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DISCRIMINATION

EQUAL EMPLOYMENT OPPORTUNITY IS... The Law In Texas

The LAW prohibits employers, employment agencies and labor unions from denying equal employment opportunities in



OPORTUNIDAD IGUAL DE EMPLEO ES... La Ley en Texas

La LEY prohíbe a los patronos, agencias de empleo y uniones sindicales negar oportunidad igual de empleo en

hiring
promotion
discharge
pay

fringe benefits
membership
training
other aspects of employment

ocupar
ascensos
desocupar
pago

beneficios
membrecia
entrenamiento
otros aspectos del empleo

because of race, color, national origin, religion, sex, age, or disability.

por causa de raza, color, nacionalidad, religion, sexo, edad, o incapacidad.

If you believe you have been discriminated against, call or write the Texas Workforce Commission, Civil Rights Division located in Austin, TX at 1117 Trinity Street, Room 144-T Or mail to: 101 East 15th Street, Rm. 144-T, Austin, TX 78778-0001; <http://www.twc.state.tx.us> (512) 463-2642 - Toll Free (within Texas) 1-888-452-4778 - TTY (512) 371-7473

No Appointment Necessary!

Si usted cree que ha habido discriminación en su contra, llame o escriba a Texas Workforce Commission Civil Rights Division; (512) 463-2642 or TTY (512) 371-7473

(Rev. 10/09)

WORKERS' COMPENSATION NOTICE 5

NOTICE TO EMPLOYEES CONCERNING WORKERS' COMPENSATION IN TEXAS

COVERAGE: [Name of employer] _____ does not have workers' compensation insurance coverage. As an employee of a non-covered employer, you are not eligible to receive workers' compensation benefits under the Texas Workers' Compensation Act. However, a non-covered (non-subscribing) employer can and may provide other benefits to injured employees. You should contact your employer regarding the availability of other benefits for a work-related injury or occupational disease. In addition, you may have rights under the common law of Texas should you have an on the job injury or occupational disease. Your employer is required to provide you with coverage information, in writing, when you are hired or whenever the employer becomes, or ceases to be, covered by workers' compensation insurance.

SAFETY VIOLATIONS HOTLINE: The Division has a 24 hour toll-free telephone number for reporting unsafe conditions in the workplace that may violate occupational health and safety laws. Employers are prohibited by law from suspending, terminating, or discriminating against any employee because he or she in good faith reports an alleged occupational health or safety violation. Contact the Division at 1-800-452-9595.

Notice 5 (01/13) TEXAS DEPARTMENT OF INSURANCE, DIVISION OF WORKERS' COMPENSATION Rule 110.101(e)(4)

WORKERS' COMPENSATION NOTICE 6

NOTICE TO EMPLOYEES CONCERNING WORKERS' COMPENSATION IN TEXAS

COVERAGE: [Name of employer] _____ has workers' compensation insurance coverage from [name of commercial insurance company] _____. In the event of work-related injury or occupational disease. This coverage is effective from [effective date of workers' compensation insurance policy] _____. Any injuries or occupational diseases which occur on or after that date will be handled by [name of commercial insurance company] _____. An employee or a person acting on the employee's behalf, must notify the employer of an injury or occupational disease not later than the 30th day after the date on which the injury occurs or the date the employee knew or should have known of an occupational disease, unless the Texas Department of Insurance, Division of Workers' Compensation (Division) determines that good cause existed for failure to provide timely notice. Your employer is required to provide you with coverage information, in writing, when you are hired or whenever the employer becomes, or ceases to be, covered by workers' compensation insurance.

EMPLOYEE ASSISTANCE: The Division provides free information about how to file a workers' compensation claim. Division staff will answer any questions you may have about workers' compensation and process any requests for dispute resolution of a claim. You can obtain this assistance by contacting your local Division field office or by calling 1-800-252-7031. The Office of Injured Employee Counsel (OIEC) also provides free assistance to injured employees and will explain your rights and responsibilities under the Workers' Compensation Act. You can obtain OIEC's assistance by contacting an OIEC customer service representative in your local Division field office or by calling 1-866-EZE-OIEC (1-866-393-6432).

