paga.

QUÉ NECESITA PARA PRESENTAR UNA SOLICITUD DE BENEFICIOS

A fin de determinar si Ud. es elegible para recibir beneficios, a Ud. se le harán una serie de preguntas tales como información sobre sus empleadores anteriores, y la razón por la cual Ud. no está trabajando. Para asegurar que su solicitud de beneficios se presente lo más rápido posible, antes de presentar su solicitud, Ud. debe tener lista la información siguiente:

- Número de Seguro Social, fecha de nacimiento, todos los nombres que ha usado, dirección postal, dirección de domicilio, y número de teléfono
- Número de licencia para manejar o número de tarjeta de identificación
- Tarjeta de residente permanente y la fecha de vencimiento (si no es ciudadano de Estados Unidos)
- El nombre de su último empleador (sin importar si trabajo tiempo complete o tiempo parcial) y el nombre de su supervisor actual
- El número de teléfono, dirección postal, dirección de lugar de empleo, y código postal de su último empleador
- Si Ud. trabajó fuera de California durante los 24 meses anteriores, tenga disponible todos los nombres de sus empleadores, números de teléfonos y direcciones postales completos
- Si Ud. prestó servicio Militar durante los últimos 18 meses, tenga disponible el documento titulado en inglés DD 214 Member 4
- Si Ud. trabajó para una agencia del gobierno federal durante los últimos 18 meses, tenga la información disponible con respecto a salarios y separación que se encuentra en el documento titulado en inglés “Notice to Federal Employees About Unemployment”, Standard Form 8

CÓMO PRESENTAR UNA SOLICITUD

EN LÍNEA

¡Presente una solicitud en línea en eApply4UI — la manera fácil y rápida de presentar una solicitud de UI! Usted puede presentar una nueva solicitud, renovar una solicitud existente en cualquier momento y a su conveniencia, en inglés o español, usando eApply4UI. Es seguro, confiable y está a la disposición las 24 horas del día.

www.edd.ca.gov/eapply4ui

POR TELÉFONO

Para hablar con un representante de servicios al cliente llame a uno de los siguientes números gratuitos de cualquier parte de Estados Unidos entre las 8 a.m. y 5 p.m. (Hora del Pacífico), de lunes a viernes, excepto los días feriados:

inglés 1-800-300-5616 **español 1-800-326-8937** **TTY (No Voz) 1-800-815-9387**

POR CORREO O FAX

Presente la solicitud de UI por correo o fax, accediendo la solicitud en línea en www.edd.ca.gov/Unemployment. La solicitud de UI la puede completar en línea e imprimir, o la puede imprimir y completarla escribiendo a mano. Envíe por correo o por fax su solicitud de UI usando la dirección indicada en la solicitud.

QUÉ SUCEDE DESPUÉS

Una vez que Ud. haya presentado su solicitud, favor de esperar que pasen 10 días para que se tramite. Si no recibe una notificación por correo, en un plazo de 10 días, comuníquese con el Departamento del Desarrollo del Empleo (EDD, por sus siglas en inglés) por teléfono o presentado su pregunta en línea en www.edd.ca.gov/Unemployment y después en el margen izquierdo, bajo “Contact US” (contáctenos) seleccione “Unemployment Program” (programa de desempleo) después seleccione, “Email Us”, (envíenos un correo-electrónico).

INFORMACION DE PAGO

Para saber la situación de su último pago de UI realizado, llame al número gratuito del sistema telefónico automatizado del EDD indicado a continuación. Cuando llame, los mensajes grabados le guiaran a los servicios que Ud. desee. Necesitará su número de Seguro Social y el Número de Identificación Personal (PIN, siglas en inglés) de cuatro dígitos, para usar este servicio.

Autoservicio Automatizado (inglés y español) 1-866-333-4606

INFORMACIÓN GENERAL

PREGUNTAS FRECUENTES

¿Cuánto paga el Seguro de Desempleo?
Usted puede recibir un mínimo de $40 a un máximo de $450 a la semana, durante un máximo de 26 semanas, dependiendo de sus ingresos trimestrales anteriores.

¿Cuándo es el mejor tiempo para llamar a un representante de servicios al cliente?
Para no esperar mucho, evite llamar durante nuestro tiempo más ocupado: los lunes, el día después de un día feriado, y entre 8 a.m. y 8:30 a.m. Nuestros días menos ocupados son los miércoles y jueves.

¿Qué es un PIN y porqué necesito tener uno?
El PIN es un Número de Identificación Personal (PIN) de cuatro dígitos, el cual Ud. escoge. Usted puede usarlo para obtener acceso a su información confidencial de su solicitud de UI, incluyendo la situación de su pago de UI, por medio del sistema telefónico automatizado del EDD. El número del sistema telefónico automatizado le proporciona instrucciones paso a paso para guiarlo(a) a los servicios que Ud. desee.

OTROS RECURSOS

A través de los Centros Profesionales de Una Parada, el EDD proporciona a las personas los medios que necesitan para encontrar un empleo. Los servicios incluyen las listas automatizadas de empleos, clases para escribir Currículum Vitae (historiales de empleo) y para buscar empleo, y despachos a programas de entrenamiento. Todos estos recursos son gratuitos, y se proporcionan para asegurar que la búsqueda de empleo tenga éxito.

Los Centros Profesionales de Una Parada ofrecen:

- Ayuda en la búsqueda de empleo
- Listas de empleos a través de CalJOBS^{SM}
- Acceso a teléfonos, Internet, impresoras, máquinas de fax y fotocopiadoras
- Clases/Talleres Informativos
- Información sobre sueldos y tendencias
- Recursos en la comunidad
- Despachos a otros servicios
- Y más

Para localizar el Centro Profesional de Una Parada más cercano, llame gratuitamente a la línea de ayuda de America’s Workforce Network al 1-877-US 2 JOBS (1-877-872-5627), ó visite www.servicelocator.org para recibir información de servicios disponibles en su comunidad local. La información está disponible en más de 140 idiomas y existe acceso al TTY (1-877-889-5627) para las personas con problemas de oído.

PROTECCIÓN DE SEGURIDAD Y SALUD EN EL TRABAJO

Estado de California
Departamento de Relaciones Industriales

La ley de California, a través del programa de Cal/OSHA, protege la seguridad y la salud en el trabajo para los trabajadores. Este cartel explica los requisitos y procedimientos básicos para cumplir con las leyes y los reglamentos del estado sobre la seguridad y la salud en el trabajo. La ley exige que este cartel sea colocado en un lugar visible. (Si no se cumple con esto, podría resultar en una multa de hasta $7,000).

DEBERES DEL EMPLEADOR:

Todo empleador debe proporcionar trabajo y lugares de trabajo que sean seguros y saludables. Es decir, como empleador, usted tiene que cumplir con las leyes estatales que rigen la seguridad y la salud en el trabajo. No hacerlo podría amenazar la vida o la salud de los empleados, y considerables castigos monetarios.

Usted tiene que colocar este cartel en un lugar visible para que todos los que trabajan puedan conocer sus derechos básicos y responsabilidades.

Usted tiene que tener un programa de prevención contra las lesiones y las enfermedades, escrito y eficaz, para que lo puedan cumplir sus empleados.

Usted tiene que conocer los peligros que enfrentan sus empleados en el trabajo y mantener registros que muestren que cada empleado ha sido capacitado sobre los peligros especiales que correspondan a cada tarea.

Usted tiene que corregir todas las condiciones peligrosas que usted sepa que podrían producir lesiones graves a sus empleados. No hacerlo podría llevar a cargos criminales, castigos monetarios, y hasta encarcelamiento.

Usted tiene que avisar a la oficina de Cal/OSHA más cercana de toda lesión grave o muerte que ocurra en el trabajo. Asegúrese de hacer esto inmediatamente después de pedir auxilio por emergencia para ayudar al empleado lesionado. Si no reporta una herida grave o muerte dentro de 8 horas, esto puede resultar en una multa civil minima de $5,000.

SE LE PROHIBE A TODO EMPLEADOR:

Permitir que un empleado haga trabajo que viole la ley Cal/OSHA.

Permitir que algún empleado esté expuesto a sustancias dañinas sin llevar protección adecuada.

Permitir que un empleado no capacitado haga trabajo peligroso.

LOS EMPLEADOS TIENEN CIERTOS DERECHOS SOBRE LA SEGURIDAD Y LA SALUD EN EL LUGAR DE TRABAJO:

Como empleado, usted (o alguien que lo represente) tiene el derecho de registrar una queja y pedir una inspección de su lugar de trabajo si las condiciones ahí son peligrosas o dañinas. Esto lo puede hacer poniéndose en contacto con la oficina del distrito local de la División de Seguridad y Salud Ocupacionales (vea la lista de oficinas). Su nombre no será dado a conocer por Cal/OSHA, a no ser que usted lo pida.

Usted también tiene el derecho de hacerle notar las condiciones peligrosas o dañinas al investigador de Cal/OSHA que haga la inspección de su lugar de trabajo. Si se pide, Cal/OSHA no revelará los nombres de los empleados que entreguen o hagan declaraciones durante una inspección o una investigación.

Todo empleado tiene el derecho de negarse a hacer trabajo que violaría una norma o una orden de seguridad o salud ocupacionales de OSHA o de cualquier otra agencia, donde dicha infracción crearía una situación de peligro real y aparente para el empleado o para otros empleados.

Usted no puede ser despedido o castigado de ninguna manera por presentar una queja sobre condiciones peligrosas o dañinas en su trabajo, ni por usar cualquier otro derecho que le da la ley de Cal/OSHA. Si usted cree que lo han despedido o lo han castigado por ejercer sus derechos, usted puede registrar una queja acerca de este tipo de discriminación, poniéndose en contacto con la oficina más cercana del Departamento de Relaciones Industriales, División de Ejecución de Normas del Trabajo (Comisionado de Trabajo del Estado) o la oficina de San Francisco del Departamento de Trabajo de los EE.UU., Administración de Seguridad y Salud Ocupacionales (OSHA). (Los empleados de agencias de gobierno local o estatal solamente pueden registrar estas quejas con el Comisionado de Trabajo del Estado.) Para encontrar la oficina más cercana consulte su directorio telefonico local.

