EMPLOYEE RIGHTS

UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE

The law requires employers to display this poster where employees can readily see it.

PUMP AT WORK The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk

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

discharging workers who file a complaint or participate in any proceeding under the FLSA.

· Some state laws provide greater employee protections; employers must comply with both.

the minimum wage under special certificates issued by the Department of Labor.

EMPLOYEE RIGHTS

EMPLOYEE POLYGRAPH PROTECTION ACT

employers from using lie detector tests either for pre-employment

Employers are generally prohibited from requiring or requesting any 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

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

The Act permits polygraph (a kind of lie detector) tests to be administered in the private

sector, subject to restrictions, to certain prospective employees of security service firms

(armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and

The Act also permits polygraph testing, subject to restrictions, of certain employees of

The law does not preempt any provision of any State or local law or any collective bar-

Where polygraph tests are permitted, they are subject to numerous strict standards con-

cerning the conduct and length of the test. Examinees have a number of specific rights,

including the right to a written notice before testing, the right to refuse or discontinue a

The Secretary of Labor may bring court actions to restrain violations and assess civil

penalties against violators. Employees or job applicants may also bring their own court

gaining agreement which is more restrictive with respect to lie detector tests.

test, and the right not to have test results disclosed to unauthorized persons.

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND

JOB APPLICANTS CAN READILY SEE IT.

LFD05

embezzlement, etc.) that resulted in economic loss to the employer.

private firms who are reasonably suspected of involvement in a workplace incident (theft,

The Employee Polygraph Protection Act prohibits most private

screening or during the course of employment.

other rights under the Act.

dispensers.

actions.

EXAMINEE

RIGHTS

national security-related activities.

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

in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different

Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on

tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per

hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the

for their nursing child for one year after the child's birth each time the employee needs to express breast milk.

of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the

of the FLSA's child labor provisions. Heightened civil money 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

minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations

doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or

· Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions.

· Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands,

· Some employers incorrectly classify workers as "independent contractors" when they are actually employees

· Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than

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

Employers must provide a place, other than a bathroom, that is shielded from view and free from intrusion from

employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must

jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours

OVERTIME PAY At least 1 ½ times the regular rate of pay for all hours worked over 40 in a workweek

and the Commonwealth of Puerto Rico.

EMERGENCY

AMBULANCE: 911 FIRE — RESCUE: 911

HOSPITAL: 911 PHYSICIAN: Sharp or Concentra **ALTERNATE:** Sharp or Concentra

POLICE: 911

CAL/OSHA: 619-767-2280

Posting is required by Title 8 Section 1512 (e), California Code of Regulations

State of California Department of Industrial Relations Division of Labor Standards Enforcement

PAYDAY NOTICE

REGULAR PAYDAYS FOR EMPLOYEES OF _____City of San Diego SHALL BE AS FOLLOWS:

Bi-weekly with payday being on a Friday THIS IS IN ACCORDANCE WITH SECTIONS 204, 204A, 204B, 205, AND 205.5

> OF THE CALIFORNIA LABOR CODE BY City of San Diego

> > TITLE Payroll Manager

PLEASE POST



MEMORANDUM

January 1, 2025

Whomever It Concerns Risk Management Department/Workers' Compensation Division

agency for all Workers' Compensation claims.

Self Insurance for the City of San Diego's Workers' Compensation Program The City of San Diego is a State of California approved self-insured and self-administered

NOTICE TO EMPLOYEES

UNEMPLOYMENT INSURANCE BENEFITS This employer is registered under the California Unemployment Insurance Code and is reporting wage credits to the Employment

Development Department (EDD) that are being accumulated for you to be used as a basis for Unemployment Insurance benefits. You may be eligible to receive Unemployment Insurance benefits if you are: • Unemployed or working less than full-time.

• Out of work due to no fault of your own and physically able to work, ready to accept work, and looking for work. **Employees of Educational Institutions:** Unemployment Insurance benefits based on wages earned while employed by a public or nonprofit educational institution may not be paid during a school recess period if the employee has reasonable assurance of returning to work at the end of the recess period (California Unemployment Insurance Code section 1253.3). Benefits based on other covered employment may

Note: Some employees may be exempt from Unemployment and Disability Insurance coverage. The fastest way to file for Unemployment Insurance (UI) is with UI Online at www.edd.ca.gov/UI Online. You may also file for Unemployment Insurance by calling toll-free from anywhere in the U.S. at:

be payable during recess periods if the unemployed individual is in all other respects eligible, and the wages earned in other

covered employment are sufficient to establish an Unemployment Insurance claim after excluding wages earned from a public or

1-800-326-8937 Vietnamese 1-800-547-2058

Cantonese 1-800-547-3506 1-800-815-9387 Note: Waiting to file a claim could delay benefits EDD representatives are available Monday through Friday between 8 a.m. and 12 noon (Pacific Time). DE 1857D Rev. 19 (7-18) (INTERNET)

Page 1 of 1

Educational institutions

Staffing agencies

Obtaining or disclosing

employees

genetic information of

• Requesting or disclosing medical

Conduct that might reasonably

opposing discrimination, filing

a charge, or participating in an

investigation or proceeding

Conduct that coerces,

someone assisting or

intimidates, threatens, or

interferes with someone

exercising their rights, or

encouraging someone else

information of employees

discourage someone from

Know Your Rights:

a job, the EEOC may be able to help. Who is Protected? Union members and Employees (current and applicants for membership

nonprofit educational institution(s).

former), including managers State and local governments in a union

What Types of Employment Discrimination Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of: disclosure of genetic tests, genetic services, or family medical history) Religion Retaliation for filing a National origin charge, reasonably Sex (including pregnancy, opposing discrimination

childbirth, and related medical or participating in a conditions, sexual orientation, discrimination lawsuit. or gender identity) investigation, or proceeding • Age (40 and older) • Interference, coercion, or Disability threats related to exercising rights regarding disability Genetic information discrimination or pregnancy (including employer requests for, or purchase, use, or

Submit an inquiry through the EEOC's public portal: https://publicportal.eeoc.gov/Portal/Login.aspx 1-800-669-4000 (toll free) 1-800-669-6820 (TTY) 1-844-234-5122 (ASL video phone)

www.eeoc.gov/field-office) E-Mail <u>info@eeoc.gov</u> Additional information about the EEOC,

STATE OF CALIFORNIA - DEPARTMENT OF INDUSTRIAL RELATIONS

paid for more than 104 weeks within five years from the date of injury

Notice to Employees--Injuries Caused By Work

back in a fall) or by repeated exposures (such as hurting your wrist from doing the same motion over and over).

permanent disability, and your employer does not offer you regular, modified, or alternative work.

• Death Benefits: Paid to your dependents if you die from a work-related injury or illness.

treatment guidelines, for your alleged injury until the claim is accepted or rejected.

 $\underline{MPN\ website:}\ www.sandiego.gov/riskmanagement/services/workerscomp/mpn$

Workers' compensation insurer Self Insured

about workers' compensation that your employer is required to give to new employees.

You may be entitled to workers' compensation benefits if you are injured or become ill because of your job. Workers' compensation

covers most work-related physical or mental injuries and illnesses. An injury or illness can be caused by one event (such as hurting your

• Medical Care: Doctor visits, hospital services, physical therapy, lab tests, x-rays, medicines, medical equipment and travel costs that

are reasonably necessary to treat your injury. You should never see a bill. There are limits on chiropractic, physical therapy and

• Temporary Disability (TD) Benefits: Payments if you lose wages while recovering. For most injuries, TD benefits may not be

• Permanent Disability (PD) Benefits: Payments if you do not recover completely and your injury causes a permanent loss of physical or

• Supplemental Job Displacement Benefit: A nontransferable voucher, if you are injured on or after 1/1/2004, your injury causes

Naming Your Own Physician Before Injury or Illness (Predesignation). You may be able to choose the doctor who will treat you for a

job injury or illness. If eligible, you must tell your employer, in writing, the name and address of your personal physician or medical group

before you are injured. You must obtain their agreement to treat you for your work injury. For instructions, see the written information

Get Medical Care. If you need emergency care, call 911 for help immediately from the hospital, ambulance, fire department or

Report Your Injury. Report the injury immediately to your supervisor or to an employer representative. Don't delay. There are

time limits. If you wait too long, you may lose your right to benefits. Your employer is required to provide you with a claim form

within one working day after learning about your injury. Within one working day after you file a claim form, your employer or

claims administrator must authorize the provision of all treatment, up to ten thousand dollars, consistent with the applicable

• If you predesignated your personal physician or a medical group, you may see your personal physician or the medical group

• If your employer is using a medical provider network (MPN) or a health care organization (HCO), in most cases you will be

• If your employer is not using an MPN or HCO, in most cases the claims administrator can choose the doctor who first treats

provide treatment to workers injured on the job. If you have predesignated a personal physician or medical group prior to your

work injury, then you may go there to receive treatment from your predesignated doctor. If you are treating with a non-MPN

doctor for an existing injury, you may be required to change to a doctor within the MPN. For more information, see the MPN

4. You may consult a licensed attorney to advise you of your rights under workers' compensation laws. In most instances,

5. Medical Provider Networks. Your employer may be using an MPN, which is a group of health care providers designated to

treated within the MPN or HCO unless you predesignated a personal physician or medical group. An MPN is a group of

physicians and health care providers who provide treatment to workers injured on the job. You should receive information

3. See Your Primary Treating Physician (PTP). This is the doctor with overall responsibility for treating your injury or illness.

from your employer if you are covered by an HCO or a MPN. Contact your employer for more information

you when you are injured, unless you predesignated a personal physician or medical group.

