Texas & Federal Employment Notices

DATE POSTED: Labor Laws change often. Please call your distributor twice a year to confirm if you are in compliance. All Rights Reserved. Unauthorized copies are illega

bility on 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, p

tion ion is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise oppo contractors under these Federal laws.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's

becarb to do the relabilities of the of a single an include, pleaks guarness introduces with assaming a finite document in thing, profitedon, isolaring benefits, job training, classification, referal, and other aspects of employment by Federal contractors. Disability discrimination includes not making reasonabl accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability discrimination includes not making reasonabl accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability discrimination includes not making reasonabl accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue nardship 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.

Protected Veteran Status The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.

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 be contacted by submitting a question online to OFCCP's Help Desk at https://docphelpdesk.dol.gov/s/, or by calling an OFCCP regional or district office, listed in most telephon directories under U.S. Government, Department of Labor and on OFCP's "Contact Us" webpage at https://www.dol.gov/agencies/ofcop/contact.

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 amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VII the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providir services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs

on Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any

ants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or

MAKING UNAUTHORIZED COPIES IS AGAINST THE LAW AND MAY SUBJECT YOU TO CIVIL AND CRIMINAL LIABILITY

Asking About, Disclosing, or Discussing Pay Executive Order 11246, as amended, protects applic

The Office of Federal Contract Compliance Programs (OFCCP) U.S. Department of Labor 200 Constitution Avenue, N.W.

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Washington, D.C. 20210 1–800–397–6251 (toll-free)





All workers have the right to:

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

Employers must:

NOTE: OSHA REQUIRES THAT REPRODUCTIONS OR FACSIMILES OF THE POSTER BE AT LEAST 8.5" X 14" INCHES WITH 10 POINT TYPI

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

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation



Equal Employment Opportunity

Know Your Rights: 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 beer discriminated against at work or in applying for a job, the EEOC may be able to help.

Who is Protected? • Employees • Job applicants • Union members and applicants for membership in a union

What Organizations are Covered? • Most private employers • State and local governments (as employers) • Educational institutions (as employers) • Unions • Staffing agencies

 What Types of Employment Discrimination are lilegal?

 Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of:

 • Race + Color + Religion + National origin - Sex (including pregnancy and related conditions, sexual orientation, or gender identity)

 • Race + Color - Disability + Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history) + Retailation for filing a charge, reasonabily opposing discrimination, or participating in a discrimination alwauit, investigation, or proceeding.

Vhat Employment Practices can be Challenged as Discriminatory?

Employment in cluding: harge, firing, or lay-off +Harassment (including unwelcome verbal or physical conduct) • Hiring or promotion • Assignment (unequal wages or compensation) • Fallure to provide reasonable accommodation for a disability or a sincerely held religious belief, observance or practice lefts • Job training • Classification • Referral • Obtaining or disclosing genetic information of employees • Requesting or disclosing medical information of oyees • Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or proceeding.

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:

submit an inquiry through the EEOC's public portal: https://publicportal.eeoc.gov/Portal/Login.asp



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

LEAVE ENTITLEMENTS: Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

To bond with a child (leave must be taken within 1 year of the child's birth or placement); To care for the employee's spouse, child, or parent who has a qualifying serious health condition; For the employee's own qualifying serious health condition that makes the employee unable to perform

p to 26 weeks of FMLA leave in a single 12-month period to care for the service member with a serious

employer's normal paid leave policies. BENEFITS & PROTECTIONS: While employees are on FMLA leave, employers must continue health

ee does not need to use leave in one block. When it is medically necessary or otherwise In employee uses any take leave intermittentity or on a reduced schedule. Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply wi

ncies related to the foreign deployment of a military member who is the employee's

ee who is a covered servicemember's spouse, child, parent, or next of kin may also take

The birth of a child or placement of a child for adoption or foster care

rage as if the employees were not on leave

0.949 ditional information about the EEOC, including information about filing a charge of discrimination, is available at www.eeoc.go

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) ent

loing business with the Federal Government. If you are applying for a job with, or are an employee of, a company with a Federal contract or subcontract, acted under Federal law from discrimination on the following bases:

Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

ce firms (armored car, alarm, and guard), and

Examine Right to refuse a permitted, they are subject to numerous strict standards concerning the cond 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 test, and the right not to have test results disclosed to unsufficient degrade.

