# Kansas

# State and Federal Labor Law Poster

# Kansas Law Provides

Equal opportunity in employment without regard to race, religion, color, sex, disability, national origin, ancestry, or age. Genetic testing and screening is also prohibited. Sex includes LGBTQ+, all derivatives of

If you have suffered discrimination in recruitment, hiring, placement, promotion, transfer, training, compensation, layoff, or termination contact...

### KANSAS HUMAN RIGHTS COMMISSION **AREA OFFICES:**

**MAIN OFFICE TOPEKA:** 900 S.W. JACKSON SUITE 568-SOUTH TOPEKA, KANSAS 66612-1258 Voice (785) 296-3206 Fax (785) 296-0589 TTY (785) 296-0245 Toll-Free (888) 793-6874 E-mail khrc@ks.gov

DODGE CITY OFFICE: **MILITARY PLAZA OFFICES SUITE 220** 100 MILITARY PLAZA DODGE CITY, KS 67801-4945 Voice (620) 371-5681 Fax (620) 371-5682

WICHITA OFFICE: 300 W. DOUGLAS **SUITE 220** WICHITA, KS 67202 Voice (316) 337-6270 Fax (316) 337-7376



sex, and pregnancy.

Age is 40 or more years

### **Notice to Workers About UNEMPLOYMENT INSURANCE**



Aviso Para el Trabajador Sobre **EL SEGURO DE DESEMPLEO** 

Our organization participates in the Kansas Unemployment Insurance Program. Should you become unemployed, you can learn about unemployment benefits and apply online at www.GetKansasBenefits.gov

If you are unable to apply online, you can apply for benefits by calling the Kansas Unemployment Contact Center.

**Kansas Unemployment Contact Center** Kansas City Area.. (913) 596-3500 . (785) 575-1460 . (316) 383-9947 Toll free outside these areas.. .. (800) 292-6333 Kansas Relay Center (TTY)..... (800) 766-3777

Claims specialists are available Monday through Friday from 8 a.m. until 4:15 p.m., except on state holidays.

> The Kansas Unemployment Insurance Program KANSAS DEPARTMENT OF LABOR 401 SW Topeka Blvd. Topeka, KS 66603-3182

Nuestra organización participa en el programa del Seguro de Desempleo de Kansas .Si acaso llega ser desempleado puede aprender mas sobre los beneficios de desempleo y aplicar en www.GetKansasBenefits.gov

Si no puede aplicar por la Internet, usted puede aplicar por beneficios de desempleo al llamar al Centro de Contacto de Desempleo de Kansas.

Centro de Contacto de Desempleo de Kansas . (913) 596-3500 Área de Kansas City Área de Topeka . (785) 575-1460 . (316) 383-9947 Área de Wichita . Si vive fuera de las áreas de llamadas ..... (800) 292-6333 Kansas Relay Center (TTY)... . (800) 766-3777

Disponibilidad de Especialistas de Reclamo lunes – viernes 8 a.m. – 4:15 p.m. La oficina esta cerrada durante los días festivos reconocidos por el estado de Kansas.

El programa de Seguro de Desempleo de Kansas es administrado por: KANSAS DEPARTMENT OF LABOR 401 SW Topeka Blvd. Topeka, KS 66603-3182



# **Job Safety and Health** IT'S THE LAW!

## 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.

This poster is available free from OSHA

Contact OSHA. We can help.

 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 programs in every state.



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

**EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT** 

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

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

REQUIREMENTS

REQUESTING

**RESPONSIBILITIES** 

**ENFORCEMENT** 

The birth of a child or placement of a child for adoption or foster care; 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 the employee's job For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with

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. 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 worksite Generally, employees must 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 possible and, generally, follow the employer's usual procedures Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization o continuing medical treatment is necessary. 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 employer determines that the

Once an employer becomes aware that an employee's need for leave 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 Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be <mark>designated</mark> as Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsui The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law <mark>or col</mark>lectiv

certification is incomplete, it must provide a written notice indicating what additional information is required.



1-866-4-USWAGE

U.S. Department of Labor | Wage and Hour Divisio

bargaining agreement that provides greater family or medical leave rights.



