EMERGENCY

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S-500

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

Your Employee Rights Under the Family and Medical Leave Act

What is FMLA leave?

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

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

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

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

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

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

Am I eligible to take FMLA leave?

You are an **eligible employee** if **all** of the following apply:

- You work for a covered employer,
- You have worked for your employer at least 12 months,
- You have at least 1,250 hours of service for your employer during the 12 months before your leave, and
- Your employer has at least 50 employees within 75 miles of your work location.

Airline flight crew employees have different "hours of service" requirements.

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

- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,
- You work for an elementary or public or private secondary school, or
- You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management.

How do I request FMLA leave?

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

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

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

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

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

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

What does my employer need to do?

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

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

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

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

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

Where can I find more information?

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

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

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

SCAN ME

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

EEOC KNOW YOUR RIGHTS: WORKPLACE DISCRIMINATION IS ILLEGAL

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

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

Who is Protected?

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

What Organizations are Covered?

- Most private employers
- State and local governments (as employers)
- Educational institutions (as employers)
- Unions
- Staffing agencies

What Types of Employment Discrimination are Illegal?

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

- Race
- Color
- Religion
- National origin
- Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity)
- Age (40 and older)
- Disability
- Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)
- Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding
- Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation

What Employment Practices can be Challenged as Discriminatory?

All aspects of employment, including:

- Discharge, firing, or lay-off
- Harassment (including unwelcome verbal or physical conduct)
- Hiring or promotion
- Assignment
- Pay (unequal wages or compensation)
- Failure to provide reasonable accommodation for a disability; pregnancy, childbirth, or related medical condition; or a sincerely-held religious belief, observance or practice
- Benefits
- Job training
- Classification
- Referral
- Obtaining or disclosing genetic information of employees
- Requesting or disclosing medical information of employees
- Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or proceeding
- Conduct that coerces, intimidates, threatens, or interferes with someone exercising their rights, or someone assisting or encouraging someone else to exercise rights, regarding disability discrimination (including accommodation) or pregnancy accommodation

What can You Do if You Believe Discrimination has Occurred?

Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:

Submit an inquiry through the EEOC's public portal: *https://publicportal.eeoc.gov/Portal/Login.aspx*

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

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

E-Mail *info@eeoc.gov*

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

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

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

Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

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

Disability Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

Protected Veteran Status The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.

Retaliation Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors under these Federal laws. Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP)
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, D.C. 20210
1–800–397–6251 (toll-free)

If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at *https://ofccphelpdesk.dol.gov/s/*, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at *https://www.dol.gov/agencies/ofccp/contact*.

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.

(Revised 6/27/2023)

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

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

¿Quién está Protegido?
- Empleados (actuales y anteriores), incluyendo gerentes y empleados temporales
- Aplicantes de trabajo
- Miembros de sindicatos y Solicitantes de membresía en un sindicato

¿Qué Tipos de Discriminación Laboral son Ilegales?
Según las leyes de la EEOC, un empleador no puede discriminarlo, independientemente de su estatus migratorio, por motivos de:
- Raza
- Color
- Religión
- Origen nacional
- Sexo (incluyendo embarazo, parto, y condiciones médicas relacionadas, orientación sexual o identidad de gnero)
- Edad (40 años o más)
- Discapacidad
- Información genética(incluyendo solicitudes del empleador para la compra, el uso o la divulgación de pruebas genéticas, servicios genéticos o historial médico familiar)
- Tomar represalias por presentar un cargo, oponerse razonablemente a la discriminación o participar en una demanda, investigación o procedimiento por discriminación
- Interferencia, coerción o amenazas relacionadas con el ejercicio de los derechos relacionados con la discriminación por discapacidad o la acomodación por embarazo

¿Qué Organizaciones están Cubiertas?
- La mayoría de los empleadores privados
- Gobiernos estatales y locales (como empleadores)
- Instituciones educativas (como empleadores)
- Sindicatos
- Agencias de empleo

¿Qué Prácticas Laborales Pueden ser Discriminatorias?
Todos los aspectos del empleo, incluyendo:
- Despidos
- Acoso (incluyendo conducta física o verbal no deseada)
- Contratación o promoción
- Asignaciones
- Remuneración (salarios desiguales o compensación)
- Falta de proporcionar adaptaciones razonables para una discapacidad; embarazo, parto o condición médica relacionada al embarazo o parto; o para la observancia o práctica de una creencia religiosa sincera
- Beneficios
- Formación profesional
- Clasificación
- Referencias
- Obtención o divulgación de información genética de los empleados
- Solicitud o divulgación de información médica de los empleados
- Conducta que podría desalentar razonablemente a alguien de oponerse a la discriminación, presentar un cargo o participar en una investigación o procedimiento
- Conducta que coaccione, intimide, amenace o interfiera con el ejercicio de sus derechos por parte de alguien, o alguien que ayude o aliente a otra persona a ejercer sus derechos, en relación con la discriminación por discapacidad (incluyendo las adaptaciones) o adaptaciones por embarazo

¿Qué Puede Hacer si Cree que ha Ocurrido Discriminación? Comuníquese con la EEOC de inmediato si sospecha discriminación. No demore, porque existen límites de tiempo estrictos para presentar una denuncia por discriminación (180 o 300 días, según el lugar donde viva o trabaje). Puede comunicarse con la EEOC de cualquiera de las siguientes maneras:

Presentar una consulta a través del Portal Público de la EEOC: *https://publicportal.eeoc.gov/Portal/Login.aspx*

Llame 1–800–669–4000 (número gratuito)
1–800–669–6820 (TTY)
1–844–234–5122 (Video Teléfono de ASL)

Visite una Oficina de Campo de la EEOC (información en *www.eeoc.gov/field-office*)

Corre Electrónico: *info@eeoc.gov*

Información adicional sobre la EEOC, incluyendo información sobre cómo presentar un cargo de discriminación, está disponible en *www.eeoc.gov/es*.

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

La Oficina de Programas de Cumplimiento de Contratos Federales (OFCCP, por sus siglas en inglés) del Departamento de Trabajo hace cumplir los compromisos de no discriminación y acción afirmativa de las empresas que hacen negocios con el gobierno federal. Si está solicitando un trabajo con, o es un empleado de una empresa con un contrato o subcontrato federal, usted está protegido(a) por la ley federal contra la discriminación en las siguientes bases:

Raza, Color, Religión, Sexo, Orientación Sexual, Identidad de Género, Origen Nacional La Orden Ejecutiva 11246, enmendada, prohíbe la discriminación laboral por parte de los contratistas federales por motivos de raza, color, religión, sexo, orientación sexual, identidad de género u origen nacional, y requiere acción afirmativa para garantizar la igualdad de oportunidades en todos los aspectos del empleo.

Preguntar, Divulgar o Discutir Salarios La Orden Ejecutiva 11246, enmendada, protege a los solicitantes y empleados de contratistas federales de la discriminación basada en preguntar, divulgar o discutir su compensación o la compensación de otros solicitantes o empleados.

Discapacidad La Sección 503 del Acta de Rehabilitación de 1973, según enmendada, protege a las personas calificadas con discapacidades contra la discriminación en la contratación, promoción, despido, pago, beneficios complementarios, capacitación laboral, clasificación, referencias y otros aspectos del empleo por parte de contratistas federales. La discriminación por discapacidad incluye no hacer adaptaciones razonables a las limitaciones físicas o mentales conocidas de una persona con una discapacidad que de otro modo calificaría y que es un solicitante o empleado, a menos que haga una dificultad excesiva para el empleador. La Sección 503 también requiere que los contratistas federales tomen medidas afirmativas para emplear y promover a personas calificadas con discapacidades en todos los niveles de empleo, incluyendo a nivel ejecutivo.

Estatus Protegido Como Veterano El Acta de Asistencia para el Reajuste de los Veteranos de la Era de Vietnam de 1974, modificada, 38 U.S.C. 4212, prohíbe la discriminación laboral y requiere acción afirmativa para reclutar, emplear y avanzar en el empleo a veteranos discapacitados, veteranos recientemente separados (es decir, dentro de los tres años posteriores al su separación o liberación del servicio activo), veteranos en servicio activo en tiempo de guerra o insignia de campaña, o veteranos con medallas de servicio de las fuerzas armadas.

Represalias Se prohíben las represalias contra una persona que presente una queja por discriminación, participe en un procedimiento de la OFCCP o se oponga a la discriminación por parte de contratistas federales en virtud de estas leyes federales. Cualquier persona que crea que un contratista ha violado sus obligaciones de no discriminar o acción afirmativa bajo las autoridades de la OFCCP debe comunicarse de inmediato con:

La Oficina de Programas de Cumplimiento de Contratos Federales (OFCCP),
Departamento de Trabajo de los EE. UU.,
200 Constitution Avenue, N.W. Washington, D.C. 20210
1-800-397-6251 (llamada gratuita).

Si es sordo, tiene problemas de audición o tiene una discapacidad del habla, marque 7-1-1 para acceder a los servicios de retransmisión de telecomunicaciones. También se puede contactar a la OFCCP enviando una pregunta en línea a la mesa de ayuda de la OFCCP en *https://ofccphelpdesk.dol.gov/s/*, o llamando a una oficina regional o distrital de la OFCCP, que figura en la mayoría de los directorios telefónicos bajo el Departamento de Trabajo de los EE.UU y en la página web "Contáctenos" de la OFCCP en *https://www.dol.gov/agencies/ofccp/contact*.

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Raza, Color, Origen Nacional, Sexo Además de las protecciones del Título VII del Acta de Derechos Civiles de 1964, según enmendada, el Título VI del Acta de Derechos Civiles de 1964, según enmendada, prohíbe la discriminación por motivos de raza, color, u origen nacional en programas o actividades que reciben asistencia financiera. La discriminación laboral está cubierta por el Título VI si el objetivo principal de la asistencia financiera es la provisión de empleo, o cuando la discriminación laboral cause o pueda causar discriminación en la prestación de servicios bajo dichos programas. El Título IX de las Enmiendas de Educación de 1972 prohíbe la discriminación laboral por razón de sexo en programas o actividades educativas que reciben asistencia financiera federal.

Personas con Discapacidades La Sección 504 del Acta de Rehabilitación de 1973, enmendada, prohíbe la discriminación laboral por motivos de discapacidad en cualquier programa o actividad que reciba asistencia financiera federal. Está prohibida la discriminación en todos los aspectos de empleo contra las personas con discapacidades que, con o sin ajustes razonables, pueden desempeñar las funciones esenciales del trabajo. Si cree que ha sido discriminado(a) en un programa de cualquier institución que recibe asistencia financiera federal, debe comunicarse de inmediato con la agencia federal que brinda dicha asistencia.

(Actualizado 6/27/2023)

FEDERAL MINIMUM WAGE

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 1 ½ times your 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.

PUMP AT WORK The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for their nursing child for one year after the child's birth each time the employee needs to express breast milk. Employers must provide a place, other than a bathroom, that is shielded from view and free 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
www.dol.gov/agencies/whd

WHD
WH1088
REV 04/23

DERECHOS DE LOS TRABAJADORES BAJO LA LEY DE NORMAS JUSTAS DE TRABAJO

(FLSA–siglas en inglés)

SALARIO MÍNIMO FEDERAL $7.25 POR HORA
A PARTIR DEL 24 DE JULIO DE 2009

La ley exige que los empleadores exhiban este cartel donde sea visible por los empleados.

PAGO POR SOBRETIEMPO Por lo menos tiempo y medio (1½) de la tasa regular de pago por todas las horas trabajadas en exceso de 40 en una semana laboral.

TRABAJO DE MENORES DE EDAD El empleado tiene que tener por lo menos 16 años para trabajar en la mayoría de los trabajos no agrícolas y por lo menos 18 años para trabajar en los trabajos no agrícolas declarados peligrosos por la Secretaría de Trabajo. Los menores de 14 y 15 años pueden trabajar fuera del horario escolar en varias ocupaciones que no sean de manufactura, de minería, y que no sean peligrosas con ciertas restricciones al horario de trabajo. Se aplican distintos reglamentos al empleo agrícola.

CRÉDITO POR PROPINAS Los empleadores de "empleados que reciben propinas" que cumplan con ciertas condiciones, pueden reclamar un crédito de salario parcial basado en las propinas recibidas por sus empleados. Los empleadores les tienen que pagar a los empleados que reciben propinas un salario en efectivo de por lo menos $2.13 por hora si ellos reclaman un crédito de propinas contra su obligación de pagar el salario mínimo. Si las propinas recibidas por el empleado combinadas con el salario en efectivo de por lo menos $2.13 por hora del empleador no equivalen al salario mínimo por hora, el empleador tiene que compensar la diferencia.

EXTRACCIÓN DE LECHE MATERNA EN EL TRABAJO La FLSA requiere que los empleadores proporcionen un tiempo de descanso razonable para que una empleada de enfermería extraiga leche materna para su bebé lactante durante un año después del nacimiento del bebé cada vez que la empleada necesite extraer leche materna. Los empleadores deben proporcionar un lugar, que no sea un baño, que esté protegido de la vista y libre de la intrusión de los compañeros de trabajo y el público, que pueda ser utilizado por la empleada para extraer leche materna.

CUMPLIMIENTO El Departamento tiene la autoridad de recuperar salarios retroactivos y una cantidad igual en daños y perjuicios en casos de incumplimientos con el salario mínimo, sobretiempo y otros incumplimientos. El Departamento puede litigar y/o recomendar un enjuiciamiento criminal. A los empleadores se les pueden imponer sanciones pecuniarias civiles por cada incumplimiento deliberado o repetido de las disposiciones de la ley del pago del salario mínimo o de sobretiempo. También se pueden imponer sanciones pecuniarias civiles por incumplimiento con las disposiciones de la FLSA sobre el trabajo de menores de edad. Además, se pueden imponer sanciones pecuniarias civiles incrementadas por cada incumplimiento con el trabajo de menores que resulte en la muerte o una lesión seria de un empleado menor de edad, y tales avaluaciones pueden duplicarse cuando se determina que los incumplimientos fueron deliberados o repetidos. La ley también prohíbe tomar represalias o despedir a los trabajadores que presenten una queja o que participen en cualquier proceso bajo la FLSA.

INFORMACIÓN ADICIONAL

- Ciertas ocupaciones y establecimientos están exentos de las disposiciones sobre salario mínimo, y/o pago de horas extras.
- Se aplican disposiciones especiales a trabajadores de Samoa Americana, del Estado Libre Asociado de las Islas Marianas del Norte y del Estado Libre Asociado de Puerto Rico.
- Algunas leyes estatales proporcionan protecciones más amplias a los trabajadores; los empleadores tienen que cumplir con ambas.
- Algunos empleadores clasifican incorrectamente a sus trabajadores como "contratistas independientes" cuando en realidad son empleados según la FLSA. Es importante conocer la diferencia entre los dos porque los empleados (a menos que estén exentos) tienen derecho a las protecciones del salario mínimo y del pago de sobretiempo bajo la FLSA y los contratistas correctamente clasificados como independientes no lo tienen.
- A ciertos estudiantes de tiempo completo, estudiantes alumnos, aprendices, y trabajadores con discapacidades se les puede pagar menos que el salario mínimo bajo certificados especiales expedidos por el Departamento de Trabajo.

DIVISIÓN DE HORAS Y SALARIOS
DEPARTAMENTO DE TRABAJO DE LOS EE.UU.
1-866-487-9243
www.dol.gov/agencies/whd

WH1088 SPA
REV 04/23

CALIFORNIA MINIMUM WAGE

PLEASE POST NEXT TO YOUR IWC OR INDUSTRY OCCUPATION ORDER - OFFICIAL NOTICE

California Minimum Wage MW-2025

Amends General Minimum Wage Order and IWC Industry and Occupation Orders

Every employer, regardless of the number of employees, shall pay to each employee wages not less than the following:

Effective January 1, 2025 Minimum Wage: $16.50 per hour *See Sec. 2 below		
Effective January 1, 2024 Minimum Wage: $16.00 per hour		
Effective January 1, 2023 Minimum Wage: $15.50 per hour		
	PREVIOUS YEARS	
EFFECTIVE DATE	Employers with 25 or Fewer Employees*	Employers with 26 or More Employees *
January 1, 2022	**$14.00**	**$15.00**

*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.) and, in 2023, raised the minimum wage payable by certain Fast Food Restaurant employers (AB 1228, Stats. 2023) and Healthcare Facility employers (SB 525, Stats. 2023). SB 828, Stats. 2024; and SB 159, Stats. 2024). 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-2025. Section 1, Applicability, and Section 4, Separability, have not been changed. Consistent with these enactments, amendments are made to the minimum wage, and the meals and lodging credits sections of all of the IWC's industry and occupation orders. This summary must be made available to employees in accordance with the IWC's wage orders. Copies of the full text of the amended wage orders may be obtained by downloading online at **https://www.dir.ca.gov/iwc/WageOrderIndustries.htm** or by contacting your local Division of Labor Standards Enforcement office.

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 such provisions are enforceable and applicable to the employer.

2. MINIMUM WAGES Every employer shall pay to each employee wages not less than those stated above, on each effective date, per hour for all hours worked, except the following who shall pay no less than the specified minimum wage to each employee: Fast Food Restaurant employers under Part 4.5.5, of Division 2 of the Labor Code (commencing with Labor Code section 1474), effective April 1, 2024; and Healthcare Facility employers under Labor Code section 1182.14, October 16, 2024. Note: Supplements to this order containing minimum wage rates applicable for Fast Food Restaurant and Healthcare Facility employees, respectively, are available online at the website address in the Summary of Actions above.

3. MEALS AND LODGING CREDITS - TABLE When credit for meals or lodging is used to meet part of the employer's minimum wage obligation, the amounts so credited pursuant to a voluntary written agreement may not be more than the following:

EFFECTIVE:	**JANUARY 1, 2022**		**JANUARY 1, 2023**	**January 1, 2024**	**January 1, 2025**
LODGING For an employer who employs:	**26 or More Employees**	**25 or Fewer Employees**	**All Employers regardless of number of Employees**	**All Employers regardless of number of Employees**	**All Employers regardless of number of Employees**
Room occupied alone	$70.53 /week	$65.83 /week	$72.88 /week	$75.23 /week	$77.58 /week
Room shared	$58.22 /week	$54.34 /week	$60.16 /week	$62.10 /week	$64.04 /week
Apartment – two thirds (2/3) of the ordinary rental value, and in no event more than:	$847.12 /month	$790.67 /month	$875.33 /month	$903.60 /month	$931.88 /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:	$1253.10 /month	$1169.59 /month	$1294.83 /month	$1,336.65 /month	$1,378.49 /month
Breakfast	$5.42	$5.06	$5.60	$5.78	$5.96
Lunch	$7.47	$6.97	$7.72	$7.97	$8.22
Dinner	$10.02	$9.35	$10.35	$10.68	$11.01

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-2024, 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, 2025.

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.

