<u>223</u>

Federal Contractors Edition Poster

FEDERAL MINIMUM WAGE FOR CONTRACTORS

WORKER RIGHTS UNDER EXECUTIVE ORDER 14026

FEDERAL MINIMUM WAGE FOR CONTRACTORS

\$16.20 PER HOUR EFFECTIVE JANUARY 1, 2023 - DECEMBER 31, 2023

The law requires certain federal contractors to display this poster where employees can easily see it.

MINIMUM WAGE Executive Order 14026 (EO) requires that federal contractors pay workers performing work on or in connection with covered contracts at least (1) \$15.00 per hour beginning January 30, 2022, and (2) beginning January 1, 2023, and every year thereafter, an inflation-adjusted amount determined by the Secretary of Labor in accordance with the EO and appropriate regulations. The EO hourly minimum wage in effect from January 1, 2023, through December 31, 2023, is \$16.20.

TIPS Covered tipped employees must be paid a cash wage of at least \$13.75 per hour effective January 1, 2023, through December 31, 2023. If a worker's tips combined with the required cash wage of at least \$13.75 per hour paid by the contractor do not equal the EO hourly minimum wage for contractors, the contractor must increase the cash wage paid to make up the difference. Certain other conditions must also be met.

EXCLUSIONS

OFCCP

• The EO minimum wage may not apply to some workers who provide support "in connection with" covered contracts for less than 20 percent of their hours worked in a week.

 The EO minimum wage may not apply to certain other occupations and workers. ENFORCEMENT The U.S. Department of Labor's Wage and Hour Division (WHD) is responsible for enforcing this law. WHD can answer questions about your workplace rights and protections, investigate employers, and recover

back wages. All WHD services are free and confidential. Employers cannot retaliate or discriminate against someone who files a complaint or participates in an investigation. WHD will accept a complaint in any language. You can find your nearest WHD office online at www.dol.gov/agencies/whd/contact/local-offices or by calling tollfree 866-4USWAGE (866-487-9243). We do not ask workers about their immigration status. We can help.

ADDITIONAL INFORMATION

• The EO applies only to new federal construction and service contracts, as defined by the Secretary in the regulations at 29 CFR part 23.

• Workers with disabilities whose wages are governed by special certificates issued under section 14(c) of the Fair Labor Standards Act must also receive no less than the full EO minimum wage rate

· Some state or local laws may provide greater worker protections; employers must follow the law that requires the highest rate of pay.

More information about the EO is available online at www.dol.gov/agencies/whd/government-contracts/eo14026





PAY TRANSPARENCY NONDISCRIMINATION PROVISION



<u>IER@usdoj.gov</u>

回於法

The contractor will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with the contractor's legal duty to furnish information. 41 CFR 60-1.35(c)

If you believe that you have experienced discrimination contact OFCCP 1.800.397.6251 TTY 1.877.889.5627 www.dol.gov/ofccp

200 CONSTITUTION AVENUE NW | WASHINGTON, DC 20210 | tel: 1-800-397-6251 | TTY: 1-877-889-5627 | www.dol.gov/ofccp

RIGHT TO WORK



IF YOU HAVE THE RIGHT TO WORK DON'T LET ANYONE TAKE IT AWAY

f you have the skills, experience, and legal right to work, your citizenship or immigration status shouldn't get in the way. Neither should the place you were born or another aspect of your national origin. A part of U.S. immigration laws protects legally-authorized workers from discrimination based on their citizenship status and national origin. You can read this law at <u>8 U.S.C. § 1324b</u>. The Immigrant and Employee Rights Section (IER) may be able to help if an employer treats you unfairly in violation of this law. The law that IER enforces is 8 U.S.C. § 1324b. The regulations for this law are at 28 C.F.R. Part 44. Call IER if an employer: Does not hire you or fires you because of your national origin or citizenship status (this may violate a part of the law at 8 U.S.C. § 1324b(a)(1)) Treats you unfairly while checking your right to work in the U.S., including while completing the Form I-9 or using E-Verify (this may violate the law at 8 U.S.C. § 1324b(a)(1) or (a)(6)) Retaliates against you because you are speaking up for your right to work as protected by this law (the law prohibits retaliation at 8 U.S.C. § 1324b(a)(5)) The law can be complicated. Call IER to get more information on protections from discrimination based on citizenship status and national origin.

