

## **EMPLOYMENT**

#### **POSTER COMPLIANCE DATE 07/2019**

### **Since 1953**

# LAWS

## **FEDERAL**



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

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

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

#### **OVERTIME PAY**

At least 1<sup>1</sup>/<sub>2</sub> times the regular rate of pay for all hours worked over 40 in a workweek.

#### **CHILD LABOR**

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

#### **TIP CREDIT**

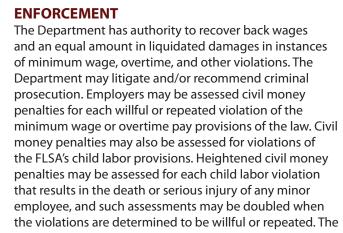
Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined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

#### **NURSING MOTHERS**

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



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



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.



REV. 07/2016

#### FED EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

#### **LEAVE ENTITLEMENTS**

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

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

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

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

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

#### **BENEFITS & PROTECTIONS**

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

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

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

#### **ELIGIBILITY REQUIREMENTS**

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

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

#### **REQUESTING LEAVE**

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

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

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

#### EMPLOYER RESPONSIBILITIES

### FED

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

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 Employer Support of the Guard and Reserve • 1-800-336-4590

REV. 04/2017

#### Equal Employment Opportunity is THE LAW

members (family medical history); and requests

WHAT TO DO IF YOU BELIEVE

**DISCRIMINATION HAS OCCURRED** 

There are strict time limits for filing charges

in the U.S. Government or Federal Government

**Employers Holding Federal Contracts** 

or Subcontracts

Applicants to and employees of companies

subcontract are protected under Federal law

from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, NATIONAL

Executive Order 11246, as amended, prohibits

job discrimination on the basis of race, color,

religion, sex or national origin, and requires

affirmative action to ensure equality of

**INDIVIDUALS WITH DISABILITIES** 

opportunity in all aspects of employment.

Section 503 of the Rehabilitation Act of 1973,

as amended, protects qualified individuals

from discrimination on the basis of disability

in hiring, promotion, discharge, pay, fringe

benefits, job training, classification, referral,

accommodation to the known physical or

mental limitations of an otherwise qualified

individual with a disability who is an applicant

or employee, barring undue hardship. Section

and other aspects of employment. Disability

discrimination includes not making reasonable

with a Federal government contract or

section. Additional information about EEOC,

including information about charge filing, is

available at www.eeoc.gov.

ORIGIN

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

employees, or their family members. RETALIATION All of these Federal laws prohibit covered entities from retaliating against a person who

files a charge of discrimination, participates in a discrimination proceeding, or otherwise

for or receipt of genetic services by applicants, years of discharge or release from active duty), other protected veterans (veterans who served during a war or in a campaign or expedition for which a campaign badge has been authorized), and Armed Forces service medal veterans (veterans who, while on active duty, participated in a U.S. military operation for which an Armed Forces service medal was

recently separated veterans (within three

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under

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

#### **EXEMPTIONS**

PROHIBITIONS

FED

Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities.

**EMPLOYEE RIGHTS** 

EMPLOYEE POLYGRAPH PROTECTION ACT

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

The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers.

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.

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

#### **EXAMINEE RIGHTS**

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

#### ENFORCEMENT

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

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

WAGE AND HOUR DIVISION

UNITED STATES DEPARTMENT OF LABOR

WHD DEPARTMENT OF LABOR UNITED STATES OF AMERICA

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

employer, your employer's representative, your

An employee has a continuing obligation to

cooperate with medical providers in the course

of their treatment for work related injuries. You

must accept reasonable medical treatment and

rehabilitation services when ordered by the State

Board of Workers' Compensation or the Board may

No compensation shall be allowed for an injury or

You must notify the insurance carrier/employer of

should notify the insurance carrier/employer when

you are able to return to full-time or part-time work

A dependent spouse of a deceased employee shall

notify the insurance carrier/employer upon change of

You must attempt a job approved by the authorized

treating physician even if the pay is lower than the job

you had when you were injured. If you do not attempt

If you believe you are due benefits and your insurance

carrier/employer denies these benefits, you must

file a claim within one year after the date of last

because you may be entitled to some income benefits

and report the amount of your weekly earnings

even though you have returned to work.

