



OKLAHOMA LAW PROHIBITS

DISCRIMINATION IN EMPLOYMENT BECAUSE OF RACE, COLOR, RELIGION, NATIONAL ORIGIN, DISABILITY, AGE, SEX OR GENETIC INFORMATION¹

If you are an employee, or an applicant for employment, and feel that because of race, color, religion, national origin, disability, age, sex or genetic information you have been discriminated against with respect to:

Qualifications, hire, discharge, recall, layoff, promotion, transfer, compensation, conditions, terms, privileges or responsibilities of employment, or sexual harassment, and wish to file or discuss the filing of a complaint contact:

Office of the Oklahoma Attorney General

Office of Civil Rights Enforcement

313 N.E. 21st Street

Oklahoma City, Oklahoma 73105

Oklahoma City Office: (405) 521-3921

Tulsa Office: (918) 581-2342

Website: www.oag.ok.gov

Email: ocre.complaints@oag.ok.gov

Contacting the Office of Civil Rights Enforcement does not conflict with or affect any other rights you may have, including any appeal procedures you may have through the Oklahoma Merit Protection or any internal grievance procedures you may have through your employer. However, an Employment Discrimination Complaint must be filed with the Office of Civil Rights Enforcement **within 180 days** after the alleged discriminatory act(s).

¹ Title 25, Oklahoma Statutes, Section 1302

Public Employees Have a Right to a Safe & Healthful Workplace

The Oklahoma Occupational Health & Safety Standards Act of 1970 provides job safety and health protection for public workers. Rules have been adopted which include both employer and employee responsibilities. These include state, county, city and public school agencies and certain public trusts.

Responsibility of Employers

Public employers are responsible for workplace safety and health of employees. This includes written programs, processes and training.

Responsibility of Employees

Employees are responsible for following safety and health rules. This includes using equipment and personal protective devices properly.

Unsafe Equipment and/or Procedures

You have the right to bring unsafe equipment and/or procedures to the attention of a supervisor or the designated safety officer.

Adverse Action Remedy

You have the right to file a complaint with the Oklahoma Department of Labor for any adverse action taken against you for reporting hazards.

Employees' Right to File Complaint

You have the right to file a complaint with the Oklahoma Department of Labor concerning investigations of unsafe working conditions.

Employees' Right to View Certain Records

You have the right to view certain records regarding workplace injuries, illnesses, or fatalities for your agency. A summary for this information must be posted at your work site each year from February through April.

Employees' Right to View Their Files

You have the right to view or make copies of your medical records or records of your exposure to toxic and harmful substances or conditions.

Required Posting of this Notice

This notice must be posted in your workplace.

Contact Information

You may contact the Oklahoma Department of Labor at the website and toll-free number below or contact the Department direct: 3017 North Stiles, Suite 100, Oklahoma City, OK 73105, 405-521-6100, www.labor.ok.gov

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1-888-269-5353
www.labor.ok.gov

Oklahoma Department of Labor
Public Employee Occupational Safety & Health Unit



PUBLIC EMPLOYEE JOB SAFETY & HEALTH PROTECTION

The Oklahoma Occupational Health & Safety Standards Act of 1970 provides job safety and health protection for public workers by promoting safe and healthful working conditions. As authorized by the Act, rules have been adopted to prevent accidents in all public work places, including public schools and all political subdivisions of city, county and state government. These rules include standards contained in the Federal Occupational Safety & Health Act of 1970 (OSHA) and other safety and health standards derived from national consensus standards.

EMPLOYERS

Each public employer shall establish and maintain safe and healthful workplace conditions. Appropriate safety devices shall be used where necessary to protect the life, health and safety of all public employees. No employer shall interfere with the use of any method or process adopted for the protection of an employee or any other person lawfully within such place of employment. No employer shall fail to obey orders necessary to protect the life, safety and health of public employees. Public employers must allow their employees to participate in mandatory training and education programs.