March 16, 2005
MPN Identification number: 0439

If you need help locating an MPN physician, call your MPN access assistant at: 1-844-499-2659 or 1-844-688-3678

If you have questions about the MPN or want to file a complaint against the MPN, call the MPN Contact Person at: 619-236-6395

Discrimination. It is illegal for your employer to punish or fire you for having a work injury or illness, for filing a claim, or testifying

in another person's workers' compensation case. If proven, you may receive lost wages, job reinstatement, increased benefits, and

Questions? Learn more about workers' compensation by reading the information that your employer is required to give you at time of

hire. If you have questions, see your employer or the claims administrator (who handles workers' compensation claims for your

You can also get free information from a State Division of Workers' Compensation Information (DWC) & Assistance Officer. The nearest

by calling toll-free (800) 736-7401. Learn more information about workers' compensation online: www.dwc.ca.gov and access a useful

False claims and false denials. Any person who makes or causes to be made any knowingly false or fraudulent material statement or

material representation for the purpose of obtaining or denying workers' compensation benefits or payments is guilty of a felony and may

Your employer may not be liable for the payment of workers' compensation benefits for any injury that arises from your voluntary

participation in any off-duty, recreational, social, or athletic activity that is not part of your work-related duties.

ACCESS TO MEDICAL

AND EXPOSURE RECORDS

BY CAL/OSHA REGULATION

- GENERAL INDUSTRY SAFETY ORDER 3204 -

YOU HAVE THE RIGHT TO SEE AND COPY:

Your medical records and records of exposure to toxic

Records of exposure to toxic substances or harmful

Safety Data Sheets (SDS) or other information that

workplace, or which employees may be exposed.

THESE RECORDS ARE AVAILABLE AT: The City of San Diego

A COPY OF THE GENERAL INDUSTRY SAFETY ORDER 3204

The above information satisfies the requirements of GISO 3204 (g), which may be fulfilled

by posting this placard in the workplace, or by any similar method the employer chooses.

Your Employee Rights Under the Family

IS AVAILABLE FROM: Risk Management 619-236-6395 or go to

Contact Risk Management @ 619-236-6395

exists for chemicals or substances used in the

physical agents of other employees with work

substances or harmful physical agents.

conditions similar to yours.

Medical Provider Network-Sharp or Concentra

and Medical Leave Act

The Family and Medical Leave Act (FMLA) is a federal law that

The birth, adoption or foster placement of a child with you.

provides eligible employees with **job-protected leave** for qualifying

family and medical reasons. The U.S. Department of Labor's Wage

Eligible employees can take up to 12 workweeks of FMLA leave in

Your serious mental or physical health condition that makes you

To care for your spouse, child or parent with a serious mental or

Certain qualifying reasons related to the foreign deployment of

An eligible employee who is the spouse, child, parent or next of kin

up to 26 workweeks of FMLA leave in a single 12-month period to

of a covered servicemember with a serious injury or illness may take

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

FMLA leave is **not paid leave**, but you may choose, or be required

schedule by working less hours each day or week. Read Fact Sheet

your spouse, child or parent who is a military servicemember

and Hour Division (WHD) enforces the FMLA for most employees.

What is FMLA leave?

a 12-month period for:

physical health condition, and

#28M(c) for more information

www.dir.ca.gov/title8/3204/html

Information & Assistance Officer can be found at location: 7575 Metropolitan Drive, Suite 202, San Diego, CA 92108-4424

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS The Department of Labor's Office of Federal Contract **Protected Veteran Status** The Vietnam Fra Veterans' Readjustment Assistance Act of 1974 and affirmative action commitments of companies doing business as amended, 38 U.S.C. 4212, prohibits employment discrimination with the Federal Government. If you are applying for a job with, against, and requires affirmative action to recruit, employ, and or are an employee of, a company with a Federal contract or advance in employment, disabled veterans, recently separated subcontract, you are protected under Federal law from veterans (i.e., within three years of discharge or release from discrimination on the following bases: active duty), active duty wartime or campaign badge veterans or Armed Forces service medal veterans. 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, eligion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment. **Asking About, Disclosing, or Discussing Pay** Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees.

Section 503 of the Rehabilitation Act of 1973, as amended,

GovDocs

protects qualified individuals with disabilities from discrimination be contacted by submitting a question online to OFCCP's Help Desk in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment at https://ofccphelpdesk.dol.gov/s/, or by calling an OFCCP regional by Federal contractors. Disability discrimination includes not making reasonable accommodation 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.

Race, Color, National Origin, Sex In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in

Section 504 of the Rehabilitation Act of 1973, as amended, persons with disabilities who, with or without reasonable

prohibits employment discrimination on the basis of disability

Discrimination is prohibited in all aspects of employment against accommodation, can perform the essential functions of the job. If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing

Retaliation is prohibited against a person who files a complaint

If you are deaf, hard of hearing, or have a speech disability, please dial

7–1–1 to access telecommunications relay services. OFCCP may also

shareholders, investors, or employees, call the California State Attorney General's Whistleblower Hotline at 1-800-952-5225 The Attorney General will refer your call to the appropriate government authority for review and ESTADO DE CALIFORNIA - DEPARTAMENTO DE RELACIONES INDUSTRIALES División de Compensación de Trabajadores Aviso a los Empleados—Lesiones Causadas por el Trabajo

trabajo. La compensación de trabajadores cubre la mayoría de las lesiones y enfermedades físicas o mentales relacionadas con el trabajo. Una lesión o enfermedad puede ser causada por un evento (como por ejemplo lastimarse la espalda en una caída) o por acciones repetidas (como por ejemplo lastimarse la muñeca por hacer el mismo movimiento una y otra vez). Beneficios. Los beneficios de compensación de trabajadores incluyen: • Atención Médica: Consultas médicas, servicios de hospital, terapia física, análisis de laboratorio, radiografías, medicinas, equipo médico y costos de viajar que son razonablemente necesarias para tratar su lesión. Usted nunca deberá ver un cobro. Hay límites para visitas quiroprácticas, de terapia física y de terapia ocupacional. Beneficios por Incapacidad Temporal (TD): Pagos si usted pierde sueldo mientras se recupera. Para la mayoría de las lesiones, peneficios de TD no se pagarán por más de 104 semanas dentro de cinco años después de la fecha de la lesión. Beneficios por Incapacidad Permanente (PD): Pagos si usted no se recupera completamente y si su lesión le causa una pérdida Beneficio Suplementario por Desplazamiento de Trabajo: Un vale no-transferible si su lesión surge en o después del 1/1/04, y su lesión le ocasiona una incapacidad permanente, y su empleador no le ofrece a usted un trabajo regular, modificado, o alternativo.

Designación de su Propio Médico Antes de una Lesión o Enfermedad (Designación previa). Es posible que usted pueda elegir al médico que le atenderá en una lesión o enfermedad relacionada con el trabajo. Si elegible, usted debe informarle al empleador, por escrito, el nombre v la dirección de su médico personal o grupo médico, antes de que usted se lesione. Usted debe de ponerse de acuerdo con su médico para que atienda la lesión causada por el trabajo. Para instrucciones, vea la información escrita sobre la compensación de trabajadores que se le exige a su empleador darle a los empleados nuevos. 1. Obtenga Atención Médica. Si usted necesita atención de emergencia, llame al 911 para ayuda inmediata de un hospital, una ambulancia, el departamento de bomberos o departamento de policía. Si usted necesita primeros auxilios, comuníquese con su

2. Reporte su Lesión. Reporte la lesión inmediatamente a su supervisor(a) o a un representante del empleador. No se demore. Hay

HCO o una MPN. Hable con su empleador para más información. · Si su empleador no está utilizando una MPN o HCO, en la mayoría de los casos el administrador de reclamos puede escoger el médico que lo atiende primero, cuando usted se lesiona, a menos que usted designó previamente a un médico 4. Puede consultar a un abogado con licencia para que le asesore sobre sus derechos bajo las leyes de compensación para trabajadores. En la nayoría de los casos, los honorarios del abogado se pagarán a partir de su recuperación. 5. Red de Proveedores Médicos (MPN): Es posible que su empleador use una MPN, lo cual es un grupo de proveedores de asistencia médica designados para dar tratamiento a los trabajadores lesionados en el trabajo. Si usted ha hecho una designación previa de un médico personal antes de lesionarse en el trabajo, entonces usted puede recibir tratamiento de su médico previamente designado. Si usted está recibiendo tratamiento de parte de un médico que no pertenece a la MPN para una lesión existente, puede requerirse que usted se cambie a un médico dentro de la MPN. Para más información, vea la siguiente Página web de la MPN: www.sandiego.gov/riskmanagement/services/workerscomp/mp