the job, your benefits may be suspended.

your address when you move to a new location. You

death due to the employee's willful misconduct.

may result in the loss of the benefits.

suspend your benefits.

address or remarriage.

foreman or immediate supervisor. Failure to do so

WH1462

REV. 07/2016

WC-BILL OF RIGHTS

GA

#### BOARD OF WORKERS' COMPENSATION Bill of Rights for the Injured Worker

As required by law, O.C.G.A. §34-9-81.1, this is a summary of your rights and responsibilities. The Workers' Compensation Law provides you, as a worker in the State of Georgia, with certain rights and responsibilities should you be injured on the job. The Workers' Compensation Law provides you coverage for a work-related injury even if an injury occurs on the first day on the job. In addition to rights, you also have certain responsibilities. Your rights and responsibilities are described below.

#### **Employee's Rights**

- If you are injured on the job, you may receive medical rehabilitation and income benefits. These benefits are provided to help you return to work. Your dependents may also receive benefits if you die as a result of a jobrelated injury.
- Your employer is required to post a list of at least six doctors or the name of the certified WC/MCO that provides medical care, unless the Board has granted an exception. You may choose a doctor from the list and make one change to another doctor on the list without the permission of your employer. However, in an emergency, you may get temporary medical care from any doctor until the emergency is over, then you must get treatment from a doctor on the posted list.
- Your authorized doctor bills, hospital bills, rehabilitation in some cases, physical therapy, prescriptions, and necessary travel expenses will be paid if injury was caused by an accident on the job. All injuries occurring on or before June 30, 2013 shall be entitled to lifetime medical benefits. If your accident occurred on or after July 1, 2013 medical treatment shall be limited to a maximum of 400 weeks from the accident date. If your injury is catastrophic in nature vou may be entitled to lifetime medical benefits.

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

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

#### **ENFORCEMENT**

DEPARTMENT OF LABOR

UNITED STATES OF AMERICA

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer

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

For additional information or to file a complaint:



**ACT CONTACT:** 

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

#### **Equal Pay for Equal Work Act**

### POLICY

wages to employees of one sex at a lesser rate than the rate paid to employees of the opposite sex for comparable work on jobs which require the same or essentially the same knowledge, skill, effort and responsibility unjustly discriminates against the person receiving the lesser rate: It is hereby declared to be the policy of the State of

WHD

Georgia through the exercise of the police power eliminate discriminatory wage practices based on

- No employer having employees subject to any provisions in which such employees are employed, between
- employees on the basis of sex by paying wages at a rate less than the rate paid to the opposite sex, EXCEPT WHERE
  - 1. A seniority system;
  - 2. A merit system;

GA

GA

- 3. A system which measures earnings by quantity or quality of production, or
- A differential based on any other factor other than SEX: Provided, that an employer who is paying a wage rate differential in violation of this subsection shall not, in order to comply with the provisions of this subsection, reduce the wage rate of any employee.

#### Unemployment Insurance for Employees

Your job with this employer is covered by the Employment Security Law. You may be able to establish a claim for Unemployment Insurance if you become TOTALLY or PARTIALLY unemployed through no fault of your own and comply with all requirements.

IMPORTANT: YOU MAY FILE A CLAIM FOR UNEMPLOYMENT INSURANCE BENEFITS VIA THE INTERNET AT dol.georgia.gov. YOU MAY ALSO FILE A CLAIM IN PERSON AT ANY GEORGIA DEPARTMENT OF LABOR (GDOL) CAREER CENTER LISTED BELOW.

