

**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 1.5 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. Youth 14 and 15 years old may work outside school hours in various nonhazardous, nonagricultural, 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 from employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a 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 does not equal the minimum hourly wage, the employer must make up the difference.

**PUMP AT WORK**  
The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for her nursing child for one year after the child's birth each time the employee needs to express breast milk. Employers must provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

**ENFORCEMENT**  
The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil monetary penalties for each violation of the minimum wage or overtime pay provisions of the FLSA. Civil monetary 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 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. Certain narrow exemptions also apply to the pump at work requirements.

• 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.

DEPARTMENT OF LABOR  
UNITED STATES OF AMERICA  
**WHD**  
WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR  
1-866-487-9243  
[www.dol.gov/agencies/whd](http://www.dol.gov/agencies/whd)  
WH1088  
REV. 04/2023

**FED**

**YOUR EMPLOYEE RIGHTS UNDER  
THE FAMILY AND MEDICAL LEAVE ACT**

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

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

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

An eligible employee who is the spouse, child, parent or next of kin of a single 12-month period to care for the servicemember.

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

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

**Am I eligible to take FMLA leave?**  
You are an eligible employee if all of the following apply:

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

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

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

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

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

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

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

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

**What does my employer need to do?**  
If you are eligible for FMLA leave, your employer must:

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

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

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

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

**Where can I find more information?**  
Call 1-866-487-9243 or visit [dol.gov/fmla](http://dol.gov/fmla) to learn more.

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

DEPARTMENT OF LABOR  
UNITED STATES OF AMERICA  
**WHD**  
WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR  
1-866-487-9243  
[www.dol.gov/agencies/whd](http://www.dol.gov/agencies/whd)  
WH1420  
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**FED**

**U.S. EQUAL OPPORTUNITY COMMISSION**

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

**What Organizations are Covered?**  
Most private employers  
State and local governments (as employers)  
Educational institutions (as employers)  
Unions  
Staffing agencies

**What Employment Practices can be Challenged as Discriminatory?**  
All aspects of employment, including:  
• Discharge, firing, or lay-off  
• Harassment (including unwelcome verbal or physical conduct)  
• Hiring or promotion  
• Assignment  
• Pay (unequal wages or compensation)  
• Failure to provide reasonable accommodation for a disability; pregnancy, childbirth, or related medical condition; or a sincerely-held religious belief, observance or practice  
• Benefits  
• Job training  
• Classification  
• Referral  
• Obtaining or disclosing genetic information of employees  
• Requesting or disclosing medical information of employees  
• Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or proceeding

• Conduct that intimidates, threatens, or interferes with someone exercising their rights, or someone assisting or encouraging someone else to exercise rights, regarding disability discrimination (including accommodation) or pregnancy accommodation

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

- Submit an inquiry through the EEOC's public portal: <https://pre.eeoc.gov/Portal/Login.aspx>
- Call 1-800-669-4000 (toll free)  
1-800-669-6820 (TTY)  
1-844-334-5122 (ASL video phone)
- Visit an EEOC field office (information at [www.eeoc.gov/field-office](http://www.eeoc.gov/field-office))  
info@eeoc.gov
- E-Mail

Additional information about the EEOC, including information about filing a charge of discrimination, is available at [www.eeoc.gov](http://www.eeoc.gov).

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WH1420  
REV. 04/2023

**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 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;
- then an employer may not deny you:
  - initial employment;
  - reemployment;
  - 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 [www.dol.gov/agencies/vets](http://www.dol.gov/agencies/vets). An interactive online USERRA Advisor can be viewed at [whapps.dol.gov/elsav/userra](http://whapps.dol.gov/elsav/userra/userra).

• 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: [www.dol.gov/agencies/vets/programs/userra/poster](http://www.dol.gov/agencies/vets/programs/userra/poster). Federal law requires employees to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where it customarily places 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. 05/2022

**UT**

**DEPARTMENT OF WORKFORCE SERVICES**

**UNEMPLOYMENT INSURANCE  
NOTICE TO WORKERS**

**jobs.utah.gov**

**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 "Assistance," the click "Check Eligibility" under "Unemployment Insurance," and then choose "File New or Renew Claims." 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 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.

**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 rendered. 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 • Contact us at: 801-526-WORK (9675)**

Beaver	875 North Main	Nephi	625 North Main
Blanding	544 North 100 East	Ogden	480 27th Street
Brigham City	138 West 990 South	Panguitch	665 North Main
Cedar City	176 East 200 North	Park City	1910 Prospector Ave. Ste. 100
Clearfield	1290 East 1450 South	Price	475 West Price River Dr. #300
Delta	44 South 350 East	Provo	1550 North 200 West
Emery County	550 West Hwy 29	Richfield	115 East 100 South
Heber City	69 North 600 West, Ste. C	Roosevelt	140 West 425 South 330-13
Junction	550 North Main	Salt Lake Metro	720 South 200 East
Kanab	468 East 300 South	Salt Lake So. County	5735 South Redwood Rd
Lehi	557 W. State Street	South Davis	763 West 700 South W. Cross
Loa	18 South Main	Spanish Fork	1185 North Canyon Creek Parkway
Logan	180 North 100 West	St. George	162 North 400 East Bldg. B
Manti	55 South Main #3	Tooele	305 North Main, Ste. 100
Moab	457 Kane Creek Blvd.	Vernal	1050 West Market Dr.

**INFORMATION FOR EMPLOYERS**  
Utah law requires that each employee'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 employee, the Department of Workforce Services will send you 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 from your business 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 business being used on the claim and your business's potential benefit costs.

If you have classified or contemplated classifying any of your workers as "self-employed" (independent contractor), 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/ui/employer/public/handbook/employerhandbook.aspx](http://jobs.utah.gov/ui/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/Program**  
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.

09-226

REV. 04/2023

**UT**

**Labor Commission  
WORKERS' COMPENSATION NOTICE**

Employer: \_\_\_\_\_

has complied with the provisions of the Workers' Compensation Act (S34A-2-101, Utah Code Annotated), the Utah Occupational Disease Act (S34A-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 Act 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 pays 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 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 to receive 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 the accident. The insurance company will report the injury to the Labor Commission.

**FRAUD STATEMENT:** Any person who knowingly presents false or fraudulent underwriting information, files or causes to be filed a false or fraudulent claim for disability compensation or medical benefits, or submits a false or fraudulent report or billing for health care fees or other professional services is guilty of a crime and may be subject to fines and confinement in state prison.

Utah Labor Commission  
Industrial Accidents Division  
160 East 300 South 3rd Floor P.O. Box 146610  
Salt Lake City, Utah 84114-6610  
Office: (801)-530-6804 • Fax: (800) 530-5090  
[www.labormcommission.utah.gov](http://www.labormcommission.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.labormcommission.utah.gov](http://www.labormcommission.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 per S34A-2-204 and S34A-2-104.5, Utah Code Annotated.

Rev. 10/2019

**UT**

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

The Utah Antidiscrimination Act requires employers to provide reasonable accommodations for employees related to pregnancy, childbirth, breastfeeding, or related conditions, upon an employee's request.

Further, the Act prohibits an employer from terminating an employee, or denying an employment opportunity, instead of providing reasonable accommodation. If an employer is not required to provide reasonable accommodation if it can demonstrate that doing so would create an undue hardship