EMPLOYEES

No public employee shall willfully remove, displace, damage, destroy, carry off or in any way interfere with the use of any safety device or safeguard furnished or provided for use in any place of public employment. No employee or agent of employees shall interfere with any method or process adopted for the protection of any employee or of any other person lawfully within such place of employment. No employee shall fail to obey orders necessary to protect the life, safety and health of public employees. Public employees must participate in mandatory training and education programs.

INSPECTIONS

Without prior notification, authorized inspectors from the Oklahoma Department of Labor may, at any reasonable time, enter and inspect public places of employment in order to investigate matters deemed appropriate, and to determine if any person is violating any provision of the Act or any standards promulgated pursuant to it.

COMPLAINTS

Public employees have the right to file a complaint requesting an investigation of unsafe or unhealthful conditions. No adverse personnel action may be taken against any employee who files a work- place safety or health complaint. Employees who believe they have been discriminated against on this basis may file a complaint with the Oklahoma Department of Labor.

VIOLATIONS

If upon inspection the Oklahoma Department of Labor believes a public employer has violated the Act, a notice alleging such violation(s) will be issued to the employer. The notice will specify the time frame in which each violation must be corrected or a response provided. The Commissioner of Labor may require the violation(s) be corrected immediately and/or the alleged violator appear before the Commissioner or a designated representative at a specified time and place to answer the charges.

PROPOSED PENALTIES

The Attorney General, upon request of the Commissioner of Labor, shall bring an action against any person who violates any of the provisions of the Act or violates any order or determination of the Commissioner promulgated pursuant to the Act.

Any public employer or political subdivision failing to comply with any standards or interfering with, impeding or in any manner obstructing the administration of standards pursuant to the provisions of the Act may be charged with a misdemeanor. Additionally, such employers or political subdivisions may be prevented, by cease and desist orders, from continuing such violation(s). Each day in which each violation occurs shall constitute a separate violation.

VOLUNTARY COMPLIANCE

Safety and health education and training is the best way to help prevent and control occupational accidents. The Department of Labor provides public employers with free consultation services. The Department recognizes the outstanding efforts of participating employers.

RECORDKEEPING REQUIREMENTS

Public employers must maintain accurate work-related injury, exposure and illness incident records. Employers are to use the OK-300 recordkeeping system or its substantial equivalent. Calendar year totals (excluding names of employees) must be posted no later than February 1st of the year following the calendar year to which the report applies. This information must remain posted through the month of April. Public employers are required to maintain written safety and health programs.

POSTING INSTRUCTIONS

This poster must be displayed in one or more conspicuous places where notices to employees are customarily posted. For assistance or additional information, contact:

Oklahoma Department of Labor Public Employee Occupational Safety & Health

3017 North Stiles, Suite 100
Oklahoma City, OK 73105
405-521-6100
888-269-5353



Leslie Osborn
Commissioner of Labor



Oklahoma Department of Labor

www.labor.ok.gov

All employees of this employer who are entitled to benefits of the Administrative Workers' Compensation Act are hereby notified that this employer has complied with all rules of the Workers' Compensation Commission and that this employer has secured payment of compensation for all employees and their dependents in accordance with the Act. All employees are further notified this employer will furnish first aid, medical, surgical, hospital, optometric, podiatric, and nursing services, medicine, crutches and other apparatus as may be reasonably necessary in connection with the injury received by the employee, as well as payments of compensation to any injured employee or the employee's dependents as provided in the Act.

Any employee who has suffered a compensable injury covered by the Administrative Workers' Compensation Act is entitled to vocational rehabilitation services, including retraining and job placement, if, as a result of the injury, the employee is unable to perform work for which the person has previous training or experience.

The Oklahoma Workers' Compensation Commission has a Counselor Division to provide information to injured workers, employers, and other interested persons.

Mediation is available to help resolve certain workers' compensation disputes. For information, call the Counselor Division at 405-522-5308 or In-State Toll Free 855-291-3612.



Signature of Employer

Insurer Name and Address

Date of Expiration of Insurance Policy (Not applicable to employers authorized to self-insure.)