# Kansas Law Provides **EQUAL OPPORTUNITY** IN PUBLIC ACCOMMODATIONS

without regard to RACE, RELIGION, COLOR, SEX, DISABILITY, NATIONAL ORIGIN, OR ANCESTRY



COMMISSION MAIN OFFICE TOPEKA: DODGE CITY OFFICE Military Plaza Offices 900 S.W. Jackson Suite 568 South Suite 220 Topeka, Kansas 66612 100 Military Plaza Voice (785) 296-3206 Dodge City, Kansas 67801

Toll-Free (888) 793-6874 WICHITA OFFICE: 300 W. Douglas Suite 220

Wichita, Kansas 67202

Voice (316) 337-6270

Fax (316) 337-7376

THE FULL AND EQUAL USE AND ENJOYMENT OF GOODS, SERVICES, AND FACILITIES OFFERED BY PLACES OF PUBLIC ACCOMMODATIONS WITHIN THE STATE OF KANSAS

> "Protecting your rights Under the Law'



## IF YOU HAVE THE RIGHT TO WORK



work, your citizenship or immigration status buldn't get in the way. Neither should the national origin or citizenship status (this may ace you were born or another aspect of your violate a part of the law at 1-800-255-7688 TTY 1-800-237-251 nination based on their citizenship status and Treats you unfairly while checking your right to ational origin. You can read this law at work in the U.S., including while completing the (IER) may be able to help if an employer treats Retaliates against you because you are speaking up for your right to work as protected by this law The law that IER enforces is 8 U.S.C. § 1324b. The 8 U.S.C. § 1324b(a)(5))

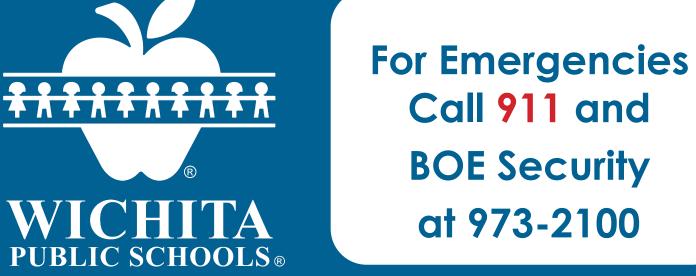


## NO DEJE QUE NADIE SE LO QUITE

gal a trabajar, su estatus migratorio o de uno debe representar un obstáculo, ni nacionalidad de origen o estatus de ciudadanía (esto podría representar una vulneración de parte de la ley contenida en la Sección 1324b(a)(1) del Título 8 del Código de los EE. UU.) Lo trata de una manera injusta a la forma de comprobar su derecho a trabajar en los EE. UU incluyendo al completar el Formulario 1-9 o utiliz Título 8 del Código de los EE. UU.) Imigrantes y Empleados (IER, por sus siglas en inglés) pueda ayudar si un empleador lo trata de una forma injusta, en contra de esta ley.

La ley que hace cumplir la IER es la Sección 1324b del

Toma represalias en su contra por haber defendido su derecho a trabajar al amparo de esta ley (Ia ley profibe las represalias, según en indica en la Sección enero del 2019 enero del 2019



# **EMPLOYEE RIGHTS**

# FOR WORKERS WITH DISABILITIES PAID AT SUBMINIMUM WAGES

This establishment has a certificate authorizing the payment of subminimum wages to workers who are disabled for the work they are performing. Authority to pay subminimum wages to workers with disabilities generally applies to work covered by the Fair Labor Standards Act (FLSA), McNamara-O'Hara Service Contract Act (SCA), and/or Walsh-Healey Public Contracts Act (PCA). Such subminimum wages are referred to as commensurate wage rates" and are less than the basic hourly rates stated in an SCA wage determination and/or less than the FLSA minimum wage of \$7.25 per hour. A "commensurate wage rate" is based on the worker's individual productivity, no matter how limited, in proportion to the wage and productivity of experienced workers who do not have disabilities that impact their productivity when performing essentially the same type, quality, and quantity of work in the geographic area from which the labor force of the community is drawn.