LOS EMPLEADOS TAMBIEN TIENEN RESPONSABILIDADES:

Para mantener la seguridad en su lugar de trabajo y proteger a sus compañeros de trabajo, usted debería informarle a su empleador acerca de cualquier peligro que podría producir una lesión o enfermedad a las personas que trabajan.

Mientras esté trabajando, siempre obedezca las leyes estatales sobre la seguridad y salud en el trabajo.

PARA TRABAJAR CON SUSTANCIAS PELIGROSAS, SE APLICAN REGLAS ESPECIALES:

Todo empleador que use alguna sustancia que aparezca en la lista de sustancias peligrosas de la Sección 339 del Título 8 del Código de Reglamentaciones de California, o que esté sujeta a la Norma Federal Sobre Comunicación de los Peligros (29 CFR 1910.1200), tiene que darle información a los empleados acerca del contenido en las Hojas de Datos Sobre Seguridad de los Materiales (MSDS), o información equivalente acerca de la sustancia, que sirva para capacitar al empleado sobre el uso seguro de la sustancia.

Todo empleador entregará en forma razonable y sin demora una Hoja de Datos Sobre Seguridad de los Materiales para cada sustancia peligrosa en el lugar de trabajo, ante el pedido de un empleado, un representante de los empleados para la negociación de convenios colectivos, o el médico de un empleado.

Los empleados tienen el derecho de ver y copiar sus registros médicos y los registros de exposición a materiales potencialmente tóxicos o a agentes físicamente dañinos.

Los empleadores deben permitir el acceso a los empleados o a los representantes de los empleados para que puedan ver los registros exactos de las exposiciones de los empleados a materiales potencialmente tóxicos o a agentes físicamente dañinos, y de avisar a los empleados de cualquier exposición que sea de una concentración o un nivel que exceda el límite de exposición permitido por las normas de Cal/OSHA.

Todo empleado tiene el derecho de observar el control o la medición de la exposición a peligros, llevados a cabo de acuerdo con las reglamentaciones de Cal/OSHA.

CUANDO CAL/OSHA VISITA EL LUGAR DE TRABAJO:

Cal/OSHA podrá enviar periódicamente al lugar de trabajo a un ingeniero de seguridad o un especialista en higiene industrial que estén capacitados, para asegurar que su compañía esté cumpliendo con las leyes de seguridad y salud del trabajo.

También se hará una inspección cuando algún empleado registre una queja legítima en la División de Seguridad y Salud Ocupacionales.

Cal/OSHA también acude al lugar de trabajo para investigar cuando se ha producido alguna lesión grave o muerte.

Cuando empieza una inspección, el investigador de Cal/OSHA muestra la identificación oficial de la División de Seguridad y Salud Ocupacionales.

El empleador, o alguna persona seleccionada por el empleador, tiene la oportunidad de acompañar al inspector durante la inspección. Se le da esa misma oportunidad al representante de los empleados. Si no hay ningún representante de los empleados, el investigador habla con un número razonable de empleados acerca de las condiciones de seguridad y salud en el lugar de trabajo.

INFRACCIONES, CITACIONES Y CASTIGOS:

Si la investigación demuestra que el empleador ha violado alguna norma u orden de seguridad y salud, la División de Seguridad y Salud Ocupacionales emite una citación. Cada citación especifica la fecha antes de la cual habría que eliminar la infracción. Para ciertas infracciones que no son graves, puede emitirse un aviso en vez de una citación, lo cual no lleva ningún castigo monetario.

Las citaciones pueden implicar multas de hasta $7,000 dólares por cada violación reglamentaria o general y hasta $25,000 dólares por cada violación seria. Es posible que se propongan multas adicionales de hasta $7,000 dólares por día, por violaciones reglamentarias o generales y de hasta $15,000 dólares por día, por violaciones serias, por cada incapacidad de corregir una violación a más tardar en la fecha de supresión indicada en la citación. Podrá tasarse una multa de no menos de $5,000 pero no más de $70,000 dólares a un empleador que viole intencionalmente cualquier norma u orden de seguridad y salud profesionales. La multa civil máxima tasable por cada violación repetida es de $70,000 dólares. Una violación intencional que cause la muerte o incapacidad corporal permanente de cualquier empleado resultará, bajo fallo de culpabilidad, en una multa no mayor a $250,000 dólares o encarcelamiento por hasta tres años, o ambos casos, y si el empleador es una corporación o compañía de responsabilidad limitada, la multa no podrá exceder los $1.5 millones de dólares.

La ley permite que los empleadores puedan apelar las citaciones dentro de los 15 días hábiles después de recibirlas, ante la Junta de Apelaciones sobre la Seguridad y Salud Ocupacionales.

Un empleador que recibe una citación, una Orden de Tomar una Medida Especial, o una Orden Especial, tiene que colocarla en un lugar visible, en el lugar de la infracción o cerca del lugar, durante tres días hábiles, o hasta que se corrija la condición peligrosa, cualquiera que sea mayor, para avisar a los empleados del peligro que podría existir en el lugar. Todo empleado podrá protestar el tiempo permitido para corregir la infracción, ante la División de Seguridad y Salud Ocupacionales o la Junta de Apelaciones sobre la Seguridad y Salud Ocupacionales.

USTED PUEDE CONSEGUIR AYUDA:

Para aprender más acerca de las reglas de seguridad en el trabajo, usted puede llamar al Servicio de Consultación de Cal/OSHA para conseguir información, formularios exigidos, y publicaciones gratis. También puede comunicarse con alguna oficina local de distrito de la División de Seguridad y Salud Ocupacionales. Si usted prefiere, puede contratar a un consultante privado capacitado, o pedirle a su compañía de seguros de compensación del trabajador para que lo ayude a conseguir información.

Llame gratis al 1-866-924-9757

OFICINAS DE LA DIVISIÓN DE SEGURIDAD Y SALUD OCUPACIONALES

OFICINA CENTRAL: 1515 Clay Street, Ste. 1901, Oakland CA 94612 — Teléfono (510) 286-7000

Oficinas de Distrito

Bakersfield	7718 Meany Avenue, Bakersfield 93308	(661) 588-6400
Concord	1450 Civic Court, Suite 525, Concord 94520	(925) 602-6517
Foster City	1065 E. Hillsdale Blvd. Ste 110, Foster City 94404	(650) 573-3812
Fremont/San Jose	39141 Civic Center Dr. Suite 310, Fremont 94538	(510) 794-2521
Fresno	2550 Mariposa St. Room 4000, Fresno 93721	(559) 445-5302
Los Angeles	320 West Fourth St. Room 670, Los Angeles 90013	(213) 576-7451
Modesto	4206 Technology Dr. Suite 3, Modesto 95356	(209) 545-7310
Oakland	1515 Clay St. Suite 1301, Oakland 94612	(510) 622-2916
Sacramento	2424 Arden Way Suite 165, Sacramento 95825	(916) 263-2800
San Bernardino	464 West Fourth St. Suite 332, San Bernardino 92401	(909) 383-4321
San Diego	7575 Metropolitan Dr. Suite 207, San Diego 92108	(619) 767-2280
San Francisco	455 Golden Gate Ave. Rm. 9516, San Francisco 94105	(415) 557-0100
Santa Ana	2000 E. McFadden Ave, Ste. 122, Santa Ana 92705	(714) 558-4451
Santa Rosa	1221 Farmers Lane Suite 300, Santa Rosa 95405	(707) 576-2388
Torrance	680 Knox St. Suite 100, Torrance 90502	(310) 516-3734
Van Nuys	6150 Van Nuys Blvd. Suite 405, Van Nuys 91401	(818) 901-5403
West Covina	1906 West Garvey Ave. S. Suite 200, West Covina 91790	(626) 472-0046

Oficinas Regionales

Oakland	1515 Clay Street, Ste. 1622A, Oakland 94612	(510) 286-1066
Sacramento	2424 Arden Way Suite 300, Sacramento 95825	(916) 263-2803
Santa Ana	2000 E. McFadden Ave. Ste. 119, Santa Ana 92705	(714) 558-4300
Monrovia	750 Royal Oaks Drive, Ste 104, Monrovia 91016	(626) 471-9122

Servicio de Cónsultacion Cal/OSHA

Oficina Central: 2000 E. McFadden Ave. #214, Santa Ana, CA 92705 (714) 558-4411

Oficinas Zonales y de Campo:

• Fresno/Central Valley	1901 North Gateway Blvd. Suite 102, Fresno 93727	(559) 454-1295
• Oakland/Bay Area	1515 Clay St.–Suite 1103 Oakland 94612	(510) 622-2891
• Sacramento/Northern C \	2424 Arden Way–Suite 410 Sacramento 95825	(916) 263-0704
• San Bernardino	464 West Fourth St.–Suite 339 San Bernardino 92401	(909) 383-4567
• San Diego/Imperial Counties	7575 Metropolitan Dr.–Suite 204 San Diego 92108	(619) 767-2060
• San Fernando Valley	6150 Van Nuys Blvd.–Suite 307 Van Nuys 91401	(818) 901-5754
• Santa Fe Springs/Los Angeles/Orange County	1 Centerpointe-Suite 150 La Palma 90623	(714) 562-5525

La ejecución de las normas Cal/OSHA de seguridad y salud en el trabajo está a cargo de la División de Seguridad y Salud Ocupacionales, bajo el Departamento de Relaciones Industriales de California, que tiene la responsabilidad primordial de administrar el programa Cal/OSHA. Las normas de seguridad y salud están promulgadas por la Junta de Normas sobre la Seguridad y Salud Ocupacionales. Cualquier persona que desee registrar una queja que alegue alguna falta en la administración del Plan de Seguridad y Salud Ocupacionales de California puede hacerlo poniéndose en contacto con la Oficina Regional de San Francisco para la Administración de Seguridad y Salud Ocupacionales (OSHA), Departamento de Trabajo de los EE.UU. (Tel: 415-975-4310). OSHA controla la operación de los planes estatales para asegurar que se merece la aprobación continuada.