Fecha de vigencia de la MPN: March 16, 2005 Número de identificación de la MPN: 0439 Si usted necesita ayuda en localizar un médico de una MPN, llame a su asistente de acceso de la MPN al: 1-844-499-2659 or 1-844-688-3678 Si usted tiene preguntas sobre la MPN o quiere presentar una queja en contra de la MPN, llame a la Persona de Contacto de Discriminación. Es ilegal que su empleador le castigue o despida por sufrir una lesión o enfermedad en el trabajo, por presentar un reclamo o por testificar en el caso de compensación de trabajadores de otra persona. De ser probado, usted puede recibir pagos por pérdida de sueldos, posición del trabajo, aumento de beneficios y gastos hasta los límites establecidos por el estado. ¿Preguntas? Aprenda más sobre la compensación de trabajadores leyendo la información que se requiere que su empleador le dé cuando es contratado. Si usted tiene preguntas, vea a su empleador o al administrador de reclamos (que se encarga de los reclamos de Asegurador del Seguro de Compensación de trabajado<u>r Self Insured</u> Usted también puede obtener información gratuita de un Oficial de Información y Asistencia de la División Estatal de Compensación de

Trabajadores. El Oficial de Información y Asistencia más cercano se localiza en: 7575 Metropolitan Drive, Suite 202, San Diego, CA 92108-4424 o llamando al número gratuito (800) 736-7401. Usted puede obtener más información sobre la compensación del trabajador en el Internet en: www.dwc.ca.gov v acceder a una guía útil "Compensación del Trabajador de California Una Guía para Trabajadores Lesionados." Los reclamos falsos y rechazos falsos del reclamo. Cualquier persona que haga o que ocasione que se haga una declaración o una epresentación material intencionalmente falsa o fraudulenta, con el fin de obtener o negar beneficios o pagos de compensación de trabajadores, Es posible que su empleador no sea responsable por el pago de beneficios de compensación de trabajadores para ninguna lesión que proviene de su participación voluntaria en cualquier actividad fuera del trabajo, recreativa, social, o atlética que no sea parte de sus deberes laborales

VIOLATORS ARE SUBJECT TO PENALTIES

OFFICIAL NOTICE

Effective Date: July 11, 2016

(including temporary and part-time employees) who performs at least two (2) hours of work within the geographical boundaries of the City of San Diego.

Beginning July 11, 2016, all employers must provide paid earned sick leave to each employee

employees who work two (2) or more hours in one workweek within the City's geographic boundaries. Employers must either provide employees no less than 40 hours of earned sick leave at the beginning of each benefit year or one (1) hour of earned sick leave for every thirty (30) hours worked by the employee within the geographic boundaries of the City of San Diego. Employers may cap employee's total accrual of earned sick leave at 80 hours. Existing employees begin to accrue earned sick leave on July 11, 2016. Employees hired after July 11, 2016 begin to accrue sick leave on their employment start date. Employees are entitled to use accrued earned sick leave beginning July 11, 2016 or after the ninetieth (90) day of employment, whichever is later. Employees may use earned sick leave for all the reasons described in Section 39.0106(a) of the Ordinance, which

Ordinance. Employees may file a civil lawsuit against their employers for any violation of the Ordinance or may file a complaint with the City of San Diego's Minimum Wage Enforcement Office. The City may take any reasonable steps necessary to investigate alleged violations. The City is entitled to all legal and equitable relief to remedy any violation of the Ordinance, including the ability to award penalties of up to \$1,000 per violation, back wages, liquidated damages, reinstatement and other injunctive relief.

Enforcement Office website at https://www.sandiego.gov/compliance/minimum-wage or contact the City of San Diego's Minimum Wage Program at (619) 235-5912 or email at SDMinWage@sandiego.gov.

If you have questions, need additional information, or believe your employer has violated any

SAN DIEGO

December 2024

YOUR RIGHTS AND OBLIGATIONS

RECOVERING FROM CHILDBIRTH. PLEASE READ THIS NOTICE.

YOUR EMPLOYER* HAS AN OBLIGATION TO Reasonably accommodate your medical needs related to pregnancy childbirth or related conditions (such as temporarily modifying your work

duties, providing you with a stool or chair, or allowing more frequent • Transfer you to a less strenuous or hazardous position (if one is available) or duties if medically needed because of your pregnancy;

(the working days you normally would work in one-third of a year or 17 1/3 weeks) and return you to your same job when you are no longer disabled by your pregnancy or, in certain instances, to a comparable job. Taking PDL, however, does not protect you from non-leave related employmen Provide a reasonable amount of break time and use of a room or other location in close proximity to the employee's work area to express breast milk in private as set forth in the Labor Code; and · Never discriminate, harass, or retaliate on the basis of pregnancy. FOR PREGNANCY DISABILITY LEAVE • PDL is not for an automatic period of time, but for the period of time that you are disabled by pregnancy, childbirth, or related medical condition

Your health care provider determines how much time you will need. · Once your employer has been informed that you need to take PDL, your employer must guarantee in writing that you can return to work in your same or a comparable position if you request a written guarantee. Your employer may require you to submit written medical certification from your health care provider substantiating the need for your leave. • PDL may include, but is not limited to, additional or more frequent breaks, time for prenatal or postnatal medical appointments, and doctor-ordered bed rest, and covers conditions such as severe morning sickness. gestational diabetes, pregnancy-induced hyper-tension, preeclampsia, recovery from childbirth or loss or end of pregnancy, and/or post-partum • PDL does not need to be taken all at once but can be taken on an as-needed basis as required by your health care provider, including

intermittent leave or a reduced work schedule. Your leave will be paid or unpaid depending on your employer's policy for other medical leaves. You may also be eligible for state disability insurance or Paid Family Leave (PFL), administered by the California **Employment Development Department.** At your discretion, you can use any vacation or other paid time off during • Your employer may require or you may choose to use any available sick leave during your PDL.

California Relay Service (711) assist you with your complaint. Your employer is required to continue your group health coverage For translations of this guidance, visit: during your PDL at the same level and under the same conditions that www.calcivilrights.ca.gov/posters/required *PDL, CFRA leave, and anti-discrimination protections apply to employers of 5 or more employees; anti-harassment protections apply to employers of 1 or more. ** "Child" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of an employee or the employee's domestic partner, or a person to whom the employee

PLEASE POST NEXT TO YOUR IWC INDUSTRY OR OCCUPATION ORDER California Minimum Wage

All Employers regardless of All Employers regardless

\$1,336.65

/week \$64.04

\$1,378.49

OFFICIAL NOTICE

Every employer, regardless of the number of employees, shall pay to each employee wages not less than the following:

*Employees treated as employed by a single qualified taxpayer pursuant to Revenue and Taxation Code section 23626 are treated as employees of that single taxpayer. To

TAKE NOTICE that on April 4, 2016, the Governor of California signed legislation passed by the California Legislature, raising the minimum wage for all industries. (SB 3, Stats of 2016, amending section 1182.12. of the California Labor Code.) and, in 2023, raised the minimum wage payable by certain Fast Food Restaurant employers (AB 1228

Stats. 2023) and Healthcare Facility employers (SB 525, Stats. 2023; SB 828, Stats. 2024; and SB 159, Stats. 2024). Pursuant to its authority under Labor Code section 1182.13,

the Department of Industrial Relations amends and republishes Sections 2, 3, and 5 of the General Minimum Wage Order, MW-2025. Section 1, Applicability, and Section

4, Separability, have not been changed. Consistent with these enactments, amendments are made to the minimum wage, and the meals and lodging credits sections of all of the

This summary must be made available to employees in accordance with the IWC's wage orders. Copies of the full text of the amended wage orders may be obtained by

The provisions of this Order shall not apply to outside salespersons and individuals who are the parent, spouse, or children of the employer previously contained in this Order

Every employer shall pay to each employee wages not less than those stated above, on each effective date, per hour for all hours worked, except the following who shall pay no less than

and the IWC's industry and occupation orders. Exceptions and modifications provided by statute or in Section 1, Applicability, and in other sections of the IWC's industry

the specified minimum wage to each employee: Fast Food Restaurant employers under Part 4.5.5, of Division 2 of the Labor Code (commencing with Labor Code section 1474),

rates applicable for Fast Food Restaurant and Healthcare Facility employees, respectively, are available online at the website address in the Summary of Actions above.

Employees

\$54.34

\$790.67

\$1,169.59

lodging is used to meet part of the employer's minimum wage obligation, the amounts so credited may not be more than the amounts stated in the table above.

If the application of any provision of this Order, or any section, subsection, subdivision, sentence, clause, phrase, word or portion of this Order should be held invalid, unconstitutional, unauthorized, or prohibited by statute, the remaining provisions thereof shall not be affected thereby, but shall continue to be given full force and effect as if

This Order amends the minimum wage and meals and lodging credits in MW-2024, as well as in the IWC's industry and occupation orders. (See Orders 1-15, Secs. 4 and 10;

These Amendments to the Wage Orders shall be in effect as of January 1, 2025.

Ouestions about enforcement should be directed to the Labor Commissioner's Office. For the address and telephone number of the office nearest you, information can be found

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

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

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

exclusions) except for service-connected illnesses or injuries.