Employee's Responsibilities In Case of Work Related Injury

If accidentally injured or affected by cumulative trauma or an occupational disease arising out of and in the course of employment, however slight, the employee should notify the employer immediately. If this employer is a partnership, notice shall be given to any partner. If this employer is a corporation, notice shall be given to any agent or officer of the corporation upon whom legal process may be served. Notice shall also be given to the person in charge of business at the location of operations where the injury occurred. Unless oral or written notice is given to the employer within thirty (30) days, the claim for compensation may be forever barred.

The employee may file a claim for compensation with the **WORKERS' COMPENSATION COMMISSION** for an accidental injury, death, cumulative trauma or occupational disease or illness occurring **ON OR AFTER** February 1, 2014. Forms to file a compensation claim should be furnished by this employer and also are available from the Workers' Compensation Commission. The forms are posted on the Commission's website, www.wcc.ok.gov.

A claim for compensation must be filed with the Commission within the time specified by law, or be forever barred. Based on law effective February 1, 2014, a claim for compensation for any accidental injury must be filed with the Commission within one (1) year of the date of injury; a death claim must be filed within two (2) years of the date of death; a claim for compensation for occupational disease or illness must be filed within two (2) years of the last injurious exposure; and a claim for compensation for cumulative trauma must be filed within one (1) year of the date of injury. A claim for additional compensation is barred unless filed within one (1) year of the last payment of disability compensation or two (2) years from the date of injury, whichever is longer.

Claims for compensation for accidental injury, death, cumulative trauma or occupational disease or illness occurring BEFORE February 1, 2014 may be filed with the WORKERS' COMPENSATION COURT OF EXISTING CLAIMS and are subject to different notice of injury requirements and claims filing deadlines than those for accidental injury, death, cumulative trauma or occupational disease or illness occurring on or after February 1, 2014. Failure to comply with applicable notice requirements and deadlines may operate to forever bar the claim. Contact the WORKERS' COMPENSATION COURT OF EXISTING CLAIMS for additional information.

Employer's Responsibilities

The employer must provide employees with immediate first aid, medical, surgical, hospital, optometric, podiatric, and nursing services, medicine, crutches and other apparatus as may be reasonably necessary in connection with the injury received by the employee. This applies to care for all injuries and illnesses arising out of and in the course of employment, regardless of their character. Within ten (10) days after the date of receipt of notice or knowledge of death or injury that results in more than three days' absence from work for the injured employee, the employer **MUST** send a report thereof to the Workers' Compensation Commission on a CC-Form 2, and also send a copy of the CC-Form 2 to the employer's insurance carrier, if any, within the ten-day period.

No agreement by any employee to pay any portion of the premium paid by the employer to a carrier or a benefit fund or department maintained by the employer for the purpose of providing compensation or medical services and supplies as required by the workers' compensation laws, shall be valid. Any employer who makes a deduction for such purposes from the pay of any employee entitled to benefits under the workers' compensation laws shall be guilty of a misdemeanor.

No agreement by any employee to waive workers' compensation rights and benefits shall be valid.

Any person who commits workers' compensation fraud, upon conviction, shall be guilty of a felony punishable by imprisonment, a fine or both.

**Workers' Compensation Commission
1915 North Stiles Avenue
Oklahoma City, Oklahoma 73105-4918**

**Tele. 405-522-5308 (OKC) · 918-295-3732 (TU) · In-State Toll Free 855-291-3612
Web Site · www.wcc.ok.gov**

NOTICE TO WORKERS

If you lose your job or if you work less than full time and get less than your full time wages – you may be entitled to receive unemployment insurance benefits. Ask your employer for a free copy of the booklet entitled ***Information for Workers Who are Unemployed*** or obtain a copy from the nearest Workforce Oklahoma office or go online at www.oesc.ok.gov. This explains your rights and how to file an unemployment insurance claim.