July 2013

TIEMPO LIBRE PARA VOTAR

Las urnas están abiertas de 7:00 a.m. a 8:00 p.m. todos los días de elecciones. Si usted debe estar en su trabajo durante esos horarios, la ley de California le permite tomarse dos horas libres para votar, sin perder ninguna paga.

Puede tomarse todo el tiempo que necesite para votar, pero solo dos horas de ese tiempo serán pagas.

Su tiempo libre para votar sólo puede ser al principio o al final de su turno de trabajo regular, a menos que haga otros arreglos con su empleador.

Si piensa que necesitará tiempo libre para votar, debe notificar a su empleador como mínimo dos días hábiles ante de la elección.

Código de Elecciones de California artículo 14000

Secretaria de Estado Debra Bowen 1500 11th Street, 5th Floor Sacramento, CA 95814

(800) 345-VOTE (8683) www.sos.ca.gov

PROTECCIÓN DE SEGURIDAD Y SALUD EN EL TRABAJO

Estado de California
Departamento de Relaciones Industriales

La ley de California provee protección a la salud y seguridad laboral de los trabajadores mediante regulaciones impuestas por la División de Seguridad y Salud Ocupacional de California (California Division of Occupational Safety and Health, o Cal/OSHA). Este cartel explica algunos de los requerimientos y procedimientos básicos para cumplir con las normas estatales de seguridad y salud en el lugar de trabajo. La ley exige que se fije este cartel. El incumplimiento de esta norma podría resultar en sanciones considerables. Las normas de Cal/OSHA pueden encontrarse en www.dir.ca.gov/samples/search/query.htm.

QUÉ DEBE HACER EL EMPLEADOR:

Todos los empleadores deben proporcionar trabajo y lugares de trabajo seguros y salubres. Dicho de otra forma, usted como empleador, debe seguir las leyes estatales rigiendo la seguridad y la salud laboral. El incumplimiento de estas leyes puede suponer una amenaza a la vida o la salud de los trabajadores y resultar en sanciones considerables.

Debe fijar este cartel en un lugar visible y donde se fijan normalmente los avisos a los empleados con el fin de que todos en el trabajo estén conscientes de sus derechos y responsabilidades básicas.

Debe contar con un Programa para la Prevención de Lesiones y Enfermedades (Injury and Illness Prevention Program, IIPP) efectivo y por escrito, que cumpla con las exigencias del Código de Regulaciones de California, título 8, articulo 3203 (www.dir.ca.gov/title8/3203.html).

Debe estar consciente de los peligros que sus empleados enfrentan en el trabajo y mantener documentos indicando que cada trabajador ha sido capacitado sobre los riesgos particulares de cada asignación de trabajo.

Debe corregir cualquier condición peligrosa que sepa que puede resultar en lesiones a sus empleados. El incumplimiento de esta normativa puede resultar en cargos penales, sanciones monetarias e incluso el encarcelamiento.

Debe notificar a la oficina del distrito local de Cal/OSHA de cualquier lesión o enfermedad seria o muerte que ocurre en el trabajo. Asegúrese de hacer esto inmediatamente después de llamar a servicios de emergencias para asistir al empleado lesionado. No reportar una lesión o enfermedad seria o muerte dentro de las primeras 8 horas de ocurrida puede resultar en una sanción civil de $5,000.

QUÉ NO DEBE HACER NUNCA EL EMPLEADOR:

Nunca permita que un empleado realice trabajo que infrinja las regulaciones de Cal/OSHA de la seguridad y salud en el lugar de trabajo.

Nunca permita que un empleado sea expuesto a sustancias peligrosas sin proporcionarle la protección adecuada.

Nunca permita que un empleado que no ha sido capacitado realice trabajo peligroso.

LOS EMPLEADOS TIENEN CIERTOS DERECHOS DE SEGURIDAD Y SALUD LABORAL:

Como empleado, usted (o alguien en su lugar) tiene derecho a presentar un reclamo confidencial y solicitar una inspección de su lugar de trabajo si cree que las condiciones son inseguras o insalubres, a través del contacto con la oficina del distrito local de Cal/OSHA (vea la lista de oficinas). Cal/OSHA no revelará su nombre a menos que usted solicite lo contrario.

Usted también tiene derecho de señalar condiciones inseguras o insalubres al investigador de Cal/OSHA realizando la inspección en su lugar de trabajo.

Todo empleado tiene derecho a negarse a realizar trabajo que podría infringir una norma o regla de seguridad y salud ocupacional cuando dicha infracción podría crear un riesgo real y aparente al empleado o a otros empleados.

Usted no puede ser despedido ni sancionado de ninguna forma por presentar un reclamo de condiciones de trabajo inseguras o insalubres, ni por ejercer de cualquier forma su derecho a un lugar de trabajo seguro y saludable. Si cree que fue despedido o sancionado por ejercer sus derechos, puede presentar un reclamo sobre este tipo de discriminación comunicándose con la oficina más cercana del Departamento de Relaciones Industriales de California, División de Cumplimiento de Normas Laborales (Oficina del Comisionado Laboral) o a la oficina del Departamento de Trabajo de los EE.UU. en San Francisco (los empleados de agencias estatales o municipales solo pueden presentar estos reclamos en la Oficina del Comisionado Laboral de California). Consulte su directorio telefónico local para la ubicación de la oficina más cercana.

LOS EMPLEADOS TAMBIÉN TIENEN RESPONSABILIDADES:

Para mantener el lugar de trabajo y sus compañeros de trabajo seguros, debe notificarle a su empleador sobre cualquier riesgo que pueda resultar en lesiones o enfermedades a un trabajador. Mientras trabaje, debe siempre obedecer las leyes estatales de seguridad y salud laboral.

LA AYUDA ESTÁ DISPONIBLE:

Para conocer más sobre las normas de seguridad laboral, puede contactar los Servicios de Consulta de Cal/OSHA para recibir información gratuita, documentos requeridos y publicaciones. También puede contactar a la oficina del distrito local de Cal/OSHA. Si lo prefiere, puede contratar un asesor privado competente o consulte con su compañía de seguro de compensación de los trabajadores para obtener información.

APLICAN REGLAS ESPECIALES PARA TRABAJO CERCA DE SUSTANCIAS PELIGROSAS:

Los empleadores que utilizan sustancias catalogadas como peligrosas en el Código de Regulaciones de California, título 8, articulo 339 (www.dir.ca.gov/title8/339.html) o que sean tratadas en las Normas de Comunicación de Riesgos (www.dir.ca.gov/title8/5194.html) deben proporcionar información a los trabajadores sobre químicos peligrosos en su lugar de trabajo, acceso a las hojas de datos de seguridad y capacitación sobre cómo utilizar químicos peligrosos de manera segura.

Los empleadores deberán poner a disposición de manera oportuna y razonable una hoja de datos de seguridad sobre cada sustancia peligrosa en el lugar de trabajo en caso de ser solicitado por un empleado, un representante del contrato colectivo o un médico de un empleado.

Los empleados tienen derecho a ver y copiar sus registros médicos y los registros de exposiciones a materiales potencialmente tóxicos o agentes físicos dañinos.

Los empleadores deben permitir el acceso a empleados o sus representantes a registros de exposición del empleado a materiales potencialmente tóxicos o a agentes físicos dañinos, y notificar a los empleados sobre cualquier exposición a concentraciones o niveles que excedan los límites de exposición permitidos por las normas de Cal/OSHA.

Todo empleado o representante tiene derecho a observar el monitoreo o la medición del nivel de exposición a riesgos de un empleado que se realice para cumplir con las regulaciones de Cal/OSHA.

CUÁNDO VIENE CAL/OSHA AL LUGAR DE TRABAJO:

Un ingeniero o higienista industrial capacitado de Cal/OSHA puede visitar el lugar de trabajo con el fin de asegurarse de que la compañía está cumpliendo con las leyes de seguridad y salud laboral.

También pueden realizarse inspecciones cuando un empleado presenta un reclamo válido a Cal/OSHA.

Cal/OSHA también visita el lugar de trabajo para investigar una lesión o enfermedad seria o muerte.

Cuando inicia una inspección, el investigador de Cal/OSHA mostrará su identificación oficial.

Al empleador o a alguien que el empleador elija se le dará la oportunidad de acompañar al investigador durante la inspección. Se le dará la misma oportunidad a un representante autorizado de los empleados. En caso de no haber un representante autorizado de los empleados, el investigador conversará con un número razonable de empleados sobre las condiciones de seguridad y salud en el lugar de trabajo.

VIOLACIONES, SANCIONES Y PENALIDADES:

Si la investigación muestra que un empleador ha infringido una norma o regla de seguridad y salud, el investigador de Cal/OSHA puede emitir una sanción. Cada sanción acarrea una penalidad monetaria y especifica la fecha en la que debe eliminar la violación. Una advertencia, la cual no acarrea penalidades monetarias, puede ser emitida en lugar de una sanción para violaciones no serias.

Las penalidades monetarias dependen parcialmente de la clasificación de la violación, sea esta regulatoria, general, seria, reincidente o deliberada, y ya sea que el empleador ha sido negligente en eliminar violaciones anteriores que involucren la misma condición de riesgo. La cantidad base de las penalidades monetarias, los factores de ajuste de penalidades y las cantidades mínimas y máximas de las penalidades se enumeran en el Código de Regulaciones de California, título 8, articulo 336 (www.dir.ca.gov/title8/336.html). Además, una violación deliberada que cause la muerte o discapacidad permanente del cuerpo de un trabajador puede resultar, luego de emitida la sentencia, en una multa de hasta $250,000 o encarcelamiento por hasta tres años o ambos, y si el empleador es una corporación o sociedad de responsabilidad limitada , la multa puede llegar hasta $1.5 millones.