**WORKERS WITH DISABILITIES** 

Subminimum wages under section 14(c) are not applicable unless a worker's disability actually impairs the worker's earning or productive capacity for the work being performed. The fact that a worker may have a disability is not in and of itself sufficient to warrant the payment of a subminimum wage. For purposes of payment of commensurate wage rates under a certificate, a worker with a disability is defined as: An individual whose earnings or productive capacity is impaired by a physical or mental disability, including

unemployment; receipt of welfare benefits; nonattendance at school; juvenile delinquency; and correctional

Disabilities which may affect productive capacity include an intellectual or developmental disability, psychiatric disability, a hearing or visual impairment, and certain other impairments. The following do not ordinarily affect productive capacity for purposes of paying commensurate wage rates: educational disabilities; chronic

WORKER NOTIFICATION

COMMENSURATE

**EXECUTIVE ORDER** 

**OVERTIME** 

**CHILD LABOR** 

**PETITION PROCESS** 

**WAGE RATES** 

Each worker with a disability and, where appropriate, the parent or guardian of such worker, shall be informed orally and in writing by the employer of the terms of the certificate under which such worker is employed. Nondisabled worker standard—The objective gauge (usually a time study of the production of workers **KEY ELEMENTS OF** 

who do not have disabilities that impair their productivity for the job) against which the productivity of a • Prevailing wage rate—The wage paid to experienced workers who do not have disabilities that impair their productivity for the same or similar work and who are performing such work in the area. Most SCA contracts include a wage determination specifying the prevailing wage rates to be paid for SCA-covered work • Evaluation of the productivity of the worker with a disability—Documented measurement of the

The wages of all workers paid commensurate wages must be reviewed, and adjusted if appropriate, at periodic intervals. At a minimum, the productivity of hourly-paid workers must be reevaluated at least every six months and a new prevailing wage survey must be conducted at least once every twelve months. In addition, prevailing wages must be reviewed, and adjusted as appropriate, whenever there is a change in the job or a change in the

The Workforce Innovation and Opportunity Act of 2014 (WIOA) amended the Rehabilitation Act by adding section 511, which places limitations on the payment of subminimum wages to individuals with disabilities by

> Executive Order 13658, Establishing a Minimum Wage for Contractors, established a minimum wage that generally must be paid to workers performing on or in connection with a covered contract with the Federal Government, Workers covered by this Executive Order and due the full Executive Order minimum wage include workers with disabilities whose wages are calculated pursuant to certificates issued under section 14(c) of the

**FRINGE BENEFITS** Neither the FLSA nor the PCA have provisions requiring vacation, holiday, or sick pay nor other fringe benefits such as health insurance or pension plans. SCA wage determinations may require such fringe benefit payments (or a cash equivalent). Workers paid under a certificate authorizing commensurate wage rates must receive the full fringe benefits listed on the SCA wage determination.

> least 1 1/2 times their regular rate of pay for all hours worked over 40 in a workweek Minors younger than 18 years of age must be employed in accordance with the child labor provisions of the FLSA. No persons under 16 years of age may be employed in manufacturing or on a PCA contract. Workers with disabilities paid at subminimum wages may petition the Administrator of the Wage and Hour Division of the Department of Labor for a review of their wage rates by an Administrative Law Judge No.

Generally, if a worker is performing work subject to the FLSA, SCA, and/or PCA, that worker must be paid at

particular form of petition is required, except that it must be signed by the worker with a disability or his or her parent or guardian and should contain the name and address of the employer. Petitions should be mailed to: Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue NW,





# **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.

**OVERTIME PAY** At least 1½ times the regular rate of pay for all hours worked over 40 in a workweek. 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 jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may

used by the employee to express breast milk.

certain work hours restrictions. Different rules apply in agricultural employment. **TIP CREDIT** 

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 employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference. The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA's overtime requirements in order for the employee to express breast milk for her nursing child for one year after the child's birth each time such employee has a need

to express breast milk. Employers are also required to provide a place, other than a bathroom,

that is shielded from view and free from intrusion from coworkers and the public, which may be

work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with

**ADDITIONAL** 

INFORMATION

NURSING

**MOTHERS** 

**ENFORCEMENT** The Department has authority to recover back wages and an equal amount in liquidated damages n instances 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 minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations 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 doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA. · Certain occupations and establishments are exempt from the minimum wage, and/or overtime

> Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.

• Some state laws provide greater employee protections; employers must comply with both. Some employers incorrectly classify workers as "independent contractors" when they are actually employees 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 contractors are not. · Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.





Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants

includes information about genetic tests of applicants, employees, or their family

members; the manifestation of diseases or disorders in family members (family

medical history); and requests for or receipt of genetic services by applicants,

All of these Federal laws prohibit covered entities from retaliating against a

There are strict time limits for filing charges of employment discrimination. To

The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000

three years of discharge or release from active duty), other protected veterans

(veterans who served during a war or in a campaign or expedition for which a

campaign badge has been authorized), and Armed Forces service medal veterans

Retaliation is prohibited against a person who files a complaint of discrimination,

participates in an OFCCP proceeding, or otherwise opposes discrimination

Any person who believes a contractor has violated its nondiscrimination or

affirmative action obligations under the authorities above should contact

The Office of Federal Contract Compliance Programs (OFCCP), U.S.

Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C.

(veterans who, while on active duty, participated in a U.S. military operation for

which an Armed Forces service medal was awarded).

proceeding, or otherwise opposes an unlawful employment practice.

WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED



# **Equal Employment Opportunity is**

### Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases:

ACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN itle VII of the Civil Rights Act of 1964, as amended, protects applicants and nployees from discrimination in hiring, promotion, discharge, pay, fringe benefits, and employees from discrimination based on genetic information in hiring, bb training, classification, referral, and other aspects of employment, on the basis promotion, discharge, pay, fringe benefits, job training, classification, referral, and frace color religion, sex (including pregnancy), or national origin. Religious other aspects of employment. GINA also restricts employers' acquisition of genetic scrimination includes failing to reasonably accommodate an employee's religious information and strictly limits disclosure of genetic information. Genetic information

ractices where the accommodation does not impose undue hardship. itle I and Title V of the Americans with Disabilities Act of 1990, as amended, protect employees, or their family members. ualified individuals from discrimination on the basis of disability in hiring, promotion, scharge, pay, fringe benefits, job training, classification, referral, and other spects of employment. Disability discrimination includes not making reasonable mmodation to the known physical or mental limitations of an otherwise qualified person who files a charge of discrimination, participates in a discrimination dividual with a disability who is an applicant or employee, barring undue hardship.

e in hiring, promotion, discharge, pay, fringe benefits, job training, classification, private lawsuit, should you ultimately need to, you should contact EEOC promptly eferral, and other aspects of employment. n addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as impairments). EEOC field office information is available at www.eeoc.gov or

he Age Discrimination in Employment Act of 1967, as amended, protects

nended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in in most telephone directories in the U.S. Government or Federal Government e payment of wages to women and men performing substantially equal work, section. Additional information about EEOC, including information about charge n jobs that require equal skill, effort, and responsibility, under similar working filing, is available at www.eeoc.gov. onditions, in the same establishment

(tall-free) or 1-800-669-6820 (tall-free TTY number for individuals with hearing

when discrimination is suspected:

pplicants and employees 40 years of age or older from discrimination based on preserve the ability of EEOC to act on your behalf and to protect your right to file a

**Employers Holding Federal Contracts or Subcontracts** Applicants to and employees of companies with a Federal government contract or subcontract

are protected under Federal law from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN xecutive Order 11246, as amended, prohibits job discrimination on the basis f race, color, religion, sex or national origin, and requires affirmative action to nsure equality of opportunity in all aspects of employment. NDIVIDUALS WITH DISABILITIES ection 503 of the Rehabilitation Act of 1973, as amended, protects qualified dividuals from discrimination on the basis of disability in hiring, promotion, ischarge, pay, fringe benefits, job training, classification, referral, and ther aspects of employment. Disability discrimination includes not making easonable accommodation to the known physical or mental limitations of an

herwise qualified individual with a disability who is an applicant or employee, arring undue hardship. Section 503 also requires that Federal contractors take ffirmative action to employ and advance in employment qualified individuals rith disabilities at all levels of employment, including the executive level. ISABLED, RECENTLY SEPARATED, OTHER PROTECTED, ND ARMED FORCES SERVICE MEDAL VETERANS

RACE, COLOR, NATIONAL ORIGIN, SEX

20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at OFCCP-Public@dol.gov, or by calling an OFCCP regional The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 J.S.C. 4212, prohibits job discrimination and requires affirmative action to employ or district office, listed in most telephone directories under U.S. Government, nd advance in employment disabled veterans, recently separated veterans (within

