

North Dakota & Federal Employment Notices



OSHA Job Safety and Health IT'S THE LAW!

All workers have the right to:

- Safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request an OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. OSHA will keep your name confidential. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

Employers must:

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

FREE ASSISTANCE to identify and correct hazards is available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.

Contact OSHA. We can help.



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

Family Medical Leave Act

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT
THE UNITED STATES DEPARTMENT OF LABOR AND HEALTH HUMAN SERVICES

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 a 12-month period for:

- Your annual mental or physical health condition that makes you unable to work.
- Your serious mental or physical health condition that makes you unable to work.
- Your annual mental or physical health condition that makes you unable to work.
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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 worked at least 1,250 hours 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.

Polychlorinated Biphenyls (PCB) Protection

The Employee Polychlorinated Biphenyls (PCB) 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 an employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

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

IRS Withholding

YOU MAY WANT TO CHECK YOUR WITHHOLDING
Since you filed Form W-4 with your employer did you...
Many or diverse?

Are there major changes to...
Your non-wage income (interest, dividend, capital gains, etc.)?
Your family wage income (you or your spouse started or ended a job)?
Your itemized deductions?
Your tax credits?

Human Rights

Public Accommodations - By failing to provide a person access to the use of any benefit from the services and facilities offered by privately owned businesses. Places of public accommodation include a wide range of entities, such as restaurants, hotels, theaters, doctors' offices, pharmacies, retail stores, museums, libraries, parks, private schools, and day care centers. If a place of public accommodation has an architectural or communication barrier, such barrier must be removed if removal is readily achievable. If removal of the barrier is not readily achievable, accessibility to the goods, services, privileges, advantages or accommodations must be made available through alternative methods.

Reasonable Accommodations - By failing to provide a person access to the use of and benefit of services and facilities provided by public entities.

Worker's Opportunity

Please fill in Worker's Compensation information

Have Additional Questions? Need assistance with this information?
Contact us at:
North Dakota Department of Labor, Human Rights Division
600 East Boulevard Ave, Dept. 406, Bismarck, ND 58505-0340
Phone: (701) 328-2400 or 1-800-362-6888 (TTY: Relay ND) 1-800-366-6888 or 1-800-366-6889
Fax: (701) 328-2411 E-mail: humanrights@nd.gov
Web site: nd.gov/humanrights

Youth Employment

There are no restrictions on employment for persons age 16 and over under North Dakota employment laws. However, federal child labor laws prohibit certain types of employment for anyone under 18 years of age. Types of employment prohibited under these rules include roofing, most diving, and most work involving power-driven machines.

Teens may be exempt from some or all of the state youth employment rules under certain conditions.
They are exempt from the minimum age (14) and the requirement to file an Employment and Age Certificate if they work for and under the direct supervision of their parent or guardian and if that person is 100 percent owner of the business.

No Smoking

No employer shall knowingly or intentionally permit, and no person shall engage in, the smoking of tobacco products in an enclosed space at a place of employment.

Unemployment Insurance
TO EMPLOYEES: THIS EMPLOYER IS SUBJECT TO THE UNEMPLOYMENT COMPENSATION LAWS OF THE STATE OF NORTH DAKOTA

Employee Name: _____ Account #: _____

YOU MAY BE ELIGIBLE FOR UNEMPLOYMENT COMPENSATION BENEFITS IF YOU MEET THE ELIGIBILITY REQUIREMENTS. To file a claim for unemployment compensation benefits, online: www.jobsnd.com, click on the UI ICE logo; or call: 1-701-328-4955 or TTY: RELAY ND - 1-800-366-6888 (for hearing impaired only)

Near Miss Reports

A "near miss" is an incident that does not involve injury or property damage, but has the potential for injury or property damage.

All employees must IMMEDIATELY report unsafe conditions and/or circumstances related to a "near miss" to their supervisor so that appropriate action can be taken to evaluate the situation and take corrective action to avoid a similar type of occurrence in the future.

If the first incident has been reported, investigated, and corrective measures taken, it would have prevented the second accident and serious injury to the third person.

Workforce Safety and Insurance WSI

Important Notice to Workers
In case of injury at Work Safe first aid or medical treatment immediately:
- If your employer does not have a Designated Medical Provider (DMP) you may see any medical provider.
- If your employer does have a DMP, you are required to see that DMP unless you selected your own DMP before the injury occurred.
- If it is an emergency, you can treat with any medical provider.