La ley estipula que el empleador puede apelar las sanciones en un plazo de 15 días hábiles a partir del recibo de la misma a la Junta de Apelaciones de Seguridad y Salud Ocupacional (Occupational Safety and Health Appeals Board).

Un empleador que reciba una sanción, una Orden de Tomar Medidas Especiales (Order to Take Special Action) o una Orden Especial debe publicarla de forma prominente en o cerca del lugar de la infracción por tres días hábiles o hasta que la condición insegura sea corregida, independientemente de su duración, para advertir a los empleados de los riesgos que pueden existir en el lugar. Todo empleado puede protestar el tiempo permitido para la corrección de la infracción a la División de Seguridad y Salud Ocupacional o a la Junta de Apelaciones de Seguridad y Salud Ocupacional.

Llame GRATIS a la Línea de Información al Trabajador – (866) 924-9757

DIVISIÓN DE SALUD Y SEGURIDAD OCUPACIONAL (CAL/OSHA)

SEDE PRINCIPAL: 1515 Clay Street, Ste. 1901, Oakland, CA 94612 – Teléfono (510) 286-7000

Oficinas de distrito

American Canyon	3419 Broadway St., Ste. H8, American Canyon 94503	(707) 649-3700
Bakersfield	7718 Meany Ave., Bakersfield 93308	(661) 588-6400
Foster City	1065 East Hillsdale Bl., Ste. 110, Foster City 94404	(650) 573-3812
Fremont	39141 Civic Center Dr., Ste. 310, Fremont 94538	(510) 794-2521
Fresno	2550 Mariposa St., Rm. 4000, Fresno 93721	(559) 445-5302
Long Beach	3939 Atlantic Ave., Ste. 212, Long Beach 90807	(562) 506-0810
Los Ángeles	320 West Fourth St., Rm. 820, Los Ángeles 90013	(213) 576-7451
Modesto	4206 Technology Dr., Ste. 3, Modesto 95356	(209) 545-7310
Monrovia	800 Royal Oaks Dr., Ste. 105, Monrovia 91016	(626) 239-0369
Oakland	1515 Clay St., Ste. 1303, Box 41, Oakland 94612	(510) 622-2916
Redding	381 Hemsted Dr., Redding 96002	(530) 224-4743
Sacramento	2424 Arden Way, Ste. 160, Sacramento 95825	(916) 263-2800
San Bernardino	464 West Fourth St., Ste. 332, San Bernardino 92401	(909) 383-4321
San Diego	7575 Metropolitan Dr., Ste. 207, San Diego 92108	(619) 767-2280
San Francisco	455 Golden Gate Ave., Rm. 9516, San Francisco 94105	(415) 557-0100
Santa Ana	2000 E. McFadden Ave., Ste. 122, Santa Ana 92705	(714) 558-4451
Van Nuys	6150 Van Nuys Blvd., Ste. 405, Van Nuys 91401	(818) 901-5403

Oficinas regionales

San Francisco	455 Golden Gate Ave., Rm 9516, San Francisco 94102	(415) 557-0300
Sacramento	2424 Arden Way Ste. 300, Sacramento 95825	(916) 263-2803
Santa Ana	2000 E. McFadden Ave. Ste. 119, Santa Ana 92705	(714) 558-4300
Monrovia	750 Royal Oaks Dr., Ste. 105, Monrovia 91016	(626) 470-9122

Servicios de Consulta de Cal/OSHA

Oficinas de campo y zona

•Fresno / Central Valley	2550 Mariposa Mall, Rm. 2005 Fresno 93721	(559) 445-6800
•La Palma / Los Angeles / Orange County	1 Centerpointe Dr., Ste. 150 La Palma 90623	(714) 562-5525
•Oakland/ Bay Area	1515 Clay St., Ste 1103 Oakland 94612	(510) 622-2891
•Sacramento / Northern CA	2424 Arden Way, Ste. 410 Sacramento 95825	(916) 263-0704
•San Bernardino	464 West Fourth St., Ste. 339 San Bernardino 92401	(909) 383-4567
•San Diego / Imperial County	7575 Metropolitan Dr., Ste. 204 San Diego 92108	(619) 767-2060
•San Fernando Valley	6150 Van Nuys Blvd., Ste. 307 Van Nuys 91401	(818) 901-5754

Oficina regional de Servicios de Consulta

•Fresno	2550 Mariposa Mall, Rm. 3014 Fresno 93721	(559) 445-6800

El Cumplimiento de las normas de seguridad y salud laboral de Cal/OSHA se lleva a cabo por la División de Seguridad y Salud Ocupacional, bajo el Departamento de Relaciones Industriales, el cual tiene la responsabilidad principal en la administración del programa de Cal/OSHA. Las normas de seguridad y salud ocupacional son promulgadas por la Junta de Normas de Seguridad y Salud Ocupacional. Quien desee presentar un reclamo alegando deficiencia en la administración del Plan de Seguridad y Salud Ocupacional de California, puede hacerlo contactando a la Oficina Regional de San Francisco de la Administración de Seguridad y Salud Ocupacional (OSHA). El teléfono del Departamento de Trabajo de los EE. UU.: (415) 625-2547. OSHA monitorea la operación de planes estatales para asegura de que la autorización continuada sea meritoria.

octubre de 2017

ESTADO DE CALIFORNIA - DEPARTAMENTO DE RELACIONES INDUSTRIALES
División de Compensación de Trabajadores

Aviso a los Empleados—Lesiones Causadas por el Trabajo

Es posible que usted tenga derecho a beneficios de compensación de trabajadores si usted se lesiona o se enferma a causa de su trabajo. La compensación de trabajadores cubre la mayoría de las lesiones y enfermedades físicas o mentales relacionadas con el trabajo. Una lesión o enfermedad puede ser causada por un evento (como por ejemplo lastimarse la espalda en una caída) o por acciones repetidas (como por ejemplo lastimarse la muñeca por hacer el mismo movimiento una y otra vez).

Beneficios. Los beneficios de compensación de trabajadores incluyen:

- **Atención Médica:** Consultas médicas, servicios de hospital, terapia física, análisis de laboratorio, radiografías, medicinas, equipo médico y costos de viajar que son razonablemente necesarias para tratar su lesión. Usted nunca deberá ver un cobro. Hay límites para visitas quiroprácticas, de terapia física y de terapia ocupacional.
- **Beneficios por Incapacidad Temporal (TD):** Pagos si usted pierde sueldo mientras se recupera. Para la mayoría de las lesiones, beneficios de TD no se pagarán por más de 104 semanas dentro de cinco años después de la fecha de la lesión.
- **Beneficios por Incapacidad Permanente (PD):** Pagos si usted no se recupera completamente y si su lesión le causa una pérdida permanente de su función física o mental que un médico puede medir.
- **Beneficio Suplementario por Desplazamiento de Trabajo:** Un vale no-transferible si su lesión surge en o después del 1/1/04, y su lesión le ocasiona una incapacidad permanente, y su empleador no le ofrece a usted un trabajo regular, modificado, o alternativo.
- **Beneficios por Muerte:** Pagados a sus dependientes si usted muere a causa de una lesión o enfermedad relacionada con el trabajo.

Designación de su Propio Médico Antes de una Lesión o Enfermedad (Designación previa). Es posible que usted pueda elegir al médico que le atenderá en una lesión o enfermedad relacionada con el trabajo. Si elegible, usted debe informarle al empleador, por escrito, el nombre y la dirección de su médico personal o grupo médico, *antes* de que usted se lesione. Usted debe de ponerse de acuerdo con su médico para que atienda la lesión causada por el trabajo. Para instrucciones, vea la información escrita sobre la compensación de trabajadores que se le exige a su empleador darle a los empleados nuevos.

Si Usted se Lastima:

1. **Obtenga Atención Médica.** Si usted necesita atención de emergencia, llame al 911 para ayuda inmediata de un hospital, una ambulancia, el departamento de bomberos o departamento de policía. Si usted necesita primeros auxilios, comuníquese con su empleador.
2. **Reporte su Lesión.** Reporte la lesión inmediatamente a su supervisor(a) o a un representante del empleador. No se demore. Hay límites de tiempo. Si usted espera demasiado, es posible que usted pierda su derecho a beneficios. Su empleador está obligado a proporcionarle un formulario de reclamo dentro de un día laboral después de saber de su lesión. Dentro de un día después de que usted presente un formulario de reclamo, el empleador o administrador de reclamos debe autorizar todo tratamiento médico, hasta diez mil dólares, de acuerdo con las pautas de tratamiento aplicables a su presunta lesión, hasta que el reclamo sea aceptado o rechazado.
3. **Consulte al Médico que le está Atendiendo (PTP).** Este es el médico con la responsabilidad total de tratar su lesión o enfermedad.
   - Si usted designó previamente a su médico personal o grupo médico, usted puede consultar a su médico personal o grupo médico después de lesionarse.
   - Si su empleador está utilizando una Red de Proveedores Médicos (MPN) o una Organización de Cuidado Médico (HCO), en la mayoría de los casos usted será tratado dentro de la MPN o la HCO a menos que usted designó previamente un médico personal o grupo médico. Una MPN es un grupo de médicos y proveedores de atención médica que proporcionan tratamiento a trabajadores lesionados en el trabajo. Usted debe recibir información de su empleador si está cubierto por una HCO o una MPN. Hable con su empleador para más información.
   - Si su empleador no está utilizando una MPN o HCO, en la mayoría de los casos el administrador de reclamos puede escoger el médico que lo atiende primero, cuando usted se lesiona, a menos que usted designó previamente a un médico personal o grupo médico.
4. Red de Proveedores Médicos (MPN): Es posible que su empleador use una MPN, lo cual es un grupo de proveedores de asistencia médica designados para dar tratamiento a los trabajadores lesionados en el trabajo. **Si usted ha hecho una designación previa de un médico personal antes de lesionarse en el trabajo, entonces usted puede recibir tratamiento de su médico previamente designado.** Si usted está recibiendo tratamiento de parte de un médico que no pertenece a la MPN para una lesión existente, puede requerirse que usted se cambie a un médico dentro de la MPN. Para más información, vea la siguiente información de contacto de la MPN :

Página web de la MPN: _____

Fecha de vigencia de la MPN: _____ Número de identificación de la MPN: _____

Si usted necesita ayuda en localizar un médico de una MPN, llame a su asistente de acceso de la MPN al: _____

Si usted tiene preguntas sobre la MPN o quiere presentar una queja en contra de la MPN, llame a la Persona de Contacto de la MPN al: _____

Discriminación. Es ilegal que su empleador le castigue o despida por sufrir una lesión o enfermedad en el trabajo, por presentar un reclamo o por testificar en el caso de compensación de trabajadores de otra persona. De ser probado, usted puede recibir pagos por pérdida de sueldos, reposición del trabajo, aumento de beneficios y gastos hasta los límites establecidos por el estado.