The U.S. Department of Labor, Veterans Employment and Training

Service (VETS) is authorized to investigate and resolve complaints

information on USERRA, contact VETS at 1-866-4-USA-DOL

If you file a complaint with VETS and VETS is unable to resolve

of Justice or the Office of Special Counsel, as applicable, for

You may also bypass the VETS process and bring a civil action

SAFETY AND HEALTH PROTECTION ON THE JOB

California law provides workplace safety and health protections for workers through regulations enforced by the Division of Occupational Safety and Health (Cal/OSHA). This poster explai

1-800-336-4590

SPECIAL RULES APPLY FOR WORK AROUND HAZARDOUS SUBSTANCES:

now to use hazardous chemicals safely.

mployers who use any substance that is listed as a hazardous substance in California Code f Regulations, title 8, section 339 (www.dir.ca.gov/title8/339.html), or is covered by the Hazarr ommunication standard (www.dir.ca.gov/title8/5194.html) must provide employees informatio

on the hazardous chemicals in their work areas, access to safety data sheets, and training or

Employers shall make available on a timely and reasonable basis a safety data sheet on each

mployees have the right to see and copy their medical records and records of exposure to

oloyee exposures to potentially toxic materials or harmful physical agents, and notify yees of any exposures in concentration or levels exceeding the exposure limits allowed to

mployers must allow access by employees or their representatives to accurate records

Any employee or their representative has the right to observe monitoring or measuring of

employee exposure to hazards conducted to comply with Cal/OSHA regulations.

When an inspection begins, the Cal/OSHA investigator will show official identification.

he employer, or someone the employer chooses, will be given an opportunity to accompa the investigator during the inspection. An authorized representative of the employees will

gator will talk to a reasonable number of employees about safety and health conditions at

nich the violation must be abated. A notice, which carries no monetary penalty, may be issued

ardous condition. Base penalty amounts, penalty adjustment factors, and

Penalty amounts depend in part on the classification of the violation as regulatory, general,

to \$250,000 or imprisonment up to three years, or both, and if the employer is a corporation

An employer who receives a citation, Order to Take Special Action, or Special Order must

obstit of a copy, including the enclosed minuralinguage employeer foundation, prominently a or near the place of the violation or unsafe condition for three working days, or until the unsa-condition is corrected, whichever is longer, to warn employees of danger that may exist ther Any employee may protest the time allowed for correction of the violation to the Division of Descripting 1.5 febt and health active. Consisting 1.5 febt and Health Appendix Description.

Cal/OSHA Consultation Services

2550 Mariposa Mall, Rm. 2005 Fresno 93721

(714) 562-5525

(510) 622-2891

(916) 263-0704

(909) 383-4567

HARASSMENT

your actual or perceived:

GENETIC INFORMATION

· GENDER EXPRESSION

MARITAL STATUS

history of cancer)

MILITARY OR VETER

SEXUAL ORIENTATION

RIGHTS AT WORK.

The policy must:

Be in writing.

supervisor

List all protected groups under the FEHA.

in prohibited harassment.

Indicate that the law prohibits coworkers and third

and timely investigation by qualified personnel;

appropriate options for remedial actions and

resolutions; and timely closures.

employees to lodge complaints.

the evidence collected.

participating in an investigation.

parties, as well as supervisors and managers with

whom the employee comes into contact, from engaging

Create a complaint process that ensures confidentiality

to the extent possible; a timely response; an impartial

documentation and tracking for reasonable progress;

Provide a complaint mechanism that does not require

an employee to complain directly to their immediate

That complaint mechanism must include, but is not

limited to including: provisions for direct communication,

either orally or in writing, with a designated company

representative; and / or a complaint hotline; and/ or

access to an ombudsperson; and/or identification

of CRD and the United States Equal Employment

Instruct supervisors to report any complaints of

Opportunity Commission as additional avenues for

misconduct to a designated company representative

Indicate that when the employer receives allegations of

misconduct, it will conduct a fair, timely, and thorough

investigation that provides all parties appropriate due

4. Distribute its harassment, discrimination, and retaliation

Printing the policy and providing a copy to employees

with an acknowledgment form for employees to sign

Sending the policy via email with an acknowledgment

For translations of this guidance, visit: www.calcivilrights.ca.gov/posters/required

prevention policy by doing one or more of the following:

Make clear that employees shall not be retaliated

against as a result of making a complaint or

process and reaches reasonable conclusions based on

such as a human resources manager, so that the

company can try to resolve the claim internally.

prevention training (see 2 CCR 11024).

• AGE (40 and above)

COLOR

1 Centerpointe Dr., Ste. 150 a Palma 90623

464 West Fourth St. Suite 339 San Bernardino 92401

7575 Metropolitan Dr. Suite 204 San Diego 92108

6150 Van Nuys Blvd. Suite 307 Van Nuys 91401

2550 Mariposa Mall, Rm. 3014

The law provides that employers may appeal citations within 15 working days of receipt to the

serious, repeat, or willful; and whether the employer failed to abate a previous violation

WHEN CAL/OSHA COMES TO THE WORKPLACE:

VIOLATIONS. CITATIONS AND PENALTIES:

in lieu of a citation for certain non-serious violations.

limited liability company, the fine may be up to \$1.5 million.

occupational Safety and Health Appeals Board

o learn more about workplace safety rules, you may contact Cal/OSHA Consultation Services for free information, required forms, and publications. You can also contact a local district office

Call the FREE Worker Information Helpline – (833) 579-0927

DIVISION OF OCCUPATIONAL SAFETY AND HEALTH (CAL/OSHA)

forcement of Cal/OSHA workplace safety and health standards is carried out by the Division of Occupational Safety and Health, under the California Department of Industrial Relations, which has primar ponsibility for administering the Cal/OSHA program. Safety and health standards are promulgated by the Occupational Safety and Health Standards Board. Anyone desiring to register a complaint allegi

adequacy in the administration of the California Occupational Safety and Health Plan may do so by contacting the San Francisco Regional Office of the Occupational Safety and Health Administration DSHA), U.S. Department of Labor Tel: (415) 625-2547. OSHA monitors the operation of state plans to assure that continued approval is merited.

Novemb

· Sacramento/Northern CA

· San Diego/Imperial County

San Bernardino

San Fernando Valley

HEADQUARTERS: 1515 Clay Street, Ste. 1901, Oakland, CA 94612 — Telephone (510) 286-7000

of Cal/OSHA. If you prefer, you may retain a competent private consultant, or ask your workers' compensation insurance carrier for guidance in obtaining information.

(626)239-0369 (510) 622-2916 (530) 224-4743

(818) 901-5403

The use of single stall restrooms and other facilities should always be

a matter of choice. Employees should never be forced to use one, as

5. Does an employee have the right to be addressed by the name

and pronouns that correspond to their gender identity or gender

Yes. Employees have the right to use and be addressed by the name

expression, even if different from their legal name and gender?

and pronouns that correspond with their gender identity or gender

names and pronouns. For example, an employee does not need

to have legally changed their name or birth certificate, nor have

expression. These are sometimes known as "chosen" or "preferred"

undergone any type of gender transition (such as surgery), to use a

name and/or pronouns that correspond with their gender identity or

gender expression. An employer may be legally obligated to use an

pronouns. For example, some businesses utilize software for payroll

and other administrative purposes, such as creating work schedules

purposes when legally required, refusing or failing to use that person's

employee's legal name in specific employment records, but whe

no legal obligation compels the use of a legal name, employers

and co-workers must respect an employee's chosen name and

or generating virtual profiles. While it may be appropriate for the

business to use a transgender employee's legal name for payroll

chosen name and pronouns, if different from their legal name, on

a shift schedule, nametag, instant messaging account, or work ID

card could be harassing or discriminatory. CRD recommends that

6. Does an employee have the right to dress in a way that

employers take care to ensure that each employee's chosen name

corresponds with their gender identity and gender expression?

Yes. An employer who imposes a dress code must enforce it in a

non-discriminatory manner. This means that each employee must

be allowed to dress in accordance with their gender identity and

grooming policy in accord with business necessity, all employees

must be held to the same standard, regardless of their gender identity

7. Can an employer ask an applicant about their sex assigned at

professional references. But an interviewer should not ask questions

designed to detect a person's gender identity or gender transition

nistory such as asking about why the person changed their name.

Employers should also not ask questions about a person's body or

CRD-E04P-ENG / December 2023

Civil Rights

Department

If CRD finds sufficient evidence to establish that

discrimination occurred and settlement efforts fail, the

Department may file a civil complaint in state or federal

court to address the causes of the discrimination and

on behalf of the complaining party. CRD may seek court

orders changing the employer's policies and practices,

punitive damages, and attorney's fees and costs if it

prevails in litigation. Employees can also pursue the

matter through a private lawsuit in civil court after a

EMPLOYER RESPONSIBILITY & LIABILITY

law. Employers are liable for harassment by their

including both supervisory and non-supervisory

or for aiding and abetting harassment. The law

complaint has been filed with CRD and a Right-to-Sue

All employers, regardless of the number of employees,

are covered by the harassment provisions of California

supervisor or agents. Employees accused of harassment,

personnel, may be held personally liable for harassment

requires employers to take reasonable steps to prevent

that employer can be held liable for the harassment. In

addition, an employer may be liable for the harassment

of an employee, applicant, or person providing services

for the employer. An employer will only be liable for this

Employers have an affirmative duty to take reasonable

harassing conduct, and to create a workplace free of

A program to eliminate sexual harassment from the

workplace is not only required by law, but it is the most

practical way for an employer to avoid or limit liability if

ACTIONS TO PREVENT HARASSMENT AND

1. Distribute copies of this document or an alternative

writing that complies with Government Code 12950. This

2. Post a copy of the CRD employment poster "California

Law Prohibits Workplace Discrimination and Harassment.

CORRECT IT WHEN IT OCCURS:

document may be duplicated in any quantity.

