

California & Federal Employment Notices

SAFETY AND HEALTH PROTECTION ON THE JOB State of California Department of Industrial Relations

California law provides workplace safety and health protections for workers through regulations enforced by the Division of Occupational Safety and Health (Cal/OSHA). This includes enforcing some basic workplace safety and health standards to ensure that workers are protected from safety and health hazards.

WHAT AN EMPLOYER MUST DO: All employers must provide work and workplaces that are safe and healthful. In addition, Cal/OSHA requires employers to provide a written safety and health program that includes training, hazard communication, and other safety and health measures.

WHAT AN EMPLOYER MUST NEVER DO: Never permit an employee to be exposed to harmful substances without adequate protection. Never allow an untrained employee to perform hazardous work.

EMPLOYERS HAVE CERTAIN WORKPLACE SAFETY & HEALTH RIGHTS: As an employer, you or someone acting with your right to file a confidential complaint with Cal/OSHA. You also have the right to bring unsafe or unhealthful conditions to the attention of Cal/OSHA investigator inspecting your workplace.

EMPLOYERS ALSO HAVE RESPONSIBILITIES: To keep the workplace and your workers safe, you should take your employer's own hazard that could result in an injury or illness to an employee. Help is available to learn more about workplace safety rules, you may contact Cal/OSHA's Information Services for free information, required forms, and publications.

Call the FREE Worker Information Helpline - (833) 573-0257 DIVISION OF OCCUPATIONAL SAFETY AND HEALTH (Cal/OSHA) HEADQUARTERS: 1515 Clay Street, Ste. 1901, Oakland, CA 94612 - 1 (510) 286-7000

California Minimum Wage Order and WUC Industry and Occupation Orders

Table showing effective January 1, 2023, minimum wage rates for different employee categories. Includes columns for Effective Date, Employees with 25 or Fewer Employees, and Employees with 26 or More Employees.

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Whistleblowers' Protection WHISTLEBLOWERS ARE PROTECTED

It is the public policy of the State of California to encourage employees to notify an appropriate government or law enforcement agency, person with authority over an employee, or another 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 violating or not complying with a local, state or federal rule or regulation.

What is protected? Pursuant to California Labor Code Section 1102.5, employees are the protected class of individuals. 'Employee' means any person employed by an employer, private or public, including, but not limited 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 Section 1106]

What is a whistleblower? A 'whistleblower' is an employee who discloses information to a government or law enforcement agency, person with authority over the employee, or to another employee with authority to 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 reasonable cause to believe that the information discloses: 1. A violation of a state or federal statute, 2. A violation or noncompliance with a local, state or federal rule or regulation, or 3. With reference to nonemployee safety or health, unsafe working conditions or work practices in the employee's employment or place of employment.

What protections are afforded to whistleblowers? 1. An employer may not make, adopt, or enforce any rule, regulation, or policy preventing an employee from being a whistleblower. 2. An employer may not retaliate against an employee who is a whistleblower. 3. 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 state or federal rule or regulation. 4. An employer may not retaliate against an employee for having exercised his or her rights as a whistleblower in any former employment.

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, and take other steps necessary to comply with the law. How to report improper acts: 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, or its shareholders, investors, or employees, call the California State Attorney General's Whistleblower Hotline at 1-800-952-5225. The Attorney General will refer you call to the appropriate government authority for review and possible investigation.

Your Rights and Obligations as a Pregnant Employee: 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 or adjusting a stool or chair, or allowing you to take frequent breaks). You have the right to be free from harassment, discrimination, or retaliation based on pregnancy, childbirth, or related conditions.

What are some possible accommodations for pregnant workers? 1. Being able to sit or drink water. 2. Having frequent breaks. 3. Having flexible hours. 4. Having flexible uniforms and safety apparel. 5. Having additional break time to use the bathroom, eat, and rest. 6. Being exempt from strenuous activities unless approved to chemicals not safe for pregnancy.

What other federal employment laws may apply to pregnant workers? The ADA which prohibits employment discrimination based on disability (enforced by the EEOC). The FMLA which provides unpaid leave for certain workers for the birth and care of a newborn child. The FLSA which provides minimum wage and overtime pay.

Unemployment Insurance: This employer is registered with the Employment Development Department (EDD) as required by the California Unemployment Insurance Code and is reporting wage credits to the EDD that are being accumulated for you to be used as a basis for: Unemployment Insurance (UI) benefits. Unemployment Insurance (UI) is a benefit you receive from the state when you are unemployed or your hours are reduced due to not having your own claim. UI benefits payments may include both state and federal unemployment insurance benefits.