SAFETY VIOLATIONS HOTLINE: The Division has a 24 hour toll-free telephone number for reporting unsafe conditions in the workplace that may violate occupational health and safety laws. Employers are prohibited by law from suspending, terminating, or discriminating against any employee because he or she in good faith reports an alleged occupational health or safety violation. Contact the Division at 1-800-452-9595.

Notice 6 (01/13) TEXAS DEPARTMENT OF INSURANCE, DIVISION OF WORKERS' COMPENSATION Rule 110.101(e)(1)

WORKERS' COMPENSATION NOTICE 7

NOTICE TO EMPLOYEES CONCERNING WORKERS' COMPENSATION IN TEXAS

COVERAGE: Effective on [effective date of certificate] _____ [name of employer] _____ has been certified by the Texas Department of Insurance, Division of Workers' Compensation (Division) as a self-insured employer providing workers' compensation insurance in the event of work-related injury or occupational disease. Claims for injuries or occupational diseases which occur on or after that date will be handled by [name of third party administrator] _____. An employee or a person acting on the employee's behalf, must notify the employer of an injury or occupational disease not later than the 30th day after the date on which the injury occurs or the date the employee knew or should have known of an occupational disease, unless the Division determines that good cause existed for failure to provide timely notice. Your employer is required to provide you with coverage information, in writing, when you are hired or whenever the employer becomes, or ceases to be, covered by workers' compensation insurance.

EMPLOYEE ASSISTANCE: The Division provides free information about how to file a workers' compensation claim. Division staff will answer any questions you may have about workers' compensation and process any requests for dispute resolution of a claim. You can obtain this assistance by contacting your local Division field office or by calling 1-800-252-7031. The Office of Injured Employee Counsel (OIEC) also provides free assistance to injured employees and will explain your rights and responsibilities under the Workers' Compensation Act. You can obtain OIEC's assistance by contacting an OIEC customer service representative in your local Division field office or by calling 1-866-EZE-OIEC (1-866-393-6432).

SAFETY VIOLATIONS HOTLINE: The Division has a 24 hour toll-free telephone number for reporting unsafe conditions in the workplace that may violate occupational health and safety laws. Employers are prohibited by law from suspending, terminating, or discriminating against any employee because he or she in good faith reports an alleged occupational health or safety violation. Contact the Division at 1-800-452-9595.

Notice 7 (01/13) TEXAS DEPARTMENT OF INSURANCE, DIVISION OF WORKERS' COMPENSATION Rule 110.101(e)(2)

WORKERS' COMPENSATION NOTICE 10

NOTICE TO EMPLOYEES CONCERNING WORKERS' COMPENSATION IN TEXAS

COVERAGE: Effective on [effective date of certificate] _____ [name of employer] _____ provides workers' compensation insurance coverage as a member of a self-insurance group under Labor Code Chapter 407A in the event of work-related injury or occupational disease. Claims for injuries or occupational diseases which occur on or after that date will be handled by [name of third party administrator] _____. An employee or a person acting on the employee's behalf, must notify the employer of an injury or occupational disease not later than the 30th day after the date on which the injury occurs or the date the employee knew or should have known of an occupational disease, unless the Texas Department of Insurance, Division of Workers' Compensation (Division) determines that good cause existed for failure to provide timely notice. Your employer is required to provide you with coverage information, in writing, when you are hired or whenever the employer becomes, or ceases to be, covered by workers' compensation insurance.

EMPLOYEE ASSISTANCE: The Division provides free information about how to file a workers' compensation claim. Division staff will answer any questions you may have about workers' compensation and process any requests for dispute resolution of a claim. You can obtain this assistance by contacting your local Division field office or by calling 1-800-252-7031. The Office of Injured Employee Counsel (OIEC) also provides free assistance to injured employees and will explain your rights and responsibilities under the Workers' Compensation Act. You can obtain OIEC's assistance by contacting an OIEC customer service representative in your local Division field office or by calling 1-866-EZE-OIEC (1-866-393-6432).