Programs or Activities Receiving Federal Financial Assistance INDIVIDUALS WITH DISABILITIES Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

If you believe you have been discriminated against in a program of any

contact the Federal agency providing such assistance.

institution which receives Federal financial assistance, you should immediately

EEOC-P/E-1 (Revised 11/09)

EEOC 9/02 and OFCCP 8/08 Versions Useable With 11/09 Supplement

In addition to the protections of Title VII of the Civil Rights Act of 1964, as

ded, Title VI of the Civil Rights Act of 1964, as amended, prohibits scrimination on the basis of race, color or national origin in programs or

tivities receiving Federal financial assistance. Employment discrimination

covered by Title VI if the primary objective of the financial assistance is

ovision of employment, or where employment discrimination causes or may

ause discrimination in providing services under such programs. Title IX of the

pasis of sex in educational programs or activities which receive Federal financial

Education Amendments of 1972 prohibits employment discrimination on the

# **Workers Compensation Rights and Responsibilities**

This notice must be posted and maintained by the employer in one or more conspicuous places.

Your employer is subject to the Kansas Workers Compensation Law which provides compensation for job-related injuries.

This notice applies to dates of accidents on or after April 25, 2013.

### Este aviso aplica a las fechas de los accidentes a partir de Abril 25, 2013. **QUE HACER SI UNA LESIÓN OCURRE EN EL TRABAJO**

NOTIFIQUE A SU EMPLEADOR INMEDIATAMENTE De acuerdo con el artículo de ley K.S.A. 44-520, un reclamo puede ser negado si el empleado no notifica a su empleador dentro de antes de las siguientes fechas: (A) 20 días a partir de la fecha del accidente o la fecha de la lesión debido a trauma por movimientos repetitivos; (B) si el empleado está trabajando con el empleador en contra del cual se están buscando beneficios y dicho empleado busca tratamiento médico por cualquier lesión por accidente o trauma repetitiva, 20 días a partir de la fecha que dicho tratamiento médico ha sido obtenido; o (C) si el empleado ya no trabaja para el empleador en contra del cual se están buscando beneficios, 10 días después del último día de trabajo para dicho empleador.

El aviso puede darse oralmente o por escrito. Donde el aviso se da oralmente, si el empleador ha designado un individuo o departamento a quien el aviso se debe dar y tal designación ha sido comunicada por escrito al empleado, aviso a cualquier otro individuo o departamento deberá ser insuficiente bajo esta sección. Si el empleador no ha designado a un individuo o departamento a quien se debe dar el aviso, el aviso puede darse a un supervisor o gerente. Donde el aviso se hace por escrito, el aviso debe ser enviado a un supervisor o gerente de la oficina principal de empleo del

El aviso, sea que se haga oralmente o por escrito, debe incluir la hora, fecha, lugar, persona lesionada y detalles de tal lesión. Debe ser visible a partir del contenido del aviso, que el empleado está reclamando beneficios bajo la ley de compensación del trabajador o que ha sufrido una lesión relacionada con el trabajo. BENEFICIOS. Los beneficios son pagados por la compañía aseguradora del empleador o programa de seguro propio. Los beneficios incluyen tratamiento médico, reemplazo de sueldo parcial por tiempo perdido y beneficios adicionales si la lesión resulta en incapacidad permanente. El empleador debe proporcionar todo el tratamiento médico necesario y tiene el derecho de designar el docto para dicho tratamiento. Si el empleado busca tratamiento con un doctor que no ha sido autorizado por el empleador, el empleador o su compañía aseguradora serán responsables de pagar solamente los primeros \$500.00 dólares para tratamiento médico no autorizado.