The Secretary of Labor may bring court actions to restrain violations and a violators. Employees or job applicants may also bring their own court action THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOY

APPLICANTS CAN READILY SEE IT. 1-866-487-9243 • TTY: 1-877-889-5627 <u>www.dol.gov/whd</u>

WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR

Family Medical Leave Act EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

I non return from EMI A leave most employees must be restored to the same job or one nearly identical to The result information in the reave, much reave, much responses in the series of the same just of the real justification is with equivalent pay, benefits, and other employment terms and conditions. An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

ELIGBILITY REQUIREMENTS: An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must: - Have worked for the employer for at least 12 months; - Have at least 1,250 hours of service in the 12 months before taking leave,* and

· Work at a location where the employer has at least 50 employees within 75 miles of the employee's

pecial "hours of service" requirements apply to airline flight crew employees REQUESTING LEAVE: Generally, employees must give 30-days advance notice of the need for FMLA leave. If it is not possible to give 30-days advance notice of the need for FMLA leave. If it is not possible to give 30-days notice, an employee must notify the employer as soon as poss and, generally, follow the employer's usual procedures.

ees do not have to share a medical diagnosis, but must provide enough information to the employer to an determine if the leave qualifies for FMLA protection. Sufficient infor nation could include info an employer that the employee is or will be unable to perform his or her job functions, that a family membe cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. annot perform daily activities. or that hos Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the mployer determines that the certification is incomplete, it must provide a written notice indicat additional information is required. EMPLOYER RESPONSIBILITIES: Once an employer becomes aware that an employee's need for leave EMPLOYER RESPONSIBILITIES: Once an employer becomes aware that an employee side to reave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility. Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

ENFORCEMENT: Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employe

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that prov des greater family or medical leave righ For additional information: 1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627 www.dol.gov

whd U.S. Department of Labor • Wage and Hour Division

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vee's iot For qualifying exic

use, child, or parent

irv or illness





The Employee Polygraph Protection Act prohibits most private employers from ests either for pre-employment screening or during the course of employment oyers from using lie dete 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 other rights under the Act. **EXEMPTIONS** Active riors ederal, State and local governments are not affected by the law. Also, the law does not apply to tes wen by the Federal Government to certain private individuals engaged in national security-related

eceives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disab 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.





An employee or a person acting on the employee's behalf, must notify the employer of an injury or occupational disease not later than the 30th day after the date on which the injury occurs or the date the employee knew or should have known of an occupational disease unless the Texas Department of Insurance, Division of Workers' Compensation (Division) determines that good cause existed for failure to provide timely notice. Your employer is required to provide you with coverage information, in writing, when you are hired or whenever the employer becomes, or ceases to be, covered by workers' compensation insurance. Child Actors- state law

Child actor definition - a child under the age of 14 who is to be employed as an actor or other performer Child actor extra definition - a child under the age of 14 who is employed as an extra without any speaking, singing, or dancing roles, usually in the background of the performance

Every person applying for child actor authorization must submit an application for authorization on a form provided by the Texas Workforce Commission.

Special authorization for child actors to be employed as extras is granted without the need for filing an application if the employer meets the Texas Workforce Commission's requirements. Contact 1-800-832-9243 for instruction.

EMPLOYEE ASSISTANCE: The Division provides free information about how to file a workers'

compensation and process any requests for dispute resolution of a claim. You can obtain this assistance by contacting your local Division field office or by calling 1-800-252-7031. The Office of Injured Employee Counsel (OIEC) also provides free assistance to injured employees and will explain your rights and responsibilities under the Workers' Compensation OIEC (1-866-393-6432).

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

Notice 6 TEXAS DEPARTMENT OF INSURANCE DIVISION OF WORKERS' COMPENSATION Rule 110.107

Workers Compensation Notice 7

COVERAGE

Effective on [effective date of certificate] has been certified by the Texas De ensation (Division) as a self-insured employe Inclusion of providing work of the second of

EMPLOYEE ASSISTANCE:

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

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Workers Compensation Notice 10

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

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Texas Whistleblower Act

The Texas Whistleblower Act protects public employees who make good faith reports of violations of law by their employer to an appropriate law enforcement authority An employer may not suspend or terminate the employment of, or take other adverse personnel action against, a public employee who makes a report under the Act

Texas Workforce Commission

Texas Workforce Commissio ATTENTION EMPLOYEES

Your employer reports your wages to the Texas Workforce Commission. If you become unemployed or your work hours are reduced, you may be eligible for unemployment benefit payments. File online at www.twc.texas.gov or call 1-800-939-6631. Additional assistance may be available at your local Workforce Solutions Office; please visit the directory at: www.twc.texas.gov/directory-workforce-solutions-offices-services.

