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## WORKERS' COMPENSATION

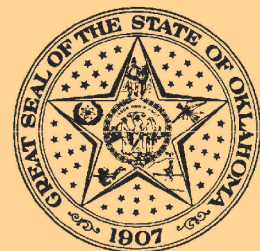
CC-Form-1A

### OKLAHOMA WORKERS' COMPENSATION NOTICE AND INSTRUCTION TO EMPLOYERS AND EMPLOYEES

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 405-522-8760 or In-State Toll Free 800-522-8210.



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](http://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 or death must be filed with the Commission within one (1) year of the date of injury or 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 Commission's Counselor Division 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. 405-522-8600 (OKC) · 918-581-2714 (TU) · In-State Toll Free 800-522-8210

Created 2-1-14 **This notice must be posted and maintained by the employer in one or more conspicuous places on the work premises.**

## RIGHT TO KNOW ACT

### PUBLIC EMPLOYEE JOB SAFETY & HEALTH PROTECTION

The Oklahoma Occupational Health and 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 all political subdivisions of city, county and state government.

**These rules include standards contained in the Federal Occupational Safety and Health Act of 1970 (OSHA) and other health and safety 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 of process adopted for the protection of any employee or of any other person lawfully with such place of employment. No employee shall fail to obey orders necessary to protect the life, health and safety 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 workplace 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 that 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 standard 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 should be displayed in one or more conspicuous places where notices to employees are customarily posted. For assistance or additional information, contact:

## OKLAHOMA MINIMUM WAGE

# YOUR RIGHTS UNDER THE OKLAHOMA MINIMUM WAGE ACT

40 O.S. § 197.1 ET SEQ.

## State Minimum Wage - \$7.25 per hour Effective July 24, 2009

#### WHO IS AN EMPLOYEE?

**40 O.S. § 197.4 (e)** - "Employee" includes any individual employed by an employer but shall not include:

- (1) An individual employed on a farm, in the employ of any person, in connection with the cultivation of the soil, or in connection with raising or harvesting any agricultural commodity, including raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and furbearing animals and wildlife, or in the employ of the owner or tenant or other operator of a farm in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment;
- (2) Any individual employed in domestic service in or about a private home;
- (3) Any individual employed by the United States government;
- (4) Any individual working as a volunteer in a charitable, religious or other nonprofit organization;
- (5) Any newspaper vendor or carrier;
- (6) Any employee of any carrier subject to regulation by Part 1 of the Interstate Commerce Act;
- (7) Any employee of any employer who is subject to the provisions of any Federal Fair Labor Standards Act or to any Federal Wage and Hour Law now in effect or enacted hereafter; and who is paying the minimum wage under the provisions of this act;
- (8) Any employee employed in a bonafide executive, administrative or professional capacity, or in the capacity of 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) Any person who is less than eighteen (18) years of age and is not a high school graduate or a graduate of a vocational training program, and any person who is less than twenty-two (22) years of age and who is a student regularly enrolled in a high school, college, university or vocational training program;
- (11) Any individual employed in a feedstore operated primarily for the benefit and use of farmers and ranchers; or
- (12) Any individual working as a reserve force deputy sheriff.

#### WHO IS AN EMPLOYER?

**40 O.S. § 197.4(d)** - "Employer" means any individual, partnership, association, corporation, business trust, or any person or group of persons, hiring more than ten full-time employees or equivalent at any one location or place of business; provided, however, if an employer has less than ten full-time employees or equivalent at any one location or place of business but does a gross business of more than One Hundred Thousand Dollars (\$100,000.00) annually, said employer shall not be exempt under the provisions of this act. This act shall not apply to employers subject to the Fair Labor Standards Act of 1938, as amended, and who are paying the minimum wage under the provisions of said act, nor to employers whose employees are exempt.

#### HOW DO UNIFORMS AFFECT MINIMUM WAGE?

**40 O.S. § 197.17** - Business establishments that furnish uniforms to their employees may take credit against the minimum wage in an amount equal to the reasonable cost of furnishing the uniforms.

#### WHAT IS THE CIVIL PENALTY FOR VIOLATIONS?

**40 O.S. § 197.8** - The Commissioner, after investigation, shall promptly make his finding in writing as to whether or not additional wages are due the employee. If the Commissioner finds that additional wages are due, ten percent (10%) of such amount due shall be added as penalty for such wage deficiency. The Commissioner shall mail said findings to the employer and to the employee by certified mail. Payment by the employer and acceptance by the employee of the amount so determined by the Commissioner shall absolve the employer of any further liability to the employee with respect to wages claimed by the employee for the period he was employed by the employer.

**40 O.S. § 197.9** - Any employer who is found by a court of competent jurisdiction to have paid an employee wages less than those to which such employee is entitled, under or by virtue of this act, shall be liable to such employee for double the full amount of such wages, less any amount actually paid to such employee by the employer, and for court costs, and such reasonable attorney fees as may be allowed by the court, which in no case shall be less than One Hundred Dollars (\$100.00). Any agreement between such employer and the employee to work for less than such wage rate shall be no defense to such action.

#### WHAT IS THE CRIMINAL PENALTY FOR VIOLATIONS?

**40 O.S. § 197.13** - Any employer, or the officer or agent of any corporation, who pays or agrees to pay to any employee less than the rate of compensation required by this act, upon conviction, shall be guilty of a misdemeanor and shall be punished by a fine of not more than Five Hundred Dollars (\$500.00), or by imprisonment in the county jail for not more than six (6) months, or by both such fine and imprisonment.