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

Sueldo Mínimo de California SM-2025

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

Sueldo Mínimo - Todo empleador deberá pagar a cada empleado salarios no inferiores a los siguientes:

A Partir Del 1 de enero de 2025 Sueldo Minimo $16.50 por hora *Consulte la Sección 2 a continuación		
A partir del 1 de enero de 2024 Salario mínimo: $16.00 por hora		
Años anterior		
A PARTIR DEL	**Empleadores con 25 o menos empleados ***	**Empleadores con 26 o más empleados ***
1 de enero de 2022	**$14.00**	**$15.00**

*Los empleados considerados contratados por un solo contribuyente calificado de conformidad con la sección 23626 del Código de Ingresos e Impuestos son considerados empleados de ese único contribuyente. Para los empleadores y representantes de personas que trabajan en industrias y ocupaciones en el Estado de California:

RESUMEN DE ACCIONES TENGA EN CUENTA que el 4 de abril de 2016, el Gobernador de California firmó una legislación aprobada por la Legislatura de California, que aumenta el salario mínimo para todas las industrias. (SB 3, de los Estatutos de 2016, que modifica la sección 1182.12. del Código de Trabajo de California) y, en 2023, aumentó el salario mínimo que pagan ciertos empleadores de restaurantes de comidas rápidas (AB 1228, Estatutos de 2023) y empleadores de centros de atención médica (SB 525, Estatutos de 2023; SB 828, Estatutos de 2024; y SB 159, Estatutos de 2024). De conformidad con su autoridad bajo la sección 1182.13 del Código de Trabajo, el Departamento de Relaciones Industriales modifica y republica las Secciones 2, 3 y 5 de la Orden de Salario Mínimo General, MW-2025. La Sección 1, Aplicabilidad, y la Sección 4, Separabilidad, no han sido modificadas. Según estas disposiciones, se introducen modificaciones en las secciones sobre salario mínimo y créditos de alimentación y alojamiento de todas las órdenes industriales y ocupacionales de la IWC. Este resumen debe ponerse a disposición de los empleados de acuerdo con las órdenes salariales de la IWC. Se pueden obtener copias del texto completo de las órdenes salariales enmendadas descargándolas en línea en https://www.dir.ca.gov/iwc/WageOrderIndustries.htm o comunicándose con su oficina local de la División de Cumplimiento de Normas Laborales.

1. **APLICABILIDAD** Las disposiciones de esta Orden no se aplicarán a los vendedores externos ni a las personas que sean padres, cónyuges o hijos del empleador anteriormente contenido en esta Orden y en las órdenes de industria y ocupación de la IWC. Las excepciones y modificaciones previstas en el estatuto o en la Sección 1, Aplicabilidad, y en otras secciones de las órdenes de industria y ocupación de la IWC se pueden utilizar cuando dichas disposiciones sean exigibles y aplicables al empleador.
2. **SALARIO MÍNIMO** Todo empleador deberá pagar a cada empleado un salario no inferior al establecido anteriormente, en cada fecha de vigencia, por hora por todas las horas trabajadas, excepto los siguientes, quienes deberán pagar no menos del salario mínimo especificado a cada empleado: Empleadores de restaurantes de comidas rápidas según la Parte 4.5.5 de la División 2 del Código de Trabajo (que comienza con la sección 1474 del Código de Trabajo), vigente a partir del 1 de abril de 2024; y empleadores de centros de atención médica según la sección 1182.14 del Código de Trabajo, en vigor a partir del 16 de octubre de 2024. Nota: Los complementos a esta orden que contienen las tasas de salario mínimo aplicables a los empleados de restaurantes de comidas rápidas y de centros de atención médica, respectivamente, están disponibles en línea en la dirección del sitio web que figura en el Resumen de acciones antes mencionado.
3. **TABLA DE CRÉDITOS POR COMIDA Y ALOJAMIENTO**

Cuando el crédito por comida o alojamiento se utiliza para cumplir con parte de la obligación del empleador respecto del salario mínimo, los montos así acreditados de conformidad con un acuerdo escrito voluntario no pueden ser mayores que los siguientes:

A PARTIR DEL:	**1 de enero de 2022**		**1 de enero de 2023**	**1 de enero de 2024**	**1 de enero de 2025**
Para un empleador que emplee: **ALOJAMIENTO**	**26 o más Empleados**	**25 o menos Empleados**	**Todos los empleadores sin importar el número de empleado**	**Todos los empleadores sin importar el número de empleado**	**Todos los empleadores sin importar el número de empleado**
Habitación ocupada	$70.53 /semana	$65.83 /semana	$72.88 /semana	$75.23 /semana	$77.58 /semana
Habitación compartida	$58.22 /semana	$54.34 /semana	$60.16 /semana	$62.10 /semana	$64.04 /semana
Apartamento-dos tercios (2/3) del valor normal de alquiler, y en ningún caso más de..	$847.12 /mes	$790.67 /mes	$875.33 /mes	$903.60 /mes	$931.88 /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	$1,253.10 /mes	$1,169.59 /mes	$1,294.83 /mes	$1,336.65 /mes	$1,378.49 /mes
Desayuno	$5.42	$5.06	$5.60	$5.78	$5.96
Almuerzo	$7.47	$6.97	$7.72	$7.97	$8.22
Cena	$10.02	$9.35	$10.35	$10.68	$11.01

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 SM-2024, así como de las órdenes de industria y ocupación de IWC. (Véanse Órdenes1-15, 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 2025.

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.

PAID SICK LEAVE

Division of Labor Standards Enforcement - Office of the Labor Commissioner

THIS POSTER MUST BE DISPLAYED WHERE EMPLOYEES CAN EASILY READ IT

HEALTHY WORKPLACES/HEALTHY FAMILIES ACT OF 2014 • PAID SICK LEAVE

(as amended effective 1/1/2024)

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 80 hours or 10 days.
- An employer can also provide 5 days or 40 hours, whichever is greater, of paid sick leave "up-front" at the beginning of a 12-month period. No accrual or carry over is required.
- Other accrual plans that meet specified conditions, including PTO plans, may also satisfy the requirements.

Usage:

- An employee may use paid sick days beginning on the 90th day of employment.
- An employer shall provide paid sick days upon the oral or written request of anemployee for themselves or a family member for the diagnosis, care or treatmentof an existing health condition or preventive care, or specified purposes for anemployee who is a victim of domestic violence, sexual assault, or stalking.
- An employer may limit the use of paid sick days to 40 hours or five days,whichever is greater, 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.

DLSE Paid Sick Leave Posting 11/2023

2022 COVID-19 Supplemental Paid Sick Leave

Effective February 19, 2022

Covered employees in the public or private sectors who work for employers with 26 or more employees are entitled to up to 80 hours of 2022 COVID-19 related paid sick leave from January 1, 2022 through September 30, 2022, immediately upon an oral or written request to their employer, with up to 40 of those hours available only when an employee or family member tests positive for COVID-19.

A full-time covered employee may take up to 40 hours of leave *if the employee is unable to work or telework for any of the following reasons:*

- **Vaccine-Related:** The covered employee is attending a vaccine or booster appointment for themselves or a family member* or cannot work or telework because they have vaccine--related symptoms or are caring for a family member with vaccine-related symptoms. An employer may limit an employee to 24 hours or 3 days of leave for each vaccination or booster appointment and any consequent side effects, unless a health care provider verifies that more recovery time is needed.
- **Caring for Yourself:** The employee is subject to quarantine or isolation period related to COVID-19 as defined by an order or guidance of the California Department of Public Health, the federal Centers for Disease Control and Prevention, or a local public 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 provider 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.

A full-time covered employee may take up to an additional 40 hours of leave *if the employee is unable to work or telework for either of the following reasons:*

- The covered employee tests positive for COVID-19
- The covered employee is caring for a family member* who tested positive for COVID-19.

* A family member includes a child, parent, spouse, registered domestic partner, grandparent, grandchild, or sibling.

Part-Time covered Employees: Part-time covered employees may take as leave up to the amount of hours they work over two weeks, with half of those hours available only when they or a family member* test positive for COVID-19.

Payment: If an employee took leave for one of the reasons identified above between January 1, 2022 and February 19, 2022, and that leave was either unpaid or compensated at a rate less than the employee's regular rate of pay, the employee may also request a retroactive payment. Payment is at the employee's regular or usual rate of pay, not to exceed $511 per day and $5,110 in total.

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 nearest district office by looking at the directory 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.

PLEASE POST WHERE EMPLOYEES CAN READ EASILY
VIOLATORS SUBJECT TO PENALTY

OFFICIAL NOTICE

Richmond Minimum Wage

Effective January 1, 2025

$17.77 Per Hour

The minimum wage requirement set forth in the Richmond Minimum Wage Ordinance 11-14 N.S., codified in Richmond Municipal Code Chapter 7.108, applies to adult and minor employees who work two (2) or more hours a week for a covered Employer. Each year, the City will adjust the minimum wage as stated in the Minimum Wage Ordinance until January 1, 2019, when it will increase to $15 per hour. However, beginning on January 1, 2020 and each year thereafter, the minimum wage shall increase by an amount corresponding to the prior year's increase according to the Department of Labor's Regional Consumer Price Index.

Under the Ordinance, employees who assert their rights to receive the City's minimum wage are protected from retaliation. Employees may file a civil lawsuit against their employers for any violation of the Ordinance or may file a complaint with the Employment and Training Department. The City will investigate possible violations, will have access to payroll records, and will enforce violations of the minimum wage requirements.

Please note, the City Council amended the ordinance in July 2017 and eliminated certain exemptions relating to intermediate wages, small businesses, government grants and businesses that deliver goods and services outside of Richmond. The amended ordinance is available online at www.richmondworks.org.

If you have any questions or need additional information, please contact:

City of Richmond
Employment and Training Department
330 25th Street
Richmond, CA 94804
E-mail: twalker@richmondworks.org
Website: www.richmondworks.org

POR FAVOR COLOCAR DONDE EMPLEADOS
PUEDAN LEER FACILMENTE
LOS DELINCUENTES SERAN SUJETOS A SANCIÓN

NOTIFICACIÓN OFICIAL

Salario Mínimo de la Ciudad de Richmond

$17.77 Por Hora

Efectivo el 1 de enero del 2025

El requisito de salario mínimo, que se encuentra en la Ordenanza del Salario Mínimo 11-14 N.S. codificado en el Código Municipal de Richmond Capitulo 7.108, aplica a cualquier empleado adulto o menor que trabaja dos (2) o más horas a la semana para un empleador cubierto. Cada año, la Ciudad ajusta el salario mínimo como está declarado en la Ordenanza del Salario Mínimo (empezando en el año 2019, el salario mínimo será aumentado según el índice de precios al consumidor establecido por el Departamento de Trabajo).

Bajo la Ordenanza, empleados que afirmen sus derechos para recibir el salario mínimo son protegidos de represalias. Empleados pueden presentar una demanda civil en contra de sus empleadores para cualquier violación de la Ordenanza o pueden presentar una queja ante la Division de Empleo y Entrenamiento (Employment and Training Division) de la Ciudad de Richmond. La Ciudad investigará posibles violaciones, tendrá acceso a registros de pago, y hará cumplir violaciones del requisito del salario mínimo ordenando la reinstalación de los empleados, el pago de salarios atrasados retenidos ilegalmente y las sanciones.

Por favor, tenga en cuenta que el Concejo Municipal modificó la ordenanza en julio del 2017 y eliminó ciertas excepciones relacionadas con salarios intermedios, pequeños negocios, subvenciones gubernamentales y negocios que entregan bienes y servicios fuera de Richmond. La ordenanza modificada está disponible en sitio de internet: www.richmondworks.org.

Si tiene preguntas o necesita más información, por favor enviar mensaje o visite:

City of Richmond
Employment & Training Division
330 25th Street
Richmond, CA 94804
E-mail: twalker@richmondworks.org
Website: www.richmondworks.org

City of Richmond

Minimum Wage Ordinance

Your rights as an EMPLOYEE...

- As of January 1, 2019 the minimum wage in the City of Richmond will be $15.00 per hour for employees who, in a calendar week, performs at least two (2) hours of work for an Employer.
- Employers may deduct $1.50 per hour from the minimum wage if they pay at least that amount for the employee's medical benefits plan, as described in section 7.108.040.
- It shall be unlawful for an Employer or any other party to discriminate in any manner or take adverse action against any person in retaliation for exercising rights protected under this ordinance.
- The minimum wage rate will be adjusted every January as described in section 7.108.040 of the Minimum Wage Ordinance.
- The Minimum Wage established in this ordinance shall apply to the Welfare-to-Work programs under which persons must perform work in exchange for receipt of benefits. Participants in Welfare-to-Work Programs shall not, during a given benefits period, be required to work more than a number of hours equal to the value of all cash benefits received during that period, divided by the minimum wage.

If you have any questions or concerns please call or visit the:

Employment and Training Department
330 25th Street
Richmond, CA 94804
(510) 307-8011

E-mail: gbaker@richmondworks.org

For a copy of the Minimum Wage Ordinance please visit: www.richmondworks.org

* Please note, the City Council amended the ordinance in July 2017 and eliminated certain exemptions relating to intermediate wages, small businesses, government grants and businesses that deliver goods and services outside of Richmond. The amended ordinance is available online at www.richmondworks.org.

POST WHERE EMPLOYEES CAN READ EASILY. VIOLATORS ARE SUBJECT TO PENALTIES

CITY OF OAKLAND

OFFICIAL NOTICE

OAKLAND MINIMUM WAGE

$16.89 PER HOUR

Rate Effective Date: January 1, 2025

Beginning January 1, 2025, employees who perform at least two (2) hours of work ***in a workweek and*** within the geographic limits of the City of Oakland **must** be paid wages of not less than **$16.89 per hour.**

Oakland's minimum wage requirement, pursuant to Measure FF and set forth in the Oakland Municipal Code section 5.92.020, applies to any employee (part-time or full-time) who performs work within the City of Oakland. Each year, the minimum wage will increase, effective January 1, by an amount corresponding to the prior calendar year's increase, if any, in the Consumer Price Index for urban wage earners and clerical workers for the San Francisco-Oakland-San Jose, CA metropolitan statistical area.

Under Section 5.92 et seq., employees who assert their rights to receive the City's minimum wage are protected from retaliation. Employees may file a civil lawsuit against their employers for any violation of this law and may seek remedies in the form of back pay, reinstatement and/or injunctive relief. Employees may also file a complaint with the City's Department of Workplace and Employment Standards. The City will investigate possible violations and will have access to payroll records. Employers who violate Section 5.92 et seq. will be liable for civil penalties for each violation up to a maximum of $1,000.00 per violation.

- If you have questions, need additional information, or believe you are not being paid correctly, please contact your employer or the Department of Workplace and Employment Standards at: Department of Workplace and Employment Standards 250 Frank H. Ogawa Plaza, Suite 3341, 3rd Floor, Oakland, CA 94612 Telephone: 510-238-6258 or E-Mail: **minwageinfo@oaklandca.gov.**

COLOCAR DONDE LOS EMPLEADOS PUEDAN LEER FÁCILMENTE – INFRACTORES SUJETOS A MULTAS

AVISO OFICIAL

SALARIO MÍNIMO EN OAKLAND

$16.89 POR HORA

Fecha de vigencia de la tasa: 1 de enero de 2025

A partir del 1 de enero de 2025, los empleados que realizan al menos dos (2) horas de trabajo *en una semana de trabajo* dentro de los límites geográficos de la ciudad de Oakland deben cobrar un salario de no menos de $16.89 por hora.

El requisito de salario mínimo de Oakland, en virtud del Medida FF y establecido en la sección 5.92.020 del Código Municipal de Oakland, se aplica a cualquier empleado (a tiempo parcial o tiempo completo) que realiza un trabajo dentro de la Ciudad de Oakland. Cada año, el salario mínimo se incrementará a partir del 1° de enero por un importe correspondiente al incremento del año calendario anterior, si lo hubiere, en el Índice de Precios al Consumidor para los asalariados urbanos y los empleados de oficina para el área estadística metropolitana de San Francisco-Oakland-San José, CA.

Bajo la Sección 5.92 et seq., los empleados que hacen valer sus derechos a recibir el salario mínimo de la Ciudad están protegidos contra represalias. Los empleados pueden presentar una demanda civil contra sus empleadores por cualquier violación de esta ley y pueden solicitar soluciones en forma de salarios atrasados, reincorporación y/o medidas cautelares. Los empleados también pueden presentar una queja en el Departamento de Normas en el Lugar de Trabajo y de Empleo de la Ciudad. La Ciudad investigará posibles violaciones y tendrá acceso a los registros de nómina. Los empleadores que violen la Sección 5.92 et seq. serán responsables por sanciones civiles por cada violación, hasta un máximo de $ 1,000.00 por violación.

- Si tiene preguntas, necesita información adicional, o si cree que no se le paga correctamente, por favor póngase en contacto con su empleador o con el Departamento de Normas en el Lugar de Trabajo y de Empleo en:
  Department of Workplace and Employment Standards
  250 Frank H. Ogawa Plaza, Suite 3341, 3rd Floor
  Oakland, CA 94612
  Teléfono: 510-238-6258
  Correo electrónico: minwageinfo@oaklandca.gov.

Aviso: En caso de cualquier discrepancia en la interpretación, el asunto se resolverá de acuerdo con el contrato en inglés.

OFICIAL 2024

OAKLAND CITY LABOR LAW POSTER

OAKLAND PAID SICK LEAVE

POST WHERE EMPLOYEES CAN READ EASILY.
VIOLATORS SUBJECT TO PENALTIES

OFFICIAL NOTICE

OAKLAND PAID SICK LEAVE

Effective Date: March 2, 2015

Pursuant to Measure FF and Oakland Municipal Code section 5.92.030, all employers must provide paid sick leave to each employee (part-time, full-time, and temporary) who performs at least two (2) hours of work *in a particular workweek and* within the geographic limits of the City of Oakland. Employees begin accruing paid sick leave on March 2, 2015 for employees working for an employer on or before that date. Employees who are hired after March 2, 2015 may not use any paid sick leave until after ninety (90) calendar days of employment.

Employees accrue one (1) hour of paid sick leave for every thirty (30) hours worked in the City of Oakland. Employees of employers for which fewer than ten (10) persons (including full-time, part-time, and temporary employees) work for compensation during any given week may have up to forty (40) hours of accrued paid sick leave saved at any time. Employees of other employers may have up to seventy-two (72) hours of accrued paid sick leave at any time. Employers may provide greater sick leave benefits than that mandated by Section 5.92.030. An employee's accrued paid sick leave will carry over from year to year but is not paid out at the time of separation of employment. Employees may use their accrued paid sick leave for their own medical care or to aid or care for a family member or designated person.