Unemployment Insurance (UI) benefits are available to workers who are unemployed and who meet the requirements of state UI eligibility laws

To file, you will need to provide your full legal name and your social security number or your authorization to work. The Texas Payday Law, Title II, Chapter 61, Texas Labor Code, requires Texas employers to pay their employees who are exempt from the overtime pay provisions of the Fair Labor Standards Act of 1938 at least once per month. All other employees must be paid at least twice a month and each pay period must consist as nearly as possible of an equal number of days.

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

MONTHLY: SEMI-MONTHLY: _____ WEEKLY: _____ OTHER:

TO EMPLOYERS: Texas Labor Code section 208.001(b) and 40 T.A.C. 815.1(14)(A) & (B) require that this notice, or its equivalent, be displayed in a location reasonably calculated to be encountered by all employees, and that mployer provide such information, individually, to an employee upo

> To report suspected fraud, waste or abuse of the program call 800-252-3642. Y-10C(0420)

Payday Notice

PAYDAY IS ON

MONDAY TUESDAY WEDNESDAY THURSDAY FRIDAY SATURDAY SUNDAY

PAY SCHEDULE IS

Emergency Notice

FIRE-RESCUE:

UWEEKLY DIELWEEKLY DISEMI-MONTHLY DIMONTHLY D

PAYCHECKS ARE ISSUED ON THE

AT:

AND TIME:

PENALTIES:

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

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

Hazard Communication

NOTICE TO EMPLOYEES

The Texas Hazard Communication Act, codified as Chapter 502 of the Texas Health and Safety Code, requires public employers to provide employees with specific information on the hazards of chemicals to which employees may be exposed in the workplace. As required by law, your employer must provide you with certain information and training. A brief summary of the law follows.

HAZARDOUS CHEMICALS

hazardous chemicals are any products or materials that present any physical or health hazards when used, unless they are exempted under the law. Some examples of more commonly used hazardous chemicals are fuels, cleaning products, solvents, many types of oils, ompressed gases, many types of paints, pesticides, herbicides, refrigerants, laboratory chemicals, cement, welding rods, etc.

WORKPLACE CHEMICAL LIST

i of hazardous chemicals used or stored in the workplace in excess of 55 gallons or 500 pounds. This list shall be updated by the employer as necessary, but at least annually, and be made readily available for employees and their representatives on request EMPLOYEE EDUCATION PROGRAM

Employees shall provide training to newly assigned employees before the employees work in a work area containing a hazardous chemical. Covered employees shall receive training from the employer on the hazards of the chemicals and on the measures they can take to protect themselves from those hazards. This training shall be repeated as needed, but at least whenever new hazards are introduced into the workplace or new information is received on the chemicals which are already present.

SAFETY DATA SHEETS Employees who may be exposed to hazardous chemicals shall be informed of the exposure by the employer and shall have ready access to the most current Safety Data Sheets (SDSs) or Material Safety Data Sheets (MSDSs) if an SDS is not available yet, which detail physical and health hazards and other pertinent information on those chemicals.

LABELS Employees shall not be required to work with hazardous chemicals from unlabeled containers except portable containers for immediate use, the contents of which are known to the user

EMPLOYEE RIGHTS Employees have rights to: • access copies of SDSs (or an MSDS if an SDS is not available vet) information on their chemical exposures receive training on chemical hazards

receive appropriate protective equipment file complaints, assist inspectors, or testify against their employer

Employees may not be discharged or discriminated against in any manner for the exercise of any rights provided by this Act. A waiver of employee rights is void; an employer's request for such a waiver is a violation of the Act. Employees may file complaints with the Texas Department of State Health Services at the telephone numbers provided below.

