

**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 1½ times the regular rate of pay for all hours worked over 40 in a workweek.

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

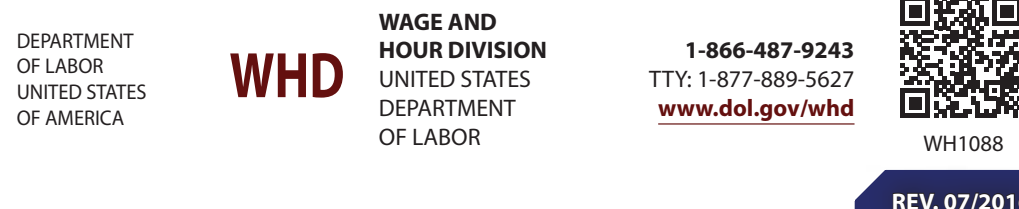
**TIP CREDIT**  
Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employer's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

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

**ENFORCEMENT**  
The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA.

**ADDITIONAL INFORMATION**  
Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions.

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



**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 of the uniformed service;
- have applied for membership in the uniformed service; or
- 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 Assistant can be viewed at <http://www.dol.gov/eis/usaerr.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/eis/usaerr.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

**UT**

**Labor Commission  
WORKERS' COMPENSATION NOTICE**

**EMPLOYER:**  
has complied with the provisions of the Workers' Compensation Act (§34A-2-101, Utah Code Annotated), the Utah Occupational Disease Act (§34A-3-101, Utah Code Annotated), and the rules of the Labor Commission by insuring the liability to pay the compensation and other benefits provided by said Acts through:

**INSURANCE COMPANY:** \_\_\_\_\_

**POLICY NUMBER:** \_\_\_\_\_

**ADDRESS FOR THE ABOVE INSURANCE COMPANY:** \_\_\_\_\_

**TELEPHONE NUMBER** \_\_\_\_\_

☐ Check here if the employer has been authorized by the Division of Industrial Accidents to self-insure and directly pay workers' compensation benefits.

**WORKERS' COMPENSATION**

Workers' Compensation is insurance which provides medical expenses and helps offset lost wages for employees with work-related injuries or illnesses. If you have an on-the-job injury or occupational disease, it may pay for hospital and medical bills, time lost from work, permanent loss of body function, prosthetic devices, and burial and dependent benefits in case of death.

- HOW TO REPORT AN ACCIDENT**

  1. Report the injury, no matter how slight, immediately to your supervisor. You may lose your rights if your injury is not reported within 180 days of the injury or work-related illness.
  2. Ask your employer where you should go for treatment. If your employer has a first-aid room or company designated doctor, go there promptly for treatment. If not, go to a doctor of your choice.
  3. Tell the doctor HOW, WHEN and WHERE the accident happened. The doctor will fill out a physician's initial report form. A copy of the report is given to you and copies of the report are sent to the insurance company and the Labor Commission within seven (7) days of your doctor visit.
  4. Your employer shall fill out the employee's first report of injury form. A copy of this report is sent to the insurance company within seven (7) days of the accident. The insurance company will report the injury to the Labor Commission.
- HOW TO START COMPENSATION**

  1. Ask your employer which insurance company pays workers' compensation benefits for the company.
  2. Ask your employer to report the accident to the insurance company and give you the claim number.
  3. Call the insurance company and ask them to start your workers' compensation benefits. The insurance company will require the employer's report, the physician's report, and may ask you to fill out a request for compensation. Cooperate with the adjuster's investigation of the injury.
  4. Ask your doctor to send medical reports to the insurance company, including the work status statement.

**REHABILITATION**  
If you cannot return to work, you may be eligible for a rehabilitation program. Contact the insurance company listed above or the Utah State Office of Rehabilitation.

**UTAH Labor Commission  
Industrial Accidents Division**  
160 East 300 South 3<sup>rd</sup> Floor, P.O. Box 146610  
Salt Lake City, Utah 84114-6610  
Office: (801) 530-6800 • Fax: (801) 530-6804 • Toll Free: (800) 530-5090  
[www.laborcommission.utah.gov](http://www.laborcommission.utah.gov)

If you want copy of an *Employee's Guide to Workers' Compensation* booklet or have questions, contact the Labor Commission or go to the webpage at [www.laborcommission.utah.gov](http://www.laborcommission.utah.gov).

**Note: This notice must be posted and kept continuously in public and conspicuous places in the office, shop or place of business of the employer as required by Utah Code § 34A-2-204 and § 34A-2-104.5, Utah Code Annotated.**