> THE GEORGIA EMPLOYMENT SECURITY LAW STATES FOR EACH WEEK YOU CLAIM UNEMPLOYMENT BENEFITS YOU MUST

Federal law from discrimination on the following bases:

#### RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

of employment discrimination. To preserve Title VII of the Civil Rights Act of 1964, as the ability of EEOC to act on your behalf and amended, protects applicants and employees to protect your right to file a private lawsuit, from discrimination in hiring, promotion, should you ultimately need to, you should discharge, pay, fringe benefits, job training, contact EEOC promptly when discrimination is classification, referral, and other aspects suspected: of employment, on the basis of race, color, The U.S. Equal Employment Opportunity religion, sex (including pregnancy), or national Commission (EEOC), 1-800-669-4000 (tollorigin. Religious discrimination includes failing to reasonably accommodate an employee's free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). religious practices where the accommodation does not impose undue hardship. EEOC field office information is available at www.eeoc.gov or in most telephone directories

#### DISABILITY

FED

Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect gualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship.

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

#### SEX (WAGES)

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

#### **GENETICS**

503 also requires that Federal contractors take Title II of the Genetic Information affirmative action to employ and advance Nondiscrimination Act of 2008 protects in employment qualified individuals with applicants and employees from discrimination disabilities at all levels of employment, including the executive level. promotion, discharge, pay, fringe benefits, DISABLED, RECENTLY SEPARATED, job training, classification, referral, and other **OTHER PROTECTED, AND ARMED** aspects of employment. GINA also restricts FORCES SERVICE MEDAL VETERANS employers' acquisition of genetic information The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination and requires affirmative action to employ and employees, or their family members; the

opposes an unlawful employment practice. awarded)

#### RETALIATION

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

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

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

**Programs or Activities Receiving** Federal Financial Assistance

#### **RACE, COLOR, NATIONAL ORIGIN, SEX**

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

#### **INDIVIDUALS WITH DISABILITIES**

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

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

EEOC 9/02 and OFCCP 8/08 Versions Useable With 11/09 Supplement EEOC-P/E-1

REV. 11/2009

## advance in employment disabled veterans, manifestation of diseases or disorders in family

GA It shall also be unlawful for any person to cause or The General Assembly of Georgia hereby declares that the attempt to cause an employer to discriminate against any employee in violation of the provisions of this Chapter. practice of discriminating on the basis of sex by paying It shall be unlawful for any person to discharge or in any other manner discriminate against any employee covered

of this State to correct and, as rapidly as possible, to

### **PROHIBITION OF DISCRIMINATION**

of this section shall discriminate, within any establishment

SUCH PAYMENT IS MADE PURSUANT TO:

ATLANTA, GEORGIA 30303-1751 FOR ADDITIONAL POSTERS PHONE: POST IN PROMINENT PLACE AS REQUIRED **BY LAW** 

Georgia Department of Labor Mark Butler, Commissioner

FOR INFORMATION ON EQUAL PAY FOR EQUAL WORK

(404) 232-3392

REV. 04/2016

An Equal Opportunity Employer/Program

**G**EORGIA **D**EPARTMENT OF LABOR **OFFICE OF EQUAL OPPORTUNITY 148 ANDREW YOUNG INTERNATIONAL BLVD., N. E.** 

REV. 02/2011

DOL-810

REV. 06/2018

DOL-4107

# based on genetic information in hiring,

and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants,

#### by this Chapter because such employee has made a complaint against the employer or any other person or has instituted or caused to be instituted any proceeding under or related to this Chapter or has testified or is about to testify in any such proceedings. Any person who violates any provision of this Code section shall, upon conviction thereof, be punished by a fine not to exceed \$100.00. (OCGA Section 34-5-3.)