SAFETY VIOLATIONS HOTLINE: The Division has a 24 hour toll-free telephone number for reporting unsafe conditions in the workplace that may violate occupational health and safety laws. Employers are prohibited by law from suspending, terminating, or discriminating against any employee because he or she in good faith reports an alleged occupational health or safety violation. Contact the Division at 1-800-452-9595.

Notice 10 (01/13) TEXAS DEPARTMENT OF INSURANCE, DIVISION OF WORKERS' COMPENSATION Rule 110.101(e)(3)

CHILD LABOR LAWS

CHILD LABOR LAWS

Texas Workforce Commission
Labor Law Section, Child Labor Enforcement
U.S. Department of Labor
Wage and Hour Division



For further information about Texas' child labor laws, call:

1-800-832-9243
(in Texas only)
TDD 1-800-735-2989

This poster provides some guidelines to the Texas child labor laws, but it is not complete. Chapter 51, Texas Labor Code, governs the employment of children under Texas state law. **MINIMUM AGE FOR EMPLOYMENT IS 14;** however, state and federal laws provide for certain exceptions. Please call TWC's Labor Law Section for a complete copy of the law or for answers to questions about labor law. The Fair Labor Standards Act (FLSA) governs federal laws and guidelines pertaining to child labor. For information concerning federal child labor laws, consult your local listings for the nearest office of the U.S. Department of Labor, Wage and Hour Division or call 1-866-487-9243.

The following are prohibited occupations for 14- through 17-year-old children:

Prohibited occupations are the same for both federal and state law. The minimum age applies even when the minor is employed by the parent or a person standing in place of the parent. The hazardous occupations designated by an asterisk (*) have provisions for employment of persons below the age of eighteen (18), provided applicable apprentice or student-leader certification has been obtained. Persons desiring specific information about these exceptions should contact the nearest office of the United States Department of Labor.

Occupations declared particularly hazardous or detrimental to the health or well-being of all children 14 through 17 years of age include occupations:

- (1) in or about plants or establishments which manufacture or store explosives or articles containing explosive components other than retail establishments.
- (2) involving the driving of motor vehicles and outside helpers
 - A. in or about suburbs, and/or highway.
 - B. in or about any place where logging or sawmill operations are in progress, or C. in excavations.

(Under certain conditions, driving a motor vehicle for a commercial purpose is NOT considered a hazardous occupation under state or federal law.)
- (3) connected with coal mining.
- (4) including logging operations and sawmill occupations and occupations involving fire fighting and timber work.
- (5) *operating or assisting to operate power-driven woodworking machines.
- (6) involving exposure to radioactive substances and to ionizing radiations.
- (7) operating or assist to operate power-driven hoisting apparatus such as elevators, cranes, derricks, hoists, high-lift trucks.
- (8) *operating or assisting to operate power-driven metal forming, punching, and shearing machines.
- (9) in connection with mining, other than coal.
- (10) *operating or assisting to operate power-driven meat processing machines, and occupations including slaughtering, meat packing, processing, or rendering
- (11) operating or assisting to operate power-driven bakery machines.
- (12) *Occupations involved in the operation of power-driven paper products machines, balers and compactors.
- (13) manufacturing brick, tile, and kindred products.
- (14) *operating or assisting to operate power-driven circular saws, band saws and guillotine shears, abrasive cutting discs, reciprocating saws, chain saws and wood chippers.
- (15) wrecking, demolition, and ship-breaking operations.
- (16) *occupations in roofing operations and on or about a roof.
- (17) *connected with excavation operations.