WHERE TO GET HELP WITH YOUR CLAIM (DÓNDE CONSEGUIR AYUDA CON SU RECLAMO): USD 259 Employee Benefits Office

903 S. Edgemoor, Wichita KS 67218

WHAT TO DO IF AN INJURY

OCCURS ON THE JOB

NOTIFY YOUR EMPLOYER IMMEDIATELY. Per K.S.A. 44-520, a claim may be denied if an employee fails to

notify their employer within the earliest of the following dates:

(A) 20 calendar days from the date of accident or the date of

injury by repetitive trauma; (B) if the employee is working for

the employer against whom benefits are being sought and such

employee seeks medical treatment for any injury by accident or

repetitive trauma, **20 calendar days** from the date such medical

treatment is sought; or (C) if the employee no longer works for

10 calendar days after the employee's last day of actual work

Notice may be given orally or in writing. Where notice is

provided orally, if the employer has designated an individual or

department to whom notice must be given and such designation

has been communicated in writing to the employee, notice to

any other individual or department shall be insufficient under

this section. If the employer has not designated an individual

or department to whom notice must be given, notice must be

Where notice is provided in writing, notice must be sent to

a supervisor or manager at the employee's principal location of

The notice, whether provided orally or in writing, shall

notice that the employee is claiming benefits under the workers

nsurance carrier or self insurance program. Benefits include

medical treatment, partial wage replacement for lost time and

additional benefits if the injury results in permanent disability.

treatment and has the right to designate the treating physician.

If the employee seeks treatment from a doctor not authorized by

the employer, the employer or its insurance carrier is only liable

up to \$500.00 dollars for the unauthorized medical treatment.

An employer is required to furnish all necessary medical

include the time, date, place, person injured and particulars

of such injury. It must be apparent from the content of the

BENEFITS. Benefits are paid by the employer's

compensation act or has suffered a work-related injury.

provided to a supervisor or manager.

the employer against whom benefits are being sought,

For questions about Workers Compensation Law, contact (Para preguntas acerca de la Ley de Compensación del Trabajador): KANSAS DEPARTMENT OF LABOR Website: www.dol.ks.gov/workcomp/default.aspx Division of Workers Compensation/Ombudsman Email: KDOL.wc@ks.gov

401 SW Topeka Blvd., Suite 2, Topeka, KS 66603-3105 Phone: (800) 332-0353 or (785) 296-4000 Persons with impaired hearing or speech utilizing a telecommunications device may access the above number(s) by using the Kansas Relay Center at (800) 766-3777. KANSAS DEPARTMENT OF LABOR

# **EMPLOYEE RIGHTS EMPLOYEE POLYGRAPH PROTECTION ACT**

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of 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 other rights under the Act.

Federal, State and local governments are not affected by the law. Also,

the law does not apply to tests given by the Federal Government to

certain private individuals engaged in national security-related activities. 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 dispensers.

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

employees of private firms who are reasonably suspected of involvement

in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer. The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to

**EXAMINEE RIGHTS** 

**EXEMPTIONS** 

Where polygraph tests are permitted, they are subject to numerous strict standards concerning 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 test, and the right not to have test results disclosed to unauthorized persons.

**ENFORCEMENT** 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 actions.

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.





lie detector tests.







**HEALTH INSURANCE PROTECTION** 

If you leave your job to perform military service, you have the right

Even if you don't elect to continue coverage during your military

service, you have the right to be reinstated in your employer's

for service-connected illnesses or injuries.

ENFORCEMENT

of USERRA violations.

representation.

health plan when you are reemployed, generally without any waiting

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

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

Service (VETS) is authorized to investigate and resolve complaints

For assistance in filing a complaint, or for any other information on

USERRA, contact VETS at 1-866-4-USA-DOL or visit its website at

http://www.dol.gov/vets. An interactive online USERRA Advisor can

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

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

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

you may request that your case be referred to the Department

be viewed at http://www.dol.gov/elaws/userra.htm.

to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in

### REEMPLOYMENT RIGHTS You have the right to be reemployed in your civilian job if you leave that

job to perform service in the uniformed service and: you ensure that your employer receives advance written or verbal notice of your service; you have five years or less of cumulative service in the uniformed

services while with that particular employer; you return to work or apply for reemployment in a timely manner after conclusion of service; and you have not been separated from service with a disqualifying discharge or under other than honorable conditions. 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 to

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

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:

nilitary service or, in some cases, a comparable job.

have applied for membership in the uniformed service: or initial employment; reemployment; retention in employment; promotion; or

against an employer for violations of USERRA. any benefit of employment because of this status n 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 person has no service connection. 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: http://www.dol.gov/vets/programs/userra/poster.htm. 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.









You can order these posters from the Print Center Catalog in WebCRD under Human Resources