- You are entitled to weekly income benefits if you have more than seven days of lost time due to an injury. Your first check should be mailed to you within 21 days after the first day you missed work. If you are out more than 21 consecutive days due to your injury, you will be paid for the first week.
- Accidents are classified as being either catastrophic or non-catastrophic. Catastrophic injuries are those involving amputations, severe paralysis, severe head injuries, severe burns, blindness, or of a nature and severity that prevents the employee from being able to perform his or her prior work and any work available in substantial numbers within the national economy. In catastrophic cases, you are entitled to receive two-thirds of your average weekly wage but not more than \$675 per week for a job-related injury for as long as you are unable to return to work. You also are entitled to receive medical and vocational rehabilitation benefits to help in recovering from your injury. If you need help in this area call the State Board of Workers' Compensation at (404) 656-0849.
- In all other cases (non-catastrophic), you are entitled to receive two-thirds of your average weekly wage but not more than \$675 per week for a job related injury. You will receive these weekly benefits as long as you are totally disabled, but no longer than 400 weeks. If you are not working and it is determined that you have been capable of performing work with restrictions for 52 consecutive weeks or 78 aggregate weeks, your weekly income benefits will be reduced to two-thirds of your average weekly wage but no more than \$450 per week, not to exceed 350 weeks.
- When you are able to return to work, but can only get a lower paying job as a result of your injury, you are entitled to a weekly benefit of not more than \$450 per week for no longer than 350 weeks.
- Your dependent(s), in the event you die as a result of an on-the-job accident, will receive burial expenses up to \$7,500 and two-thirds of your average weekly wage, but not more than \$675 per week. A widowed spouse with no children will be paid a maximum of \$270,000. Benefits continue until he/she remarries or openly cohabits with a person of the opposite sex.
- If you do not receive benefits when due, the insurance carrier/employer must pay a penalty, which will be added to your payments.

#### **Employee's Responsibilities**

- You should follow written rules of safety and other reasonable policies and procedures of the employer.
- You must report any accident immediately, but not later than 30 days after the accident, to your
- REV. 07/2019 GA VACATION **UNEMPLOYMENT INSURANCE IS NOT PAYABLE** WHEN YOU ARE ON LEAVE OF ABSENCE at your own request PAID VACATION UNPAID VACATION, up to two weeks in a calendar year if provided by **EMPLOYMENT CONTRACT, or by**

- authorized medical treatment or within two years of your last payment of weekly benefits or you will lose your right to these benefits.
- If your dependent(s) do not receive allowable benefit payments, the dependent(s) must file a claim with the State Board of Workers' Compensation within one year after your death or lose the right to these benefits.
- 10. Any request for reimbursement to you for mileage or other expenses related to medical care must be submitted to the insurance carrier/employer within one year of the date the expense was incurred.
- 11. If an employee unjustifiably refuses to submit to a drug test following an on-the-job injury, there shall be a presumption that the accident and injury were caused by alcohol or drugs. If the presumption is not overcome by other evidence, any claim for workers' compensation benefits would be denied.
- 12. You shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than \$10,000.00 or imprisonment, up to 12 months, or both, for making false or misleading statements when claiming benefits. Also, any false statements or false evidence given under oath during the course of any administrative or appellate division hearing is perjury.

The State Board of Workers' Compensation will provide you with information regarding how to file a claim and will answer any other questions regarding your rights under the law. If you are calling in the Atlanta area the telephone number is (404) 656-3818, outside the metro Atlanta area call 1-800-533-0682, or write the State Board of Workers' Compensation at:

#### 270 PEACHTREE STREET, N.W., ATLANTA, GEORGIA 30303-1299

or visit our website: http://www.sbwc.georgia.gov. A lawyer is not needed to file a claim with the Board; however, if you think you need a lawyer and do not have your own personal lawyer, you may contact the Lawyer Referral Service at (404) 521-0777 or 1-800-237-2629. IF YOU HAVE QUESTIONS PLEASE CONTACT THE STATE

BOARD OF WORKERS' COMPENSATION AT 404-656-3818 OR 1-800-533-0682 OR VISIT http://www.sbwc.georgia.gov

WILLFULLY MAKING A FALSE STATEMENT FOR THE PURPOSE OF OBTAINING OR DENYING BENEFITS IS A CRIME SUBJECT TO PENALTIES OF UP TO \$10,000.00 PER VIOLATION (O.C.G.A. §34-9-18 AND §34-9-19).