Under Section 5.92 et seq., employees who assert their rights to paid sick leave are protected from retaliation. Employees may file a civil lawsuit against their employers for any violation of this law and may seek remedies in the form of back pay, reinstatement and/or injunctive relief. Employees may also file a complaint with the City's Contracts and Compliance Division. The City will investigate possible violations and will have access to payroll records. Employers who violate Section 5.92 et seq. will be liable for civil penalties for each violation up to a maximum of $1,000.00 per violation.

- If you have questions, need additional information, or believe you are not being paid correctly, please contact your employer or the City of Oakland's Contracts and Compliance Division at: Contracts and Compliance 250 Frank H. Ogawa Plaza, Suite 3341, 3rd Floor, Oakland, CA 94612 Telephone: 510-238-6258 or E-Mail: **minwageinfo@oaklandca.gov.**

OFFICIAL 2019

LICENCIA PAGA POR ENFERMEDAD DE OAKLAND

COLOCAR DONDE LOS EMPLEADOS PUEDAN LEER FACILMENTE
INFRACTORES SUJETOS A MULTAS

AVISO OFICIAL

LICENCIA POR ENFERMEDAD CON GOCE DE SUELDO EN OAKLAND

Fecha de vigencia: 2 de marzo, 2015

Conforme a la Medida FF y al Código Municipal de Oakland, sección 5.92.030, todos los empleadores deben otorgar licencia por enfermedad con goce de sueldo a cada empleado (medio tiempo, tiempo completo y temporales) que realice por lo menos dos (2) horas de trabajo en una semana de trabajo en particular y dentro de los límites geográficos de la Ciudad de Oakland. Los empleados comienzan a acumular licencias por enfermedad con goce de sueldo el 2 de marzo de 2015 para los empleados que trabajan para un empleador desde o antes de esa fecha. Los empleados que son contratados después del 2 de marzo de 2015 no podrán utilizar una licencia por enfermedad con goce de sueldo hasta después de noventa (90) días calendario de empleo.

Los empleados acumulan una (1) hora de licencia por enfermedad con goce de sueldo por cada treinta (30) horas de trabajo en la ciudad de Oakland. Los empleados de empleadores que tienen menos de diez (10) personas (incluyendo tiempo completo, medio tiempo y empleados temporales) trabajando por compensación durante una semana determinada, pueden tener hasta cuarenta (40) horas acumuladas de licencia por enfermedad con goce de suelde en cualquier tiempo. Los empleados de otros empleadores pueden tener un máximo de setenta y dos (72) horas acumuladas de licencia por enfermedad con goce de sueldo en cualquier momento. Los empleadores pueden ofrecer mayores beneficios de licencia por enfermedad con goce de sueldo que lo establecido por la Sección 5.92.030. El acumulado por licencias por enfermedad con goce de sueldo de un empleado se transferirá de un año al otro, pero no se pagará al momento de la separación del empleo. Los empleados pueden utilizar su acumulado por enfermedad con goce de sueldo para su propia atención médica o para ayudar o cuidar a un miembro de la familia o a una persona designada.

Bajo la Sección 5.92 et seq., los empleados que hacen valer su derecho a la licencia por enfermedad con goce de sueldo están protegidos contra represalias. Los empleados pueden presentar una demanda civil contra sus empleadores por cualquier violación a esta ley y pueden solicitar soluciones en forma de salarios atrasados, reincorporación y/o medidas cautelares. Los empleados también pueden presentar una queja en la División Contratos y Cumplimiento de la Ciudad. La Ciudad investigará posibles violaciones y tendrá acceso a los registros de nómina. Los empleadores que violen la Sección 5.92 et seq. tendrán sanciones civiles por cada violación, hasta un máximo de $1,000.00 por violación.

- Si tiene preguntas, necesita información adicional, o si cree que no se le paga correctamente, por favor póngase en contacto con su empleador o con la División Contratos y Cumplimiento de la Ciudad de Oakland en: **Contracts and Compliance 250 Frank H. Ogawa Plaza, Suite 3341, 3rd Piso Oakland, CA 94612 Teléfono: 510-238-6258 Correo electrónico: minwageinfo@oaklandca.gov.**

Aviso: En caso de cualquier discrepancia en la interpretación, el asunto se resolverá de acuerdo con el contrato en inglés.

OFICIAL 2019

Official Print Size - 8.5" x 11"

OAKLAND CITY LABOR LAW POSTER

OAKLAND SERVICE CHARGE LAW

POST WHERE EMPLOYEES CAN READ EASILY.
VIOLATORS SUBJECT TO PENALTIES

OFFICIAL NOTICE

OAKLAND SERVICE CHARGE LAW

Effective Date: March 2, 2015

Pursuant to Measure FF and Oakland Municipal Code section 5.92.040, Hospitality Employers who collect service charges from customers must pay the entirety of those charges to the hospitality workers who performed those services for which the charge was collected. A Hospitality Employer is a business who owns, controls, or operates any part of a hotel, restaurant, or banquet facility within the City of Oakland. A hospitality worker is any individual who works for a Hospitality Employer and who performs a service for which a Hospitality Employer imposes a service charge.

A service charge includes all separately designated amounts collected by a Hospitality Employer from customers that are for service performed by hospitality workers or are described in such a way that customers might reasonably believe that the amounts are for those services, including without limitation to charges designated as a "service charge," "delivery charge," or "porterage charge." Any tip, gratuity, money, or part of any tip, gratuity or money that has been paid or given to or left for the hospitality worker by a customer over and above the actual amount due for services rendered or for goods, food, drink or articles sold or served to the customer are excluded from Section 5.92.040.

Under Section 5.92 et seq., employees who assert their rights under Oakland's Service Charge law are protected from retaliation. Employees may file a civil lawsuit against their employers for any violation of this law and may seek remedies in the form of back pay, reinstatement and/or injunctive relief. Employees may also file a complaint with the City's Contracts and Compliance Division. The City will investigate possible violations and will have access to payroll records. Employers who violate Section 5.92 et seq. will be liable for civil penalties for each violation up to a maximum of $1,000.00 per violation.

- If you have questions, need additional information, or believe you are not being paid correctly, please contact your employer or the City of Oakland's Contracts and Compliance Division at: Contracts and Compliance 250 Frank H. Ogawa Plaza, Suite 3341, 3rd Floor, Oakland, CA 94612 Telephone: 510-238-6258 or E-Mail: **minwageinfo@oaklandca.gov.**

OFFICIAL 2019

LEY DE OAKLAND SOBRE CARGO POR SERVICIO

COLOCAR DONDE LOS EMPLEADOS PUEDAN LEER FACILMENTE
INFRACTORES SUJETOS A MULTAS

AVISO OFICIAL

LEY DE CARGO POR SERVICIO EN OAKLAND

Fecha de vigencia: 2 de marzo, 2015

Conforme con la Medida FF y el Código Municipal de Oakland, sección 5.92.040, los empleadores de hospitalidad que cobran gastos por servicios de clientes deben pagar la totalidad de dichos cargos a los trabajadores de hospitalidad que realizaron tales servicios por los cuales se ha cobrado el cargo. Un empleador de hospitalidad es una empresa que posee, controla u opera cualquier parte de un hotel, restaurante o salón de banquetes en la Ciudad de Oakland. Un trabajador de hospitalidad es todo individuo que trabaja para un empleador de hospitalidad y que realiza un servicio por el cual un Empleador de Hospitalidad impone un cargo por servicio.

El cargo por servicio incluye todas las cantidades establecidas por separado y cobradas a un cliente por un Empleador de Hospitalidad, que son por el servicio que prestan los trabajadores de hostelería o se describen de manera tal que los clientes podrían razonablemente creer que las cantidades son para esos servicios, incluyendo sin limitación a los cargos designados como "cargo por servicio", "cargo de envío" o "cargo de maletero." Toda propina, gratificación, dinero, o parte de cualquier propina, gratificación o dinero que se ha pagado, o dado, o dejado para el trabajador de la hospitalidad por parte de un cliente sobre y por encima de la cantidad real debida por los servicios prestados o por bienes, alimentos, bebidas o artículos vendidos o servicios prestados al cliente están excluidos de la Sección 5.92.040.

Bajo la Sección 5.92 et seq., los empleados que hacen valer sus derechos bajo la Ley de Cargo por Servicio en Oakland están protegidos contra represalias. Los empleados pueden presentar una demanda civil contra sus empleadores por cualquier violación a esta ley y pueden solicitar soluciones en forma de salarios atrasados, reincorporación y/o medidas cautelares. Los empleados también pueden presentar una queja en la División de Contratos y Cumplimiento de la Ciudad. La Ciudad investigará posibles violaciones y tendrá acceso a los registros de nómina. Los empleadores que violen la Sección 5.92 et seq. serán responsables por sanciones civiles por cada violación, hasta un máximo de $1,000.00 por violación.

- Si tiene preguntas, necesita información adicional, o cree que no se le paga correctamente, por favor póngase en contacto con su empleador o con la División de Contratos y Cumplimiento de la Ciudad de Oakland en: **Contracts and Compliance 250 Frank H. Ogawa Plaza, Suite 3341, 3rd Floor Oakland, CA 94612 Teléfono: 510-238-6258 Correo electrónico: minwageinfo@oaklandca.gov**.

Aviso: En caso de cualquier discrepancia en la interpretación, el asunto se resolverá de acuerdo con el contrato en inglés.

OFICIAL 2019

Official Print Size - 8.5" x 11"

City of Emeryville New Labor Laws: Effective July 1, 2024

Administered by the City of Emeryville and specified by Emeryville Municipal Code (EMC) 5-37, adopted July 2015

Minimum Wage

EMC 5-37.02

All Businesses

Minimum Hourly Compensation:

$19.36

Effective

July 1, 2024

Paid Sick Leave

EMC 5-37.03

Large Businesses

(56 or More Employees)

Minimum Number of Annual Paid Sick Leave Hours Available to Employees: **

72 hours

Small Businesses

(55 or Fewer Employees)

Minimum Number of Annual Paid Sick Leave Hours Available to Employees: **

48 hours

Employees Can File a Complaint With The City If They:

- Do Not Receive the Minimum Hourly Wage
- Do Not Receive Paid Sick Leave (PSL) or Notice to Designate PSL Person
- Experience Retaliation

For More Information: minwage@emeryville.org (510) 596-4351

** *Accrual Methods May Vary*

OFFICIAL NOTICE
CITY OF EMERYVILLE
MINIMUM WAGE & PAID SICK LEAVE

Emeryville Municipal Code, Chapter 37 of Title 5

EFFECTIVE July 1, 2023

City of Emeryville Minimum Wage:

$18.67 PER HOUR (Small and Large Businesses)

Beginning July 1, 2023, Employees who perform at least two hours of work in a calendar week within the geographic boundaries of the City of Emeryville must be paid wages of not less than the wages stated above.

MINIMUM WAGE REQUIREMENT

Emeryville's minimum wage requirement applies to any Employee (part-time, full-time, or temporary) who performs work within the City of Emeryville. Each year the minimum wage will increase effective July 1 in accordance with the Consumer Price index (CPI), which is a cost of living increase designated by the State.

PAID SICK LEAVE REQUIREMENTS

Pursuant to Emeryville Municipal Code Section 5-37.03, all Employers must provide Paid Sick Leave (PSL) to each Employee (part-time, full-time, and temporary) who performs at least two hours of work in a calendar week within the geographic boundaries of the City of Emeryville.

Employers should offer **no less than** 48 hours' sick leave each year of employment for small businesses and **no less than** 72 hours' sick leave each year for large businesses, calendar year or 12-month period. Accrued Paid Sick Leave for Employees carries over from year to year but is limited to the aforementioned minimum. Employers may establish a higher cap or no cap on accrued hours.

Employees may use PSL to provide medical care for themselves or to provide care for a "family member" including a designated individual in the event the Employee does not have a spouse or registered domestic partner. Employees can also use PSL to provide care for a guide dog, signal dog, or service dog, of the Employee, Employee's family member, or person designated by the Employee. Employers are required to

give employees notice within 30 calendar days of the date on which an Employee begins to accrue PSL to designate a person in lieu of a spouse or domestic partner for which to use PSL hours. Employees must make the designation within 14 calendar days of being notified by their Employer if they wish to designate a person.

NO RETALIATION

Employees who assert their rights to receive the City's minimum wage and PSL benefits are protected from retaliation. Employees may file a civil lawsuit against their Employers for any violation of this law and may seek remedies in the form of back pay, reinstatement and/or injunctive relief. Employees may also file a complaint with the City. The City may investigate and enforce violations of the Minimum Wage and Paid Sick Leave Ordinance. Violations of the Ordinance are punishable by fines and penalties.

If you have any questions, need additional information, or believe you are not being paid correctly or provided the PSL to which you are entitled please contact the City of Emeryville at:

City of Emeryville
1333 Park Avenue
Emeryville, CA 94608
Telephone: (510) 596-4351
E-mail: minwage@emeryville.org

"By signing this official notice, I have read and been properly informed of the City of Emeryville Minimum Wage and Paid Sick Leave ordinance."

_____ _____

Employee Signature ***Employee Printed Name***

_____

Date

City & County of San Francisco
San Francisco Minimum Wage

Post Where Employees Can Read Easily. Failure to post this notice may result in penalties.

$18.67
per hour
por hora
每小時
bawat oras

Rate Effective - La tasa entrará en vigor el - 生效日期 - Simula sa

July 1, 2024

OFFICIAL NOTICE

Beginning July 1, 2024, all employers must pay all employees who work in San Francisco (including temporary and part-time employees) at least $18.67 per hour.

This minimum wage requirement applies to adult and minor employees who work two (2) or more hours per week. Some employees at government-subsidized non-profit organizations who are under 18 years of age or over 55 years of age are subject to a lower minimum wage rate of $16.51.

Employees who assert their rights to the City's minimum wage are protected from retaliation. Employees may file a civil lawsuit against their employers for any violation of the Ordinance. The City can investigate possible violations and can enforce the minimum wage requirements by ordering payment of all unpaid wages and penalties.

For more information, contact the San Francisco Office of Labor Standards Enforcement (OLSE) at (415) 554-6292 or email mwo@sfgov.org.

AVISO OFICIAL - Salario Mínimo de San Francisco

Correo donde los empleados pueden leer fácilmente.
La falta de publicación de este aviso puede resultar en sanciones.

A partir del 1, de julio de 2024, todos los empleadores deben pagar a todos los empleados que trabajan en San Francisco (incluyendo a los trabajadores temporales y de tiempo parcial) por lo menos $18.67 por hora.

Este requisito de salario mínimo se aplica a todos los empleados adultos y menores de edad que trabajan dos (2) o más horas por semana. Algunos empleados de organizaciones sin fines de lucro subvencionadas por el gobierno que son menores de 18 años o mayores de 55 años de edad están sujetos a un salario mínimo más bajo de $16.51.

Los empleados que hacen valer sus derechos al salario mínimo de la Ciudad están protegidos contra represalias. Los empleados pueden presentar una demanda civil contra sus empleadores en caso de incumplimiento de la Ordenanza. La Ciudad puede investigar posibles violaciones y puede hacer cumplir los requisitos de salario mínimo ordenando el pago de todos los salarios no pagados y las multas.

Para obtener más información, contacte a la Oficina de Normas Laborales (Office of Labor Standards Enforcement: OLSE) de San Francisco al (415) 554-6292 o envíe un correo electrónico a mwo@sfgov.org.

正式通告 - 三藩市最低工資

請張貼在僱員容易看到的地方。未張貼此通知可能會導致懲罰。

自2024年7月1日開始，所有雇主必須支付在三藩市內工作的所有僱員（包括臨時僱員及兼職僱員）工資至少每小時S18.67美元。

這個最低工資規定適用於成人和青少年僱員在每星期工作兩 (2) 小時或以上者。對於一些政府補助非營利組織18歲以下或55歲以上的僱員，其最低工資規定為 S16.51。

僱員要求獲得本市最低工資的權利受法律保護不會受到報復，僱員有權以任何違反條例的理由控告僱主。市政府有權調查可能的違法行為，透過補償所有未付薪資及罰款，強制執行最低工資規定。

如需了解更多資訊，請致電 (415) 554-6292 或電郵至mwo@sfgov.org與三藩市勞工執行署(OLSE)聯絡。

Opisyal na Abiso - Pinakamababang Pasahod sa San Francisco

Post Saan empleyado Puwede Basahin Madaling.
Ang pagkabigong mag-post ng paunawang ito ay maaaring magresulta sa mga multa.

Simula sa Hulyo 1, 2024, lahat ng mga employer ay kailangang magbayad sa lahat ng empleyado na nagtratrabaho sa San Francisco (kasama ang pansamantala at part-time na mga empleyado) ng sahod na hindi bababa sa $18.67 bawat oras.

Ang pinakamababang pasahod na ito ay sumasaklaw sa lahat ng mga empleyado, anuman ang edad, na nagtratrabaho ng dalawa (2) o higit pang mga oras sa loob ng isang linggo. Ang mga ibang empleyado sa mga hindi pangkalakal na kapisanan na tinutulungan ng pamahalaan na may edad na kulang sa 18 taong gulang o higit sa 55 taong gulang ay sakop sa mas mababang pasahod na $16.51.

Ang mga empleyado na ipaglalaban ang kanilang karapatan sa Ordinansang ito ay protektado sa paghihiganti ng employer. Ang mga empleyado ay maaring maghain ng sibil na asunto laban sa kanilang employer sa anumang paglabag sa Ordinansa. Ang Lungsod ay maaring mag-imbistiga ng mga posibleng paglabag at maaring ipatupad ang Ordinansang ito sa pamamagitan ng pag-uutos sa mga employer na bayaran ang kulang sa suweldo at ang mga multa.

Para sa karagdagang kaalaman, tawagan ang San Francisco Office of Labor Standards Enforcement (OLSE) sa (415) 552-6292 o email mwo@sfgov.org .

City & County of San Francisco
San Francisco Minimum Wage

Post Where Employees Can Read Easily. Failure to post this notice may result in penalties.

$18.67

в час
đô la một giờ

Новая тарифная ставка вступает в силу
Mức lương bắt đầu có hiệu lực từ ngày

July 1, 2024

Официальное уведомление - Минимальная зарплата в Сан-Франциско

Плакат должен находиться на видном месте. Неразмещение этого плаката может привести к штрафам.

Начиная с 1 июля 2024 г., все работодатели обязаны платить всем работающим в г. Сан-Франциско сотрудникам (включая временных сотрудников и работников с частичной занятостью) тарифную ставку не менее $18,67 в час.

Данное постановление о соблюдении указа о минимальной зарплате распространяется на взрослых и малолетних сотрудников, работающих не менее двух (2) часов в неделю. Для некоторых сотрудников моложе 18 или старше 55 лет, работающих в находящихся на государственных субсидиях некоммерческих организациях, распространяется минимальная часовая ставка размером в $16,51.

Сотрудники, отстаивающие свои права на минимальную заработную плату, утвержденную Администрацией города, законом защищены от преследований. За любое нарушение Постановления работники могут подать гражданский иск против работодателей. Муниципалитет имеет право расследовать возможные нарушения, принудить работодателя исполнять требования Постановления о минимальной заработной плате и принудительно взыскать полное погашение задолженности и штрафы.