Additional prohibited occupations that apply only to 14- and 15-year-olds:

Occupations declared particularly hazardous or detrimental to the health or well-being of 14- and 15-year-old children include:

- (1) Mining, manufacturing, or processing occupations, including duties in workrooms

PENALTIES: State of Texas — An offense under Chapter 51, Texas Labor Code, is a Class B misdemeanor, except for the offense of employing a child under 14 to sell or solicit, which is a Class A misdemeanor. If the Commission determines that a person who employs a child has violated this Act, or a rule adopted under this Act, the Commission may assess an administrative penalty against that person in an amount not to exceed \$10,000 for each violation. The attorney general may seek injunctive relief in district court against an employer who repeatedly violates the requirements established by this Act relating to the employment of children. Federal — The FLSA prescribes a maximum administrative penalty of \$11,000 per violation and/or criminal prosecution and fines.

101 E 15th Street • Austin, Texas 78778-0001 • (512) 463-2222 - Relay Texas: 800-735-2989 (TDD); 800-735-2988 (Voice) • www.texasworkforce.org • Equal Opportunity Employer / Services

LLCL-70 (09/13)

NOTICE TO NEW EMPLOYEES

"You may elect to retain your common law right of action if, no later than five days after you begin employment or within five days after receiving written notice from the employer that the employer has obtained workers' compensation insurance coverage, you notify your employer in writing that you wish to retain your common law right to recover damages for personal injury. If you elect to retain your common law right of action, you cannot obtain workers' compensation income or medical benefits if you are injured."

Notice to New Employees Rev. 01/13

DIVISION OF WORKERS' COMPENSATION

NOTIFICATION OF THE OMBUDSMAN PROGRAM

NOTICE TO EMPLOYEES CONCERNING ASSISTANCE AVAILABLE IN THE WORKERS' COMPENSATION SYSTEM FROM THE OFFICE OF INJURED EMPLOYEE COUNSEL

Have you been injured on the job? As an injured employee in Texas, you have the right to free assistance from the Office of Injured Employee Counsel (OIEC). OIEC is the state agency that assists unrepresented injured employees with their claim in the workers' compensation system. You can contact OIEC by calling its toll-free telephone number: 1-866-EZE-OIEC (1-866-393-6432). More information about OIEC and its Ombudsman Program is available at the agency's website (www.oiec.texas.gov).

OMBUDSMAN PROGRAM WHAT IS AN OMBUDSMAN? An Ombudsman is an employee of OIEC who can assist you if you have a dispute with your employer's insurance carrier. An Ombudsman's assistance is free of charge. Each Ombudsman has a workers' compensation adjuster's license and has completed a comprehensive training program designed specifically to assist you with your dispute. An Ombudsman can help you identify and develop the disputed issues in your case and attempt to resolve them. If the issues cannot be resolved, the Ombudsman can help you request a dispute resolution proceeding at the Texas Department of Insurance, Division of Workers' Compensation. Once a proceeding is scheduled an Ombudsman can:

- Help you prepare for the proceeding (Benefit Review Conference and/or Contested Case Hearing);
- Attend the proceeding with you and communicate on your behalf; and
- Assist you with your appeal and response to insurance carrier appeals.

28 TAC §276.5. Employer Notification of Ombudsman Program to Employees (Effective 9/1/13)
(a) All employers participating in the workers' compensation system shall post notice of the Office of Injured Employee Counsel's (OIEC) Ombudsman Program. This notice shall be posted in the personnel office, if the employer has a personnel office, and in the workplace where each employee is likely to see the notice on a regular basis.
(b) This notice of the Ombudsman Program shall be publicly posted in English, Spanish, and any other language that is common to the employer's employees.
(c) This notice shall be the text provided by OIEC without any additional words or changes and may be obtained by:
(1) Downloading the form on OIEC's website at: www.oiec.texas.gov or
(2) Requesting the notice by calling OIEC's toll-free telephone number at: 1-866-EZE-OIEC (1-866-393-6432).