WC-BILL OF RIGHTS

Be UNEMPLOYED, ABLE to work, AVAILABLE for work, ACTIVELY SEEKING WORK, and be willing to immediately accept suitable work.

- Register for employment services with the Georgia Department of Labor.
- Report weekly work search contacts, all earnings each week, and any job refusal.

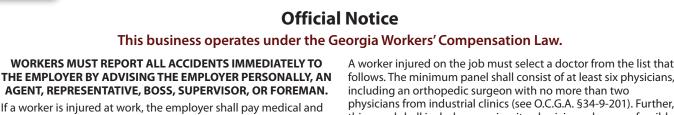
#### NOTICE

Employers cannot deduct any money from employees' paychecks to pay unemployment insurance tax. The funding for unemployment insurance benefits comes from taxes paid by employers.

OFFICES WHERE UNEMPLOYMENT INSURANCE CLAIMS MAY BE FILED				
ATLANTA	CARROLLTON	DUBLIN	LAFAYETTE	THOMSON
ALBANY	CARTERSVILLE	EASTMAN	LAGRANGE	TIFTON
AMERICUS	CLAYTON COUNTY	GAINESVILLE	MACON	TOCCOA
ATHENS	COBB/CHEROKEE	GRIFFIN	MILLEDGEVILLE	VALDOSTA
AUGUSTA	COLUMBUS	GWINNETT COUNTY	MOULTRIE	VIDALIA
BAINBRIDGE	COVINGTON	HABERSHAM AREA	ROME	WAYCROSS
BLUE RIDGE	DALTON	HINESVILLE	SAVANNAH	
BRUNSWICK	DEKALB	HOUSTON COUNTY	STATESBORO	
CAIRO	DOUGLAS	KINGS BAY	THOMASVILLE	

#### **GEORGIA DEPARTMENT OF LABOR**

Equal Opportunity Employer/Program Auxiliary Aids & Services Are Available Upon Request To Individuals With Disabilities



(Additional doctors may be added on a separate sheet)

The insurance company providing coverage for this business under the Workers' Compensation Law is:

(This notice must be posted in a conspicuous place readily accessible to the employee at all times.)

If a worker is injured at work, the employer shall pay medical and rehabilitation expenses within the limits of the law. In some cases the employer will also pay a part of the worker's lost wages. Work injuries and occupational diseases should be reported in writing whenever possible. The worker may lose the right to receive compensation if an accident is not reported within 30 days (see O.C.G.A. §34-9-80).

The employer will supply free of charge, upon request, a form for reporting accidents and will also furnish, free of charge, information about workers' compensation. The employer will also furnish to the employee, upon request, copies of board forms on file with the employer pertaining to an employee's claim

follows. The minimum panel shall consist of at least six physicians, including an orthopedic surgeon with no more than two physicians from industrial clinics (see O.C.G.A. §34-9-201). Further, this panel shall include one minority physician, whenever feasible (see Rule 201 for definition of minority physician). The Board may grant exceptions to the required size of the panel where it is demonstrated that more than four physicians are not reasonably accessible. One change to another doctor from the list may be made without permission. Further changes require the permission of the employer or the State Board of Workers' Compensation. STATE BOARD OF WORKERS' COMPENSATION

270 PEACHTREE STREET, N.W. ATLANTA, GEORGIA 30303-1299 404-656-3818 OR 1-800-533-0682 http://www.sbwc.georgia.gov



## **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 workrelated injury or illness, without being retaliated against.

Receive information and training on job hazards, including all hazardous substances in your workplace.

 Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.

Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.

- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

This poster is available free from OSHA.

### Contact OSHA. We can help.

#### **Employers must:**

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations.

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.



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