Discrimination and Harassment: Civil Rights Department of California. The California Civil Rights Department (CRD) enforces laws that protect you from illegal discrimination and harassment in employment based on your actual or perceived: ANCESTRY. COLOR. CREED. DISABILITY. GENDER. GENETIC INFORMATION. NATIONAL ORIGIN. RACE. RELIGION. SEX. SEXUAL ORIENTATION. SEX CHARACTERISTICS. VETERAN STATUS. MENTAL STATUS. MILITARY OR VETERAN STATUS. LANGUAGE (includes language restrictions and possession of a driver's license issued to undocumented immigrants). RACE (includes hair texture and practices). SEXUAL ORIENTATION AND GENDER IDENTIFICATION. REPRODUCTIVE HEALTH DECISIONMAKING. SEX CHARACTERISTICS (includes gender identity and gender expression). SEXUAL ORIENTATION AND GENDER IDENTIFICATION. THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT AND ITS IMPLEMENTING REGULATIONS PROTECT CIVIL RIGHTS AT WORK. HARASSMENT: The law prohibits harassment of employees, applicants, unpaid interns, volunteers, and independent contractors by any person. This includes a prohibition against harassment based on any characteristic listed above, such as race, religion, sex, sexual orientation, gender identity, and gender expression, and other protected characteristics.

Federal Minimum Wage EMPLOYERS UNDER THE FAIR LABOR STANDARDS ACT

Employees subject to the federal minimum wage law are obligated to pay the higher rate. The law requires employers to display this poster where employees can readily see it. OVERVIEW: Pay at least 15 times the regular rate of pay for all hours worked in excess of 40 hours in a workweek. An employee must be paid at least 1.5 times the regular rate of pay for all hours worked in excess of 40 hours in a workweek.

Additional Information: Learn more about wage.EEOC.gov/Pregnant-Discrimination. What is PWWA? The Pregnant Workers Fairness Act (PWWA) is a federal law that, starting June 27, 2023, will prohibit employers from discriminating against pregnant workers based on pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an "undue hardship."

Equal Employment Opportunity: EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS: The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the Equal Opportunity (EO) laws that prohibit employment discrimination on the basis of race, color, religion, sex, sexual orientation, gender identity, national origin, ancestry, age, marital status, pregnancy, genetic information, or disability.

Family Care and Medical Leave Act (CFRA Leave)

Family Care and Medical Leave Act (CFRA Leave): The Family Care and Medical Leave Act (CFRA) provides eligible employees with the right to take up to 12 weeks of unpaid, job-protected leave per year for certain family care and medical reasons. The law applies to federal government employees and employees of private employers who are covered by the Federal Employees Retirement System (FERS).

Workers' Compensation: Division of Workers' Compensation. Notice to Employees - Injuries Caused by Work. You may be entitled to workers' compensation benefits if you are injured or become disabled as a result of a work-related physical or mental injury or illness. An injury or illness can be caused by an event such as hitting your head in a fall or by repeated exposure to a substance such as an irritating material during the same travel route over and over.

Notice of Withholding: Your employer must send a copy of your employer's Withholding Affidavit Form W-4 (Federal or State) to you. You must fill out this form and return it to your employer. You must also provide a copy of your employer's Withholding Affidavit Form W-4 (Federal or State) to you. You must fill out this form and return it to your employer.

Sexual Harassment THE SEXUAL HARASSMENT: Sexual harassment is a form of discrimination based on sex (including pregnancy, childbirth, or related medical conditions) that is unwelcome and based on sex. It includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that is unwelcome and based on sex.

Transgender Rights in the Workplace THE RIGHTS OF EMPLOYEES WHO ARE TRANSGENDER OR GENDER NONCONFORMING: CALIFORNIA'S TRANSGENDER RIGHTS AND GENDER NONCONFORMING PROTECTION ACT (TGCA) prohibits employers from discriminating against transgender or gender nonconforming employees in the workplace. The law applies to all employers with five or more employees.

No Smoking Labor Code Section 6404.5 prohibits smoking in places of employment. No employer shall knowingly or intentionally permit, and no person shall engage in, the smoking of tobacco products in an enclosed space at a place of employment.

State & Federal Compliance Solutions logo and contact information.

Notice of Withholding form and related information.

No Smoking sign and related information.