ALL EMPLOYERS MUST TAKE THE FOLLOWING

steps to prevent and promptly correct discriminatory and

form of harassment if it knew or should have known of the

narassment, and failed to take immediate and appropriate

by a non-employee (for example, a client or customer)

narassment. If an employer fails to take such steps,

No. Employers may ask non-discriminatory questions, such as

inquiring about an applicant's employment history or asking for

expression. While an employer may establish a dress code or

birth or gender identity in an interview?

whether they plan to have surgery

calcivilrights.ca.gov/complaintprocess

Notice has been issued.

corrective action.

Toll Free: 800.884.1684 / TTY: 800.700.2320

Visit: https://bit.ly/3hTG1EO

TO FILE A COMPLAINT

California Relay Service (711)

Civil Rights Department

Want to learn more?

bstance in the workplace upon request of an employee, an employee's collective

it, you may request that your case be referred to the Department

or visit its website at https://www.dol.gov/agencies/vets/.

An interactive online USERRA Advisor can be viewed at

waiting periods or exclusions (e.g., pre-existing condition

· For assistance in filing a complaint, or for any other

https://webapps.dol.gov/elaws/vets/userra.

against an employer for violations of USERRA.

Office of Special Counsel

result in a substantial penalty. Cal/OSHA standards can be found at www.dir.ca.gov/samples/search/guery.htm.

an employer, you must follow state laws governing job safety and health. Failure to do so or result in a threat to the life or health of workers, and substantial monetary penalties.

sustomarily posted so everyone on the job can be aware of basic rights and responsibilities

ou must have a written and effective Injury and Illness Prevention Program (IIPP) meeting

ou must be aware of hazards your employees face on the job and keep records showing that

occurring on the job. Be sure to do this immediately after calling for emergency help to assist the injured employee. Failure to report a serious injury or illness, or death, within 8 hours can result in a minimum civil penalty of \$5,000.

EMPLOYEES HAVE CERTAIN WORKPLACE SAFETY & HEALTH RIGHTS:

ou also have the right to bring unsafe or unhealthful conditions to the attention of the Cal/

ealth standard or order where such violation would create a real and apparent hazard to the

You may not be fired or punished in any way for filing a complaint about unsafe or unhealthful

You may not be fired or punished in any way for filing a complaint about unsate or unnealthful working conditions, or for otherwise exercising your rights to a safe and healthful workplace. If you feel that you have been fired or punished for exercising your rights, you may file a complaint about this type of discrimination by contacting the nearest office of the California Department of Industrial Relations, Division of Labor Standards Enforcement (Labor Commissioner's Office) or the San Francisco office of the U.S. Department of Labor, Occupational Safety and

ealth Administration. (Employees of state or local government agencies may only file these

To keep the workplace and your coworkers safe, you should tell your employer about any nazard that could result in an injury or illness to an employee.

20 West Fourth St., Rm. 820, Los Angeles 90013

4206 Technology Dr., Ste. 3, Modesto 95356

800 Roval Oaks Dr., Ste. 105, Monrovia 91016

515 Clay St. Ste. 1303 Box 41 Oakland 94612

6150 Van Nuys Blvd., Ste. 405, Van Nuys 91401

1750 Howe Ave., Ste. 440, Sacramento 95825

San Francisco 455 Golden Gate Ave., Rm 9516, San Francisco 94102 (415) 557-030

a matter of policy or due to harassment.

361 Heinisted Dr., Redunig 90002 1750 Howe Ave, Ste. 430, Sacramento 95825 464 West Fourth St., Ste. 332, San Bernardino 92401 7575 Metropolitan Dr., Ste. 207, San Diego 92108 455 Golden Gate Ave., Rm. 9516, San Francisco 94102

While working, you must always obey state workplace safety and health laws

ou must correct any hazardous condition that you know may result in injury to employees

ou must notify a local Cal/OSHA district office of any serious injury or illness, or death,

WHAT AN EMPLOYER MUST NEVER DO:

ectory for the office nearest you.

Regional Offices

subjecting them to worse working conditions, or unfairly modifying the and pronouns are respected to the greatest extent allowed by law.

THE RIGHTS OF EMPLOYEES WHO

ARE TRANSGENDER OR GENDER

NONCONFORMING

CALIFORNIA LAW PROTECTS

TRANSGENDER AND GENDER

NONCONFORMING PEOPLE FROM

AND RETALIATION AT WORK. THESE

CIVIL RIGHTS DEPARTMENT (CRD).

THINGS YOU NEED TO KNOW

PROTECTIONS ARE ENFORCED BY THE

1. Does California law protect transgender and gender

nonconforming employees from employment discrimination?

Yes. All employees, job applicants, unpaid interns, volunteers, and

contractors are protected from discrimination at work when based

on a protected characteristic, such as their gender identity, gender

expression, sexual orientation, race, or national origin. This means

that private employers with five or more employees may not, for

example, refuse to hire or promote someone because they identify

as – or are perceived to identify as – transgender or non-binary, or

Employment discrimination can occur at any time during the hiring

someone, unlawful discrimination includes discharging an employee,

terms of their employment because of their gender identity or gender

or employment process. In addition to refusing to hire or promote

2. Does California law protect transgender and gender

nonconforming employees from harassment at work?

Yes. All employers are prohibited from harassing any employee

intern, volunteer, or contractor because of their gender identity

or gender expression. For example, an employer can be liable if

co-workers create a hostile work environment – whether in person

or virtual – for an employee who is undergoing a gender transition.

Similarly, an employer can be liable when customers or other third

parties harass an employee because of their gender identity or

employee by the wrong pronouns or name.

discrimination or harassment in the workplace?

expression, such as intentionally referring to a gender-nonconforming

3. Does California law protect employees who complain about

Yes. Employers are prohibited from retaliating against any employee

who asserts their right under the law to be free from discrimination or

harassment. For example, an employer commits unlawful retaliation

when it responds to an employee making a discrimination complaint

– to their supervisor, human resources staff, or CRD – by cutting their

4. If bathrooms, showers, and locker rooms are sex-segregated,

SEXUAL

HARASSMENT

harassment does not have to be motivated by sexual

There are two types of sexual harassment

1. "Quid pro quo" (Latin for "this for that") sexual

or other work benefit on your submission to sexual

advances or other conduct based on sex.

severe to be unlawful.

blocking movements

1. Unwanted sexual advances

objects, pictures, cartoons, or posters

sexual orientation or gender identity.

desire. Sexual harassment may involve harassment by a

person of the same gender, regardless of either person's

harassment is when someone conditions a job, promotion,

2. "Hostile work environment" sexual harassment occurs

when unwelcome comments or conduct based on sex

unreasonably interferes with your work performance

or creates an intimidating, hostile, or offensive work

environment. You may experience sexual harassment

The harassment must be severe or pervasive to be

Behaviors that may be sexual harassment

2. Offering employment benefits in exchange for sexua

3. Leering; gestures; or displaying sexually suggestive

4. Derogatory comments, epithets, slurs, or jokes

suggestive or obscene messages or invitations

complaining about harassment is also unlawful.

5. Graphic comments, sexually degrading words, or

6. Physical touching or assault, as well as impeding or

Actual or threatened retaliation for rejecting advances or

Employees or job applicants who believe that they have

been sexually harassed or retaliated against may file a

complaint of discrimination with CRD within three years

of the last act of harassment or retaliation. CRD serves

as a neutral fact-finder and attempts to help the parties

even if the offensive conduct was not aimed directly at you.

unlawful. A single act of harassment may be sufficiently

can employees choose the one that is most appropriate for

because they express their gender in non-stereotypical ways.

DISCRIMINATION, HARASSMENT,

EMPLOYEES ALSO HAVE RESPONSIBILITIES:

Never allow an untrained employee to perform hazardous work.

he requirements of California Code of Regulations, title 8, section 3203 (www.dir.ca.gov

itle8/3203.html) and provide access to employees and their designated representatives

or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against

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: https://www.dol.gov/agencies/vets/programs/userra/poster. Federal law requires employers to notify employees of their rights under USERRA, and

employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.

U.S. Department of Justice

past and present members of the uniformed services, and applicants to the uniformed services.

on the internet at www.dir.ca.gov/DLSE/dlse.html or under a search for "California Labor Commissioner's Office" on the internet or any other directory. The Labor Commissione

has offices in the following cities: Bakersfield, El Centro, Fresno, Long Beach, Los Angeles, Oakland, Redding, Sacramento, Salinas, San Bernardino, San Diego, San Francisco,

effective April 1, 2024; and Healthcare Facility employers under Labor Code section 1182.14, effective October 16, 2024. Note: Supplements to this order containing minimum wage

When credit for meals or lodging is used to meet part of the employer's minimum wage obligation, the amounts so credited pursuant to a voluntary written agreement may not be

\$875.33

\$1,294.83

downloading online at https://www.dir.ca.gov/iwc/WageOrderIndustries.htm or by contacting your local Division of Labor Standards Enforcement office

employers and representatives of persons working in industries and occupations in the State of California

and occupation orders may be used where such provisions are enforceable and applicable to the employer.

\$58.22 /week \$847.12

/month

\$1,253.10

/month

and Order 16, Secs. 4 and 9.) This Order makes no other changes to the IWC's industry and occupation orders.

1. APPLICABILITY

more than the following:

GovDocs

rdinary rental value, and in no event

employer, two thirds (2/3) of the ordinary

REEMPLOYMENT RIGHTS

the part so held invalid or unconstitutional had not been included herein.