¿Preguntas? Aprenda más sobre la compensación de trabajadores leyendo la información que se requiere que su empleador le dé cuando es contratado. Si usted tiene preguntas, vea a su empleador o al administrador de reclamos (que se encarga de los reclamos de compensación de trabajadores de su empleador):

Administrador de Reclamos _____ Teléfono _____

Asegurador del Seguro de Compensación de trabajador _____ (Anote "autoasegurado" si es apropiado)

Usted también puede obtener información gratuita de un Oficial de Información y Asistencia de la División Estatal de Compensación de Trabajadores. El Oficial de Información y Asistencia más cercano se localiza en: _____
o llamando al número gratuito **(800) 736-7401**. Usted puede obtener más información sobre la compensación del trabajador en el Internet en: **www.dwc.ca.gov** y acceder a una guía útil "Compensación del Trabajador de California Una Guía para Trabajadores Lesionados."

Los reclamos falsos y rechazos falsos del reclamo. Cualquier persona que haga o que ocasione que se haga una declaración o una representación material intencionalmente falsa o fraudulenta, con el fin de obtener o negar beneficios o pagos de compensación de trabajadores, es culpable de un delito grave y puede ser multado y encarcelado.

Es posible que su empleador no sea responsable por el pago de beneficios de compensación de trabajadores para ninguna lesión que proviene de su participación voluntaria en cualquier **actividad fuera del trabajo, recreativa, social, o atlética** que no sea parte de sus deberes laborales.

DEPARTAMENTO DE IGUALDAD EN EL EMPLEO Y LA VIVIENDA

DERECHOS DE LAS PERSONAS TRANSGÉNERO EN EL LUGAR DE TRABAJO

¿QUE QUIERE DECIR TRANSGENÉRO?

Transgénero es un término que describe a las personas a las cuales su identificacion a un género es diferente al género que se les asigno al nacer. Expresion de género, basado en la ley, significa la "apariencia y el comportamiento relacionado al género de la persona, independientemente de si estén o no asociados típicamente con el sexo asignado a dicha persona al momento de nacer." Identidad de género y expresion de género son características protegidas bajo la ley de Igualdad en el Empleo y Vivienda. Lo cual quiere decir que los empleadores, proveedores de vivienda, y negocios no pueden discriminar en contra de alguien por que se identifican como transgénero o género no conforme. Esto incluye la percepción que alguien es transgénero o género no conforme.

¿QUÉ ES UNA TRANSICIÓN DE GÉNERO?

1. *"Transición social"* es el proceso donde una persona se empieza asociarse y presentarse socialmente de acuerdo al género con el que se identifica internamente (por ejemplo, cambios de nombre y pronombre, uso de las instalaciones de baño, o participar en actividades como equipos de deportes).
2. *"Transición física"* se refiere a los tratamientos médicos que una persona recibe para alinear físicamente su cuerpo con el concepto interno de sí mismo (por ejemplo, terapias hormonales o procedimientos quirúrgicos).

Una persona no tiene que completar ni un paso en su transicion de género para recibir proteccion bajo la ley. Un empleador no puede exigir que un empleado haya iniciado o completado un paso en su transicion de género para que el empleador trate al empleado conforme al género con el cual se identifica el empleado.

PREGUNTAS FRECUENTES PARA EMPLEADORES

¿Qué puede preguntar los empleadores? Los empleadores pueden preguntar sobre el historial laboral de un empleado, y pueden solicitar referencias personales, además de otras preguntas no discriminatorias. Un entrevistador no debe hacer preguntas con el objeto de averiguar la identidad de género de una persona, incluyendo preguntas acerca de su estado civil, el nombre del cónyuge o la relación de los miembros de la familia. Los empleadores no deben hacer preguntas sobre el cuerpo de una persona o si planea una cirugía.

¿Cómo implementan los empleadores los códigos de vestimenta y los estándares de aseo personal? Un empleador que requiere un código de vestimenta debe hacer cumplir de una manera no discriminatoria. Esto significa que, a menos que un empleador pueda demonstrar la necesidad comercial, un empleado se le debe permitir vestirse de acuerdo con su identidad de género y expresión de género. Los empleados transgénero o no conformes con el género no pueden ser sujetos a ningún estándar diferente de vestimenta o aseo personal que cualquier otro empleado.

¿Cuáles son las obligaciones de los empleadores cuando se trata de baños, duchas y vestuarios? Todos los empleados tienen el derecho a baños y vestuarios comparables, seguros y adecuados. Esto incluye el derecho de usar un baño o vestuario que corresponda a la identidad de género o la expresión de género del empleado, sin importar el sexo que le asigno al nacer. Además, para respetar los intereses de privacidad de todos los empleados, los empleadores deben proveer alternativas viables, como tener seguros en las puertas de los baños, horarios escalonados para ducharse, cortinas de baño u otros métodos factibles para garantizar la privacidad. Un empleador no puede requerir que un empleado use una instalación en particular. A menos que estén exentas por otras disposiciones de la ley estatal, todas las instalaciones sanitarias de un solo usuario en cualquier establecimiento comercial, lugar de alojamiento público o agencia de gobierno estatal o local deben identificarse como instalaciones sanitarias para todos los géneros.

CÓMO PRESENTAR UNA QUEJA

Si usted piensa que es víctima de discriminación, usted puede, dentro de un año del acto discriminatorio, presentar una queja de discriminación ante Departamento de Igualdad en el Empleo y la Vivienda siguiendo estos pasos:

Si usted tiene una discapacidad que le impide enviar un formulario inicial por escrito en línea, correo postal o correo electrónico, DFEH puede asistirlo escribiendo su formulario inicial por teléfono o, para individuos que son sordos o hipoacúsicos o que tienen discapacidades del habla, a través del Servicio de Retransmisión de California (711), o llámenos por su VRS al (800) 884-1684 (voz).

Para programar una cita, comuníquese con el Centro de Comunicaciones al (800) 884-1684 (voz o vía operador de retransmisión 711) o al (800) 700-2320 (TTY) o por correo electrónico al contact.center@dfeh.ca.gov.

PARA MÁS INFORMACIÓN

Departamento de Igualdad en el Empleo y la Vivienda
Línea gratuita: (800) 884-1684 TTY: (800) 700-2320 dfeh.ca.gov

O encuéntrenos en:

DFEH-E04P-SP / June 2018

EL DEPARTAMENTO DE IGUALDAD EN EL EMPLEO Y LA VIVIENDA

LA LEY DE CALIFORNIA PROHÍBE LA DISCRIMINACIÓN Y EL ACOSO EN EL EMPLEO

EL DEPARTAMENTO DE IGUALDAD EN EL EMPLEO Y LA VIVIENDA ("DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING," O "DFEH," POR SUS SIGLAS EN INGLÉS) ASEGURA EL CUMPLIMIENTO DE LAS LEYES QUE LO PROTEGEN DE LA DISCRIMINACIÓN Y EL ACOSO EN EL EMPLEO, DEBIDO A SU ACTUAL O PERCIBIDO/A:

- ASCENDENCIA NACIONAL
- EDAD (tener 40 años o más)
- COLOR
- DISCAPACIDAD (mental o física, incluyendo el VIH y el SIDA)
- LA INFORMACIÓN GENÉTICA
- GÉNERO, LA IDENTIDAD DE GÉNERO, O LA EXPRESIÓN DE GÉNERO
- ESTADO CIVIL
- CONDICIÓN MÉDICA (características genéticas, cáncer, o antecedentes de cáncer)
- ESTADO MILITAR O DE VETERANO
- ORIGEN NACIONAL (incluye el uso de cualquier idioma, o la posesión de una licencia de conducir proporcionada a las personas quienes no pueden demostrar que su presencia en los estados unidos está autorizada bajo las leyes federales)
- RAZA
- RELIGIÓN (incluye la vestimenta religiosa y las prácticas religiosas del aseo personal)
- SEXO (incluye el embarazo, el parto, la lactancia y/o condiciones médicas relacionadas)
- ORIENTACIÓN SEXUAL

LA LEY DE LA IGUALDAD EN EL EMPLEO Y LA VIVIENDA DE CALIFORNIA ("FAIR EMPLOYMENT AND HOUSING ACT") (CÓDIGO DE GOBIERNO DE CALIFORNIA, ARTÍCULOS 12900 AL 12996) Y SUS REGLAMENTOS DE APLICACIÓN (CÓDIGO DE REGLAMENTOS DE CALIFORNIA, TÍTULO 2, ARTÍCULOS 11000 AL 11141):

① Prohíbe el acoso de empleados, solicitantes de empleo, internos no remunerados, voluntarios, y contratistas independientes, por cualquier persona, y requiere que los empleadores adopten todas las medidas razonables para impedir el acoso. Esto incluye la prohibición del acoso sexual; el acoso debido al género del trabajador; y el acoso debido al embarazo, parto, lactancia y/o problemas médicos relacionados; así como el acoso basado en características mencionadas arriba.