EMPLOYERS MAY BE SUBJECT TO ADMINISTRATIVE PENALTIES AND CIVIL OR CRIMINAL FINES RANGING FROM \$50 TO \$100,000 FOR EACH VIOLATION OF THIS ACT

Further information may be obtained from Texas Department of State Health Services Consumer Protection Division Environmental Operations Branch PO Box 149347, MC 2835 Austin, TX 78714-9347 (512) 834-6787 (800) 293-0753 (toll-free)

Fax: (512) 834-6614 E-mail: TXHazComHelp@dshs.texas.gov Website: www.dshs.texas.gov/hazcor

Equal Opportunity

EQUAL EMPLOYMENT OPPORTUNITY is. . . the LAW in TEXAS

The LAW prohibits employers, employment agencies and labor unions from denving equal employment opportunities in hiring, promotion, discharge, pay, fringe benefits, membership, training, other aspects of employment, because of race, color, national origin, religion, sex, age, or disability.

Sexual harassment of unpaid interns is also against the law.

If you believe you have been discriminated against, contact the Texas Workforce Commission, Civil Rights Division

101 East 15th Street Rm 144-T Austin TX 78778-0001 (512) 463-2642 • Toll Free (within Texas) 1-888-452-4778 • TTY (512) 371-7473 www.twc.state.tx.us

No appointment necessary • Free Language Assistance • Equal Opportunity Employer / Program

Ombudsman

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

Have you been injured on the job? As an injured employee in Texas, you have the right to free assistance from the Office of Injured Employee Counsel (OIEC). OIEC is the state agency that assists unrepresented injured employees with their claim in the workers' compensation

You can contact OIEC by calling its toll-free telephone number: 1-866-393-6432. More information about OIEC and its Ombudsman Program is available at the agency's website (www.oiec.texas.gov).

OMBUDSMAN PROGRAM

WHAT IS AN OMBUDSMAN? An Ombudsman is an employee of OIEC who can assist you if you have a dispute with your employer's insurance carrier. An Ombudsman's assistance is free of charge. Each Ombudsman has a workers' compensation adjuster's license and has completed a comprehensive training program designed specifically to assist you with your dispute

An Ombudsman can help you identify and develop the disputed issues in your case and attempt to resolve them. If the issues cannot be resolved, the Ombudsman can help you request a dispute resolution proceeding at the Texas Department of Insurance. Division of Workers Compensation. Once a proceeding is scheduled an Ombudsman can:

 Help you prepare for the proceeding (Benefit Review Conference and/or Contested Case Hearing); · Attend the proceeding with you and communicate on your behalf: and · Assist you with an appeal or a response to an insurance carrier's appeal, if necessary

> CONNECT Twitter: @OIEC | Instagram: @OIETexas | YouTube: @OIECtube Web: oiec.texas.gov Figure 28 TAC §276.5(c)

AMBULANCE:

HOSPITAL:	PHYSICIAN:
ALTERNATE:	POLICE:
OSHA:	HAZARDOUSMATERIAL:
Labor Law Solutions™	
THE TOP LEADING SOU	JRCE OF LABOR LAW COMPLIANCE



ted notice required by subsection (e) of this section, employers, as defined by Labor Code Section 406.001, shall notify their employees of workers' compensation insurance coverage status, in writing. This additional notice

(1) shall be provided at the time an employee is hired, meaning when the employee is required by federal law to complete both a W-4 form and an I-9 form or when a break in service has occurred and the employee is required by federal law to complete a W-4 form on the first day the employee reports back to duty; (2) shall be provided to each employee, by an employer whose workers' compensation insurance coverage is nated or cancelled, not later than the 15th day after the date on which the termination or cancellation of coverage takes effect (3) shall be provided to each employee, by an employer who obtains workers' compensation insurance coverage, not later than the 15th day after the date on which coverage takes effect, as necessary to allow the employee to elect to retain common law rights under Labor Code Chapter 406 (4) shall include the text required in the posted notice (see rule 110.101 (e)(1), (e)(2), (e)(3), (e)(4) for appropriate language); and (5) if the employer is covered by workers' compensation insurance (subs ial insurance or through self-insurance as provided by the Texas Workers' Compensation Act (Act), shall include the following statement

NOTICE TO NEW EMPLOYEES

Reference Rule 110.101

OF THE MONTH

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