San Jose, Santa Ana, Santa Barbara, Santa Rosa, Stockton, and Van Nuys.

You have the right to be reemployed in your civilian job if you leave

you ensure that your employer receives advance written or verbal

you have five years or less of cumulative service in the uniformed

you return to work or apply for reemployment in a timely manner

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

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

· you have not been separated from service with a disqualifying

discharge or under other than honorable conditions

to military service or, in some cases, a comparable job.

· are a past or present member of the uniformed service;

are obligated to serve in the uniformed service;

then an employer may not deny you:

initial employment;

retention in employment

· any benefit of employment.

U.S. Department of Labor

1-866-487-2365

Publication Date—May 2022

WHISTLEBLOWERS ARE PROTECTED

It is the public policy of the State of California to encourage employees to notify an appropriate

employee with authority to investigate, discover, or correct the violation or noncompliance, and

to provide information to and testify before a public body conducting an investigation, hearing or

inquiry, when they have reason to believe their employer is violating a state or federal statute, or

Pursuant to California Labor Code Section 1102.5, employees are the protected class of individuals.

to, individuals employed by the state or any subdivision thereof, any county, city, city and county,

including any charter city or county, and any school district, community college district, municipal

or public corporation, political subdivision, or the University of California. [California Labor Code

A "whistleblower" is an employee who discloses information to a government or law enforcement

investigate, discover, or correct the violation or noncompliance, or who provides information to or

testifies before a public body conducting an investigation, hearing or inquiry, where the employee has

With reference to employee safety or health, unsafe working conditions or work practices in the

An employee is also considered a whistleblower and protected when the employer believes the

employee engaged in or will exercise protected activity. A whistleblower can also be an employee

1. An employer may not make, adopt, or enforce any rule, regulation, or policy preventing an

4. An employer may not retaliate against an employee for having exercised their rights as a

and civil monetary penalties, and take other steps necessary to comply with the law.

Under California Labor Code Section 1102.5, if an employer retaliates against a whistleblower, the

employer may be required to reinstate the employee's employment and work benefits, pay lost wages

If you have information regarding possible violations of state or federal statutes, rules, or regulations,

or violations of fiduciary responsibility by a corporation or limited liability company to its

who refuses to participate in an activity that would result in a violation of a state or federal statute, or

An employer may not retaliate against an employee who is a whistleblower or is perceived to be a

An employer may not retaliate against an employee for refusing to participate in an activity that

would result in a violation of a state or federal statute, or a violation or noncompliance with a

agency, person with authority over the employee, or to another employee with authority to

A violation or noncompliance with a local, state or federal rule or regulation, or

a violation of or noncompliance with a local, state or federal rule or regulation.

"Employee" means any person employed by an employer, private or public, including, but not limited

violating or not complying with a local, state or federal rule or regulation.

reasonable cause to believe that the information discloses:

employee's employment or place of employment.

What protections are afforded to whistleblowers?

employee from being a whistleblower.

state or federal rule or regulation.

How to report improper acts

whistleblower in any former employment.

. A violation of a state or federal statute,

What is a whistleblower?

government or law enforcement agency, person with authority over the employee, or another

reemployment;

promotion; or

· have applied for membership in the uniformed service; or

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 job to perform service in the uniformed service and:

services while with that particular employer:

after conclusion of service; and

Effective January 1, 2025, Minimum Wage: \$16.50 per hour *See Sec. 2 below

Effective January 1, 2024, Minimum Wage: \$16.00 per hour

Effective January 1, 2023, Minimum Wage: \$15.50 per hour **PREVIOUS YEARS**

OFFICIAL NOTICE SAN DIEGO MINIMUM WAGE

POST WHERE EMPLOYEES CAN EASILY READ

VIOLATORS ARE SUBJECT TO PENALTIES

\$17.25 PER HOUR

Rate Effective Date: January 1, 2025

Beginning January 1, 2025, employees who perform at least two (2) hours of work in one work week within the geographic boundaries of the City of San Diego must be paid wages of not less than \$17.25 per hour for all hours worked within the City's geographic

San Diego's Earned Sick Leave and Minimum Wage Ordinance, San Diego Municipal Code Chapter 3, Article 9, Division 1, apply to adult AND minor employees who work two (2) or more hours in any work week within the City's geographic boundaries. Note: tips do not count towards payment of the minimum wage.

Employers may not retaliate against employees for asserting any rights provided by this Ordinance. Employees may file a civil lawsuit against their employers for any violation of this Ordinance or may file a complaint with the City of San Diego's Minimum Wage Enforcement Office. The City may take any reasonable steps necessary to investigate possible alleged violations. The City is entitled to all legal and equitable relief to remedy any violation of the Ordinance, including the ability to award penalties of up to \$1,000 per violation, back wages, liquidated damages, reinstatement and other injunctive relief.

If you have questions, need additional information, or believe your employer has violated any provision of this law, please contact your employer, visit the City of San Diego Minimum Wage Enforcement Office website at https://www.sandiego.gov/compliance/minimum-wage or contact the City of San Diego's Minimum Wage Program at (619) 235-5912 or via email at SDMinWage@sandiego.gov.

> The City of SAN DIEGO

Division of Labor Standards Enforcement

Labor Commissioner's Office THIS POSTER MUST BE DISPLAYED WHERE EMPLOYEES CAN EASILY READ IT

October 2024

(Poster may be printed on 8 ½" x 11" letter size paper) **HEALTHY WORKPLACES/HEALTHY FAMILIES ACT: CALIFORNIA PAID SICK LEAVE**

(as amended effective 1/1/2024)

Entitlement • An employee who, on or after July 1, 2015, works in California for 30 or more days within a year from the beginning of employment is entitled to paid sick

• Paid sick leave accrues at the rate of one hour per every 30 hours worked, paid at the employee's regular wage rate. Accrual shall begin on the first day of employment or July 1, 2015, whichever is later. Accrued paid sick leave shall carry over to the following year of employment and may be capped at 80 hours or

• An employer can also provide 5 days or 40 hours, whichever is greater, of paid sick leave "up-front" at the beginning of a 12-month period. No accrual or carry

over is required. • Other accrual plans that meet specified conditions, including PTO plans, may also satisfy the requirements.

 An employee may use paid sick days beginning on the 90th day of employment. An employer shall provide paid sick days upon the oral or written request of an employee for themselves or a family member for the diagnosis, care or treatment

of an existing health condition or preventive care, or specified purposes for an

employee who is a victim of domestic violence, sexual assault, or stalking.

 An employer may limit the use of paid sick days to 40 hours or five days, whichever is greater, in each year of employment.

Retaliation or discrimination against an employee who requests paid sick days or uses paid sick days or both is prohibited. An employee can file a complaint with the Labor Commissioner against an employer who retaliates or discriminates against the

For additional information you may contact your employer or the local office of the Labor Commissioner. Locate the office by looking at the list of offices on our website http://www.dir.ca.gov/dlse/DistrictOffices.htm using the alphabetical listing of cities, locations, and communities. Staff is available in person and by telephone.

Employees

Jnemployment Insurance

Disability Insurance

Paid Family Leave

Bond with a new child.

the California Relay Service at 711

DE 1857A Rev. 45 (1-22) (Internet

CALIFORNIA LAW PROHIBITS

WORKPLACE DISCRIMINATION &

you from illegal discrimination and harassment in employment based or

• DISABILITY (physical, developmental, mental health/psychiatric, HIV and

MEDICAL CONDITION (genetic characteristics, cancer or a record or

Care for a seriously ill family member.

The California Civil Rights Department (CRD) enforces laws that protect ADDITIONAL PROTECTIONS

withhold facts to claim benefits. For additional information, visit the EDD (edd.ca.gov)

DLSE Paid Sick Leave Posting GovDocs

Your employer is registered with and reporting wages to the Employment Development

Department (EDD) as required by law. Wages are used for the following benefit programs, which

Provides partial wage replacement when you are unemployed or your hours are reduced due to

Provides partial wage replacement when you are unable to work because of a non-work-related

Visit <u>Disability Insurance</u> (edd.ca.gov/Disability/Disability_Insurance.htm) to learn how to apply for

Participate in a qualifying event because of a family member's military deployment to a foreign

/isit California Paid Family Leave (edd.ca.gov/PaidFamilyLeave) to learn how to apply for

Note: Some employees may be exempt from coverage by the above insurance programs. It is illegal to make a false statement or to

The EDD is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabil-

ities. Requests for services, aids, and/or alternate formats need to be made by calling 1-866-490-8879 (voice). TTY users, please call

illness, injury, pregnancy, or disability. You must meet all eligibility requirements to receive

Provides partial wage replacement when you need to take time off work to:

Visit File for Unemployment (edd.ca.gov/unemployment) to learn how to apply for benefits.

no fault of your own. You must meet all eligibility requirements to receive unemployment benefits.

Funded entirely by employer's taxes

Funded entirely by employees'

Funded entirely by employees'

<u>GovDocs</u>

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 What Organizations are Covered?

and temporary employees Job applicants What Employment Practices can be Challenged as Discriminatory?