За дополнительной информацией обращайтесь в Управление по контролю за соблюдением трудового законодательства (OLSE) по телефону (415) 554-6292 или по электронной почте: mwo@sfgov.org.

Thông báo Chính thức - Mức lương tối thiểu ở San Francisco

Yết thị ở những nơi Nhân viên có thể Đọc một cách Dễ dàng. Việc Không Yết thị thông báo này có thể dẫn đến các Hình phạt.

Bắt đầu từ ngày 1 tháng 7 năm 2024, tất cả các người chủ phải trả cho tất cả nhân viên làm việc tại San Francisco (bao gồm cả nhân viên tạm thời và bán thời gian) ít nhất là $18.67 một giờ.

Đòi hỏi về mức lương tối thiểu này áp dụng cho nhân viên người lớn và người trẻ tuổi mỗi tuần làm việc hai (2) giờ hoặc nhiều hơn. Một số nhân viên trong các tổ chức phi lợi nhuận do chính phủ trợ cấp dưới 18 tuổi hoặc trên 55 tuổi phải chịu mức lương tối thiểu thấp hơn là $16.51.
Nhân viên duy trì quyền của họ về mức lương tối thiểu của Thành phố sẽ được bảo vệ để không bị trả đũa. Nhân viên có thể kiện dân sự chống lại người chủ về vi phạm sắc lệnh. Thành phố có thể điều tra các sự vi phạm xảy ra và thực thi các đòi hỏi về mức lương tối thiểu bằng cách ra lệnh thanh toán tất cả các khoản tiền lương chưa trả và tiền phạt.

Để biết thêm thông tin, hãy liên lạc với Văn phòng Thực thi Tiêu chuẩn Lao động San Francisco (San Francisco Office of Labor Standards Enforcement (OLSE) ở số điện thoại (415) 554-6292 hoặc gửi email về mwo@sfgov.org.

SAN FRANCISCO CITY LABOR LAW POSTER

FAIR CHANCE ORDINANCE

City & County of San Francisco Fair Chance Ordinance

Post Where Employees Can Read Easily. Failure to post this notice may result in penalties.

OFFICIAL NOTICE

Under the San Francisco Fair Chance Ordinance, employers must follow strict rules regarding criminal records. Employers 5 or more employees worldwide and all City contractors must comply.

- Employers **MAY NOT** ask about arrests or convictions on a job application.
- Employers **MAY NOT** conduct a background check or ask about criminal records until **AFTER** making a conditional offer of employment.
- Employers may only consider convictions that are directly related to the job, and may never consider 7 types of arrests or convictions, including convictions that are more than 7 years old (see www.sfgov.org/olse/fco).
- Before an employer rejects an applicant based on a background check, the employer must: notify the applicant and provide a copy of the background check; give the applicant 7 days to respond; reconsider based on evidence the applicant provides.

For more information, visit www.sfgov.org/olse/fco or call the San Francisco Fair Chance hotline at (415) 554-5192.

AVISO OFICIAL - Ordenanza de Oportunidades Equitativas de San Francisco

Correo donde los empleados pueden leer fácilmente. La falta de publicación de este aviso puede resultar en sanciones.

De conformidad a la Ordenanza de Oportunidades Equitativas de San Francisco, los empleadores deben seguir reglas estrictas con respecto a los antecedentes penales.

Los empleadores con 5 o más empleados en todo el mundo y todos los contratistas de la Ciudad deben cumplir con las reglas.

- Los empleadores NO DEBEN preguntar sobre arrestos o condenas en una solicitud de empleo.
- Los empleadores NO DEBEN realizar una revisión de antecedentes ni preguntar acerca de antecedentes penales hasta DESPUÉS de hacer una oferta condicional de empleo.
- Los empleadores sólo pueden considerar las condenas que estén directamente relacionadas con el trabajo, y nunca deben considerar 7 tipos de arrestos o condenas, incluyendo las condenas que tienen más de 7 años de antigüedad (véase www.sfgov.org/olse/fco).
- Antes de rechazar a un candidato en base a una verificación de antecedentes, el empleador debe: notificar al candidato y proporcionarle una copia de la verificación de antecedentes; darle al candidato 7 días para responder; reconsiderar en base a la evidencia que el candidato presente.

Para obtener más información visite www.sfgov.org/olse/fco o llame a la línea directa de Oportunidades Equitativas de San Francisco al (415) 554-5192.

正式通告 -舊金山公平機會條例

請張貼在僱員容易看到的地方。未張貼此通知可能會導致懲罰。

根據舊金山公平機會條例，雇主必須遵守關於犯罪紀錄的嚴格規定。於全球各地擁有五位或以上員工的雇主以及所有市府承包商，皆必須遵守規定。

- 雇主不得於應徵申請表格里询问是否有拘捕或刑事有罪判決紀錄。
- 雇主僅可以在提供有條件錄取求職者後询问是否有犯罪紀錄或进行背景調查。
- 雇主僅能考量與個人從事該工作直接相關的刑事有罪判決，而且不得考慮七種類型的拘捕或刑事有罪判決包括七年以前的刑事有罪判決（請見www.sfgov.org/olse/fco）。
- 雇主根據背景調查拒絕求職者之前必須：通知求職者並提供背景調查结果的副本；給予求職者七天的時間做出回應；依據求職者提供的證據重新考量。

欲查詢更多資訊，請瀏覽 www.sfgov.org/olse/fco 或致電舊金山公平機會條例專線 (415) 554-5192

OPISYAL NA ABISO - Ang Ordinansa ng Makatarungang Pagkakataon ng San Francisco

Post Saan empleyado Puwede Basahin Madaling. Ang pagkabigong mag-post ng paunawang ito ay maaaring magresulta sa mga multa.

Sa ilalim ng Batas para sa Patas na Pagkakataon (Fair Chance Ordinance), kailangang sundin ng mga taga-empleyo ang mahihigpit na patakaran ukol sa mga kriminal na rekord. Kailangang sumunod ang mga employer may 5 o higit pang empleyado sa buong mundo at kailangan ding sumunod ng lahat ng kontratista ng Lungsod.

- HINDI PUWEDENG magtanong ang mga employer tungkol sa mga pagka-aresto o hatol ng korte sa aplikasyon para sa trabaho.
- HINDI PUWEDENG magsagawa ang mga employer ng background check (pag-iimbestiga sa nakaraan), o magtanong tungkol sa mga kriminal na rekord hanggang sa MATAPOS ang pagbibigay ng kondisyonal na alok ng trabaho.
- Ang mga hatol ng korte na may direktang kinalaman lamang sa trabaho ang posibleng isaalang-alang ng mga employer at hindi kailanman dapat isaalang-alang ang 7 uri ng pag-aresto o hatol ng korte, kasama na ang mga hatol na 7 taong gulang na (tingnan ang www.sfgov.org/olse/fco).
- Bago tanggihan ng employer ang aplikante batay sa background check, kailangan muna nilang gawin ang mga sumusunod: abisuhan ang aplikante at magbigay ng kopya ng background check; bigyan ang aplikante ng 7 araw para sumagot; muling pag-isipan ito batay sa ebidensiyang ipagkakaloob ng aplikante.

Para sa iba pang impormasyon, bisitahin ang www.sfgov.org/olse/fco o tawagan ang San Francisco Fair Chance sa teleponong (415) 554-5192.

Office of Labor Standards Enforcement (415) 554-5192

For more information please visit www.sfgov.org/olse

Official Print Size - 8.5" x 11"

SAN FRANCISCO CITY LABOR LAW POSTER

PARITY IN PAY ORDINANCE

City & County of San Francisco Consideration of Salary History

Post Where Employees Can Read Easily. Failure to post this notice may result in penalties.

Parity in Pay Ordinance - Employer Consideration of Salary History

- Employers may not inquire about a job applicant's prior salary or wages.
- Employers may not consider salary history when determining whether to offer employment to an applicant, or what salary to offer.
- An applicant may choose to share salary history information voluntarily and without prompting. If the applicant does so, the employer may consider that information in determining the salary to offer that applicant.
- Employers may not disclose the salary history of a current or former employee to that person's prospective employer without written permission from that employee.
- Employers may not retaliate against applicants who do not disclose salary history information.

For more information, contact the San Francisco Office of Labor Standards Enforcement (OLSE) at (415) 554-6469 or salaryhistory@sfgov.org.

Ciudad y Condado de San Francisco

Prohibiciones sobre el uso del historial de salario en la contratación Consideración del Empleador de la Historia Salarial

- Los empleadores no deben preguntar sobre el salario o sueldo anterior de un solicitante de empleo.
- Los empleadores no deben tener en cuenta el historial de salario a la hora de determinar si ofrecer empleo a un solicitante, o qué salario ofrecer.
- Un solicitante puede elegir compartir la información de historial de salario voluntariamente y sin recibir indicaciones. Si el solicitante lo hace, el empleador puede tener esa información en cuenta al determinar el salario que le ofrecerá al solicitante.
- Los empleadores no deben revelar el historial de salario de un empleado actual o anterior al posible empleador de esa persona sin el permiso por escrito de ese empleado.
- Los empleadores no pueden tomar represalias contra los solicitantes que no revelen información sobre su historial de salario.

Para obtener más información, comuníquese con la Oficina de Ejecución de las Normas Laborales (Office of Labor Standards Enforcement: OLSE) de San Francisco al (415) 554-6469 o envíe un correo electrónico a salaryhistory@sfgov.org.

三藩市和县

雇主考虑过往薪酬的法定條例

- 僱主不得詢問求職者以前的工资或时薪。
- 僱主不得將過去的薪酬歷史作为考虑是否提供求職者工作或薪資多寡。
- 求職者可以选择自愿提供过自己的往薪酬历史。若求職者願意这样做，則僱主可以考虑用求职者过往的薪酬来决定是否提供職位给求職者和决定薪金多少。
- 未經現任或前任僱員的書面許可，僱主不得向該僱員的未來僱主透露其薪酬歷史。
- 雇主不得報復拒绝透露薪酬歷史的求職者。

欲瞭解更多相關資訊，請聯絡勞工標準執行舊金山辦公室（OLSE），致電 (415) 554-6469 或來信 salaryhistory@sfgov.org。

Lungsod At Kondehan Ng San Francisco

Ordinansa ng Pagkakapareppareho ng Sahod Pagsasaalang-alang ng mga Employer sa mga Nakaraang Sahod

- Hindi maaring magtanong ang mga employer sa aplikante sa trabaho tungkol sa nakaraan nitong mga sahod o kita.
- Hindi maaaring isaalang-alang ng mga employer ang mga nakaraang sahod sa pagpapasiya kung iaalok ang trabaho sa aplikante, o kung magkanong sahod ang iaalok.
- Kung nanaisin ng aplikante, maaring nitong kusang ibahagi ang kanyang nakaraang sahod na walang pagdidikta galing sa employer. Kung ginawa ito ng aplikante, maaring isaalang-alang ng employer ang nasabing impormasyon sa pagpapasiya ng sahod na iaalok sa aplikante.
- Hindi maaaring ihayag ng mga employer ang nakaraang sahod ng sinumang empleyado nito, sa kasalukuyan man o nakaraan, sa isang employer na nag-aalok ng trabaho dito ng walang kasulatang nagbibigay-pahintulot galing sa nasabing empleyado.
- Hindi maaaring maghiganti ang mga employer laban sa mga aplikante sa trabaho na hindi nagpaalam ng kanilang nakaraang sahod.

Para sa karagdagang impormasyon, tawagan po lamang ang San Francisco Office of Labor Standards Enforcement (OLSE) sa (415) 554-6469 o mag-email sa salaryhistory@sfgov.org.

Office of Labor Standards Enforcement (415) 554-6469

For more information please visit www.sfgov.org/olse

Official Print Size - 8.5" x 11"

SAN FRANCISCO CITY LABOR LAW POSTER

FAMILY FRIENDLY WORKPLACE ORDINANCE

San Francisco Family Friendly Workplace Ordinance

OFFICIAL NOTICE

SAN FRANCISCO FAMILY FRIENDLY WORKPLACE ORDINANCE

Employers with 20 or more employees must allow any employee who is employed within the geographic boundaries of the City, regularly works at least 8 hours per week, and has been employed by an employer for 6 months or more, to request a flexible or predictable working arrangement to assist with caregiving responsibilities for 1) a child or children under the age of 18, 2) a person or persons with a serious health condition in a family relationship with the employee, or 3) a parent of the employee, age 65 or older.

An employee's request shall be in writing. Within 21 days of an employee's request, an employer must meet with the employee regarding the request. The employer must respond to an employee's request within 21 days of that meeting. An employer who grants the request shall confirm in writing. An employer who denies a request must provide a written response that includes a bona fide business reason for denial and notices the employee of the right to request reconsideration.

An employer's failure to follow the procedural, posting or documentation requirements or an employer's denial of an employee rights under the law shall constitute a violation. It is unlawful for an employer to discharge, threaten to discharge, demote, suspend, or otherwise take adverse employment action against any person on the basis of Caregiver status, in retaliation for exercising rights protected under the Ordinance, or for cooperating with the City in enforcement. The City may investigate possible violations of the Ordinance, and order violators to pay penalties.

If you have any questions or require additional information, please contact your employer or the City's Office of Labor Standards Enforcement (OLSE) at (415) 554-6424 or ffwo@sfgov.org, or visit the OLSE's website at www.sfgov.org/olse.

Los empleadores con 20 empleados o más deben publicar este aviso.

AVISO OFICIAL

ORDENANZA DE SAN FRANCISCO DE LUGAR DE TRABAJO ENFOCADO EN LA FAMILIA

Los empleadores con 20 o más empleados deben permitir que cualquier empleado dentro de los límites geográficos de la Ciudad, que trabaje de forma regular al menos durante 8 horas por semana, y que haya sido empleado de un empleador durante 6 meses o más, solicite un horario de trabajo flexible o predecible para ayudar con las responsabilidades del cuidado de 1) un niño o niños menores de 18 años de edad, 2) una persona o varias personas que tengan una relación de parentesco con el empleado y que tengan una afección grave de salud, o 3) uno de los padres del empleado, que además tenga 65 años o más.

La solicitud de un empleado debe estar por escrito. En un plazo no mayor a 21 días desde la solicitud de un empleado, un empleador debe reunirse con el empleado para hablar sobre la solicitud. El empleador debe responder a la solicitud de un empleado en un plazo de 21 días desde la reunión. Un empleador que conceda la solicitud debe confirmarla por escrito. Un empleador que rechace una solicitud debe proporcionar una respuesta por escrito que incluya una razón comercial auténtica para la negación y que avise al empleado sobre su derecho de solicitar una re consideración.

La falla por parte del empleador al no apegarse a los requisitos de procedimiento, publicación o documentación, o la negación por parte de un empleador de los derechos de un empleado conforme a la ley, constituirán una infracción. Es ilegal que un empleador despida, amenace con despedir, baje de nivel, suspenda o emprenda cualquier otra acción adversa contra cualquier persona con base en su estado de Cuidador, en represalia por ejercer sus derechos protegidos conforme a la Ordenanza, o por cooperar con la Ciudad en la aplicación de la Ordenanza. La Ciudad puede investigar cualquier posible infracción a la Ordenanza, y ordenar que los infractores paguen sanciones.

Si usted tiene alguna pregunta o si requiere información adicional, por favor comuníquese con su empleador o a la Oficina de Normas Laborales (OLSE, por sus siglas en inglés) de la Ciudad al (415) 554-6424 o a ffwo@sfgov.org, o visite el sitio web de OLSE en www.sfgov.org/olse.

有20+員工的僱主必須張貼本通知。

正式通知

三藩市家庭友善職場條例

任何有20名或以上員工的僱主必須允許在三藩市工作的員工，每星期工作至少8小時以及被僱用了6個月或以上，員工可以要求一個靈活或可預料的工作安排，以協助照顧以下人士1) 一個或多個18歲以下的孩子，2) 一個或多個與該員工有家庭關係的患有嚴重疾病的人，或3) 該員工的父母，65歲或以上。

員工的請求應採用書面形式。在員工提出請求的21天內，僱主必須就此請求面見員工。僱主必須在那次會面後的21天內回覆員工的請求。批准請求的僱主必須以書面形式確認。如拒絕請求，僱主也必須提供書面回覆包括一個真實的業務上的拒絕理由，並通知員工有權要求重新考慮。

根據法律，僱主沒有遵循程序、張貼或文件記錄要求或僱主拒絕員工的權利將構成違規。僱主用解僱、威脅解僱、降級、停職或採取其他不利於就業的行動來報復行使條例權利或配合市府執法的員工將構成違規。市府會調查此條例的違規行為並命令違規者支付罰款。

如果您有任何疑問或需要額外資訊，請聯繫您的僱主或該市府勞工標準執行辦公室(OLSE)，電話(415)554-6424 或 FFWO@SFGOV.ORG，或瀏覽OLSE的網站 WWW.SFGOV.ORG/OLSE。

Official Print Size - 8.5" x 11"

SAN FRANCISCO CITY LABOR LAW POSTER

PAID SICK LEAVE

City & County of San Francisco Paid Sick Leave

California Healthy Workplaces/Healthy Families Act & SF Paid Sick Leave Ordinance

Employees in San Francisco are entitled to paid sick leave under both California and local San Francisco law.

How Much Paid Sick Leave Do San Francisco Employees Accrue?

- **One hour of paid sick leave for every 30 hours worked**
- Employees begin **accruing** sick leave on the **1st day of employment**
- Employers with **10 or more employees** must allow employees to accrue at least up to 72 hours.
- Employers with less than 10 employees may provide paid sick leave in different ways:
  - Allow employees to accrue up to at least **48 hours; or**
  - Provide an "advance" of 24 hours or 3 days of paid sick leave to comply with the State law "up-front option," and later allow employees to accrue up to 40 hours to comply with SF law.
- Accrued paid sick leave carries over from year to year
- **Amount of available paid sick leave must be listed on each paycheck or wage statement**

When and How Can Employees Use Paid Sick Leave?