SI USTED TIENE DERECHO A TRABAJAR NO DEJE QUE NADIE SE LO QUITE

r i usted dispone de las capacidades, experiencia y derecho legal a trabajar, su estatus migratorio o de ciudadanía no debe representar un obstáculo, ni tampoco lo debe ser el lugar en que usted nació o ningún otro aspecto de su nacionalidad de origen. Existe una parte de las leyes migratorias de los EE. UU. que protegen a los trabajadores que cuentan con la debida autorización legal para trabajar de la discriminación por motivos de su estatus de ciudadanía o nacionalidad de origen. Puede consultar esta ley contenida en la Sección 1324b del Título 8 del Código de los EE. UU. Es posible que la Sección de Derechos de Inmigrantes y Empleados (IER, por sus siglas en inglés) pueda ayudar si un empleador lo trata de una forma injusta, en contra de esta ley. La ley que hace cumplir la IER es la Sección 1324b del Título 8 del Código de los EE. UU. Los reglamentos de dicha ley se encuentran en la Parte 44 del Título 28 del Código de Reglamentos Federales. Llame a la IER si un empleador: No lo contrata o lo despide a causa de su nacionalidad de origen o estatus de ciudadanía (esto podría representar una vulneración de parte de la ley contenida en la Sección 1324b(a)(1) del

Título 8 del Código de los EE. UU.) Lo trata de una manera injusta a la forma de comprobar su

derecho a trabajar en los EE. UU., incluyendo al completar el Formulario I-9 o utilizar E-Verify

(esto podría representar una vulneración de la ley contenida en la Sección 1324b(a)(1) o (a)

(6) del Título 8 del Código de los EE. UU.) Toma represalias en su contra por haber defendido

su derecho a trabajar al amparo de esta ley (la ley prohíbe las represalias, según se indica en

la Sección 1324b(a)(5) del Título 8 del Código de los EE. UU.) Esta ley puede ser complicada.

Llame a la IER para más información sobre las protecciones existentes contra la discriminación

LaborLawCenter.com

Please post in a conspicuous place. Date Posted: abor laws change frequently. Contact your distributor to ensure that you are in full compliance with required State and Federal posting requirements at least once a year. LaborLawCenter LLC. All rights reserved.

1-866-487-9243

TTY: 1-877-889-5627

www.dol.gov/who

WH1313 REV 04/09

WALSH-HEALEY PUBLIC CONTRACTS ACT

EMPLOYEE RIGHTS ON GOVERNMENT CONTRACTS

THIS ESTABLISHMENT IS PERFORMING GOVERNMENT CONTRACT WORK SUBJECT TO: (CHECK ONE)

SERVICE CONTRACT ACT (SCA)



help line at 1-866-4-USWAGE (1-866-487-9243), or visit www.dol.gov/whd

OF LABOR

WAGE AND HOUR DIVISION

UNITED STATES DEPARTMENT

(1-800-321-6742), or visit **www.osha.gov**

complaint or obtain information, contact the Wage and Hour Division (WHD) by calling its toll-free

Contact the Occupational Safety and Health Administration (OSHA) by calling 1-800-321-OSHA

MINIMUM WAGES Your rate must be no less than the Federal minimum wage established by the Fair **ENFORCEMENT** Specific DOL agencies are responsible for the administration of these laws. To file a Labor Standards Act (FLSA). A higher rate may be required for SCA contracts if a wage determination applies. Such wage determination will be posted as an attachment to this notice.