**UT**

**Labor Commission  
Pregnancy and Related Conditions under the Utah  
Antidiscrimination Act**

- The Utah Antidiscrimination Act requires an employer to make a **reasonable accommodation** for an employee for **pregnancy, child birth, breastfeeding, or a related condition**, upon the employee's request. UTAH CODE § 34A-5-106(1)(g) (2016).
  - Unless the employer can show that the **reasonable accommodation is an undue hardship** as defined by the Act, it cannot require an employee to end the employment if a reasonable accommodation may be given, or deny employment opportunities to the employee if the denial is based on the need to make a reasonable accommodation. UTAH CODE § 34A-5-102(1)(i) (w/ (2016)).
  - An employer may **require** an employee seeking a reasonable accommodation based on pregnancy or a related condition to provide a **medical certification**. A medical certification must include:
    - the date the reasonable accommodation becomes medically advisable;
    - the probable duration of the accommodation; and
    - a statement regarding the medical advisability of the accommodation. UTAH CODE § 34A-5-106(7)(a) (2016).
  - An employer may **not** require an employee to obtain a certification from the employer's health care provider for more frequent **restroom, food, or water breaks**. UTAH CODE § 34A-5-106(7)(c) (2016).
- To learn more about your rights, please contact the Utah Antidiscrimination & Labor Division by calling (801) 530-6801 or emailing [discrimination@utah.gov](mailto:discrimination@utah.gov).

**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.

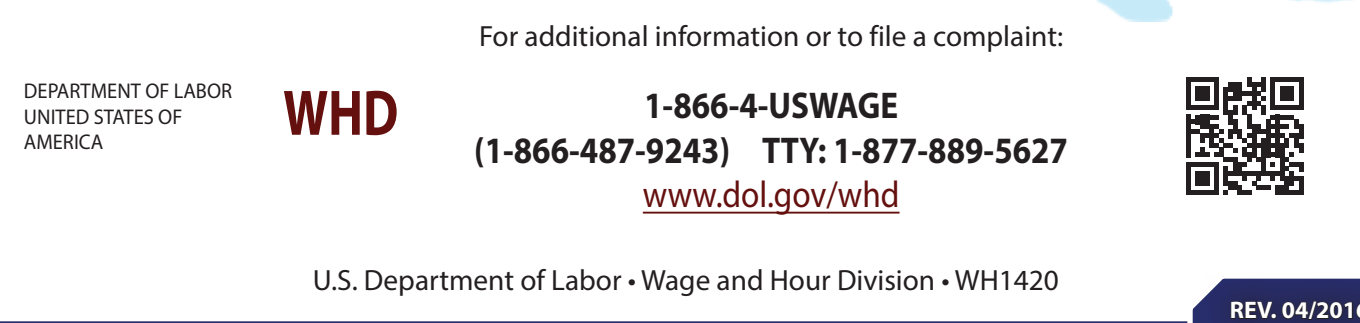
Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

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

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

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

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



**UT**

**DEPARTMENT OF WORKFORCE SERVICES**

[jobs.utah.gov](http://jobs.utah.gov)

**UNEMPLOYMENT INSURANCE  
NOTICE TO WORKERS**

**Your work is covered under the provisions of the Utah Employment Security Act for unemployment insurance purposes, unless specifically exempted by the Act.**

Unemployment insurance specifically provides payments to qualified workers who are unemployed through no fault of their own and are able, available, and seeking full-time work. It is not public assistance, Social Security, or a disability payment. Benefits are based upon your previous earnings—not on economic need. The funds to pay unemployment benefits are paid by your employer. No deductions are made from your wages.

**FILING FOR UNEMPLOYMENT INSURANCE BENEFITS**  
To receive unemployment benefits, you may file your claim online at [jobs.utah.gov](http://jobs.utah.gov), select "Temporary Assistance," then "Unemployment Benefits," and then choose "File New or Reopen Claims." You may also call the Claims Assistance and Re-Employment Team at: Salt Lake/South Davis Counties – (801) 526-4400; Weber/North Davis Counties – (801) 612-0877; Utah County – (801) 375-4067; elsewhere in Utah and out-of-state – (888) 848-0688. No benefits will be paid for weeks prior to the week in which you file your claim. You should, therefore, file immediately after becoming unemployed or when your work hours are reduced to less than full time.

**FILING AFTER RECEIVING WORKER'S COMPENSATION BENEFITS**  
If you are separated from employment due to a work-related illness or injury for which you have received Worker's Compensation, your rights to unemployment benefits may be preserved for up to THREE YEARS from the date of your injury. In order to use wages earned prior to such an injury or illness, you must file a claim for unemployment benefits within 90 DAYS of your doctor's release to full time work.

**SEPARATION INFORMATION**  
At the time you are separated from your job, you should request information as to the reasons for your separation. You do not need to have a separation notice to file a claim. Both you and your employer will be requested to provide statements explaining the reason for your separation.

**WAGES DETERMINE BENEFIT AMOUNT**  
The amount of your unemployment benefits will be determined from your wages in covered employment. "Wages" are all payments for personal services performed such as salaries, commissions, bonuses, tips, and the cash value of goods and services received for services performed. Tips received but not reported to your employer generally cannot be used to determine your unemployment benefits.

**SELF-EMPLOYMENT**  
If you are classified as "self-employed" (independent contractor), you may want to discuss this with your employer and have your status reviewed by DWS. Work performed in "self-employment" cannot be used for unemployment benefits. You are "self-employed" if your work is performed without direction and control and you are in your own established business. This generally means you are properly licensed in business, perform similar services for others, maintain proper accounting records and business reports, pay self-employment taxes, and provide for insurance.