- Can start using paid sick leave on the **90th day of employment**
- May use paid sick leave for an existing health condition or preventive care, or for specified purposes for an employee who is a victim of domestic violence, sexual assault, or stalking
- May use paid sick leave for **employee's own care or care of a specified family member or designated person**

ONE HOUR EARNED FOR EVERY 30 WORKED

Retaliation or discrimination against an employee who requests and/or uses paid sick days is prohibited. An employee can file a complaint against an employer who retaliates or discriminates against the employee or who fails to provide required sick leave. For more information, contact:

California Labor Commissioner's San Francisco Office: (415) 703-5300 **http://www.dir.ca.gov/dlse/paid_sick_leave.htm**

San Francisco Office of Labor Standards Enforcement: (415) 554-6271; **psl@sfgov.org**

Licencia por enfermedad

- Su empleador está obligado a proporcionar por enfermedad cortaa
- Usted puede tomar licencia por enfermedad para cuidar de sí mismo o un miembro de la familia
- Si su empleador no sigue la ley o si tiene alguna pregunta acerca de la ley, llame a la Oficina de Normas Laborales en San Francisco al 415-554-6271 o llame al Oficina del Comisionado Laboral del Estado de California a (415) 703-5300
- La licencia por enfermedad se acumulan a razón de 1 hora de licencia por cada 30 horas trabajadas
- Su empleador no está autorizado a tomar represalias contra usted por denunciar una violación

帶薪病假

- 你的雇主必須提供帶薪病假
- 你可以請病假來照顧自己或家庭成員
- 如果你的雇主不遵守法律, 如果您有關於法律問題, 請
- 致電 San Francisco OLSE 在415-554-6271 或致電(415)703-5300 聯絡加州勞工專員
- 病假1小時休假的速度累積 每30工作小時
- 你的雇主不得打擊報復您舉 報違規

Official Print Size - 8.5" x 11"

Bayad na Oras Para sa Pagkakasakit

- Kinakailangang magkaloob ang mga employer ng bayad na oras para sa pagkakasakit
- Sa bawa't 30 oras ng pagtatrabaho, makakaipon kayo ng 1 bayad na oras para sa pagkakasakit
- Maari itong gamitin sa pangangalaga sa sarili o miyembro ng pamilya
- Kung hindi tumutupad ang inyong employer sa batas na ito, o kung mayroon kayong katanungan tungkol sa batas na ito, tumawag po lamang sa San Francisco OLSE sa 415-554-6271 o Labor Commissioner ng California sa (415) 703-5300
- Ipinagbabawal ang paghihiganti ng mga employer

Office of Labor Standards Enforcement (415) 554-6271

For more information please visit www.sfgov.org/olse

SAN FRANCISCO CITY LABOR LAW POSTER

PAID PARENTAL LEAVE ORDINANCE

City & County of San Francisco | Paid Parental Leave Ordinance

Notice of Rights for New Parents

If you take time off work to bond with a new child, you may be eligible for SF Paid Parental Leave supplemental compensation from your employer, in addition to your weekly benefit from the California Paid Family Leave program.

Are You Eligible?

- Did you start working for your employer 6 months (180 days) before taking bonding leave?
- Do you work a minimum of 8 hours per week & 40% of your hours in San Francisco?
- Are you receiving California Paid Family Leave benefits to bond with your new child?

Duration: Up to 6 weeks.

Employers with 20 or more employees worldwide are covered by this law.

Amount: California Paid Family Leave (PFL) benefits are 60% or 70% of weekly wages (up to a cap). SF employers pay the difference between your weekly benefit from the California PFL program and 100% of your normal gross weekly wages (up to the maximum).

For more information, visit www.sfgov.org/pplo or call (415) 554- 4190.

Ordenanza de Licencia Paternal Pagada de San Francisco
Aviso de Derechos de Nuevos Padres

Si toma tiempo libre del trabajo para vincularse con un nuevo bebe, usted puede ser elegible para la remuneración suplementaria de la Licencia Paternal Pagada de SF de su empleador, además de su beneficio semanal del programa de Permiso Familiar Pagado de California.

¿Es usted elegible?

- ¿Comenzó a trabajar para su empleador 6 meses (180 días) antes de la licencia de vinculación?
- ¿Trabaja un mínimo de 8 horas por semana y el 40% de sus horas en San Francisco?
- ¿Está recibiendo beneficios del Permiso Familiar Pagado de California para vincularse con su bebe?

Duración: Hasta 6 semanas.

Los empleadores con 20 o más empleados en todo el mundo están cubiertos por esta ley.

Cantidad: Los beneficios de Permiso Familiar Pagado de California (PFL) son 60% o 70% de los salarios semanales (hasta un tope máximo). Su empleador en SF paga la diferencia entre su beneficio semanal del programa de California PFL y el 100% de sus salarios semanales brutos normales (hasta un límite máximo).

Para obtener más información, visite www.sfgov.org/pplo o llame al (415) 554-4190.

Ordinansa ng San Francisco ukol sa Bayad na Oras para sa mga Bagong Magulang Paunawa ng mga Karapatan ng mga Bagong Magulang

Kung kayo po ay magbabakasyon sa trabaho upang makapiling ang inyong bagong anak, maaari kayong tumanggap ng benepisyo dagdag na sahod mula sa inyong employer na nilaan ng San Francisco para sa mga bagong magulang (SF Paid Parental Leave supplemental compensation), bukod po ito sa lingguhang benepisyong galing sa California (California Paid Family Leave program).

Sino ang maaring tumanggapng nasabing benepisyo?

- Nagsimula po ba kayong nagtrabaho para sa inyong employer 6 na buwan (180 araw) bago ang inyong bakasyon?
- Nagtatrabaho po ba kayo ng hindi kukulangin sa 8 oras sa isang linggo at 40% ng inyong oras ay sa San Francisco?
- Tumatanggap po ba kayo ng mga benepisyo galing sa California (California Paid Family Leave) para makapiling ang inyong bagong anak?

Laon:
Hanggang 6 na linggo.

Ang mga employer na may 20 o higit pang mga empleyado sa buong mundo ay nasasakupan ng ordinansang ito.

Halaga: Ang mga benepisyo ng California Paid Family Leave (PFL) ay 60% o 70% ng inyong lingguhang sahod (may limitasyon). Ang kakulangan sa inyong makukuhang lingguhang benepisyo mula sa California Paid Family Leave (PFL) ay babayaran ng SF employer upang inyong matanggap ang 100% ninyong regular na sahod (hanggang sa pinakamalaking halaga na maibibigay).

Para sa karagdagang impormasyon, bumisita sa www.sfgov.org/pplo o tawagan ang (415) 554- 4190.

三藩市帶薪育兒休假條例

新父母權利通知如果你想休假和新生兒建立感情, 你可能有資格從雇主那裡獲得三藩市帶薪育兒休假補助金 (SF Paid Parental Leave supplemental compensation), 這是在你的加州帶薪家庭休假計劃 (California Paid Family Leave Program) 每週福利之外的補助金。

你符合資格嗎?

- 你在育兒休假之前是否已為你的雇主工作了6個月 (180 天)?
- 你是否每週至少工作8個小時而且40%的工作時間都在三藩市?
- 你是否因為初生嬰兒的緣故領取加州帶薪家庭休假福利?

持續時間: 最多 6週。

在全球有20位或以上員工的雇主均受此法律管轄。

金額: 加州PFL福利是每週工資的60%或70% (不超過上限)。三藩市雇主支付你從加州帶薪家庭休假計劃 (PFL) 中獲得的每週補助金與你的每週正常工資總額的 100%之間的差額 (不超過上限)。

如需了解更多資訊, 請閱網站www.sfgov.org/pplo 或致電 (415) 554- 4190

Official Print Size - 8.5" x 11"

City & County of San Francisco
Health Care Security Ordinance

Covered Employers Must Post Where Employees Can Read Easily

OFFICIAL NOTICE 2024

You may be entitled to employer health care spending

Most workers in San Francisco are entitled to employer health care spending, if you:

- Work at least **8 hours** per week in San Francisco
- Have been employed by your employer for about 3 months **(90 days)**
- Work for a business that has **20 or more workers** worldwide or a non-profit with **50 or more workers** worldwide

2024 Required Health Care Spending Rates

Employer size	Required rate
20-99 workers worldwide (or nonprofits with 50-99 workers)	**$2.34 / hour**
100 or more workers worldwide	**$3.51 / hour**

Your employer may choose how they spend the money. For example, your employer may pay for health, dental, or vision insurance, make payments to the SF City Option program, etc.

The City may investigate possible violations of the law, and can order employers who violate the law to pay penalties and make payments to workers. Employers may not punish employees who file a complaint or who cooperate with an investigation.

If you have any questions, please contact your employer or the San Francisco Office of Labor Standards Enforcement at (415) 554-7892 or HCSO@sfgov.org. You can also visit the OLSE website at www.sf.gov/olse-hcso

AVISO OFICIAL 2024 - Ordenanza de Seguridad del Cuidado de la Salud (HCSO)

Es posible que tenga derecho a los gastos de atención medica del empleador

La mayoría de los trabajadores en San Francisco tienen derecho a los gastos de atención medica del empleador, si usted:

- Trabaja por lo menos **8 horas** a la semana en San Francisco
- Ha estado trabajando por su empleador durante aproximadamente unos 3 meses **(90 días)**
- Trabaja para una empresa que tiene **20 o más trabajadores** en todo el mundo o una organización sin fines de lucro con **50 o más trabajadores** en todo el mundo

Tasas de gasto en atención medica requerida 2024

Tamaño de la empresa	Tasa obligatoria
20-99 trabajadores en todo el mundo (o entidades sin fines de lucro con 50-99 trabajadores)	**$2.34/hora**
100 o más trabajadores en todo el mundo	**$3.51/hora**

Su empleador puede elegir cómo gastar el dinero. Por ejemplo, su empleador puede pagar un seguro médico, dental o de visión, hacer pagos al programa SF City Option, etc.

La Ciudad podría investigar los posibles incumplimientos de la ley, y puede ordenar a los empleadores que violen la ley que paguen multas y realicen pagos a los trabajadores. Los empleadores no deben castigar a los empleados que presenten una queja o que cooperen con una investigación.

Si usted tiene alguna pregunta, comuníquese con su empleador o con la Oficina de Normas Laborales de San Francisco en (415) 554-7892 ó HCSO@sfgov.org. También puede visitar el sitio web de OLSE en: www.sf.gov/olse-hcso

City & County of San Francisco
Health Care Security Ordinance

Covered Employers Must Post Where Employees Can Read Easily

2024年政府通知-醫療保障條例 (HCSO)

您可能有權享有雇主提供的醫療保健費

大多数三藩市雇员有权享有雇主提供的醫療保健費，符合条件如下:

- 在三藩市每周至少工作 **8 小時**
- 受聘約 3 個月(**90天**)
- 在全球範圍內擁有 **20 名或以上雇員**的企業或在全球擁有 **50 名或以上雇員**的非營利組織工作。

2024 年法定醫療保健费率

雇主规模	法定费率
全球有 20-99 名雇员 (或有50-99名雇员的非營利組織)	**$2.34 / 小时**
全球有 100 名或以上雇员	**$3.51 / 小时**

您的雇主可以選擇如何使用這些保健費用。例如，雇主可以用這些錢來支付醫療保險、牙科保險、眼科保險或向三藩市市府健康保健計劃（稱爲 City Option）付款等。

市政府對違反法律行爲將會進行調查并可責令違法的雇主支付罰款及向雇员支付欠款。雇主不得懲罰提出投訴或配合調查的雇员。

如果您有任何问题，請與您的雇主或三藩市勞工標準執行辦公室聯絡。(San Francisco Office of Labor Standards Enforcement)，电話 (415) 554-7892 或电邮 HCSO@sfgov.org。您也可以瀏覽OLSE的網站 www.sf.gov/olse-hcso

Opisyal na abiso para sa 2024 - Ordinansa ukol sa Seguridad para sa Pangangalaga ng Kalusugan (Health Care Security Ordinance, HCSO)

Posibleng kuwalipikado kayo para sa paggasta ng taga-empleyo para sa pangangalaga ng kalusugan o employer health care spending

Karamihan sa mga manggagawa ng San Francisco ay may karapatan sa paggasta ng taga-empleyo para sa pangangalaga ng kalusugan, kung kayo ay:

- Nagtatrabaho nang hindi bababa sa **8 oras** kada linggo sa San Francisco
- Naempleyo na ng inyong taga-empleyo nang humigit-kumulang sa 3 buwan (**90 araw**)
- Nagtatrabaho para sa negosyong may **20 o higit pang manggagawa** sa kabuuan ng mundo o non-profit na may **50 o higit pang manggagawa** sa kabuuan ng mundo

Itinatakdang mga Halaga sa Paggasta para sa Pangangalaga ng Kalusugan sa 2024

Laki ng Taga-empleyo	Itinatakdang Halaga
20-99 manggagawa sa kabuuan ng mundo (o nonprofit na may 50-99 manggagawa)	**$2.34/oras**
100 o higit pang manggagawa sa kabuuan ng mundo	**$3.51/oras**

Puwedeng piliin ng inyong taga-empleyo kung paano nito gagastahin ang pera. Halimbawa, posibleng bayaran ng inyong taga-empleyo ang seguro sa kalusugan, pangangalaga ng ngipin, o paningin, magbayad sa programang SF City Option, at iba pa.

Maaaring imbestigahan ng Lungsod ang mga posibleng paglabag sa batas, at puwede nitong iutos sa mga taga-empleyong lalabag sa batas na magbayad ng multa at bayaran din ang mga manggagawa. Hindi puwedeng parusahan ng mga taga-empleyo ang mga empleyadong magfa-file ng reklamo o magbibigay ng kooperasyon sa imbestigasyon.

Kung mayroon kayong anumang tanong, pakikontak ang inyong taga-empleyo o ang Opisina para sa Pagpapatupad ng mga Pamantayan sa Paggawa (Office of Labor Standards Enforcement) ng San Francisco sa (415) 554-7892 o sa HCSO@sfgov.org. Puwede rin ninyong bisitahin ang website ng OLSE sa www.sf.gov/olse-hcso

UNEMPLOYMENT INSURANCE

NOTICE TO EMPLOYEES

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:

UI | 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 UI Online (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 ormail 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.

DI | Disability Insurance (funded entirely by employees' contributions) Disability Insurance (DI) is funded by employees' contributions and provides partial wage replacement benefits to eligible Californians who are unable to work due to a non-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 SDI Online (edd.ca.gov/SDI_Online) to get started.
- **Mail:** To file a claim with the EDD by mail, complete and submit a *Claim for 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 EDD Forms and Publications (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 State Disability Insurance (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.

PFL| 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 available to parents who need time off work to bond with a new child entering the family by birth, adoption, or foster care placement. Benefits are also available for eligible Californians who need time off work to participate in a qualifying event resulting from a spouse, registered domestic partner, parent, or child's military deployment to a foreign country. Your employer must provide the *Paid Family Leave* (DE 2511) brochure, to newly hired employees and to each employee who is taking time off work to care for a seriously ill family members, to bond with a new child, or to participate in a qualifying military event.

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 SDI Online (edd.ca.gov/SDI_Online) to get started.
- **Mail:** To file a claim with the EDD by mail, complete and submit a *Claim for Paid Family Leave (PFL) Benefits* (DE 2501F) form. You can obtain a paper claim form from your employer, a physician/practitioner, visiting a State Disability Insurance office, online at EDD Forms and Publications (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 State Disability Insurance (edd.ca.gov/disability) or call 1-877-238-4373.
State government employees should call 1-877-945-4747. TTY (for deaf or hearing-impaired individuals only) is available at 1-800-445-1312.

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

DE 1857A Rev. 44 (12-20) **(INTERNET)**

Employment Development Department
State of California

NOTICE TO EMPLOYEES
UNEMPLOYMENT INSURANCE BENEFITS

This employer is registered under the California Unemployment Insurance Code and is reporting wage credits to the Employment Development Department (EDD) that are being accumulated for you to be used as a basis for Unemployment Insurance benefits.

You may be eligible to receive Unemployment Insurance benefits if you are:

- Unemployed or working less than full-time.
  and
- Out of work due to no fault of your own and physically able to work, ready to accept work, and looking for work.

Employees of Educational Institutions:

Unemployment Insurance benefits based on wages earned while employed by a public or nonprofit educational institution may not be paid during a school recess period if the employee has reasonable assurance of returning to work at the end of the recess period (California Unemployment Insurance Code section 1253.3). Benefits based on other covered employment may be payable during recess periods if the unemployed individual is in all other respects eligible, and the wages earned in other covered employment are sufficient to establish an Unemployment Insurance claim after excluding wages earned from a public or nonprofit educational institution(s).

Note: Some employees may be exempt from Unemployment and Disability Insurance coverage.

The fastest way to file for Unemployment Insurance (UI) is with UI Online at www.edd.ca.gov/UI_Online.

You may also file for Unemployment Insurance by calling toll-free from anywhere in the U.S. at:

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

Note: Waiting to file a claim could delay benefits.
EDD representatives are available Monday through Friday between 8 a.m. and 12 noon (Pacific Time).

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

PAYDAY NOTICE

REGULAR PAYDAYS FOR EMPLOYEES OF VIP Protective Services
(FIRM NAME)

_____ SHALL BE AS FOLLOWS:

Every other Friday. Full schedule of pay dates for each calendar year are provided directly to each employee. This can also be requested from our Office Manager.

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

BY Office Manager

TITLE _____

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

FAMILY CARE AND MEDICAL LEAVE AND PREGNANCY DISABILITY LEAVE

FAMILY CARE & MEDICAL LEAVE & PREGNANCY DISABILITY LEAVE

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, BUSINESS ESTABLISHMENTS, AND STATE-FUNDED PROGRAMS AND ACTIVITIES, AND FROM HATE VIOLENCE AND HUMAN TRAFFICKING.

Under California law, you may have the right to take job-protected leave to care for your own serious health condition or a family member with a serious health condition, or to bond with a new child (via birth, adoption, or foster care). California law also requires employers to provide job-protected leave and accommodations to employees who are disabled by pregnancy, childbirth, or a related medical condition.

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 five or more employees, 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, parent-in-law, grandparent, sibling, spouse, or domestic partner. 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. Even if you are not eligible for CFRA 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-eligible, you have certain rights to take BOTH a pregnancy disability leave and a CFRA 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 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 family member 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 employer.

If you have been subjected to discrimination, harassment, or retaliation at work, or have been improperly denied PDL or CFRA leave, file a complaint with DFEH.

TO FILE A COMPLAINT

Department of Fair Employment and Housing
dfeh.ca.gov
Toll Free: 800.884.1684
TTY: 800.700.2320

If you have a disability that requires a reasonable accommodation, DFEH can assist you with your complaint. Contact us through any method above or, for individuals who are deaf or hard of hearing or have speech disabilities, through the California Relay Service (711).

DFEH-100-21ENG / January 2022

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 (if one is available) or duties if medically needed because of your pregnancy;
- Provide you with pregnancy disability leave (PDL) of up to four months (the working days you normally would work in one-third of a year or 17 1/3 weeks) and return you to your same job when you are no longer disabled by your 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; and
- Never discriminate, harass, or retaliate on the basis of pregnancy.

FOR PREGNANCY DISABILITY LEAVE:

- PDL is not for an automatic period of time, but for the period of time that you are disabled by pregnancy, childbirth, or related medical condition. 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 or a comparable 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, and doctor-ordered bed rest, and covers conditions such as severe morning sickness, gestational diabetes, pregnancy-induced hyper-tension, preeclampsia, recovery from childbirth or loss or end of pregnancy, and/or post-partum depression.
- PDL does not need to be taken all at once but can be taken on an as-needed basis as required by your health care provider, including intermittent leave or a reduced work schedule.
- 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.