Rev. 2/2011

For more information, call or write:



Oklahoma Department of Labor

*Mark Costello*

Mark Costello  
Commissioner of Labor

3017 N. Stiles, Suite 100  
Oklahoma City, OK 73105  
Telephone (405) 521-6100  
Fax (405) 521-6018  
[www.labor.ok.gov](http://www.labor.ok.gov)

440 S. Houston, Suite 300  
Tulsa, OK 74127-8920  
Telephone (918) 581-2400  
Fax (918) 581-2431  
Toll-free 1-888-269-5353

**NOTICE:** State law requires employers to display this poster in such a manner so as to be accessible to all employees in each establishment under the control of the employer. It shall be unlawful to employ workers in any industry or occupation within the State of Oklahoma under conditions of labor detrimental to their health or morals and it shall be unlawful to employ workers in any industry within the State of Oklahoma at wages which are not adequate for their maintenance. Except as otherwise provided in the Oklahoma Minimum Wage Act, no employer within the State of Oklahoma shall pay any employee a wage of less than the current federal minimum wage for all hours worked.

## DISCRIMINATION

### OKLAHOMA LAW PROHIBITS

#### DISCRIMINATION IN EMPLOYMENT BECAUSE OF RACE, COLOR, RELIGION, NATIONAL ORIGIN, DISABILITY, AGE, SEX OR GENETIC INFORMATION<sup>1</sup>

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 the**

Office of the Attorney General • Office of Civil Rights Enforcement  
313 NE 21st Street, Oklahoma City, Oklahoma 73105  
(405) 521-3921 • (405) 522-0085 (Fax) <http://www.oag.ok.gov/>

Contacting the Office of Civil Rights Enforcement, whether or not you file a complaint, does not conflict with or affect any other rights you may have including appeal to the Oklahoma Merit Protection, the State Affirmative Action Officer or internal grievance procedure.

However, regardless of any other action you may take, the filing of a complaint with the Office of Civil Rights Enforcement must be done within 180 days after the alleged discriminatory act(s) took place.

<sup>1</sup> Title 25, Oklahoma Statutes, Section 1302

Rev. 2/2013

## CHILD LABOR LAWS

### STATE OF OKLAHOMA CHILD LABOR LAW

Section 71 et seq. of Title 40 of the Oklahoma Statutes  
Applicable to minors UNDER 16 years of age.

**MINIMUM AGE:** 14 years of age  
**EMPLOYMENT CERTIFICATE:** Employment certificate issued by schools; **required for all employed minors**, including home schooled minors and minors from out-of-state working in Oklahoma. Employers are required to have an employment certificate from the school before a minor is allowed to work.  
**Note to Issuing Officer(s):** Minors must comply with compulsory School Laws, Title 70 Section 10

#### HOURS STANDARD:

##### School in session - minors restricted to:

- No more than three (3) hours per school day.
- No more than eight (8) hours per non-school day.
- No more than eighteen (18) hours per school week.

##### School not in session - minors restricted to:

- No more than eight (8) hours per non-school day.
- No more than forty (40) hours per non-school week.

#### BREAK PERIODS:

For every five (5) hours worked - Thirty (30) minute rest period.  
For every eight (8) hours worked - One (1) hour rest period.

#### TIMES STANDARD:

- From Tuesday after Labor Day through May 31st - minors:**
  - Can not work before 7:00 a.m. and not after 7:00 p.m.
- From June 1st through Labor Day - minors:**
  - Can not work before 7:00 a.m. and not after 9:00 p.m.

**PROHIBITED OCCUPATIONS:** Occupations which threaten health and well-being, including but not limited to:

- |                  |                  |                  |
|------------------|------------------|------------------|
| Baking           | Communications   | Construction     |
| Cooking          | Coolers          | Cutters          |
| Demolition       | Freezers         | Fryers           |
| Grills           | Hoisting devices | Ladders          |
| Loading          | Machinery        | Manufacturing    |
| Mining           | Motor vehicles   | Mowers           |
| Power-Driven     | Processing       | Public messenger |
| Public Utilities | Repair           | Slicers          |
| Storage          | Transportation   | Unloading        |
| Warehouse        | Weed Eaters      | Work rooms       |

For information on hazardous occupations for 16 and 17 year olds, contact the USDOL at 1-866-487-9243

*Mark Costello*  
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Commissioner of Labor

Tulsa Office  
440 S. Houston, Suite 300  
Tulsa, OK 74127  
918-581-2400

Oklahoma City Office  
3017 N. Stiles, Suite 100  
Oklahoma City, OK 73105  
405-521-6100

1-888-269-5353  
[www.labor.ok.gov](http://www.labor.ok.gov)

## UNEMPLOYMENT COMPENSATION

#### 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](http://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 finding your claim at the nearest Workforce Oklahoma office of the Oklahoma Employment Security Commission.

**NOTICE TO EMPLOYERS:** It is required by Sec. 2-502 if 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](http://www.oesc.ok.gov)

OES-44 (Rev 6-10)

*Mark Costello*  
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Commissioner of Labor

Oklahoma Department of Labor | [www.labor.ok.gov](http://www.labor.ok.gov)



Revised (2/2011)