② Requiere que todos los empleadores proporcionen la información correspondiente a cada uno de sus trabajadores, acerca de la naturaleza y la ilegalidad del acoso sexual, así como los remedios legales aplicables en caso de acoso sexual. Los empleadores pueden crear sus propias publicaciones, las cuales deben cumplir con los requisitos indicados en el Artículo 12950 del Código de Gobierno de California, o pueden utilizar un folleto del DFEH.

③ Exige a los empleadores con 5 o más empleados y a todas las entidades públicas que proporcionen capacitación para todos los empleados sobre la prevención del acoso sexual, que incluye acoso en función de la identidad de género, expresión de género y orientación sexual.

④ Prohíbe que los empleadores limiten o prohíban el uso de cualquier idioma en el lugar de trabajo, a menos que las necesidades del negocio lo justifique. El empleador debe notificar a los empleados acerca de las restricciones del uso de cualquier idioma y de las consecuencias a las que se expondrán los infractores. También prohíbe que los empleadores discriminen contra un solicitante de trabajo o contra un empleado porque tienen una licencia de conducir proporcionada a personas quienes no pueden demostrar que su presencia en los Estados Unidos está autorizada bajo las leyes federales.

⑤ Requiere que los empleadores proporcionen acomodaciones razonables para las creencias y prácticas religiosas de un empleado, un interno no remunerado, un solicitante de empleo, incluyendo el uso o el porte de prendas religiosas, joyería o artefactos, y los estilos de pelo, el vello facial, o el vello corporal, que son parte de la observancia de las creencias religiosas de un individuo.

⑥ Requiere que los empleadores proporcionen acomodaciones razonables a los empleados o solicitantes de empleo quienes tienen discapacidades, para que puedan desempeñar las funciones esenciales de un trabajo.

⑦ Permite a los solicitantes de empleo, internos no remunerados, voluntarios, y empleados de interponer quejas ante el DFEH contra un empleador, agencia de empleos, o sindicato laboral en el caso que éstos no cumplan con otorgar la igualdad de oportunidades en el empleo como lo dispone la ley.

⑧ Prohíbe la discriminación contra cualquier solicitante de empleo, interno no remunerado, o empleado, en la contratación, promociones, asignaciones, despido, o en cualquier término, condición o privilegio de empleo.

⑨ Requiere que los empleadores, agencias de empleo, y sindicatos laborales mantengan por un mínimo de dos años las solicitudes de empleo recibidas, archivo de personal, y documentos de referencia.

⑩ Requiere que los empleadores proporcionen licencias por períodos de hasta cuatro meses a los empleados discapacitados por el embarazo, parto, o por una condición médica relacionada.

⑪ Requiere que un empleador proporcione acomodaciones razonables solicitadas por un empleado/a, en base a un consejo medico, relacionadas con su embarazo, parto, o una condición médica relacionada.

⑫ Requerir a empleadores de 20 o más personas que permitan a los empleados que reúnan los requisitos tomar hasta 12 semanas de licencia en un período de 12 meses por el nacimiento de un hijo o la colocación de un hijo en adopción o crianza temporal; requerir también a empleadores de 50 o más personas que permitan a los empleados que reúnan los requisitos tomar hasta 12 semanas de licencia en un período de 12 meses por una afección grave de salud del propio empleado o para cuidar a los padres, cónyuge o hijo con una afección grave de salud.

⑬ Requiere que las agencias de empleo proporcionen sus servicios en igualdad, que rechacen órdenes de trabajo que son discriminatorias,y prohíbe que los empleadores y las agencias de empleo hagan indagaciones discriminatorias antes de la contratación, o que publiquen anuncios que expresan una preferencia discriminatoria de contratación.

⑭ Requiere que los sindicatos laborales no cometan actos de discriminación durante el proceso de la selección de sus socios, o en el caso de enviar a trabajadores a sitios de trabajo.

⑮ Prohíbe las represalias contra una persona que se oponga, que reporte, o que ayude a otra persona en la oposición de la discriminación ilegal.

COMO PRESENTAR UNA QUEJA

La ley dispone que se proporcione remedios a individuos que han sido sujetos a discriminación o acoso en el trabajo. Estos remedios incluyen la contratación, pago de salario por adelantado , indemnizacion de salario atrasado, promocion, la reintegración a su puesto, órdenes legales al empleador de cesar y abstenerse, honorarios de expertos, costos legales razonables y honorarios razonables de abogados, daños punitivos y compensación por el sufrimiento emocional.

A los solicitantes de empleo, internos no remunerados, y trabajadores: Si usted cree que ha sido sujeto a la discriminación o el acoso, usted puede interponer una queja ante DFEH. Contratistas independientes y voluntarios: Si usted cree que ha sido acosado, puede interponer una queja ante DFEH.

Las quejas se deben interponer dentro de un año de la fecha en que se cometió el acto más reciente de discriminación o de acoso, o para las víctimas menores de 18 años, a más tardar un año después de que cumplan 18 años.

Si usted tiene una discapacidad que le impide enviar un formulario inicial por escrito en línea, correo postal o correo electrónico, DFEH puede asistirlo escribiendo su formulario inicial por teléfono o, para individuos que son sordos o hipoacúsicos o que tienen discapacidades del habla, a través del Servicio de Retransmisión de California (711), o llámenos por su VRS al (800) 884-1684 (voz).

Para programar una cita, comuníquese con el Centro de Comunicaciones al (800) 884-1684 (voz o vía operador de retransmisión 711) o al (800) 700-2320 (TTY) o por correo electrónico al contact.center@dfeh.ca.gov.

DFEH está comprometido a proporcionar acceso a nuestros materiales en un formato alternativo como adaptación razonable para individuos con discapacidades según sea solicitado.

Comuníquese con DFEH al (800) 884-1684 (voz o vía operador de retransmisión 711), TTY (800) 700-2320 o contact.center@dfeh.ca.gov para conversar sobre su formato de preferencia para acceder a nuestros materiales o páginas web.

El Artículo 12950 del Código de Gobierno y el Artículo 11013, Título 2, del Código de Reglamentos de California, requieren que todos los empleadores publiquen este documento. Deberá estar colocado en las oficinas de contratación, en los tableros de anuncios de los empleados, en las salas de espera de agencias de empleo, en las salas de sindicatos, y en otros lugares donde se reúnan los empleados. Cualquier empleador cuyos trabajadores en cualquier instalación o establecimiento consistan más del 10% de personas que no hablan inglés, debe también publicar este aviso en el idioma o idiomas apropiados.

PARA MÁS INFORMACIÓN

Departamento De Igualdad En El Empleo Y La Vivienda

Línea gratuita: (800) 884-1684
TTY: (800) 700-2320
En línea: www.dfeh.ca.gov

O encuéntrenos en:

DFEH-E07P-SP / December 2018

THE DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

SUS DERECHOS Y OBLIGACIONES COMO TRABAJADORA EMBARAZADA

Si usted está embarazada, tiene una condición médica relacionada con el embarazo, o se está recuperando del parto, por favor lea este aviso.

La ley de california protege a las empleadas contra la discriminación o el acoso debido al embarazo de la empleada, el parto o cualquier otra condición médica relacionada (de aquí en adelante, "a causa del embarazo"). La ley de california también prohíbe a los empleadores el negar o interferir con los derechos laborales relacionados con el embarazo de una empleada.

SU EMPLEADOR TIENE LA OBLIGACIÓN DE:

- Acomodar razonablemente sus necesidades médicas relacionadas con el embarazo, el parto o condiciones relacionadas (tales como modificar temporalmente sus deberes laborales, proporcionarle un taburete o una silla, o permitir descansos más frecuentes).
- Transferirla a un puesto menos agotador o peligroso (donde un puesto esté disponible) o de sus deberes laborales, si es médicamente necesario debido a su embarazo.
- Proporcionarle con el permiso de ausencia de incapacidad por embarazo (PDL, por sus siglas en inglés) de hasta cuatro meses (los días de trabajo que usted normalmente trabajaría en una tercera parte de un año o 17⅓ semanas) y regresarla a su mismo puesto de trabajo cuando usted ya no esté incapacitada por su embarazo o, en ciertos casos, a un trabajo comparable. Sin embargo, el tomar PDL, no lo protege de acciones relacionadas con el empleo, como un despido.
- Proporcionarle tiempo de descanso razonable y el uso de un cuarto u otro lugar cerca de la zona de trabajo de la empleada para extraer la leche materna en privado como se establece en el Código Laboral.

PARA LA AUSENCIA DE INCAPACIDAD POR EMBARAZO:

- PDL no es por un período de tiempo automático, solo es el período de tiempo que usted está incapacitada por el embarazo. El médico determina la cantidad de tiempo que usted necesitará.
- Una vez que su empleador ha sido informado de que usted necesita tomar PDL, su empleador debe garantizar por escrito que usted puede volver a trabajar en el mismo puesto si usted solicita esa garantía por escrito. Su empleador puede requerir una certificación médica escrita de su proveedor de cuidados médicos que justifique la necesidad de su ausencia.
- PDL puede incluir, pero no está limitado a, descansos adicionales o más frecuentes, el tiempo para las citas médicas prenatales o postnatales, reposo en cama bajo órdenes médicas, náuseas matutinas severas, diabetes gestacional, hipertensión inducida por el embarazo, preeclampsia, la recuperación del parto o la pérdida o el final del embarazo, y/o depresión posparto.
- PDL no tiene que ser tomada toda a la vez pero se puede tomar según sea necesario como lo requiera su proveedor médico, incluyendo permiso intermitente o un horario reducido de trabajo, todo esto se cuenta contra su derecho de permiso de cuatro meses.
- Su ausencia será pagada o no pagada dependiendo de las pólizas de su empleador de otras licencias médicas. Usted también puede ser elegible para el seguro de discapacidad del estado o del Permiso Familiar Pagado (PFL), administrado por el Departamento del Desarrollo del Empleo de California.
- A su discreción, usted puede utilizar cualquier tipo de vacaciones o cualquier otro tipo de tiempo pagado durante su PDL.