Tell your employer about the injury as soon as you become aware of the injury
- Workforce Safety & Insurance (WSI) may not accept your claim if you fail to tell your employer within 7 days.
- Even if you do not receive medical treatment, report your injury so your employer is aware of a potential hazard.

Your Responsibilities

- Tell medical provider(s) your claim number.
- Stay in touch with your employer and update them on your condition.
- Notify WSI immediately.
- of any work activity, whether you are paid or not.
- if you change your address or telephone number.
- if you apply for Social Security disability or retirement benefits, or are found to be eligible for these benefits.

If you suspect someone is committing fraud, report it immediately to WSI at 800-243-3331.

For a detailed explanation of the information contained in this poster, contact WSI at the numbers listed below or visit our website at www.workforcesafety.com

1600 E Century Ave, Ste 1 - PO Box 5855 - Bismarck ND 58506-5855
Customer Service: 800-777-5033 or 701-338-3000
Hearing Impaired: 800-366-6888
Decision Review Office: 800-701-4932 or 701-328-9900
Fraud & Safety Hotline: 800-243-3331

WSI North Dakota Workforce Safety & Insurance

USERRA

FOR USE BY PRIVATE SECTOR AND STATE GOVERNMENT EMPLOYERS
YOUR RIGHTS UNDER THE UNIFORMED SERVICES JOINT EMPLOYMENT 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 Assistance System. USERRA prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

UNIFORMED SERVICES JOINT EMPLOYMENT RIGHTS ACT
You have the right to be reinstated into your civilian job if you leave that job to perform service in the uniformed services and:
- You are able to perform the same job.
- You were laid off for up to 24 months while in the military.
- Even if you do not 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 disabilities or injuries.

State Minimum Wage

Effective Date: August 1, 2019
MINIMUM WAGE RATE: \$7.25 per hour on 7/24/09.
North Dakota does not have a Training Wage.

OVERTIME N.D. Admin. Code § 46-02-07-02(4)
- Overtime pay must be paid at one and one-half times the employee's regular rate of pay for hours worked over any in any work week.
- Overtime is a separate right of the employee and must be paid for hours worked over the employee's regular rate of pay.
- Overtime is computed on a weekly basis, regardless of the length of the pay period.
- Overtime is based only on hours worked. Paid holidays, paid time off, or sick leave need not be counted in computing overtime hours.
- Overtime hours are those hours worked over the employee's regular rate of pay. Overtime hours may not be banked and used time off in another work week.
- Employees working more than one job under the control of the same employer must have all hours worked counted toward overtime.
- **Exemptions from overtime are listed on the reverse side of this poster.**
- **Formulas for calculating overtime are available in N.D. Admin. Code Section 46-02-01.**

Equal Employment Opportunity

enforces the nondiscrimination and affirmative action commitments of companies doing business with the Federal 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, and national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

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 accommodations 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.

Payday Notice

PAYDAY IS THURSDAY

MONDAY TUESDAY WEDNESDAY THURSDAY FRIDAY SATURDAY SUNDAY

PAY SCHEDULE IS

WEEKLY ○ SEMI-MONTHLY ○ MONTHLY ○

WEEKLY CHECKS ARE ISSUED ON _____ AND _____ OF THE MONTH

AT _____ TIME: _____

Emergency Notice

AMBULANCE: _____
FIRE-RESCUE: _____
HOSPITAL: _____
PHYSICIAN: _____
POLICE: _____
HAZARDOUS MATERIAL: _____

OSHA: _____

ALTERNATE: _____

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.

ProService HAWAII

Call 1-800-869-4000 (toll free)
1-800-869-4000 (TTY)
1-844-234-5122 (ASL video phone)
Visit an EEOC field office (information at www.eec.gov/field-office)

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

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS
The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP)
300 Constitution Avenue, N.W.
Washington, D.C. 20210
1-800-397-6251 (toll-free)

Payday Notice

MONDAY TUESDAY WEDNESDAY THURSDAY FRIDAY SATURDAY SUNDAY

PAY SCHEDULE IS

WEEKLY ○ SEMI-MONTHLY ○ MONTHLY ○

WEEKLY CHECKS ARE ISSUED ON _____ AND _____ OF THE MONTH

AT _____ TIME: _____

Emergency Notice

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