FRINGE BENEFITS SCA wage determinations may require fringe benefit payments (or a cash equivalent). PCA contracts do not require fringe benefits.

OVERTIME PAY You must be paid 1.5 times your basic rate of pay for all hours worked over 40 in a

week. There are some exceptions.

CHILD LABOR No person under 16 years of age may be employed on a PCA contract. SAFETY & HEALTH Work must be performed under conditions that are sanitary, and not hazardous or dangerous to employees' health and safety.

U.S. Department of Labor

The purpose of the discussion below is to advise contractors which are subject to the Walsh-Healey Public Contracts Act or the Service Contract Act of the principal provisions of these acts. Walsh-Healey Public Contracts Act

General Provisions — This act applies to contracts which exceed or may exceed \$10,000 entered into by any agency or instrumentality of the United States for the manufacture or furnishing of materials, supplies, articles, or equipment. The act establishes minimum wage, maximum hours, and safety and health standards for work on such contracts, and prohibits the employment on contract work of convict labor (unless certain conditions are met) and children under 16 years of age. The employment of homeworkers (except homeworkers with disabilities employed under the provisions of Regulations, 29 CFR Part 525) on a covered contract is not permitted.

In addition to its coverage of prime contractors, the act under certain circumstances applies to secondary contractors performing work under contracts awarded by the Government prime contractor. All provisions of the act except the safety and health requirements are administered by the Wage and Hour Division

Minimum Wage — Covered employees must currently be paid not less than the Federal minimum wage established in section 6(a)(1) of the Fair Labor Standards Act.

Overtime — Covered workers must be paid at least one and one-half times their basic rate of pay for all hours worked in excess of 40 a week. Overtime is due on the basis of the total hours spent in all work, Government and non-Government, performed by the employee in any week in which covered work is performed.

Child Labor — Employers may protect themselves against unintentional child labor violations by obtaining certificates of age. State employment or age certificates are acceptable.

Safety and Health — No covered work may be performed in plants, factories, buildings, or surroundings or under work conditions that are unsanitary or hazardous or dangerous to the health and safety of the employees engaged in the performance of the contract. The safety and health provisions of the Walsh-Healey Public Contracts Act are administered by the Occupational Safety and Health Administration. Posting — During the period that covered work is being performed on a contract subject to the act, the contractor must post copies of Notice to Employees Working on Government Contracts in a sufficient number of places to permit employees to observe a copy on the way to or from their place of employment

Responsibility for Secondary Contractors — Prime contractors are liable for violations of the act committed by their covered secondary contractors.

Service Contract Act

General Provisions — The Service Contract Act applies to every contract entered into by the United States or the District of Columbia, the principal purpose of which is to furnish services in the United States through the use of service employees. Contractors and subcontractors performing on such Federal contracts must observe minimum wage and safety and health standards, and must maintain certain records, unless a specific exemption applies

Vages and Fringe Benefits — Every service employee performing any of the Government contract

work under a service contract in excess of \$2,500 must be paid not less than the monetary wages, and must be furnished the fringe benefits, which the Secretary of Labor has determined to be prevailing in the locality for the classification in which the employee is working or the wage rates and fringe benefits (including any accrued or prospective wage rates and fringe benefits) contained in a predecessor contractor's collective bargaining agreement. The wage rates and fringe benefits required are usually specified in the contract but in no case may employees doing work necessary for the performance of the contract be paid less than the minimum wage established in section 6(a)(1) of the Fair Labor Standards Act.

Service contracts which do not exceed \$2,500 are not subject to prevailing rate determinations or to the safety and health requirements of the act. However, the act does require that employees performing work on such contracts be paid not less than the minimum wage rate established in section 6(a)(1) of the Fair Labor Standards Act

Overtime — The Fair Labor Standards Act and the Contract Work Hours Safety Standards Act may require the payment of overtime at time and one-half the regular rate of pay for all hours work on the contract in excess of 40 a week. The Contract Work Hours Safety Standards Act is more limited in scope than the Fair Labor Standards Act and generally applies to Government contracts in excess of \$100,000 that require or involve the employment of laborers, mechanics, guards, watchmen.