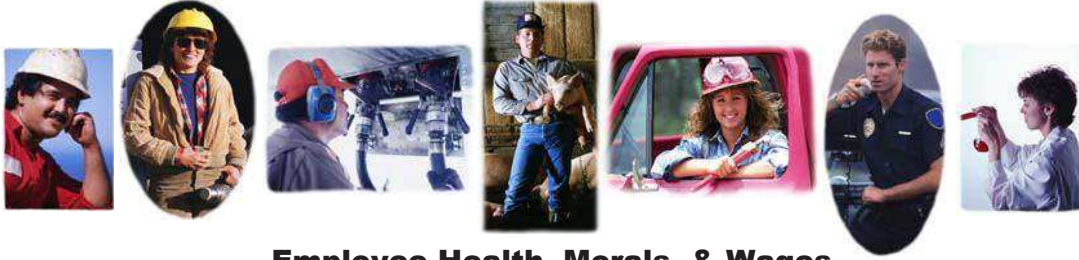
All unemployment claims are now filed by telephone or internet. You may obtain help in finding a job or obtain help in filing your claim at the nearest Workforce Oklahoma office of the Oklahoma Employment Security Commission.



OES-44 (Rev 6-10)

NOTICE TO EMPLOYERS: It is required by Sec. 2-502 of the Oklahoma Employment Security Act that you shall post and maintain this notice in places readily accessible to individuals in your employ. Copies may be obtained from the Oklahoma Employment Security Commission, PO Box 52003, Oklahoma City OK 73152 or go online at www.oesc.ok.gov

Your Rights Under the Oklahoma Minimum Wage Act



Employee Health, Morals & Wages

It's against the law for employers to have workers in jobs that hurt their health. It's against the law for employers to have workers in jobs that hurt their morals. It's against the law for employers to pay workers less than adequate wages.

Federal Minimum Wage

Unless the law says it's okay, employers can't pay less than the federal minimum wage.

Employer Defined

The law defines an "employer" as having ten or more full-time workers in one place or more than \$100,000 of business a year.

Employee Defined

The law says an "employee" is a worker for an "employer." But, an "employee" is not:

- (1) a worker on a farm; a worker on a ranch; a worker with animals on a farm or ranch; or a mechanic on a farm or ranch;
- (2) a maid;
- (3) a federal government worker;
- (4) someone who volunteers for a charity, church, or nonprofit club;
- (5) a newspaper vendor or carrier;
- (6) a railroad worker;
- (7) any worker who is already being paid the federal minimum wage or more;
- (8) executives; someone in an administrative job; professionals; or an "outside" salesman;
- (9) any person employed as part-time employee not on permanent status. A part-time employee is defined as an employee who is employed less than twenty-five (25) hours a week;
- (10) anyone younger than 18 who hasn't graduated from school, and anyone younger than 22 who is in school;
- (11) anyone who works in a feedstore; or
- (12) a reserve deputy sheriff.

Uniforms

The law says the cost of uniforms given to workers can be added to wages in figuring the minimum wage.

Investigation of Wage Claims

The law says the Commissioner of Labor, **Leslie Osborn**, can investigate whether wages are due workers. She will write down her findings. If any employee's employment has terminated and the Commissioner finds that wages are due, a penalty of 2% per day up to the total amount of the wage claim may be added to the wages due. She will mail her findings to the employer and the worker by certified mail. If the employer pays the wages (and the penalty) and the worker accepts the payment, that's the end of the wage claim.

Employer Liability

If a court finds an employer hasn't paid all wages due, the law says the employer is liable for double the amount of the wages minus any sums already paid to the worker. The employer is also liable for court costs and reasonable attorney fees of at least \$100. The employer can't defend a wage claim by arguing that there was an agreement with the worker to work for less than the lawful wage. The law says an employer who pays or even agrees to pay less than the lawful wage is guilty of a misdemeanor. The punishment could be a fine of not more than \$500. The punishment could be as much as six (6) months in the county jail. The punishment could be both a fine and jail time.

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1-888-269-5353

www.ok.gov/odol

Oklahoma Department of Labor



Employment Standards Division