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, or 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 if your employer has 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 LEAVE UNDER THE CALIFORNIA FAMILY RIGHTS ACT (CFRA):

Under the California Family Rights Act (CFRA), if you have more than 12 months of service with an employer, and have worked at least 1,250 hours in the 12-month period before the date you want to begin your leave, 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***, spouse, domestic partner, grandparent, grandchild, or sibling. Employers may pay their employees while taking CFRA leave, but employers are not required to do so, unless the employee is taking accrued paid time-off while on CFRA leave. Employees taking CFRA leave may be eligible for California's Paid Family Leave (PFL) program, which is administered by the Employment Development Department (EDD).

If you have been subjected to discrimination, harassment, or retaliation at work, or have been improperly denied PDL or CFRA leave, file a complaint with DFEH.

TO FILE A COMPLAINT

Department of Fair Employment and Housing
dfeh.ca.gov Toll Free: 800.884.1684 TTY: 800.700.2320

If you have a disability that requires a reasonable accommodation, DFEH can assist you with your complaint. Contact us through any method above or, for individuals who are deaf or hard of hearing or have speech disabilities, through the California Relay Service (711).

*PDL, CFRA leave, and anti-discrimination protections apply to employers of 5 or more employees; anti-harassment protections apply to employers of 1 or more. ** "Child" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of an employee or the employee's domestic partner, or a person to whom the employee stands in loco parentis. *** "Parent" includes a biological, foster, or adoptive parent, a parent-in-law, a stepparent, a legal guardian, or other person who stood in loco parentis to the employee when the employee was a child.

DFEH-E09P-ENG / January 2022

DISCRIMINATION

CALIFORNIA LAW PROHIBITS WORKPLACE DISCRIMINATION & HARASSMENT

Civil Rights Department
STATE OF CALIFORNIA

The California Civil Rights Department (CRD) enforces laws that protect you from illegal discrimination and harassment in employment based on your actual or perceived:

- **ANCESTRY**
- **AGE** (40 and above)
- **COLOR**
- **DISABILITY** (physical, developmental, mental health/psychiatric, HIV/AIDS)
- **GENETIC INFORMATION**
- **GENDER EXPRESSION**
- **GENDER IDENTITY**
- **MARITAL STATUS**
- **MEDICAL CONDITION** (genetic characteristics, cancer, or a record or history of cancer)
- **MILITARY OR VETERAN STATUS**
- **NATIONAL ORIGIN** (includes language restrictions and possession of a driver's license issued to undocumented immigrants)
- **RACE** (includes traits associated with race, such as hair texture and hairstyle)
- **RELIGION** (includes religious dress and grooming practices)
- **REPRODUCTIVE HEALTH DECISION MAKING**
- **SEX/GENDER** (includes pregnancy, childbirth, breastfeeding and/or related medical conditions)
- **SEXUAL ORIENTATION**

THE FAIR EMPLOYMENT AND HOUSING ACT PROTECTS YOUR CIVIL RIGHTS AT WORK.

HARASSMENT

1. The law prohibits harassment of employees, applicants, unpaid interns, volunteers, and independent contractors by any person. This includes a prohibition against harassment based on any characteristic listed in this poster, including sexual harassment. The law prohibits harassment based on a single protected characteristic or a combination of two or more protected characteristics.
2. All employers must take reasonable steps to prevent all forms of harassment, and they must provide each employee with information about the illegal nature of sexual harassment and available legal remedies.
3. Employers with five or more employees and public employers must train their employees regarding the prevention of sexual harassment, including harassment based on gender identity, gender expression, and sexual orientation.

DISCRIMINATION/REASONABLE ACCOMMODATIONS

1. California law prohibits employers with five or more employees and public employers from discriminating based on any protected characteristic listed in this poster when making decisions about hiring, promotion, pay, benefits, terms of employment, layoffs, and other aspects of employment. The law prohibits discrimination based on a single protected characteristic or a combination of two or more protected characteristics.
2. Employers cannot limit or prohibit 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.
3. Employers cannot discriminate against an applicant or employee because they possess a California driver's license or ID issued to an undocumented person.
4. Employers must reasonably accommodate the religious beliefs and practices of an employee, unpaid intern, or job applicant, including the wearing of clothing, jewelry, and facial or body hair that are part of an individual's observance of their religious beliefs.
5. Employers must reasonably accommodate an employee or job applicant with a disability to enable them to perform the essential functions of a job.
6. Employers cannot discriminate or retaliate against an employee because of their status, or because of their family member's status, as a victim of domestic violence, sexual assault, stalking, and certain other types of violence — as long as the employer knows of this status. Employers must also provide such employees safety-related reasonable accommodations.

ADDITIONAL PROTECTIONS

California law offers additional protections to those who work for employers with five or more employees. Some exceptions may apply. These additional protections include:

1. Specific protections and hiring procedures for people with criminal histories who are looking for employment protections against discrimination based on an employee or job applicant's use of cannabis off the job and away from the workplace
2. Up to 12 weeks of job-protected leave to eligible employees to care for themselves, a family member (child of any age, spouse, domestic partner, parent, parent-in-law, grandparent, grandchild, sibling) or a designated person (with blood or family-like relationship to employee); to bond with a new child; or for certain urgent military needs
3. Up to five days of job-protected bereavement leave within three months of the death of a family member (child, spouse, parent, sibling, grandparent, grandchild, domestic partner, or parent-in-law)
4. Up to four months of job-protected leave to employees disabled because of pregnancy, childbirth, or a related medical condition, as well as the right to reasonable accommodations, on the advice of their health care provider, related to their pregnancy, childbirth, or a related medical condition
5. Up to five days of job-protected leave following a reproductive loss event (failed adoption, failed surrogacy, miscarriage, stillbirth, or unsuccessful assisted reproduction)
6. Protections for an employee who takes time off work to serve on a jury, if they have given reasonable notice to the employer, or to testify in court
7. Protections for an employee who takes time off work to go to court or seek legal relief (such as a restraining order) after they are the victim of a crime or certain types of violence
8. Protections against retaliation when a person opposes, reports, or assists another person to oppose unlawful discrimination, including filing an internal complaint or a complaint with CRD

REMEDIES/FILING A COMPLAINT

1. The law provides remedies for individuals who experience prohibited discrimination, harassment, or retaliation in the workplace. These remedies can 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.
2. If you believe you have experienced discrimination, harassment, or retaliation, you may file a complaint with CRD. Independent contractors and volunteers: If you believe you have been harassed, you may file a complaint with CRD.
3. Complaints must be filed within three years of the last act of discrimination/harassment/retaliation. For those who are under the age of 18, complaints must be filed within three years after the last act of discrimination/harassment/retaliation or one year after their eighteenth birthday, whichever is later.

If you have been subjected to discrimination, harassment, or retaliation at work, file a complaint with the Civil Rights Department (CRD).

TO FILE A COMPLAINT

Civil Rights Department
calcivilrights.ca.gov/complaintprocess
Toll Free: 800.884.1684 / TTY: 800.700.2320 California Relay Service (711)

Have a disability that requires a reasonable accommodation?
CRD can assist you with your complaint.

The Fair Employment and Housing Act is codified at Government Code sections 12900 -12999. The regulations implementing the Act are at Code of Regulations, title 2, division 4.1

Government Code section 12950 and California Code of Regulations, title 2, section 11023, 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.

For translations of this guidance, visit: **www.calcivilrights.ca.gov/posters/required**

LA LEY DE CALIFORNIA PROHÍBE
LA DISCRIMINACIÓN Y EL ACOSO EN EL LUGAR DE TRABAJO

Civil Rights Department
STATE OF CALIFORNIA

El Departamento de Derechos Civiles de California (California Civil Rights Department, CRD) hace cumplir las leyes de protección contra la discriminación y el acoso ilegales en el empleo por motivos de estas características, sean reales o percibidas:

- **ASCENDENCIA**
- **EDAD** (más de 40 años)
- **COLOR**
- **DISCAPACIDAD** (física, del desarrollo, de salud mental/psiquiátrica, por VIH/SIDA)
- **INFORMACIÓN GENÉTICA**
- **EXPRESIÓN DE GÉNERO**
- **IDENTIDAD DE GÉNERO**
- **ESTADO CIVIL**
- **CONDICIÓN MÉDICA** (características genéticas, cáncer o antecedentes de cáncer)
- **ESTADO MILITAR O VETERANO**
- **PAÍS DE ORIGEN** (incluye restricciones de idioma y tenencia de una licencia de conducir emitida a inmigrantes indocumentados)
- **RAZA** (incluye rasgos asociados con la raza, como la textura del cabello y el peinado)
- **RELIGIÓN** (incluye la vestimenta religiosa y las prácticas de aseo personal)
- **TOMA DE DECISIONES SOBRE SALUD REPRODUCTIVA**
- **SEXO/GÉNERO** (incluyendo el embarazo, el nacimiento, la lactancia o las condiciones médicas relacionadas)
- **ORIENTACIÓN SEXUAL**

LA LEY DE EMPLEO Y VIVIENDA JUSTOS PROTEGE SUS DERECHOS CIVILES EN EL TRABAJO.

ACOSO

1. La ley prohíbe el acoso a empleados, solicitantes de empleo, pasantes no remunerados, voluntarios y contratistas independientes por parte de cualquier persona. Esto incluye una prohibición contra el acoso basado en cualquier característica mencionada en este póster, incluyendo el acoso sexual. La ley prohíbe el acoso basado en una sola característica protegida o una combinación de dos o más características protegidas.
2. Todos los empleadores deben tomar medidas razonables para prevenir todas las formas de acoso y deben proporcionar a cada empleado información sobre la naturaleza ilegal del acoso sexual y los recursos legales disponibles.
3. Los empleadores con cinco o más empleados y los empleadores públicos deben capacitar a sus empleados sobre la prevención del acoso sexual, incluido el acoso basado en la identidad de género, la expresión de género y la orientación sexual.

DISCRIMINACIÓN/ADAPTACIÓN RAZONABLE

1.La ley de California prohíbe a los empleadores con cinco o más empleados y a los empleadores públicos discriminar en función de cualquier característica protegida mencionada en este póster al tomar decisiones sobre contratación, promoción, salario, beneficios, condiciones de empleo, despidos y otros aspectos del empleo. La ley prohíbe la discriminación basada en una sola característica protegida o una combinación de dos o más características protegidas.
2. Los empleadores no pueden limitar o prohibir el uso de ningún idioma en ningún lugar de trabajo a menos que esté justificado por una necesidad comercial. El empleador debe notificar a los empleados sobre la restricción lingüística y las consecuencias de su violación.
3. Los empleadores no pueden discriminar a un solicitante o empleado porque posee una licencia de conducir de California o una identificación emitida a una persona indocumentada.
4. Los empleadores deben adaptarse razonablemente a las creencias y prácticas religiosas de un empleado, pasante no remunerado o solicitante de empleo, incluyendo el uso de ropa, joyas y vello facial o corporal que formen parte de la observancia de las creencias religiosas de un individuo.
5. Los empleadores deben realizar adaptaciones razonables a un empleado o solicitante de empleo con una discapacidad para permitirle realizar las funciones esenciales de un trabajo.
6. Los empleadores no pueden discriminar ni tomar represalias contra un empleado debido a su condición, o a la condición de un miembro de su familia, de víctima de violencia doméstica, agresión sexual, acecho y ciertos otros tipos de violencia, siempre que el empleador conozca dicha condición. Los empleadores también deben proporcionar a dichos empleados adaptaciones razonables relacionadas con la seguridad.

PROTECCIONES ADICIONALES

La ley de California ofrece protecciones adicionales a quienes trabajen para empleadores con cinco o más empleados. Pueden aplicarse algunas excepciones. Estas protecciones adicionales incluyen:

1. Protecciones y procedimientos de contratación específicos para personas con antecedentes penales que busquen empleo. Protecciones contra la discriminación por el uso de cannabis por parte de un empleado o solicitante de empleo fuera del trabajo y fuera del lugar de trabajo.
2. Hasta 12 semanas de licencia con protección laboral para empleados elegibles para cuidar de sí mismos, de un miembro de la familia (hijo de cualquier edad, cónyuge, pareja de hecho, padre, suegro, abuelo, nieto, hermano) o de una persona designada (con sangre o relación familiar con el empleado); para establecer un vínculo con un(a) nuevo(a) hijo(a); o para ciertas necesidades militares urgentes.
3. Hasta cinco días de licencia por duelo con protección laboral dentro de los tres meses posteriores a la muerte de un miembro de la familia (hijo(a), cónyuge, padre/madre, hermano(a), abuelo(a), nieto(a), pareja de hecho o suegro(a))
4. Hasta cuatro meses de licencia con protección laboral para empleados discapacitados debido al embarazo, parto o una condición médica relacionada, así como el derecho a adaptaciones razonables, por recomendación de su proveedor de atención médica, relacionadas con su embarazo, parto o una condición médica relacionada.
5. Hasta cinco días de licencia con protección laboral después de un evento de pérdida reproductiva (adopción fallida, gestación subrogada fallida, aborto espontáneo, muerte fetal o reproducción asistida fallida)
6. Protecciones para un empleado que se ausente del trabajo para servir como jurado, si ha dado aviso razonable al empleador, o para testificar en un tribunal
7. Protecciones para un empleado que se tome tiempo libre del trabajo para acudir a la corte o buscar ayuda legal (como una orden de restricción) después de ser víctima de un delito o ciertos tipos de violencia
8. Protecciones contra represalias cuando una persona se oponga, denuncie o ayude a otra persona a oponerse a una discriminación ilegal, incluyendo la presentación de una queja interna o una queja ante el CRD

REMEDIOS/PRESENTACIÓN DE QUEJAS

1. La ley proporciona recursos para las personas que sufren discriminación, acoso o represalias prohibidas en el lugar de trabajo. Estos remedios pueden incluir contratación, pago anticipado, pago atrasado, ascenso, reintegro, órdenes de cese y desistimiento, honorarios de peritos, honorarios y costos razonables de abogados, daños punitivos y daños por angustia emocional.
2. Si cree que ha sufrido discriminación, acoso o represalias, puede presentar una queja ante el CRD. Contratistas independientes y voluntarios: si cree que ha sido acosado, puede presentar una queja ante CRD.
3. Las quejas deben presentarse dentro de los tres años posteriores al último acto de discriminación/acoso/represalia. Para aquellos menores de 18 años, las quejas deben presentarse dentro de los tres años posteriores al último acto de discriminación/acoso/represalia o un año después de cumplir los dieciocho años, lo que ocurra más tarde.

Si sufrió discriminación, acoso o represalias en el trabajo, presente una queja ante el Departamento de Derechos Civiles (CRD).

PARA PRESENTAR UNA QUEJA

Departamento de Derechos Civiles
calcivilrights.ca.gov/complaintprocess
Línea gratis: 800.884.1684 / TTY: 800.700.2320Servicio de Retransmisión de California (711)
¿Tiene una discapacidad que requiere adaptaciones razonables? CRD puede ayudarlo a presentar una queja.

La Ley de Igualdad en el Empleo y la Vivienda está codificada en las secciones 12900-12999 del Código de Gobierno. Las reglamentaciones para la implementación de la ley están en el Código de Regulaciones, título 2, división 4.1.

El artículo 12950 del Código de Gobierno y el artículo 11023, título 2, del Código de Regulaciones de California requieren que todos los empleadores publiquen este documento. Debe estar publicado de manera visible en oficinas de contratación, tableros de anuncios para empleados, salas de espera de agencias de empleo, centros sindicales y otros lugares de reunión de los empleados. Si más del 10 % del personal de cualquier instalación o establecimiento de un empleador no habla inglés, también se debe publicar este aviso en los idiomas adecuados.

Para obtener traducciones de esta guía, visite: **www.calcivilrights.ca.gov/posters/required**

CRD-E07P-SP / Enero 2025

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.

SAFETY AND HEALTH PROTECTION ON THE JOB

State of California
Department of Industrial Relations

California law provides job safety and health protection for workers under the Cal/OSHA program. This poster explains the basic requirements and procedures for compliance with the state's job safety and health laws and regulations. The law requires that this poster be displayed. (Failure to do so could result in a penalty of up to $7,000.)

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 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 for your employees to follow.

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 serious injury to employees. Failure to do so could result in criminal charges, monetary penalties, and even incarceration.

You must notify the nearest Cal/OSHA office of any serious injury or illness, or fatality 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 fatality 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 law.

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 RIGHTS IN WORKPLACE SAFETY & HEALTH:

As an employee, you (or someone acting for you) have the right to file a complaint and request an inspection of your workplace if conditions there are unsafe or unhealthful. This is done by contacting the local district office of the Division of Occupational Safety and Health (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 making an inspection of your workplace. Upon request, Cal/OSHA will withhold the names of employees who submit or make statements during an inspection or investigation.

Any employee has the right to refuse to perform work that would violate a Cal/OSHA or any 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 using any other right given to you by Cal/OSHA law. 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 Department of Industrial Relations, Division of Labor Standards Enforcement (State Labor Commissioner) 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 State Labor Commissioner.) 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 people on the job.

While working, you must always obey state job safety and health laws.

SPECIAL RULES APPLY IN WORK AROUND HAZARDOUS SUBSTANCES:

Employers who use any substance listed as a hazardous substance in Section 339 of Title 8 of the California Code of Regulations, or subject to the Hazard Communications Standard (T8 CCR Section 5194), must provide employees with information on the contents on Safety Data Sheets (SDS), or equivalent information about the substance that trains employees to use the substance 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 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 has the right to observe monitoring or measuring of employee exposure to hazards conducted pursuant to Cal/OSHA regulations.

WHEN CAL/OSHA COMES TO THE WORKPLACE:

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

An inspection will also be conducted when a legitimate complaint is filed by an employee with the Division of Occupational Safety and Health.

Cal/OSHA also goes to the workplace to investigate a serious injury or fatality.

When an inspection begins, the Cal/OSHA investigator will show official identification from the Division of Occupational Safety and Health.

The employer, or someone the employer chooses, will be given an opportunity to accompany the investigator during the inspection. A 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 & PENALTIES:

If the investigation shows that the employer has violated a safety and health standard or order, then the Division of Occupational Safety and Health issues a citation. Each citation 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.