Safety and Health — The act provides that no part of the services in contracts in excess of \$2,500 may be performed in buildings or surroundings or under working conditions, provided by or under the control or supervision of the contractor or subcontractor, which are unsanitary or hazardous or dangerous to the health or safety of service employees engaged to furnish the services. The safety and health provisions of the Service Contract Act are administered by the Occupational Safety and Health Administration.

Notice to Employees — On the date a service employee commences work on a contract in excess of \$2,500, the contractor (or subcontractor) must provide the employee with a notice of the compensation required by the act. The posting of the notice (including any applicable wage determination) contained on the reverse in a location where it may be seen by all employees performing on the contract will satisfy this requirement.

Notice in Subcontracts — The contractor is required to insert in all subcontracts the labor standards clauses specified by the regulations in 29 CFR Part 4 for Federal service contracts exceeding \$2,500. esponsibility for Secondary Contractors — Prime contractors are liable for violations of the act committed by their covered secondary contractors.

Other Obligations — Observance of the labor standards of these acts does not relieve the employer of any obligation he may have under any other laws or agreements providing for higher labor standards. ditional Information — Additional Information and copies of the acts and applicable regulations and interpretations may be obtained from the nearest office of the Wage and Hour Division or the National Office in Washington D.C. Information pertaining to safety and health standards may be obtained from the nearest office of the Occupational Safety and Health Administration or the National Office in Washington, D.C. WH1313 REV 04/09

PAID SICK LEAVE FOR FEDERAL CONTRACTORS WORKER RIGHTS UNDER EXECUTIVE ORDER 13706

PAID SICK LEAVE FOR FEDERAL CONTRACTORS ONE HOUR OF PAID SICK LEAVE FOR EVERY 30 HOURS WORKED, UP TO 56 HOURS EACH YEAR

PAID SICK LEAVE Executive Order 13706, Establishing Paid Sick Leave for Federal Contractors, requires unable to file a complaint in English, WHD will accept the complaint in any language. The law prohibits certain employers that contract with the Federal Government to provide employees working on or in discriminating against or discharging workers who file a complaint or participate in any proceeding connection with those contracts with 1 hour of paid sick leave for every 30 hours they work—up to 56 under the Executive Order. ours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness injury, or other health-related needs, including preventive care; to assist a family member who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member who is the victim of, domestic violence, sexual assault, or stalking. Employers are required to inform employees of their paid sick leave balances and must approve all valid requests to use paid sick leave. Rules about when and how employees should ask to use paid sick leave also apply. More information about the paid sick leave requirements is available at www.dol.gov/whd/govcontracts/eo13706 **ENFORCEMENT** The Wage and Hour Division (WHD), which is responsible for making sure employers comply with Executive Order 13706, has offices across the country. WHD can answer questions, in person or by telephone, about your workplace rights and protections. WHD can investigate employers and recover wages to which workers may be entitled. All services are free and confidential. If you are





Immigrant and Employee Rights Section (IER)

1-800-255-7688 TTY 1-800-237-2515 www.justice.gov/ier IER@usdoj.gov

U.S. Department of Justice, Civil Rights Division, Immigrant and Employee Rights Section, January 2019

This guidance document is not intended to be a final agency action, has no legally binding effect, and has no force or effect of law. The document may be rescinded or modified at the Department's discretion, in accordance with applicable laws. The Department's guidance documents, including this guidance, do not establish legally enforceable responsibilities beyond what is required by the terms of the applicable statutes, regulations, or binding judicial precedent. For more information, see "Memorandum for All Components: Prohibition of Improper Guidance Documents," from Attorney General Jefferson B. Sessions III, November 16, 2017.



leyes aplicables, los reglamentos o los precedentes jurídicamente vinculantes. Para más información, véase «Memorándum para Todos Los Componentes: La Prohibición contra Documentos de Orientación Impropias», del Fiscal General Jefferson B. Sessions III, 16 de noviembre del 2017.

por motivos del estatus de ciudadanía o la nacionalidad de origen.