- Su empleador le puede requerir o puede usted optar por utilizar cualquier ausencia de enfermedad disponible durante su PDL.

- Su empleador está obligado a continuar con su cobertura de salud de grupo durante su PDL en el mismo nivel y en las mismas condiciones que se le hubiera cubierto si hubiera continuado en el empleo de forma continua durante la duración de su permiso.

- El tomar PDL puede afectar algunos de sus beneficios y su fecha de antigüedad; por favor, póngase en contacto con su empleador para obtener más detalles.

- Si es posible, usted debe dar notificación al menos con 30 días de anticipación de los acontecimientos previsibles (como el nacimiento esperado de un niño(a) o un tratamiento médico planeado para sí misma). Para los eventos que son imprevisibles, necesitamos que nos notifique, al menos verbalmente, tan pronto como usted sepa de la necesidad de la ausencia. El incumplimiento de estas reglas de notificación es motivo de, y puede dar como resultado, el aplazamiento de la licencia solicitada hasta que se cumpla con esta póliza de notificación.

LAS OBLIGACIONES DE NOTIFICACIÓN COMO EMPLEADA:

- Darle a su empleador un aviso razonable: Para recibir acomodamiento razonable, obtener un traslado o tomar PDL, usted deberá avisarle a su empleador con suficiente tiempo para que su empleador pueda hacer planes adecuados. Aviso suficiente significa 30 días de anticipación si se necesita acomodamiento razonable, transferencia o si el PDL es previsible, de otro modo, tan pronto como sea posible si la necesidad es una emergencia o un imprevisto.

- Proporcionar una Certificación Médica Escrita del Proveedor del Cuidado de la Salud. Excepto en una emergencia médica donde no hay tiempo para obtenerla, su empleador puede requerir que proporcione una certificación médica escrita de su proveedor de atención médica de la necesidad médica para su acomodamiento razonable, transferencia o PDL. Si la necesidad es una emergencia o imprevisto, debe proporcionar esta certificación dentro del plazo que su empleador lo solicita, a menos que no sea posible que lo haga bajo las circunstancias a pesar de sus esfuerzos diligentes y de buena fe. Su empleador debe darle por lo menos 15 días para que usted pueda presentar la certificación. Vea a su empleador para la copia de la forma de certificación médica que debe entregar a su proveedor médico para completar.

- Por favor tome en cuenta que si usted falla de dar a su empleador aviso previo razonable, o, si su empleador lo requiere, una certificación médica escrita de su necesidad médica, será justificado si su empleador demora su acomodamiento razonable, transferencia o pdl.

DERECHOS ADICIONALES BAJO LOS DERECHOS FAMILIARES DE CALIFORNIA (CFRA):

Usted también puede tener otros derechos adicionales bajo la Ley de Derechos de Familia de California de 1993 (CFRA) si usted tiene más de 12 meses de servicio con nosotros y ha trabajado por lo menos 1,250 horas en el período de 12 meses antes de la fecha en que desea comenzar su ausencia. Este permiso puede ser de hasta 12 semanas laborales en un periodo de 12 meses para el nacimiento, la adopción o la colocación del cuidado tutelar de su hijo/a o para su propio estado grave de salud, la de su hijo/a, padre o cónyuge. Aun cuando la ley proporciona solo ausencia sin sueldo, en ciertas circunstancias, los empleados pueden elegir o los empleadores pueden requerir el uso de las vacaciones u otros días acumulados mientras se toma un permiso de CFRA. Para más información sobre la disponibilidad de la licencia CFRA, por favor revise el Aviso de su empleador con respecto a la disponibilidad de permiso CFRA.

Este aviso es un resumen de sus derechos y obligaciones bajo La Ley de Igualdad en el Empleo y la Vivienda (FEHA). Para más información sobre sus derechos y obligaciones como empleada embarazada, comuníquese con su empleador o visite el sitio web del Departamento de Igualdad en el Empleo y la Vivienda en www.dfeh.ca.gov, o comuníquese con el Departamento al (800) 884-1684 (voz o vía operador de retransmisión 711), TTY (800) 700-2320, o contact.center@dfeh.co.gov. El texto de la FEHA y las regulaciones que la interpretan están disponibles en el sitio web del Departamento de Igualdad en el Empleo y la Vivienda en www.dfeh.ca.gov.

Life's a little easier with eitc

earned income tax credit

EITC is for people who work for someone else or own or run a business or a farm. To qualify, you must have low to mid income and meet the following rules.

To qualify, you and your spouse (if filing a joint return):

- Must have earned income
- Must have a Social Security number that is valid for employment issued on or before the due date of the return (including extensions)
- Cannot have investment income, such as interest income, over a certain amount
- Generally must be a U.S. citizen or resident alien all year
- May not file as married filing separately
- May not be a qualifying child of another person
- May not file Form 2555 or 2555-EZ (related to foreign earned income)
- Must have a qualifying child or if you do not have a qualifying child, you must:
  - be at least age 25 but under age 65 at the end of the year,
  - live in the United States* for more than half the year, and
  - not qualify as a dependent of another person.

To claim the EITC, you have to file a federal tax return even if you owe no tax and are not required to file. File your tax return as soon as you have all the information you need about how much you earned. However, refunds for returns claiming the EITC can't be issued before mid-February. This delay applies to the entire refund, not just the portion associated with the EITC.

EITC provides a boost to help pay your bills or save for a rainy day.

Just imagine what you could do with EITC.

Do you want help with the EITC?

- Go to www.irs.gov/eitc for free information and to check out the interactive EITC Assistant to see if you qualify for the credit and estimate the amount of your EITC.
- Visit a Volunteer Income Tax Assistance (VITA) site for free tax help and preparation. Go to www.irs.gov/VITA or call 1-800-906-9887 to find a site.
- Use FreeFile at www.irs.gov/FreeFile for free online filing through commercially available tax preparation software.

Errors can delay the EITC part of your refund until corrected. If the IRS audits your return and finds an error in your claim of the EITC, you must pay back the amount of the EITC you received in error plus interest and penalties. You may also have to file Form 8862 for future claims. And, if the IRS finds your incorrect claim was due to reckless or intentional disregard of rules and regulations or fraud, we may ban you from claiming the EITC for 2 years or 10 years, depending on the reason for the error.

** U.S. military personnel on extended active duty outside the United States are considered to live in the United States while on active duty.*

El *EITC* es para las personas que trabajan para alguien más o son dueñas o dirigen un negocio o una granja. Para tener derecho, usted debe tener ingresos bajos a medios y cumplir con las siguientes reglas.

Para calificar, usted y su cónyuge (si presentan una declaración conjunta):

- Tienen que tener ingresos de trabajo
- Tienen que tener un número de Seguro Social válido para el empleo, emitido en la fecha de vencimiento de la declaración (incluidas las prórrogas), o antes
- No pueden tener ingresos de inversión, como ingresos de intereses, que superen cierta cantidad
- Por lo general, tienen que ser ciudadanos de los Estados Unidos o extranjeros residentes todo el año
- No pueden presentar la declaración como "casado que presenta por separado"
- No pueden ser un hijo calificado de otra persona
- No pueden presentar el Formulario 2555 o el Formulario 2555-EZ (relacionado con los ingresos ganados en el extranjero)
- Tienen que tener un hijo calificado o si no tienen un hijo calificado, ustedes tienen que:
  - tener 25 años de edad, pero menos de 65 años de edad al final del año,
  - vivir en los Estados Unidos* durante más de la mitad del año, y
  - no reunir los requisitos como dependientes de otra persona.

Para reclamar el *EITC*, usted tiene que presentar una declaración del impuesto federal, aún si no adeuda impuestos y no tiene el requisito de presentar una declaración. Presente su declaración de impuestos tan pronto como tenga toda la información que necesita sobre cuánto ganó. No obstante, los reembolsos de las declaraciones en las que se reclama el *EITC* no se pueden emitir antes de mediados de febrero. Esta demora se aplica al reembolso total, no sólo a la parte asociada al *EITC*. El *EITC* proporciona un impulso para ayudar a pagar sus facturas o ahorrar para los tiempos difíciles.

Sólo imagine lo que podría hacer con el *EITC*.

¿Desea ayuda con el *EITC*?

- Visite www.irs.gov/eitc para obtener información gratuita y consultar el asistente *EITC* interactivo para ver si califica para el crédito y estimar la cantidad de su *EITC*.
- Visite un sitio de Asistencia Voluntaria al Contribuyente con los Impuestos sobre los Ingresos (*VITA*, por sus siglas en inglés). Visite www.irs.gov/VITA o llame al 1-800-906-9887 para encontrar un sitio.
- Utilice *Free File* en www.irs.gov/FreeFile para la presentación gratuita en línea a través de software de preparación de impuestos, disponible comercialmente.

Los errores pueden demorar la parte del *EITC* de su reembolso, hasta que se corrijan. Si el *IRS* audita su declaración y encuentra un error en su reclamación del *EITC*, usted tiene que devolver la cantidad del *EITC* que recibió por error más multas e intereses. Es posible que también tenga que presentar el Formulario 8862 para las futuras reclamaciones. Y si el *IRS* encuentra que su reclamación incorrecta fue debido a descuido imprudente o intencional de las reglas y regulaciones o fraude, podemos prohibirle reclamar el *EITC* por 2 años o 10 años, dependiendo de la causa de su error.