**ONLINE SERVICES**  
Access our web site [jobs.utah.gov](http://jobs.utah.gov) to search for jobs, find out about available programs, and obtain economic information.

**NO FEE EMPLOYMENT SERVICES**  
DWS services are available on our web site at [jobs.utah.gov](http://jobs.utah.gov) or by going to any of our Employment Centers listed below. Employment services include job referrals, career counseling, workshops, employer recruitment, Veterans' services, labor market information, and job training/internships. Supportive services include food stamps, financial assistance, medical assistance, childcare assistance, unemployment assistance, emergency assistance, referrals to community, and other resources. Our Job Connection Rooms provide Internet access along with Information Specialists to assist you in accessing services and resources. Fax and copy machines are also available.

STATE EMPLOYMENT CENTERS					
Beaver	875 North Main	(435) 438-3581	Ogden	480 27th Street	(801) 626-0300
Blanding	544 North 100 East	(435) 678-1420	Panguitch	665 North Main	(435) 676-1406
Brigham City	138 West 990 South	(435) 695-2625	Park City	1910 Prospector Ave. Ste. 100	(877) 313-4317
Cedar City	176 East 200 North	(435) 865-6531	Price	475 West Price River Dr. #300	(435) 636-2300
Clearfield	1290 East 1450 South	(801) 776-7800	Provo	1550 North 200 West	(801) 342-2660
Delta	44 South 350 East	(435) 864-3525	Richfield	115 East 100 South	(435) 893-0005
Emery County	550 West Hwy 29	(435) 381-6120	Roosevelt	140 West 425 South 330-13	(435) 722-6499
Heber City	69 North 600 West, Ste. C	(435) 654-6500	Salt Lake Metro	720 South 200 East	(801) 526-0950
Junction	550 North Main	(435) 893-0005	Salt Lake So County	5735 South Redwood Rd.	(801) 269-4700
Kanab	468 East 300 South	(435) 644-8911	South Davis	763 West 700 South W. Cross	(801) 298-6600
Lehi	557 W. State Street	(801) 753-4500	Spanish Fork	1185 North Canyon Creek Parkway	(801) 794-6600
Loa	18 South Main	(435) 893-0005	St. George	162 North 400 East Bldg. B	(435) 986-3500
Logan	180 North 100 West	(435) 792-0599	Tooele	305 North Main, Ste. 100	(435) 833-7300
Manti	55 South Main #3	(435) 835-0771	Vernal	1050 West Market Dr.	(435) 781-4100
Moab	457 Kane Creek Blvd	(435) 719-2600	Eligibility Services Center	(Salt Lake Area)	(801) 526-0950
Nephi	625 North Main	(435) 623-0361		(Outside Salt Lake)	(866) 435-7414

**INFORMATION FOR EMPLOYERS**  
Utah law requires that each employer's wages must be reported each quarter with the regular quarterly contribution (tax) report. All wage and separation information and correspondence must include your unemployment insurance registration number. You must also maintain and make available records of wages and separation information on all workers for at least four (4) calendar years.

When an unemployment claim is filed by a former employer, the Department of Workforce Services will send Form 606 "Notice of Claim Filed." This notice will provide an opportunity for you to report details of the reason for the claimant's separation and, in some cases, to request relief of potential charges. You will also receive a Form 65 "Employer Notice of Potential Liability" showing any wages from your firm being used on the claim and your firm's potential benefit costs.

If you have classified or contemplate classifying any of your workers as "self-employed" (independent contractors), notify the Department in order that a proper determination of status can be made. By doing this, you may avoid unpaid contributions (tax) liabilities, interest, and penalties. Additional information is available in the "Employer Handbook" which you can access on the Internet at:

[jobs.utah.gov/ul/employer/public/handbook/employerhandbook.aspx](http://jobs.utah.gov/ul/employer/public/handbook/employerhandbook.aspx)  
In accordance with Section 35A-4-406(1)(b) of the Utah Employment Security Act, this notice must be permanently posted by each employer at suitable points (on bulletin boards, near time clocks, etc.) in each work place and establishment.

**Equal Opportunity Employer/Programs**  
Auxiliary aids (accommodations) and services are available upon request to individuals with disabilities by calling 801-526-9240. Individuals who are deaf, hard of hearing, or have speech impairments may call Relay Utah by dialing 711. Spanish Relay Utah: 1-888-346-3162.

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**FED**

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

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

**RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN**

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

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

**AGE**

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

**SEX (WAGES)**

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

**GENETICS**

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

**Equal Employment Opportunity is THE LAW**

and requests for or receipt of genetic services by applicants, employees, or their family members.

**RETALIATION**

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

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

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

**Employers Holding Federal Contracts or Subcontracts**

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

**RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN**

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

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

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

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

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

**RETALIATION**

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

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

The Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at [OFCCP-Public@dol.gov](mailto: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 Usable With 1/1/2009 Supplement  
EEOC-PV-1

**FED**

**EMPLOYEE RIGHTS  
EMPLOYEE POLYGRAPH PROTECTION ACT**

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

**PROHIBITIONS**

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