NATIONAL LABOR RELATIONS ACT

EMPLOYEE RIGHTS UNDER THE NATIONAL LABOR RELATIONS ACT

The NLRA guarantees the right of employees to organize and bargain collectively with their employers, and to engage in other protected concerted activity. Employees covered by the NLRA * are protected from certain types of employer and union misconduct. This Notice gives you general information about your rights, and about the obligations of employers and unions under the NLRA. Contact the National Labor Relations Board, the Federal agency that investigates and resolves complaints under the NLRA, using the contact information supplied below, if you have any questions about specific rights that may apply in your particular workplace.

Under the NLRA, you have the right to:

- Organize a union to negotiate with your employer concerning your wages, hours, and other terms and conditions of employment.
- Form, join or assist a union.
- Bargain collectively through representatives of employees' own choosing for a contract with your employer setting your wages, benefits, hours, and other working conditions.
- Discuss your terms and conditions of **employment** or union organizing with your co-workers or a union.
- Take action with one or more co-workers to improve your working conditions by, among other means, raising work related complaints directly with your employer or with a government agency, and seeking

Under the NLRA, it is illegal for a union or for the union that represents you in bargaining with your employer to:

- Threaten you that you will lose your job unless you support the union.
- Refuse to process a grievance because you have criticized union officials or because you are not a member of the union.
- Use or maintain discriminatory standards or procedures in making job referrals from a hiring hall.
- Cause or attempt to cause an employer to discriminate against **you** because of your union-related activity.
- Take other adverse action against **you** based on whether you have

Under the NLRA, it is illegal for your employer to:

- Prohibit you from soliciting for a union during non-work time, such as before or after work or during break times; or from distributing union literature during nonwork time, in non-work areas, such as parking lots or break rooms.
- Question you about your union support or activities in a manner that discourages you from engaging in that activity.
- Fire, demote, or transfer you, or reduce your hours or change your **shift**, or otherwise take adverse action against you, or threaten to take any of these actions, because you join or support a union, or because you engage in concerted activity for mutual aid and protection, or because you choose not

E-VERIFY

This employer participates in E-Verify and will provide the federal government with your Form I-9 information to confirm that you are authorized to work in the U.S.

written instructions and an opportunity to contact Department of Homeland Security (DHS) or Social Security Administration (SSA) so you can begin to resolve the issue before the employer can take any action against you, including terminating your employment.

E-Verify Works for Everyone

For more information on E-Verify, or if you believe that your employer

E-Verify.gov



E-Verify Funciona Para Todos Para más información sobre E-Verify, o si usted cree que su emplead or ha violado sus responsabilidades de E-Verify, por favor contacte a DHS.

888-897-7781 E-Verify.gov

OSIFIA Fact Sheet

OSHA's Whistleblower Protection Program OSHA's Whistleblower Protection Program enforces the provisions of more than 20 federal laws protecting employees from retaliation for, among other things, raising or reporting concerns about hazards or violations of various workplace safety and health, aviation safety, commercial motor carrier, consumer product, environmental, financial reform, food safety, health insurance reform, motor vehicle safety, nuclear, pipeline, public transportation agency, railroad, maritime, securities, tax, antitrust, and anti-money laundering laws. Employees who believe that they have experienced retaliation in violation of one of these laws may file a complaint with OSHA.