** El personal militar de los EE.UU. en servicio activo prolongado fuera de los Estados Unidos se considera que vive en los Estados Unidos mientras está en servicio activo.*

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Department of the Treasury **Internal Revenue Service** www.irs.gov

2021 COVID-19 Supplemental Paid Sick Leave

Effective March 29, 2021

Covered Employees in the public or private sectors who work for employers with more than 25 employees are entitled to up to 80 hours of COVID-19 related sick leave from January 1, 2021 through September 30, 2021, immediately upon an oral or written request to their employer. If an employee took leave for the reasons below prior to March 29, 2021, the employee should make an oral or written request to the employer for payment.

A covered employee may take leave *if the employee is unable to work or telework for any of the following reasons:*

- Caring for Yourself: The employee is subject to quarantine or isolation period related to COVID-19 as defined by an order or guidelines of the California Department of Public Health, the federal Centers for Disease Control and Prevention, or a local health officer with jurisdiction over the workplace, has been advised by a healthcare provider to quarantine, or is experiencing COVID-19 symptoms and seeking a medical diagnosis.
- Caring for a Family Member: The covered employee is caring for a family member who is subject to a COVID-19 quarantine or isolation period or has been advised by a healthcare provided to quarantine due to COVID-19, or is caring for a child whose school or place of care is closed or unavailable due to COVID-19 on the premises.
- Vaccine-Related: The covered employee is attending a vaccine appointment or cannot work or telework due to vaccine-related symptoms.

Paid Leave for Covered Employees

- 80 hours for those considered full-time employees. Full-time firefighters may be entitled to more than 80 hours, caps below apply.
    - For part-time employees with a regular weekly schedule, the number of hours the employee is normally scheduled to work over two weeks.
    - For part-time employees with variable schedules, 14 times the average number of hours worked per day over the past 6 months.
- Rate of Pay for COVID-19 Supplemental Paid Sick Leave: Non-exempt employees must be paid the highest of the following for each hour of leave:
    - Regular rate of pay for the workweek in which leave is taken
    - State minimum wage
    - Local minimum wage
    - Average hourly pay for preceding 90 days (not including overtime pay)
- Exempt employees must be paid the same rate of pay as wages calculated for other paid leave time.

Not to exceed $511 per day and $5,110 in total for 2021 COVID-19 Supplemental Paid Sick leave.

Retaliation or discrimination against a covered employee requesting or using COVID-19 supplemental paid sick leave is strictly prohibited. A covered employee who experiences such retaliation or discrimination can file a claim with the Labor Commissioner's Office. Locate the office by looking at the list of offices on our website (http://www.dir.ca.gov/dlse/DistrictOffices.htm) using the alphabetical listing of cities, locations, and communities or by calling 1-833-526-4636.

This poster must be displayed where employees can easily read it. If employees do not frequent a physical workplace, it may be disseminated to employees electronically.

2021 COVID-19 Supplemental Paid Sick Leave

Licencia Suplementaria Pagada por Enfermedad por el 2021 COVID-19

Effective March 29, 2021 – Efectiva el 29 de marzo de 2021

Los empleados amparados en los sectores públicos o privados que trabajan para empleadores con más de 25 empleados tienen derecho hasta 80 horas de licencia por enfermedad en lo relacionado a enfermedades por el COVID-19, a partir del 1ro de enero de 2021 hasta el 30 de septiembre de 2021, inmediatamente al solicitarlo a su empleador, bien sea verbal o por escrito. Si el empleado había tomado licencia por motivo de la lista a continuación antes del 29 de marzo de 2021, el empleado debe solicitar paga de su empleador, bien sea verbal o por escrito.

Un empleado amparado puede tomar licencia *si el empleado no puede trabajar ni trabajar virtualmente por cualquiera de las siguientes razones:*

- Cuidarse a sí mismo: El empleado está sujeto a cuarentena o período de aislamiento en lo relacionado con el COVID-19, conforme a la definición por mandato o pautas del *California Department of Public Health* [Departamento de Salud Pública del Estado de California], los centros federales de *Disease Control and Prevention* [Control de Enfermedad y Prevención], o de un funcionario local de la salud con jurisdicción sobre el lugar de trabajo, que haya sido avisado por un proveedor de servicio que entre en cuarentena, o está sintiendo los síntomas de COVID-19 y está en busca del diagnóstico médico.
- Cuidar a un miembro de la familia: El empleado amparado está cuidando de un miembro de la familia que está sujeto a la cuarentena o período de aislamiento por COVID-19, o que un proveedor de cuidado de la salud le ha informado que entre en cuarentena debido al COVID-19, o está cuidando a un niño cuya escuela o centro de cuidado está cerrado o no está disponible por motivo de COVID-19 en los predios.
- Relacionado con la vacuna: El empleado amparado tiene cita para la vacuna o no puede ir a trabajar o desempeñar trabajo virtual debido a síntomas relacionados con la vacuna.

Licencia pagada para los empleados amparados

- 80 horas para los que se consideran empleados a tiempo completo. Los bomberos a tiempo completo puede que tengan derecho a más de 80 horas. A continuación la lista de tiempo máximo que puede corresponder:
  - Para empleados a tiempo parcial con un horario fijo semanal, es el número de horas que el empleado tiene normalmente como fijo para trabajar en un lapso de dos semanas.
  - Para empleados a tiempo parcial con horario variable, es 14 veces el promedio de número de horas trabajadas por día durante los últimos seis (6) meses.
- Tasa de paga para la Licencia Suplementaria Pagada por Enfermedad por el COVID-19. Los empleados no-exentos, tienen que ser pagados la tasa superior de lo siguiente, por cada hora de licencia:
  - Tasa normal de paga por la semana en que se toma la licencia
  - Sueldo mínimo estatal
  - Sueldo mínimo local
  - Promedio de paga por hora de los 90 días anteriores (sin incluir paga por horas adicionales)
- Empleados exentos tienen que ser pagados a la misma tasa de paga que se calcula para las otras ocasiones de licencia pagada.

No exceder $511 por día y $5,110 en total por la Licencia Suplementaria Pagada por Enfermedad por el 2021 COVID-19

Se prohíbe estrictamente la represalia o discriminación en contra de un empleado amparado que solicite o esté usando la Licencia Suplementaria Pagada por Enfermedad por el 2021 COVID-19. Un empleado amparado que experimente dicha represalia o discriminación, puede presentar reclamación ante *Labor Commissioner's Office* [Oficina del Comisionado Laboral]. Puede ubicar la oficina en la lista de oficina en nuestro sitio web (http://www.dir.ca.gov/dlse/DistrictOffices.htm) por medio del listado en orden alfabético por ciudades, ubicaciones, y comunidades o puede llamar al número 1-833-526-4636.

Tiene que publicar este cartel en un lugar donde los empleados lo pueden fácilmente leer. Si los empleados no acostumbran a físicamente frecuentar el lugar de trabajo, lo puede difundir electrónicamente a los empleados.

New Health Insurance Marketplace Coverage Options and Your Health Coverage

Form Approved
OMB No. 1210-0149
(expires 6-30-2023)

PART A: General Information

When key parts of the health care law take effect in 2014, there will be a new way to buy health insurance: the Health Insurance Marketplace. To assist you as you evaluate options for you and your family, this notice provides some basic information about the new Marketplace.

What is the Health Insurance Marketplace?

The Marketplace is designed to help you find health insurance that meets your needs and fits your budget. The Marketplace offers "one-stop shopping" to find and compare private health insurance options. You may also be eligible for a new kind of tax credit that lowers your monthly premium right away. Open enrollment for health insurance coverage through the Marketplace begins in October 2013 for coverage starting as early as January 1, 2014.

Can I Save Money on my Health Insurance Premiums in the Marketplace?

You may qualify to save money and lower your monthly premium, but only if your employer does not offer coverage, or offers coverage that doesn't meet certain standards. The savings on your premium that you're eligible for depends on your household income.

Does Employer Health Coverage Affect Eligibility for Premium Savings through the Marketplace?

Yes. If you have an offer of health coverage from your employer that meets certain standards, you will not be eligible for a tax credit through the Marketplace and may wish to enroll in your employer's health plan. However, you may be eligible for a tax credit that lowers your monthly premium, or a reduction in certain cost-sharing if your employer does not offer coverage to you at all or does not offer coverage that meets certain standards. If the cost of a plan from your employer that would cover you (and not any other members of your family) is more than 9.5% of your household income for the year, or if the coverage your employer provides does not meet the "minimum value" standard set by the Affordable Care Act, you may be eligible for a tax credit.[1]

Note: If you purchase a health plan through the Marketplace instead of accepting health coverage offered by your employer, then you may lose the employer contribution (if any) to the employer-offered coverage. Also, this employer contribution - as well as your employee contribution to employer-offered coverage - is often excluded from income for Federal and State income tax purposes. Your payments for coverage through the Marketplace are made on an after-tax basis.

How Can I Get More Information?

The Marketplace can help you evaluate your coverage options, including your eligibility for coverage through the Marketplace and its cost. Please visit **HealthCare.gov** for more information, including an online application for health insurance coverage and contact information for a Health Insurance Marketplace in your area.

[1] An employer-sponsored health plan meets the "minimum value standard" if the plan's share of the total allowed benefit costs covered by the plan is no less than 60 percent of such costs.

PART B: Information About Health Coverage Offered by Your Employer

This section contains information about any health coverage offered by your employer. If you decide to complete an application for coverage in the Marketplace, you will be asked to provide this information. This information is numbered to correspond to the Marketplace application.

3. Employer name		4. Employer Identification Number (EIN)
5. Employer address		6. Employer phone number
7. City	8. State	9. ZIP code
10. Who can we contact at this job?		
11. Phone number (if different from above)	12. Email address	

You are not eligible for health insurance coverage through this employer. You and your family may be able to obtain health coverage through the Marketplace, with a new kind of tax credit that lowers your monthly premiums and with assistance for out-of-pocket costs.