Citations carry penalties of up to $7,000 for each regulatory or general violation and up to $25,000 for each serious violation. Additional penalties of up to $7,000 per day for regulatory or general violations and up to $15,000 per day for serious violations may be proposed for each failure to correct a violation by the abatement date shown on the citation. A penalty of not less than $5,000 nor more than $70,000 may be assessed an employer who willfully violates any occupational safety and health standard or order. The maximum civil penalty that can be assessed for each repeat violation is $70,000. A willful violation that causes death or permanent impairment of the body of any employee results, upon conviction, in a fine of not more than $250,000, or imprisonment up to three years, or both and if the employer is a corporation or limited liability company the fine may not exceed $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 job safety rules, you may contact the Cal/OSHA Consultation Service for free information, required forms and publications. You can also contact a local district office of the Division of Occupational Safety and Health. 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 Hotline - 1-866-924-9757

OFFICES OF THE DIVISION OF OCCUPATIONAL SAFETY AND HEALTH

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 Blvd. Suite 110, Foster City 94404	(650)573-3812
Fremont	39141 Civic Center Dr. Suite 310, Fremont 94538	(510) 794-2521
Fresno	2550 Mariposa St. Room 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. Room 670, Los Angeles 90013	(213) 576-7451
Modesto	4206 Technology Dr. Suite 3, Modesto 95356	(209) 545-7310
Oakland	1515 Clay St. Suite 1303, Oakland 94612	(510) 622-2916
Redding	381 Hemsted Dr., Redding 96002	(530) 224-4743
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
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

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 Drive, Ste. 104, Monrovia 91016	(626)471-9122

Cal/OSHA Consultation Services

Area & Field Offices

• 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 CA	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
• La Palma/Los Angeles /Orange County	1 Centerpointe Dr. Suite 150 La Palma 90623	(714) 562-5525

Enforcement of Cal/OSHA job 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: 415-975-4310). OSHA monitors the operation of state plans to assure that continued approval is merited.

January 2016

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

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 January 1, 2017, pursuant to SB 13, Chapter 4, Statutes of 2016 and section 1182.13 of the Labor Code

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 January 1, 2017, pursuant to SB 3, Chapter 4, Statutes of 2016 and section 1182.13 of the Labor Code

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 (SB 3, Ch. 4, Stats of 2016, amending section 1182.12 of the California Labor Code), and pursuant to section 1182.13 of 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 ~~h~~ealth 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, —~~a~~ffected 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 the following:

(1) Any employer who employs 26 or more employees shall pay to each employee wages not less than the following:

(a) Ten dollars and fifty cents ($10.50) per hour for all hours worked, effective January 1, 2017; and

(b) Eleven dollars ($11.00) per hour for all hours worked, effective January 1, 2018;

(2) Any employer who employs 25 or fewer employees shall pay to each employee wages not less than the following:

(a) Ten dollars ($10.00) per hour for all hours worked, effective January 1, 2016 through December 31, 2017; and

(b) Ten dollars and fifty cents ($10.50) per hour for all hours worked, effective January 1, 2018.

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. 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 January 1, 2017		Effective January 1, 2018	
For an employer who employs:	26 or More Employees	25 or Fewer Employees	26 or More Employees	25 or Fewer Employees
Lodging:				
Room occupied alone	$49.38/week	$47.03/week	$51.73/week	$49.38/week
Room shared	$40.76/week	$38.82/week	$42.70/week	$40.76/week
Apartment—two-thirds (2/3) of the ordinary rental value, and in no event more than	$593.05/month	$564.81/month	$621.29/month	$593.05/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	$877.27/month	$835.49/month	$919.04/month	$877.26/month
Meals:				
Breakfast	$3.80	$3.62	$3.98	$3.80
Lunch	$5.22	$4.97	$5.47	$5.22
Dinner	$7.01	$6.68	$7.35	$7.01

(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 Labor Commissioner's Office. A listing of offices is on the back of this wage order. For the address and telephone number of the office nearest you, information can be found on the internet at http://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, 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 confeccionará un resumen sobre los requisitos de salario y horario de esta Disposición en español, chino y algunos otros idiomas cuando sea posible hacerlo. Envíe por correo su pedido por dichos resúmenes 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:

California Labor Commissioner's Office, also known as, **Division of Labor Standards Enforcement (DLSE)**

BAKERSFIELD
Labor Commissioner's Office/DLSE
7718 Meany Ave.
Bakersfield, CA 93308
661-587-3060

EL CENTRO
Labor Commissioner's Office/DLSE
1550 W. Main St.
El Centro, CA 92643
760-353-0607

FRESNO
Labor Commissioner's Office/DLSE
770 E. Shaw Ave., Suite 222
Fresno, CA 93710
559-244-5340

LONG BEACH
Labor Commissioner's Office/DLSE
300 Oceangate, 3rd Floor
Long Beach, CA 90802
562-590-5048

LOS ANGELES
Labor Commissioner's Office/DLSE
320 W. Fourth St., Suite 450
Los Angeles, CA 90013
213-620-6330

OAKLAND
Labor Commissioner's Office/DLSE
1515 Clay Street, Room 801
Oakland, CA 94612
510-622-3273

OAKLAND – HEADQUARTERS
Labor Commissioner's Office/DLSE
1515 Clay Street, Room 401
Oakland, CA 94612
510-285-2118
DLSE2@dir.ca.gov

REDDING
Labor Commissioner's Office/DLSE
250 Hemsted Drive, 2nd Floor, Suite A
Redding, CA 96002
530-225-2655

SACRAMENTO
Labor Commissioner's Office/DLSE
2031 Howe Ave, Suite 100
Sacramento, CA 95825
916-263-1811

SALINAS
Labor Commissioner's Office/DLSE
950 E. Blanco Rd., Suite 204
Salinas, CA 93901
831-443-3041

SAN BERNARDINO
Labor Commissioner's Office/DLSE
464 West 4th Street, Room 348
San Bernardino, CA 92401
909-383-4334

SAN DIEGO
Labor Commissioner's Office/DLSE
7575 Metropolitan, Room 210
San Diego, CA 92108
619-220-5451

SAN FRANCISCO
Labor Commissioner's Office/DLSE
455 Golden Gate Ave. 10th Floor
San Francisco, CA 94102
415-703-5300

SAN JOSE
Labor Commissioner's Office/DLSE
100 Paseo De San Antonio, Room 120
San Jose, CA 95113
408-277-1266

SANTA ANA
Labor Commissioner's Office/DLSE
605 West Santa Ana Blvd., Bldg. 28, Room 625
Santa Ana, CA 92701
714-558-4910

SANTA BARBARA
Labor Commissioner's Office/DLSE
411 E. Canon Perdido, Room 3
Santa Barbara, CA 93101
805-568-1222

SANTA ROSA
Labor Commissioner's Office/DLSE
50 “D” Street, Suite 360
Santa Rosa, CA 95404
707-576-2362

STOCKTON
Labor Commissioner's Office/DLSE
31 E. Channel Street, Room 317
Stockton, CA 95202
209-948-7771

VAN NUYS
Labor Commissioner's Office/DLSE
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

OPTUM®

Workers' Compensation Notification Pharmacy Benefit Network (PBN)

Your employer and your workers' compensation claims administrator have selected Optum as their workers' compensation pharmacy benefit network (PBN), to provide medications for your work- related injury through their pharmacy network, Tmesys®.

This plan provides that drugs (and other services) prescribed for treating your work injury can be obtained only from companies or providers specified in your plan.

If you have any questions about how to obtain prescribed medications, call 1-866-599-5426.

LOCATING A PLAN PHARMACY

More than 5,000 Locations in CA

1. Go to the Tmesys website at Tmesys.com
2. Select the search method you prefer

Call 1-866-599-5426 to speak to a customer care specialist

CA PBN Limitations

- You must present your workers' compensation pharmacy card to a participating network pharmacy in order to receive medications.
- Only medications used to treat your work-related injury are covered.
- Some medications may not be on the authorized list, in which case the pharmacy will contact Optum to try to obtain approval while you are at the pharmacy.
- Your prescribed medication may be subject to Utilization Review at the request of your claims administrator.

How to Obtain Medicines

1. Your employer will provide you information and notification on the network and how to obtain medications upon implementation or when you were hired.
2. Upon receiving a notice of first injury, your employer will provide you with additional notification of requirements as well as a First Fill Card.
3. Give the card to the pharmacist at a participating network pharmacy with your prescription.
4. The pharmacist will fill your prescription. You should not receive a bill for these medications.
5. A permanent workers' compensation pharmacy card will be mailed to you.
6. Use the permanent card each time you have a prescription filled for your work-related injury.

We look forward to serving you. If you have any questions about how to obtain prescribed medications, call 1-866-599-5426 or visit our Pharmacy Center on Tmesys.com.

OPTUM®

Workers' Compensation Notification

Pharmacy Benefit Network

Your employer and your workers' compensation claims administrator have selected Optum as their workers' compensation pharmacy benefit network (PBN), to provide medications for your work-related injury through their pharmacy network, Tmesys.

This plan provides that drugs (and other services) prescribed for treating your work injury can be obtained only from providers specified in your plan network.

If you have questions about how to obtain prescribed medications, call toll this free number 1-866-599-5426.

How to Obtain Your Medicines

Please read the following information carefully as it contains instructions on the required use of a participating PBN pharmacy to receive your medications.

CA PBN Limitations

- You must present your workers' compensation pharmacy card to a participating network pharmacy in order to receive medications.
- Only medications used to treat your work-related injury are covered.
- Some medications may not be on the authorized list, in which case the pharmacy will contact Optum to try to obtain approval while you are at the pharmacy.
- Your prescribed medication may be subject to Utilization Review at the request of your claims administrator.

New Injuries

1. Upon receiving notice of injury, your employer will provide you with a First Fill Card to be used at a participating network pharmacy.
2. Give the card to the pharmacist with your prescription.
3. The pharmacist will fill your prescription. By using a participating network pharmacy, you should not receive a bill for your medications.
4. A permanent workers' compensation pharmacy card will be mailed to you.
5. Use the permanent card each time you have a prescription filled for your work-related injury.

Locating a PBN Pharmacy. More than 5,000 locations in California

- Go to the Tmesys website at tmesys.com
- Choose your preferred search method and follow the instructions
- Call 1-886-599-5426 to speak to a customer care specialist

We look forward to serving you. If you have questions about how to obtain prescribed medications, call 1-866-599-5426.

Notificación de Compensación

de Beneficios de Farmacia de redes

Su empleador y sus trabajadores administrador de reclamaciones de indemnización ha seleccionado Optum como de sus trabajadores de la red de compensación de beneficios de farmacia (PBN), para proporcionar medicamentos para su lesión relacionada con el trabajo a través de la red de farmacias Optum, Tmesys.

Este plan prevé que las drogas (y otros servicios) prescrita para el tratamiento de su lesión en el trabajo sólo se puede obtener de las empresas y proveedores de servicios especificados en su plan. Si usted tiene alguna pregunta acerca de cómo obtener los medicamentos recetados, llame al siguiente número sin cargo 1-866-599-5426.

Cómo obtener medicamentos

Por favor, lea atentamente la siguiente información, ya que contiene instrucciones sobre el uso requerido de un plan de participación farmacia de la red/a recibir sus medicamentos.

Limitaciones de CA PBN

- Usted debe esentar su tarjeta de trabajadores de farmacia una indemnización a un plan de participantes / farmacia de la red para recibir los medicamentos.
- Sólo los medicamentos utilizados para tratar su lesión relacionada con el trabajo están cubiertos.
- Algunos medicamentos pueden no estar en la lista autorizada, en cuyo caso la farmacia se.
- Su medicación prescrita puede ser objeto de revisión de la utilización, a petición de su administrador de reclamaciones.

Nueva Lesiones

1. Al recibir aviso de la lesión, su empleador le proporcionará una tarjeta de Primero de relleno a utilizar en un farmacia de la red.
2. Darle la tarjeta a la farmacia con su receta.
3. El farmacéutico se surtir su receta. Mediante el uso de un farmacia de la red, usted no debe recibir una factura por sus medicamentos.
4. Tarjeta permanentes de trabajadores de farmacia será enviado por el correo.
5. Usa la tarjeta permanente cada vez que tenga una receta médica para su lesión relacionada con el trabajo.

Localización de un Plan de Farmacia. Más de 5,000 hoteles en CA

- Lr a la página web de en tmesys.com
- Elija una opción de búsqueda
- Llame al 1-866.599.5426 para hablar con un especialista en atención al cliente

Esperamos poder servirle. Si usted tiene alguna pregunta acerca de cómo obtener los medicamentos recetados, llame al 1-866.599.5426.

PRINT CLEAR

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: https://www.talispoint.com/amtrust/campn

MPN Effective Date: _____ MPN Identification number: 3154

If you need help locating an MPN physician, call your MPN access assistant at: 833-990-3601

If you have questions about the MPN or want to file a complaint against the MPN, call the MPN Contact Person at: 800-768-9605

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 Amtrust North America Phone (844) 601-7760

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: https://www.dir.ca.gov/dwc/landA.html 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.

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: https://www.talispoint.com/amtrust/campn

Fecha de vigencia de la MPN: _____ Número de identificación de la MPN: 3154

Si usted necesita ayuda en localizar un médico de una MPN, llame a su asistente de acceso de la MPN al: 833-990-3601

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: 800-768-9605

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 Amtrust North America Teléfono (844) 601-7760

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: https://www.dir.ca.gov/dwc/landA.html 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.

FRAUD

WORKERS COMPENSATION FRAUD IS ILLEGAL IN CALIFORNIA. ANY PERSON WHO FILES OR CONTRIBUTES TO THE FILING OF A FALSE WORKERS COMPENSATION CLAIM IS COMMITTING A CRIME PUNISHABLE BY A PRISON SENTENCE AND/OR A PENALTY FINE.

WHAT IS INSURANCE FRAUD?

In the broadest sense, insurance fraud can encompass any fraudulent or illegal act that involves the business of insurance.

Pursuant to California Insurance Code 1871.4 (a) It is unlawful to do any of the following:

1) Make or cause to be made a knowingly false or fraudulent material statement or material representation for the purpose of obtaining or denying any *compensation, as defined in Section 3207 of the Labor Code. *Every benefit or payment conferred by Division 4 upon an injured employee, including vocational rehabilitation, or in the event of his death, upon his dependents, without regard to negligence.
2) Present or cause to be presented a knowingly false or fraudulent written or oral material statement in support of, or in opposition to, a claim for compensation for the purpose of obtaining or denying any compensation, as defined in Section 3207 of the Labor Code
3) Knowingly assist, abet, conspire with, or solicit a person in an unlawful act under this section
4) Make or cause to be made a knowingly false or fraudulent statement with regard to entitlement to benefits with the intent to discourage an injured worker from claiming benefits or pursuing a claim

Every person who violates subdivision (a) shall be punished by imprisonment in the county jail for one year, or in the state prison for two (2), three (3) or five (5) years, or by a fine not exceeding one hundred fifty thousand dollars ($150,000.00) or double the value of the fraud, whichever is greater, or by both the imprisonment and fine.

Restitution shall be ordered, including restitution for any medical evaluation or treatment services obtained or provided. The court shall determine the amount of restitution and the person or persons to whom the restitution shall be paid.

Pursuant to California Insurance Code Section 1877.3 b(1):

When an insurer or licensed rating organization knows or reasonably believes it knows the identity of a person or entity whom it has reason to believe committed a fraudulent act relating to a workers' compensation insurance claim or a workers' compensation insurance policy, including any policy application, or has knowledge of such a fraudulent act that is reasonably believed not to have been reported to an authorized governmental agency, then, for the purpose of notification and investigation, the insurer, or agent authorized by an insurer to act on its behalf, or licensed rating organization shall notify the local district attorney's office and the Bureau of Fraudulent Claims of the Department of Insurance, and may notify any other authorized governmental agency of that suspected fraud and provide any additional information in accordance with subdivision (a).

FRAUD HARMS EMPLOYERS BY CONTRIBUTING TO THE INCREASINGLY HIGH COST OF INSURANCE AND HARMS EMPLOYEES BY UNDERMING THE LEGITIMACY OF ALL WORKERS COMPENSATION CLAIMS.

FRAUDE

EL FRAUDE DE COMPENSACIÓN PARA TRABAJADORES ES ILEGAL EN CALIFORNIA. CUALQUIER PERSONA QUE PRESENTE O CONTRIBUYE A LA PRESENTACIÓN DE UN RECLAMO FALSO (LA DECLARACIÓN DE COMPENSACIÓN COMPROMETE UN CRIMEN CASTIGABLE POR UNA FRASE DE PENALIZACIÓN Y / O UNA MULTA POR PENA.

QUE ES FRAUDE DE SEGURO?

En el sentido más amplio, el fraude de seguros puede abarcar cualquier acto fraudulento o ilegal que involucre el negocio del seguro.

De conformidad con el Código de Seguros de California 1871.4 (a) Es ilegal hacer cualquiera de los siguientes:

1) Hacer o hacer que se haga una declaración material o declaración material falsa o fraudulenta con el propósito de obtener o denegar * compensación, tal como se define en la Sección 3207 del Código del Trabajo. * Todos los beneficios o pagos conferidos por la División 4 a un empleado lesionado, incluida la rehabilitación vocacional o, en caso de fallecimiento, a sus dependientes, independientemente de la negligencia
2) Presentar o hacer que se presente una declaración escrita u oral a sabiendas falsa o fraudulenta en apoyo de, o en oposición a, un reclamo de compensación con el propósito de obtener o denegar cualquier compensación, según se define en la Sección 3207 del Código Laboral
3) A sabiendas asistir, instigar, conspirar o solicitar a una persona en un acto ilegal en virtud de esta sección
4) Hacer o hacer que se haga una declaración deliberadamente falsa o fraudulenta con respecto a la titularidad de los beneficios con la intención de desalentar a un trabajador lesionado de reclamar beneficios o seguir un reclamo

Toda persona que viole la subdivisión (a) será castigada con prisión en la cárcel del condado por un año, o en la prisión estatal por dos (2), tres (3) o cinco (5) años, o una multa que no exceda uno Ciento cincuenta mil dólares ($ 150,000.00) o el doble del valor del fraude, el que sea mayor, o tanto el encarcelamiento como la multa.

Se ordenará la restitución, incluida la restitución por cualquier evaluación médica o servicios de tratamiento obtenidos o proporcionados. El tribunal determinará el monto de la restitución y la persona o personas a quienes se les pagará la restitución.

De conformidad con la Sección 1877.3 b (l) del Código de Seguros de California:

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.

An employee is also considered a whistleblower and protected when the employer believes the employee engaged in or will exercise protected activity. 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.

An employee is also considered a whistleblower and protected when the employer believes the employee engaged in or will exercise protected activity. 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 or is perceived to be 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.
5. An employer, or a person acting on behalf of the employer, shall not retaliate against an employee because the employee is a family member of a person who has, or is perceived to have, engaged in any acts protected by this section.

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 civil monetary penalties, 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.

LOS DENUNCIANTES ESTÁN PROTEGIDOS

La política pública del Estado de California es alentar a los empleados a notificar a la dependencia del gobierno o agencia del orden público correspondiente, o a una persona con autoridad sobre el empleado, u otro empleado con autoridad para investigar, descubrir, o corregir la violación o falta de cumplimiento, y proporcionar información y declarar ante una agencia pública que realice una investigación, audiencia o indagación, cuando tengan razones para creer que su empleador está violando una ley estatal o federal, o si está violando o incumpliendo con una regulación local, estatal o federal.