Whistleblower Laws Enforced by OSHA Following is a list of statutes which OSHA enforces. Each written complaint to the closest OSHA office, or filing a complaint online. No particular form is required

- Asbestos Hazard Emergency Response Act (90 days)
- Clean Air Act (30 days)
- Comprehensive Environmental Response, Compensation and Liability Act (30 days)
- Consumer Financial Protection Act of 2010 (180 days)
- Consumer Product Safety Improvement Act (180 days)
- Criminal Antitrust Anti-Retaliation Act (180 days) • Energy Reorganization Act (180 days)
- Federal Railroad Safety Act (180 days)
- Federal Water Pollution Control Act (30 days) International Safe Container Act (60 days)
- Moving Ahead for Progress in the 21st Century Act (motor vehicle safety) (180 days) • National Transit Systems Security Act (180 days)
- Occupational Safety and Health Act (OSH Act) (30 days)
- Pipeline Safety Improvement Act (180 days)
- Safe Drinking Water Act (30 days)
- Sarbanes-Oxley Act (180 days)
- Seaman's Protection Act (180 days)
- Section 402 of the FDA Food Safety Modernization Act (180 days)
- Section 1558 of the Affordable Care Act (180 days) • Solid Waste Disposal Act (30 days)
- Surface Transportation Assistance Act (180 days)
- Taxpaver First Act (180 days)
- Toxic Substances Control Act (30 days)
- Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (90 days)
- What Is Retaliation? Retaliation is an adverse action against an employee because of activity protected by one of these whistleblower laws. Retaliation can involve several types of actions, such as
- Firing or laying off
- Demoting
- Denying overtime or promotion Disciplining
- Denying benefits
- Failing to hire or rehire
- Intimidation or harassment
- Making threats
- Reassignment to a less desirable position or affecting promotion prospects
- Reducing pay or hours
- More subtle actions, such as isolating, ostracizing, mocking, or falsely accusing the employee of poor performance Blacklisting (intentionally interfering with an employee's ability to obtain future employment)
- Constructive discharge (quitting when an employer makes working conditions intolerable due to the
- employee's protected activity)
- Reporting the employee to the police or immigration authorities

Filing a Complaint Employees who believe that their employers retaliated against them because they engaged in protected activity should contact OSHA as soon as possible because they must file any complaint within the legal time limits.

An employee can file a complaint with OSHA by visiting or calling their local OSHA office, sending a www.whistleblowers.gov.

DDITIONAL INFORMATION Executive Order 13/06 applies to new contracts and replacements for expiring contracts with the Federal Government starting January 1, 2017. It applies to federal contracts for construction and many types of federal contracts for services. Some state and local laws also require that employees be provided with paid sick leave. Employers must comply with all applicable requirements





contra, incluyendo la terminación de su empleo.

trabajo y completado el Formulario I-9.

www.dol.gov/whd

Esta organización participa en E-Verify

Formulario I-9 para confirmar que usted está autorizado para trabajar en los EE.UU.

Este empleador participa en E-Verify y proporcionará al gobierno federal la información de su

Si E-Verify no puede confirmar que usted está autorizado para trabajar, este empleador está

Seguridad Nacional (DHS) o a la Administración del Seguro Social (SSA) para que pueda

requerido a darle instrucciones por escrito y una oportunidad de contactar al Departamento de

empezar a resolver el problema antes de que el empleador pueda tomar cualquier acción en su

Los empleadores sólo pueden utilizar E-Verify una vez que usted haya aceptado una oferta de

Written complaints may be filed by fax, electronic communication, hand delivery during business

The date of the postmark, fax, electronic communication, telephone call, hand delivery, delivery to a

To contact an OSHA area office, employees should call 1-800-321-OSHA (6742) to be connected to

the closest area office or visit www.osha.gov/contactus/bystate to find local OSHA office address and

When OSHA receives a complaint, OSHA will first review it to determine whether certain basic

requirements are met, such as whether the complaint was filed on time. If so, the complaint will be

investigated in order to determine whether the employer retaliated against the employee for engaging

in activity protected under one of OSHA's whistleblower laws. OSHA may also attempt to assist the