All aspects of employment, including: Discharge, firing, or lay-off Harassment (including unwelcome verbal of physical conduct) Hiring or promotion Assignment Pay (unequal wages or Failure to provide easonable accommodation for a disability; pregnancy, childbirth, or related medica condition; or a sincerely-held religious belief, observance or practice Benefits

 Job training Classification 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:

Division of Workers' Compensation

mental function that a doctor can measure

Visit an EEOC field office (information at including information about filing a charge of discrimination, is available at www.eeoc.gov.

to exercise rights, regarding disability discrimination (including accommodation) or pregnancy accommodation

of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities should contact immediately The Office of Federal Contract Compliance Programs (OFCCP) U.S. Department of Labor 200 Constitution Avenue, N.W. Washington, D.C. 20210 1-800-397-6251 (toll-free)

or district office, listed in most telephone directories under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at https://www.dol.gov/agencies/ofccp/contact. PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Individuals with Disabilities educational programs or activities which receive Federal financial assistance.

Es posible que usted tenga derecho a beneficios de compensación de trabajadores si usted se lesiona o se enferma a causa de su

• Beneficios por Muerte: Pagados a sus dependientes si usted muere a causa de una lesión o enfermedad relacionada con el

límites de tiempo. Si usted espera demasiado, es posible que usted pierda su derecho a beneficios. Su empleador está obligado a proporcionarle un formulario de reclamo dentro de un día laboral después de saber de su lesión. Dentro de un día después de que usted presente un formulario de reclamo, el empleador o administrador de reclamos debe autorizar todo tratamiento médico, hasta diez mil dólares, de acuerdo con las pautas de tratamiento aplicables a su presunta lesión, hasta que el reclamo 3. Consulte al Médico que le está Atendiendo (PTP). Este es el médico con la responsabilidad total de tratar su lesión o Si usted designó previamente a su médico personal o grupo médico, usted puede consultar a su médico personal o grupo médico después de lesionarse Si su empleador está utilizando una Red de Proveedores Médicos (MPN) o una Organización de Cuidado Médico (HCO). en la mayoría de los casos usted será tratado dentro de la MPN o la HCO a menos que usted designó previamente un médico personal o grupo médico. Una MPN es un grupo de médicos y proveedores de atención médica que proporcionan tratamiento a trabajadores lesionados en el trabajo. Usted debe recibir información de su empleador si está cubierto por una

POST WHERE EMPLOYEES CAN EASILY READ

Yes. All employees have a right to safe and appropriate restroom and locker room facilities. This includes the right to use a restroom or locker room that corresponds to the employee's gender identity, regardless of the employee's sex assigned at birth. In addition, where Have a disability that requires a reasonable accommodation? possible, an employer should provide an easily accessible, genderneutral (or "all-gender"), single user facility for use by any employee. For translations of this guidance, visit: www.calcivilrights.ca.gov/posters/required

THE FACTS SAN DIEGO EARNED SICK LEAVE Sexual harassment is a form of discrimination based on sex/gender (including pregnancy, childbirth, or related medical conditions), gender identity, gender expression, or sexual orientation. Individuals of any gender can be the target of sexual harassment. Unlawful sexual

The earned sick leave requirements set forth in San Diego's Earned Sick Leave and Minimum Wage Ordinance, San Diego Municipal Code Chapter 3, Article 9, Division 1, applies to adult AND minor

includes, but is not limited to, time for their own medical care or for the medical care of a family member.

An employer may not retaliate against an employee for asserting any rights provided in this

provision of this law, please contact your employer, visit the City of San Diego Minimum Wage

Pregnancy Disability Leave. Even if an employee is not

or a related medical condition, the employee is entitled

to take a pregnancy disability leave of up to four months,

both a pregnancy disability leave and a CFRA leave for

reason of the birth of their child.

depending on their period(s) of actual disability. If the

eligible for CFRA leave, if disabled by pregnancy, childbirth

employee is CFRA-eligible, they have certain rights to take

Reinstatement. Both CFRA leave and pregnancy disability

leave contain a guarantee of reinstatement – for pregnancy

disability it is to the same position and for CFRA it is to the

Notice. For foreseeable events (such as the expected birth

of a child or a planned medical treatment for the employee

employer that they will be taking leave. For events that are

unforeseeable, employees should notify their employers,

at least verbally, as soon as they learn of the need for the

leave. Failure to comply with these notice rules is grounds

for, and may result in, deferral of the requested leave until

Certification. Employers may require certification from

an employee's health care provider before allowing leave

for pregnancy disability or for the employee's own serious

health condition. Employers may also require certification

member, including a designated person, who has a serious

health condition, before granting leave to take care of that

Visit: <u>calcivilrights.ca.gov/family-medical-pregnancy-leave/</u>

harassment, or retaliation at work, file a complaint with

If you have been subjected to discrimination,

the Civil Rights Department (CRD).

calcivilrights.ca.gov/complaintprocess

Toll Free: 800.884.1684 / TTY: 800.700.2320

TO FILE A COMPLAINT

Civil Rights Department

from the health care provider of the employee's family

or of a family member), the employee must provide,

if possible, at least 30 days' advance notice to their

same or a comparable position at the end of the leave,

subject to any defense allowed under the law.

the employee complies with this notice policy.

Civil Rights Department

voluntarily resolve disputes.

AS A PREGNANT EMPLOYEE coverage would have been provided if you had continued in employment IF YOU ARE PREGNANT, HAVE A PREGNANCYcontinuously for the duration of your leave RELATED MEDICAL CONDITION, OR ARE Taking PDL may impact certain of your benefits and your seniority date;

lease contact your employer for details. NOTICE OBLIGATIONS AS AN EMPLOYEE Give your employer reasonable notice. To receive reasonable accommodation, obtain a transfer, or take PDL, you must give you employer sufficient notice for your employer to make appropriate plans

Sufficient notice means 30 days advance notice if the need for the reasonable accommodation, transfer, or PDL is foreseeable, or as soon as practicable if the need is an emergency or unforeseeable Provide a written medical certification from your health care provider Except in a medical emergency where there is no time to obtain it, your employer may require you to supply a written medical certification from your health care provider of the medical need for your reasonable accommodation, transfer or PDL. If the need is an emergency or unforeseeable, you must provide this certification within the time frame your employer requests, unless it is not practicable for you to do so unde the circumstances despite your diligent, good faith efforts. Your employer must provide at least 15 calendar days for you to submit the certification See if your employer has a copy of a medical certification form to give to your health care provider to complete Please note that if you fail to give your employer reasonable advance notice or, if your employer requires it, written medical certification of your medical need, your employer may be justified in delaying your reasonable

> RIGHTS ACT (CFRA) Under the California Family Rights Act (CFRA), if you have more than hours in the 12-month period before the date you want to begin your leave, you may have a right to a family care or medical leave (CFRA leave). This leave may be up to 12 workweeks in a 12-month period for the birth. adoption, or foster care placement of your child**, or for your own serious health condition or that of your child, parent***, spouse, domestic partner, grandparent, grandchild, sibling, or someone else related by blood or in family-like relationship with the employee ("designated person"). Employers may pay their employees while taking CFRA leave, but employers are not required to do so, unless the employee is taking accrued paid time-off while on CFRA leave. Employees taking CFRA leave may be eligible for benefits administered by Employment Development Department.

ADDITIONAL LEAVE UNDER THE CALIFORNIA FAMILY

accommodation, transfer, or PDL.

TO FILE A COMPLAINT Civil Rights Department calcivilrights.ca.gov/complaintprocess Toll Free: 800.884.1684 / TTY: 800.700.2320 Have a disability that requires a reasonable accommodation? CRD can

of the death of a family member (child, spouse, parent, sibling, grandparent, NATIONAL ORIGIN (includes language restrictions and possession of a 5. Up to four months of job-protected leave to employees disabled because of pregnancy, childbirth, or a related medical condition, as well as the right driver's license issued to undocumented immigrants) to reasonable accommodations, on the advice of their health care provider RACE (includes hair texture and hairstyles) related to their pregnancy, childbirth, or a related medical condition RELIGION (includes religious dress and grooming practices) 6. Up to five days of job-protected leave following a reproductive loss event SEX/GENDER (includes pregnancy, childbirth, breastfeeding and/or (failed adoption, failed surrogacy, miscarriage, stillbirth, or unsuccessful 7. Protections against retaliation when a person opposes, reports, or assists THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT another person to oppose unlawful discrimination, including filing an internal complaint or a complaint with CRD AND ITS IMPLEMENTING REGULATIONS PROTECT CIVIL REMEDIES/FILING A COMPLAINT