PAY-DAY NOTICE/UNEEMPLOYMENT COMPENSATION

ATTENTION EMPLOYEES

The Texas Payday Law, Title 2, Chapter 61, Texas Labor Code, requires Texas employers to pay their employees who are exempt from the overtime pay provisions of the Fair Labor Standards Act of 1938 at least once per month. All other employees must be paid at least as often as semi-monthly and each pay period must consist as nearly as possible of an equal number of days.

Scheduled paydays: (You must indicate date or dates of the month for employees paid monthly or semi-monthly, and day of the week for employees paid weekly or at other times.)

MONTHLY: _____

SEMI-MONTHLY: _____

WEEKLY: _____

OTHER: _____

For more information write or contact the Texas Workforce Commission in Austin or contact your nearest TWC office. TWC offices are located in major cities throughout the state.
TEXAS WORKFORCE COMMISSION
Labor Law Section, 101 East 15th Street, Room 124T
Austin, Texas 78778-0001 • 1-800-832-9243 • TDD 1-800-735-2989 (Hearing Impaired)
TO EMPLOYERS: The law requires that this notice or its equivalent be posted in conspicuous places at your business.

LL-10 (07/09)

WORKERS' COMPENSATION NOTICE 9

Texas Department of Insurance Division of Workers' Compensation

NOTICE REGARDING CERTAIN WORK-RELATED COMMUNICABLE DISEASES AND ELIGIBILITY FOR WORKERS' COMPENSATION BENEFITS

TO: Law Enforcement Officers, Fire Fighters, Emergency Medical Service Employees, Paramedics, and Correctional Officers

IN ORDER TO QUALIFY FOR WORKERS' COMPENSATION BENEFITS, AN EMPLOYEE WHO CLAIMS A POSSIBLE WORK-RELATED EXPOSURE TO A REPORTABLE DISEASE, INCLUDING HIV INFECTION, MUST BE TESTED FOR THE DISEASE NOT LATER THAN THE 10TH DAY AFTER THE EXPOSURE AND MUST PROVIDE THEIR EMPLOYER WITH DOCUMENTATION OF THE TEST AND A SWORN AFFIDAVIT OF THE DATE AND CIRCUMSTANCES OF THE EXPOSURE. THE TEST RESULT MUST INDICATE THE ABSENCE OF THE DISEASE. THE EMPLOYEE IS NOT REQUIRED TO PAY FOR THE TEST.

Reportable diseases are those communicable diseases and health conditions required to be reported to the Texas Department of Health. Exposure criteria and testing protocol must conform to Texas Department of Health requirements.

TO: All State Employees

IN ORDER TO QUALIFY FOR WORKERS' COMPENSATION BENEFITS, A STATE EMPLOYEE WHO CLAIMS A POSSIBLE WORK-RELATED EXPOSURE TO HUMAN IMMUNODEFICIENCY VIRUS (HIV) INFECTION, MUST BE TESTED FOR HIV WITHIN 10 DAYS AFTER THE EXPOSURE AND MUST PROVIDE THEIR EMPLOYER WITH DOCUMENTATION OF THE TEST AND A WRITTEN STATEMENT OF THE DATE AND CIRCUMSTANCES OF THE EXPOSURE. THE TEST RESULT MUST INDICATE THE ABSENCE OF HIV INFECTION. THE EMPLOYEE IS NOT REQUIRED TO PAY FOR THE TEST.

FOR ADDITIONAL INFORMATION: TALK TO YOUR EMPLOYER OR CALL THE TEXAS DEPARTMENT OF INSURANCE, DIVISION OF WORKERS' COMPENSATION AT 1-800-372-7713. ALSO, CONTACT THE TEXAS DEPARTMENT OF HEALTH (TDH) TO ENSURE FULL COMPLIANCE WITH THE HEALTH AND SAFETY CODE AND TDH RULES.

Notice 9 (Rev.10/2005)

TEXAS DEPARTMENT OF INSURANCE, DIVISION OF WORKERS' COMPENSATION

Rule 110.108