Private-sector employees throughout the United States and its territories and employees of the United

States Postal Service (USPS) who suffer retaliation because of occupational safety or health activity are

covered by section 11(c) of the OSH Act. In addition, private-sector employees are also covered by laws

in States which operate their own comprehensive occupational safety and health programs approved

by Federal OSHA ("State Plans"). For information on the whistleblower provisions of the 22 State Plan

With the exception of employees of the USPS, public-sector employees (those employed as municipal,

county, state, territorial, or federal workers) are not covered by the OSH Act. State and local government

employees are covered by the whistleblower provisions of all the States with State Plans, including six

A federal employee who is not a USPS employee who wishes to file a complaint alleging retaliation due

to disclosure of a substantial and specific danger to public health or safety or involving a violation of

an occupational safety or health standard or regulation should contact the Office of Special Counsel

(www.osc.gov). Such federal employees are also covered by their own agency's procedures for

Public-sector employees who are unsure whether they are covered under a whistleblower law should

Results of the Investigation If OSHA determines that retaliation in violation of the OSH Act, Asbestos

Hazard Emergency Response Act, or the International Safe Container Act has occurred, the Secretary

of Labor may sue in federal district court to obtain relief. If OSHA determines that no retaliation has

Under the other whistleblower laws, if the evidence supports an employee's complaint of retaliation,

OSHA will issue an order requiring the employer, as appropriate, to put the employee back to work,

pay lost wages, and provide other possible relief. If the evidence does not support the employee's

complaint, OSHA will dismiss the complaint. After OSHA issues a decision, the employer and/or the

employee may request a full hearing before an administrative law judge of the Department of Labor.

The administrative law judge's decision may be appealed to the Department's Administrative Review

Board (ARB); in significant cases the Secretary of Labor may review the ARB decision. Aggrieved parties

Under some of the laws, an employee may file the retaliation complaint in federal district court if the Department has not issued a final decision within a specified number of days (180, 210 or 365

To Get Further Information To obtain more information on whistleblower laws, go to

or proceeding

hours, U.S. mail (confirmation services recommended), or other third-party commercial carrier.

third-party commercial carrier, or in-person filing at an OSHA office is considered the date filed.

To file a complaint electronically, please visit: www.osha.gov/whistleblower/WBComplaint.

employer and employee in reaching a settlement of the case.

States which cover only State and local government employees.

may seek review of final DOL decisions by the courts of appeals.

States which cover private-sector employees, visit <u>www.osha.gov/stateplans</u>.

call 1-800-321-OSHA (6742) for assistance, or visit www.whistleblowers.go

1-866-487-9243 TTY: 1-877-889-5627

EVerify This Organization Participates in E-Verify

If E-Verify cannot confirm that you are authorized to work, this employer is required to give you

Employers can only use E-Verify once you have accepted a job offer and completed the Form I-9.

has violated its E-Verify responsibilities, please contact DHS.

888-897-7781

The E-Verify logo and mark are registered trademarks of Department of Homeland Security

WHISTLEBLOWER RIGHTS

statute has a different time frame in which a complaint can be filed. and complaints may be submitted in any language.

contact information.

remedying such retaliation

depending on the law).

occurred, it will dismiss the complaint

• Anti-Money Laundering Act (90 days)

help from a union.

• Strike and picket, depending on the purpose or means of the strike or the picketing.

 Choose not to do any of these activities, including Joining or remaining a member of a union.

Illegal conduct will not be permitted. If you believe your rights or the rights of others have been violated, you should contact the NLRB promptly to protect your rights, generally within six months of the unlawful activity. You may inquire about possible violations without your employer or anyone else being informed of the inquiry. Charges may be filed by any person and need not be filed by the employee directly affected by the violation The NLRB may order an employer to rehire a worker fired in violation of the law and to pay lost wages and benefits, and may order an employer or union to cease violating the law. Employees should seek assistance from the nearest regional NLRB office, which can be found on the Agency's website: www.nlrb.gov.



joined or support the union.