¿Quién está protegido?

De conformidad con la **Sección 1102.5 del Código Laboral de California**, los empleados son la clase de individuos protegidos. "Empleado" se refiere a cualquier persona empleada por un empleador, público o privado, incluyendo pero sin limitarse a personas empleadas por el estado o sus subdivisiones, cualquier condado, ciudad y condado chárter, incluyendo cualquier distrito escolar, distrito de institutos técnicos comunitarios, corporación municipal o pública, subdivisión política, o la Universidad de California. [Sección 1106 del Código Laboral de California]

¿Quién es un denunciante?

Un "denunciante" es un empleado que revela información a una agencia del gobierno o del orden público, persona con autoridad sobre el empleado, o a otro empleado con autoridad para investigar, descubrir, o corregir la violación o incumplimiento, o que proporciona información o testifica ante una agencia pública que realice una investigación, audiencia o indagación, donde el empleado tiene causa razonable para creer que la información revela:

1. Una violación de un estatuto estatal o federal,
2. Una violación o incumplimiento de una norma o reglamento estatal o federal, o
3. Con referencia a la seguridad o salubridad para los empleados, condiciones de trabajo inseguras o prácticas laborales en el trabajo del empleado o en su lugar de trabajo.

Un empleado también es considerado denunciante y está protegido cuando el empleador cree que el empleado participó o ejercerá una actividad protegida. Un denunciante también puede ser un empleado que se niega a participar en una actividad que daría lugar a una violación de un estatuto estatal o federal, o una violación o incumplimiento de una norma o reglamento local, estatal o federal.

¿Qué protecciones se ofrecen a los denunciantes?

1. Un empleador no puede crear, adoptar o hacer cumplir cualquier regla, reglamento o política que evite que un empleado sea un denunciante.

2. Un empleador no puede tomar represalias contra un empleado que sea un denunciante o que se perciba como tal.

3. Un empleador no puede tomar represalias contra un empleado por negarse a participar en una actividad que pueda dar lugar a una violación de una ley estatal o federal, o una violación o incumplimiento de un reglamento estatal o federal.

4. Un empleador no puede tomar represalias contra un empleado por haber ejercido sus derechos como denunciante en cualquier empleo previo.

Según la Sección 1102.5 del Código de Trabajo de California, si un empleador toma represalias contra un denunciante, se le puede exigir que restablezca el empleo y los beneficios laborales del empleado, pague los salarios perdidos y las sanciones monetarias civiles y tome otras medidas necesarias para cumplir con la ley.

Cómo reportar actos inapropiados

Si usted tiene información sobre posibles violaciones de las leyes, reglas, o reglamentos estatales o federales, o violaciones de la responsabilidad fiduciaria por parte de una corporación o sociedad de responsabilidad limitada para con sus accionistas, inversores o empleados, **llame a la Línea de Atención al Denunciante del Fiscal General del Estado de California al 1-800-952-5225**. El Fiscal General derivará a su llamada a las autoridades gubernamentales correspondientes para su revisión y posible investigación.

TRANSGENDER RIGHTS IN THE WORKPLACE

THE RIGHT OF EMPLOYEES WHO ARE TRANSGENDER OR GENDER NONCONFORMING

Civil Rights Department
STATE OF CALIFORNIA

CALIFORNIA LAW PROTECTS TRANSGENDER AND GENDER NONCONFORMING PEOPLE FROM DISCRIMINATION, HARASSMENT, AND RETALIATION AT WORK. THESE PROTECTIONS ARE ENFORCED BY THE CIVIL RIGHTS DEPARTMENT (CRD).

THINGS YOU NEED TO KNOW

1. Does California law protect transgender and gender nonconforming employees from employment discrimination? Yes. All employees, job applicants, unpaid interns, volunteers, and contractors are protected from discrimination at work when based on a protected characteristic, such as their gender identity, gender expression, sexual orientation, race, or national origin. This means that private employers with five or more employees may not, for example, refuse to hire or promote someone because they identify as – or are perceived to identify as – transgender or non-binary, or because they express their gender in non-stereotypical ways. Employment discrimination can occur at any time during the hiring or employment process. In addition to refusing to hire or promote someone, unlawful discrimination includes discharging an employee, subjecting them to worse working conditions, or unfairly modifying the terms of their employment because of their gender identity or gender expression.

2. Does California law protect transgender and gender nonconforming employees from harassment at work? Yes. All employers are prohibited from harassing any employee, intern, volunteer, or contractor because of their gender identity or gender expression. For example, an employer can be liable if co-workers create a hostile work environment – whether in person or virtual – for an employee who is undergoing a gender transition. Similarly, an employer can be liable when customers or other third parties harass an employee because of their gender identity or expression, such as intentionally referring to a gender-nonconforming employee by the wrong pronouns or name.

3. Does California law protect employees who complain about discrimination or harassment in the workplace? Yes. Employers are prohibited from retaliating against any employee who asserts their right under the law to be free from discrimination or harassment. For example, an employer commits unlawful retaliation when it responds to an employee making a discrimination complaint – to their supervisor, human resources staff, or CRD – by cutting their shifts.

4. If bathrooms, showers, and locker rooms are sex-segregated, can employees choose the one that is most appropriate for them? Yes. 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 sex assigned at birth. In addition, where possible, an employer should provide an easily accessible, gender-neutral (or "all-gender"), single user facility for use by any employee. The use of single stall restrooms and other facilities should always be a matter of choice. Employees should never be forced to use one, as a matter of policy or due to harassment.

5. Does an employee have the right to be addressed by the name and pronouns that correspond to their gender identity or gender expression, even if different from their legal name and gender? Yes. Employees have the right to use and be addressed by the name and pronouns that correspond with their gender identity or gender expression. These are sometimes known as "chosen" or "preferred" names and pronouns. For example, an employee does not need to have legally changed their name or birth certificate, nor have undergone any type of gender transition (such as surgery), to use a name and/or pronouns that correspond with their gender identity or gender expression. An employer may be legally obligated to use an employee's legal name in specific employment records, but when no legal obligation compels the use of a legal name, employers and co-workers must respect an employee's chosen name and pronouns. For example, some businesses utilize software for payroll and other administrative purposes, such as creating work schedules or generating virtual profiles. While it may be appropriate for the business to use a transgender employee's legal name for payroll purposes when legally required, refusing or failing to use that person's chosen name and pronouns, if different from their legal name, on a shift schedule, nametag, instant messaging account, or work ID card could be harassing or discriminatory. CRD recommends that employers take care to ensure that each employee's chosen name and pronouns are respected to the greatest extent allowed by law.

6. Does an employee have the right to dress in a way that corresponds with their gender identity and gender expression? Yes. An employer who imposes a dress code must enforce it in a non-discriminatory manner. This means that each employee must be allowed to dress in accordance with their gender identity and expression. While an employer may establish a dress code or grooming policy in accord with business necessity, all employees must be held to the same standard, regardless of their gender identity or expression.

7. Can an employer ask an applicant about their sex assigned at birth or gender identity in an interview? No. Employers may ask non-discriminatory questions, such as inquiring about an applicant's employment history or asking for professional references. But an interviewer should not ask questions designed to detect a person's gender identity or gender transition history such as asking about why the person changed their name. Employers should also not ask questions about a person's body or whether they plan to have surgery.

Want to learn more? Visit: **https://bit.ly/3hTG1EO**

TO FILE A COMPLAINT

Civil Rights Department
calcivilrights.ca.gov/complaintprocess
Toll Free: 800.884.1684 / TTY: 800.700.2320
California Relay Service (711)
Have a disability that requires a reasonable accommodation? CRD can assist you with your complaint.

CRD-E04P-ENG / November 2022

THE DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

TRANSGENDER RIGHTS IN THE WORKPLACE

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, housing providers, and businesses 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 one year of the discrimination, file a complaint of discrimination by contacting DFEH.

If you have a disability that prevents you from submitting a written intake form on-line, by mail, or email, 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 call us through your VRS at (800) 884-1684 (voice). DFEH is committed to providing access to our materials in an alternative format as a reasonable accommodation for people with disabilities when requested.

To schedule an appointment or to discuss your preferred format to access our materials or webpages, contact the Communication Center at (800) 884-1684 (voice or via relay operator 711) or (800) 700-2320 (TTY) or by email at contact.center@dfeh.ca.gov.

FOR MORE INFORMATION

Department of Fair Employment and Housing

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

Also find us on:

DFEH-E04P(A)-ENG / June 2018

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 an OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. OSHA will keep your name confidential. 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.
- Report to OSHA all work-related fatalities within 8 hours, and all inpatient hospitalizations, amputations and losses of an eye within 24 hours.
- 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.

FREE ASSISTANCE to identify and correct hazards is 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 2015

Departamento de Trabajo de los EE. UU.

OSHA®
Administración de Seguridad y Salud Ocupacional

Seguridad y Salud en el Trabajo
¡ES LA LEY!

Todos los trabajadores tienen el derecho a:

- Un lugar de trabajo seguro.
- Decir algo a su empleador o la OSHA sobre preocupaciones de seguridad o salud, o reportar una lesión o enfermedad en el trabajo, sin sufrir represalias.
- Recibir información y entrenamiento sobre los peligros del trabajo, incluyendo sustancias toxicas en su sitio de trabajo.
- Pedirle a la OSHA inspeccionar su lugar de trabajo si usted cree que hay condiciones peligrosas o insalubres. Su información es confidencial. Algún representante suyo puede comunicarse con OSHA a su nombre.
- Participar (o su representante puede participar) en la inspección de OSHA y hablar en privado con el inspector.
- Presentar una queja con la OSHA dentro de 30 días (por teléfono, por internet, o por correo) si usted ha sufrido represalias por ejercer sus derechos.
- Ver cualquieras citaciones de la OSHA emitidas a su empleador.
- Pedir copias de sus registros médicos, pruebas que miden los peligros en el trabajo, y registros de lesiones y enfermedades relacionadas con el trabajo.

Este cartel está disponible de la OSHA para gratis.

Los empleadores deben:

- Proveer a los trabajadores un lugar de trabajo libre de peligros reconocidos. Es ilegal discriminar contra un empleado quien ha ejercido sus derechos bajo la ley, incluyendo hablando sobre preocupaciones de seguridad o salud a usted o con la OSHA, o por reportar una lesión o enfermedad relacionada con el trabajo.
- Cumplir con todas las normas aplicables de la OSHA.
- Reportar a la OSHA todas las fatalidades relacionadas con el trabajo dentro de 8 horas, y todas hospitalizaciones, amputaciones y perdidos de un ojo dentro de 24 horas.
- Proporcionar el entrenamiento requerido a todos los trabajadores en un idioma y vocabulario que pueden entender.
- Mostrar claramente este cartel en el lugar de trabajo.
- Mostrar las citaciones de la OSHA acerca del lugar de la violación alegada.

Los empleadores de tamaño pequeño y mediano pueden recibir ASISTENCIA GRATIS para identificar y corregir los peligros sin citación o multa, a través de los programas de consultación apoyados por la OSHA en cada estado.

Llame OSHA. Podemos ayudar.

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

OSHA 3167-04R 2015

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**) and provide access to employees and their designated representatives.

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 below). 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.

You and your designated representative have the right to access the employer's IIPP. 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

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

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.

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 or a copy, including the enclosed multi-language employee notification, prominently at or near the place of the violation or unsafe condition 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 – (833) 579-0927

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	1500 Hughes Way, Suite C-201, Long Beach 90810	(424) 450-2630
Los Angeles	320 West Fourth St., Rm. 820, Los Angeles 90013	(213) 576-7451
Modesto	4206 Technology Dr., Ste. 3, Modesto 95356	(209) 545-7310
Monrovia	800 Royal Oaks Dr., Ste. 105, Monrovia 91016	(626) 239-0369
Oakland	1515 Clay St., Ste. 1303, Box 41, Oakland 94612	(510) 622-2916
Redding	381 Hemsted Dr., Redding 96002	(530) 224-4743
Sacramento	1750 Howe Ave., Ste. 430, Sacramento 95825	(916) 263-2800
San Bernardino	464 West Fourth St., Ste. 332, San Bernardino 92401	(909) 383-4321
San Diego	7575 Metropolitan Dr., Ste. 207, San Diego 92108	(619) 767-2280
San Francisco	455 Golden Gate Ave., Rm. 9516, San Francisco 94102	(415) 557-0100
Santa Ana	2 MacArthur Place, Ste. 720, Santa Ana 92707	(714) 558-4451
Van Nuys	6150 Van Nuys Blvd., Ste. 405, Van Nuys 91401	(818) 901-5403

Regional Offices

San Francisco	455 Golden Gate Ave., Rm 9516, San Francisco 94102	(415) 557-0300
Sacramento	1750 Howe Ave., Ste. 440, Sacramento 95825	(916) 263-2803
Santa Ana	2 MacArthur Place, Ste. 720, Santa Ana 92707	(714) 558-4300
Monrovia	800 Royal Oaks Dr., Ste. 105, Monrovia 91016	(626) 471-9122

Cal OSHA Consultation Services

Field / Area Offices

• Fresno / Central Valley	2550 Mariposa Mall, Rm. 2005 Fresno 93721	(559) 445-6800
• La Palma / Los Angeles / Orange County	1 Centerpointe Dr., Ste. 150 La Palma 90623	(714) 562-5525
• Oakland/ Bay Area	1515 Clay St., Ste 1103 Oakland 94612	(510) 622-2891
• Sacramento / Northern CA	1750 Howe Ave., Ste. 490, Sacramento 95825	(916) 263-0704
• San Bernardino	464 West Fourth St., Ste. 339 San Bernardino 92401	(909) 383-4567
• San Diego / Imperial County	7575 Metropolitan Dr., Ste. 204 San Diego 92108	(619) 767-2060
• San Fernando Valley	6150 Van Nuys Blvd., Ste. 307 Van Nuys 91401	(818) 901-5754

Consultation Region Office

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

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

November 2023

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—October 2008

TAKE CREDIT

THE EARNED INCOME TAX CREDIT

FOR PAYING OFF MY CREDIT CARDS

FOR OUR DAUGHTER'S EDUCATION

Find out if you qualify for the EITC. Call 1-800-829-3676 to order the free IRS Publication 596, *Earned Income Credit*. You can also download it from the internet at the IRS Web site: www.irs.gov/eitc

EITC

FOR MY SON'S DAYCARE

The EITC is a tax credit for lower income workers who meet certain rules. Taxpayers who qualify and claim the credit could pay less federal tax, pay no tax, or receive a refund.

You may qualify for the Earned Income Tax Credit on your tax return.

Over 22 million people already benefit from the EITC. Yet some people who are eligible don't know it exists, how to qualify, or how to claim it.

FOR BUYING OUR FAMILY A COMPUTER

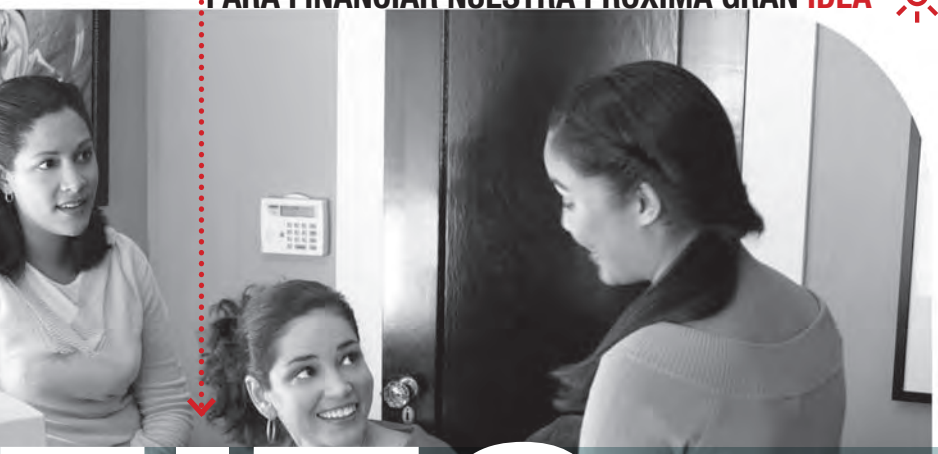
IRS
Department of the Treasury
Internal Revenue Service

Publication 1495E (Rev. 10-06)
Catalog Number 34507G

RECIBA CRÉDITO

EL CRÉDITO POR INGRESO DEL TRABAJO

PARA FINANCIAR NUESTRA PRÓXIMA GRAN IDEA



PARA NUESTRO RETIRO

EITC

Infórmese si califica para recibir el Crédito por Ingreso del Trabajo (EITC). LLame al 1-800-829-3676 para obtener gratis la Publicación 596SP, *Crédito por Ingreso del Trabajo*. También puede descargarla en el sitio del IRS en Internet: www.irs.gov/eitc

El EITC es un beneficio tributario que pueden recibir las personas que trabajan, no ganan mucho y cumplen con ciertos requisitos. Los contribuyentes que califican y reclaman el crédito podrían pagar menos impuesto federal, no pagar impuesto o recibir un reembolso.

Usted podría calificar para recibir el Crédito por Ingreso del Trabajo en su declaración de impuestos.

Más de 22 millones de contribuyentes ya reciben beneficios del EITC, y sin embargo, algunas personas que califican desconocen este beneficio, los requisitos, o cómo reclamarlo.

PARA REGRESAR A ESTUDIAR

PARA PAGAR POR LOS SERVICIOS DE LA GUARDERÍA INFANTIL DE NUESTRO HIJO

IRS
Department of the Treasury
Internal Revenue Service

Publication 1495E (Rev. 10-06)
Catalog Number 34507G

YOU MAY NEED TO

Check Your Withholding

Since you last filed Form W-4 with your employer did you . . .

- Marry or divorce?
- Gain or lose a dependent?
- Change your name?

Were there major changes to . . .

- Your nonwage income (interest, dividends, capital gains, etc.)?
- Your family wage income (you or your spouse started or ended a job)?
- Your itemized deductions?
- Your tax credits?

If you can answer "YES" . . . To any of these questions or you owed extra tax when you filed your last return, you may need to file a new Form W-4. See your employer for a copy of Form W-4 or call the IRS at 1-800-829-3676.

Now is the time to check your withholding. For more details, get Publication 919, *How Do I Adjust My Tax Withholding?*, or use the Withholding Calculator at **www.irs.gov/individuals** on the IRS website.

Employer: Please post or publish this Bulletin Board Poster so that your employees will see it. Please indicate where they can get forms and information on this subject.

IRS
Department of the Treasury
Internal Revenue Service
www.irs.gov
Publication 213 (Rev.7-2003)
Catalog Number 11047P

Thanks for making it yours.

U.S. Department of Labor, Working Partners for an Alcohol- and Drug-Free Workplace

www.dol.gov/workingpartners