HARASSMENT 1. The law provides remedies for individuals who experience prohibited scrimination, harassment, or retaliation in the workplace. These remedies 1. The law prohibits harassment of employees, applicants, unpaid interns, can include hiring, front pay, back pay, promotion, reinstatement, cease-andvolunteers, and independent contractors by any person. This includes a desist orders, expert witness fees, reasonable attorney's fees and costs, prohibition against harassment based on any characteristic listed above. punitive damages, and emotional distress damages. such as sexual harassment, gender harassment, and harassment based or 2. If you believe you have experienced discrimination, harassment, or pregnancy, childbirth, breastfeeding, and/or related medical conditions. retaliation, you may file a complaint with CRD. Independent contractors and 2. All employers are required to take reasonable steps to prevent all forms volunteers: If you believe you have been harassed, you may file a complaint 3. Complaints must be filed within three years of the last act of discrimination/harassment/retaliation. For those who are under the age of 18 complaints must be filed within three years after the last act of discrimination

of harassment, as well as provide information to each of their employees on the nature, illegality, and legal remedies that apply to sexual harassment. 3. Employers with five or more employees and public employers must train their employees regarding the prevention of sexual harassment, including harassment based on gender identity, gender expression, and sexual DISCRIMINATION/REASONABLE ACCOMMODATIONS 1. California law prohibits employers with five or more employees and public TO FILE A COMPLAIN employers from discriminating based on any protected characteristic listed above when making decisions about hiring, promotion, pay, benefits, terms of

employment, layoffs, and other aspects of employment. 2. Employers cannot limit or prohibit the use of any language in any workplace unless justified by business necessity. The employer must notify employees of the language restriction and consequences for violation. 3. Employers cannot discriminate against an applicant or employee because The Fair Employment and Housing Act is codified at Government Code sections they possess a California driver's license or ID issued to an undocumented 4. Employers must reasonably accommodate the religious beliefs and practices of an employee, unpaid intern, or job applicant, including the wearing or carrying of religious clothing, jewelry or artifacts, and hairstyles, facial hair, or body hair, which are part of an individual's observance of their 5. Employers must reasonably accommodate an employee or job applicant

with a disability to enable them to perform the essential functions of a job. For translations of this guidance, visit: www.calcivilrights.ca.gov/posters/required

harassment/retaliation or one year after their eighteenth birthday, whichever If you have been subjected to discrimination, harassment, or retaliation at work, file a complaint with the Civil Rights Department (CRD). calcivilrights.ca.gov/complaintproces Toll Free: 800.884.1684 / TTY: 800.700.2320 California Relay Service (711 Have a disability that requires a reasonable accommodation' CRD can assist you with your complaint

California law offers additional protections to those who work for employers

1. Specific protections and hiring procedures for people with criminal

2. Protections against discrimination based on an employee or job

applicant's use of cannabis off the job and away from the workplace

3. Up to 12 weeks of job-protected leave to eligible employees to care for

themselves, a family member (child of any age, spouse, domestic partner,

person (with blood or family-like relationship to employee); to bond with a

4. Up to five days of job-protected bereavement leave within three months

parent, parent-in-law, grandparent, grandchild, sibling) or a designated

histories who are looking for employment

new child; or for certain military exigencies

with five or more employees. Some exceptions may apply. These additional

12900 - 12999. The regulations implementing the Act are at Code of Regulations, title Government Code section 12950 and California Code of Regulations, title 2, section 11023, require all employers to post this document. It must be conspicuously posted in hiring offices, on employee bulletin boards, in employment agency waiting rooms, union halls, and other places employees gather. Any employer whose workforce at any facility or establishment consists of more than 10% of non-English speaking persons must also post this notice in the appropriate language or languages.

CRD-E07P-ENG / January 2024 **GovDocs**

· Posting the current version of the policy on a company **3.** Develop a harassment, discrimination, and retaliation prevention policy in accordance with 2 CCR 11023. intranet with a tracking system to ensure all employees

have read and acknowledged receipt of the policy. Discussing policies upon hire and/or during a new hire Using any other method that ensures employees received and understand the policy. **5.** If the employer's workforce at any facility or establishment contains ten percent or more of persons

who speak a language other than English as their spoken

language, that employer shall translate the harassment, discrimination, and retaliation policy into every language spoken by at least ten percent of the workforce. **6.** In addition, employers who do business in California and employ 5 or more part-time or full-time employees must provide at least one hour of training regarding the prevention of sexual harassment, including harassment based on gender identity, gender expression, and sexual orientation, to each non-supervisory employee; and two hours of such training to each supervisory employee. All employees must be trained by January 1, 2023. New supervisory employees must be trained within six months

of assuming their supervisory position, and new non-

supervisory employees must be trained within six months

of hire. Employees must be retrained once every two years Please see Gov. Code 12950.1 and 2 CCR 11024 for further information. **CIVIL REMEDIES** 1. Damages for emotional distress from each employer or person in violation of the law Employers with 50 or more employees are required to **2.** Hiring or reinstatement include this as a topic in mandated sexual harassment

> **3.** Back pay or promotion **4.** Changes in the policies or practices of the employer To schedule an appointment, contact the Communication If you have a disability that requires a reasonable accommodation, the CRD can assist you by scribing your intake by phone or, for individuals who are Deaf or Hard of Hearing or have speech disabilities, through the California

Relay Service (711), or you can contact us below. TO FILE A COMPLAINT Civil Rights Department Toll Free: 800.884.1684 / TTY: 800.700.2320

calcivilrights.ca.gov/complaintprocess California Relay Service (711) Have a disability that requires a reasonable accommodation? CRD can assist you with your complaint

CRD-185P-ENG / January 2023

TIME OFF

TO VOTE

POLLS ARE OPEN FROM 7:00 A.M. TO 8:00 P.M. EACH ELECTION DAY

If you are scheduled to be at work during that time and you do not have sufficient time outside of working hours to vote at a statewide election, California law allows you to take up to two hours off to vote, without losing any pay.

You may take as much time as you need to vote, but only two hours of that time will be paid. Your time off for voting can be only at the beginning or end of your reg-

If three working days before the election you think you will need time off to vote, you must notify your employer at least two working days prior





LCA07

by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need 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"

You work for a **covered employer if <u>one</u>** 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 You work for an elementary or public or private secondary school, 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

employer in court. Scan the QR code to learn about our WHD complaint process. How do I request FMLA leave? Generally, to request FMLA leave you must: Follow your employer's normal policies for requesting leave, Give notice at least 30 days before your need for FMLA leave, or • If advance notice is not possible, give notice as soon as possible.

WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR



State of California

Oakland, CA 94612

Phone: (510) 286-7000

Fax: (510) 286-7037

Department of Industrial Relations

Division of Occupational Safety and Health

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

Your **employer may request certification** from a health care

The FMLA does not affect any federal or state law prohibiting

discrimination or supersede any state or local law or collective

State employees may be subject to certain limitations in pursuit

of direct lawsuits regarding leave for their own serious health

pargaining agreement that provides greater family or medical leave

onditions. Most federal and certain congressional employees are

also covered by the law but are subject to the jurisdiction of the U.S.

What does my employer need to do?

Continue your group health plan coverage while you are on leave

Allow you to return to the same job, or a virtually identical job with

Your **employer <u>cannot</u> interfere with your FMLA rights** or threaten

the same pay, benefits and other working conditions, including

or punish you for exercising your rights under the law. For example,

After becoming aware that your need for leave is for a reason that

you are eligible or not eligible for FMLA leave. If your employer

About your FMLA rights and responsibilities, and

Call 1-866-487-9243 or visit dol.gov/fmla to learn more.

may qualify under the FMLA, your **employer must confirm whether**

determines that you are eligible, your **employer must notify you in**

How much of your requested leave, if any, will be FMLA-protected

Where can I find more information?

If you believe your rights under the FMLA have been violated, you

may file a complaint with WHD or file a private lawsuit against vour

your employer cannot retaliate against you for requesting FMLA

provider to verify medical leave and may request certification of a

same reason when requesting additional leave.

Office of Personnel Management or Congress.

shift and location, at the end of your leave.

If you are eligible for FMLA leave, your employer must

on the same basis as if you had not taken leave, and

Allow you to take job-protected time off work for a qualifying

qualifying exigency

many employees have the right to take job-protected leave, which is leave that will allow them to return to their job or a similar job after their leave ends. This leave may be up to 12 work weeks in a 12-month period for: the employee's own serious health condition; the serious health condition of a child, spouse, domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, or someone else

FAMILY CARE & MEDICAL

Under California law, an employee may have the

right to take job-protected leave to care for their

own serious health condition or a family member

with a serious health condition, or to bond with

a new child (via birth, adoption, or foster care).

job-protected leave and accommodations to

employees who are disabled by pregnancy,

Under the California Family Rights Act of 1993 (CFRA),

childbirth, or a related medical condition.

California law also requires employers to provide

LEAVE & PREGNANCY

DISABILITY LEAVE

with a blood or family-like relationship with the employment ("designated person"); or the birth, adoption, or foster care placement of a If an employee takes leave for their own or a family member's serious health condition, leave may be taken on an intermittent or reduced work schedule when medically necessary, among other circumstances. Eligibility. To be eligible for CFRA leave, an employee must have more than 12 months of service with their employer, have worked at least 1,250 hours in the 12-month period before the date they want to begin

their leave, and their employer must have five or more Pay and Benefits During Leave. While the law provides only unpaid leave, some employers pay their employees during CFRA leave. In addition, employees may choose (or employers may require) use of accrued paid leave while taking CFRA leave under certain circumstances. Employees on CFRA leave may also be eligible for benefits administered by the Employment Development Department. Taking CFRA leave may impact certain employee benefits

California Relay Service (711) Have a disability that requires a reasonable and seniority date. If employees want more information accommodation? regarding eligibility for a leave and/or the impact of the CRD can assist you with your complaint. leave on seniority and benefits, they should contact their For translations of this guidance, visit: www.calcivilrights.ca.gov/posters/required

family member.

Want to learn more?

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LCA36

*** "Parent" includes a biological, foster, or adoptive parent, a parent-in-law, a stepparent, a legal guardian, or other person who stood in loco parentis to the employee when the

ular work shift, whichever allows the most free time for voting and the least time off from your regular working shift, unless you make another arrangement with your employer.