If you and your coworkers select a union to act as your collective bargaining representative, your employer and the union are required to bargain in good faith in a genuine effort to reach a written, binding agreement setting your terms and conditions of employment. The union is required to fairly represent you in bargaining and enforcing the agreement.

You can also contact the NLRB by calling toll-free: 1-844-762-NLRB (6572). Language assistance is available. Hearing impaired callers who wish to speak to an NLRB representative should send an email to

relay.service@nlrb.gov. An NLRB representative will email the requestor with instructions on how to schedule a relay service call.



to engage in any such activity.

 Threaten to close your workplace if workers choose a union to represent them.

 Promise or grant promotions, pay raises, or other benefits to discourage or encourage union support.

 Prohibit you from wearing union hats, buttons, t-shirts, and pins in the workplace except under special circumstances.

 Spy on or videotape peaceful union activities and gatherings or pretend to do so.

*The National Labor Relations Act covers most private-sector employers. Excluded from coverage under the NLRA are public-sector employees, agricultural and domestic workers, independent contractors, workers employed by a parent or spouse, employees of air and rail carriers covered by the Railway Labor Act, and supervisors (although supervisors that have been discriminated against for refusing to violate the NLRA may be covered).

SCAN TO LEARN MORE

This is an official Government Notice and must not be defaced by anyone.

Technical Revision Date: 05/02/22

his is one in a series of informational fact sheets highlighting OSHA programs, policies or standards. It does not impose any new compliance requirements. For a comprehensive list of compliance requirements of OSHA standards or regulations, refer to Title 29 of the Code of Federal Regulations. This information will be made available to sensory-impaired individuals upon request. The voice phone is (202) 693-1999; teletypewriter (TTY) number: (877) 889-5627.



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 	 or disclosure of genetic tests, genetic services, or family medic Retaliation for filing a charge, reasonably opposing discrimir participating in a discrimination lawsuit, investigation, or pro- Interference, coercion, or threats related to exercising rights disability discrimination or pregnancy accommodation What Employment Practices can be Challenged as Discrim All aspects of employment, including: Discharge, firing, or lay-off Harassment (including unwelcome verbal or physical condu- 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 since religious belief, observance or practice Benefits Job training Classification Referral Obtaining or disclosing genetic information of employees Requesting or disclosing medical information of employees
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 Genetic information (including employer requests for, or purchase, use, genetic tests, genetic services, or family medical history) ling a charge, reasonably opposing discrimination, or a discrimination lawsuit, investigation, or proceeding percion, or threats related to exercising rights regarding mination or pregnancy accommodation ent Practices can be Challenged as Discriminatory? ployment, including: g, or lay-off cluding unwelcome verbal or physical conduct) ages or compensation) de reasonable accommodation for a disability; dbirth, or related medical condition; or a sincerely-held **Call**

(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 1-800-669-4000 (toll free) 1-800-669-6820 (TTY) observance or practice 1-844-234-5122 (ASL video phone) Visit an EEOC field office (information at <u>www.eeoc.gov/field-office</u>) E-Mail info@eeoc.gov



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

Conduct that might reasonably discourage someone from opposing

someone exercising their rights, or someone assisting or encouraging

someone else to exercise rights, regarding disability discrimination

Contact the EEOC promptly if you suspect discrimination. Do not delay,

because there are strict time limits for filing a charge of discrimination

discrimination, filing a charge, or participating in an investigation

· Conduct that coerces, intimidates, threatens, or interferes with

(including accommodation) or pregnancy accommodation

What can You Do if You Believe Discrimination has Occurred?

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the Protected Veteran Status The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 nondiscrimination and affirmative action commitments of companies doing business with the Federal U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, 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.

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)

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