Oklahoma State Postings

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OKLAHOMA

Oklahoma Workers' Compensation Notice and Instruction to Employers and Employees

CC-Form-1A

All employees of this employer who are entitled to benefits of the Administrative Workers' Compensation Act are hereby notified that this employer has complied with all rules of the Workers' Compensation Commission and that this employer has secured payment of compensation for all employees and their dependents in accordance with the Act. All employees are further notified this employer will furnish first aid, medical, surgical, hospital, optometric, podiatric, chiropractic and nursing services, medicine, crutches and other apparatus as may be reasonably necessary in connection with the injury received by the employee, as well as payments of compensation to any injured employee or the employee's dependents as provided in the Act.

Any employee who has suffered a compensable injury covered by the Administrative Workers' Compensation Act is entitled to vocational rehabilitation services, including retraining and job placement, if, as a result of the injury, the employee is unable to perform work for which the person has previous training or experience.

The Oklahoma Workers' Compensation Commission has a Counselor Division to provide information to injured workers, employers, and other interested persons.

Mediation is available to help resolve certain workers' compensation disputes. For information, call the Counselor Division at 405-522-5308 or In-State Toll Free 855-291-3612.

Signature of Employer

Insurer Name and Address

Date of Expiration of Insurance Policy (Not applicable to employers authorized to self-insure.)

Employee's Responsibilities In Case of Work Related Injury

If accidentally injured or affected by cumulative trauma or an occupational disease arising out of and in the course of employment, however slight, the employee should notify the employer immediately. If this employer is a partnership, notice shall be given to any partner. If this employer is a corporation, notice shall be given to any agent or officer of the corporation upon whom legal process may be served. Notice shall also be given to the person in charge of business at the location of operations where the injury occurred. Unless oral or written notice is given to the employer within thirty (30) days, the claim for compensation may be forever barred.

The employee may file a claim for compensation with the **WORKERS' COMPENSATION COMMISSION** for an accidental injury, death, cumulative trauma or occupational disease or illness occurring **ON OR AFTER** February 1, 2014. Forms to file a compensation claim should be furnished by this employer and also are available from the Workers' Compensation Commission. The forms are posted on the Commission's website, www.wcc.ok.gov.

A claim for compensation must be filed with the Commission within the time specified by law, or be forever barred. Based on law effective May 28, 2019, a claim for compensation for any accidental injury must be filed with the Commission within one (1) year of the date of injury or, if the employee has received benefits under Title 85A for the injury, six (6) months from the date of the last issuance of such benefits; a death claim must be filed within two (2) years of the date of death; a claim for compensation for occupational disease or illness must be filed within two (2) years of the last injurious exposure; and a claim for compensation for cumulative trauma must be filed within one (1) year of the date of injury.

Claims for compensation for accidental injury, death, cumulative trauma or occupational disease or illness occurring BEFORE February 1, 2014 may be filed with the WORKERS' COMPENSATION COURT OF EXISTING CLAIMS and are subject to different notice of injury requirements and claims filing deadlines than those for accidental injury, death, cumulative trauma or occupational disease or illness occurring on or after February 1, 2014. Failure to comply with applicable notice requirements and deadlines may operate to forever bar the claim. Contact the WORKERS' COMPENSATION COURT OF EXISTING CLAIMS for additional information.

Employer's Responsibilities

The employer must provide employees with immediate first aid, medical, surgical, hospital, optometric, podiatric, chiropractic, and nursing services, medicine, crutches and other apparatus as may be reasonably necessary in connection with the injury received by the employee. This applies to care for all injuries and illnesses arising out of and in the course of employment, regardless of their character. Within ten (10) days after the date of receipt of notice or knowledge of death or injury that results in the loss of time beyond the shift or medical attention away from the work site, the employer or the employer's representative MUST send a report thereof to the Workers' Compensation Commission via Electronic Data Interchange as specified in Commission rules.

No agreement by any employee to pay any portion of the premium paid by the employer to a carrier or a benefit fund or department maintained by the employer for the purpose of providing compensation or medical services and supplies as required by the workers' compensation laws, shall be valid. Any employer who makes a deduction for such purposes from the pay of any employee entitled to benefits under the workers' compensation laws shall be guilty of a misdemeanor.

No agreement by any employee to waive workers' compensation rights and benefits shall be valid.

Any person who commits workers' compensation fraud, upon conviction, shall be guilty of a felony punishable by imprisonment, a fine or both.

Workers' Compensation Commission
1915 North Stiles Avenue
Oklahoma City, Oklahoma 73105-4918
Tele. 405-522-5308 (OKC) • 918-295-3732 (TU)
In-State Toll Free 855-291-3612
Web Site • www.wcc.ok.gov

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

Rev. 1-1-2021

Your Rights Under the Oklahoma Minimum Wage Act

40 O.S. § 197.1 et seq.

WHO IS AN EMPLOYEE?

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

(1) An individual employed on a farm, in the employ of any person, in connection with the cultivation of the soil, or in connection with raising or harvesting any agricultural commodity, including raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and furbearing animals and wildlife, or in the employ of the owner or tenant or other operator of a farm in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment;

(2) Any individual employed in domestic service in or about a private home;

(3) Any individual employed by the United States government;

(4) Any individual working as a volunteer in a charitable, religious or other nonprofit organization;

(5) Any newspaper vendor or carrier;

(6) Any employee of any carrier subject to regulation by Part I of the Interstate Commerce Act;

(7) Any employee of any employer who is subject to the provisions of any Federal Fair Labor Standards Act or to any Federal Wage and Hour Law now in effect or enacted hereafter, and who is paying the minimum wage under the provisions of this act;

(8) Any employee employed in a bona fide executive, administrative or professional capacity, or in the capacity of outside salesman;

(9) Any person employed as part-time employee not on permanent status. A part-time employee is defined as an employee who is employed less than twenty-five (25) hours a week;

(10) Any person who is less than eighteen (18) years of age and is not a high school graduate or a graduate of a vocational training program, and any person who is less than twenty-two (22) years of age and who is a student regularly enrolled in a high school, college, university or vocational training program;

(11) Any individual employed in a feedstore operated primarily for the benefit and use of farmers and ranchers; or

(12) Any individual working as a reserve force deputy sheriff.

WHO IS AN EMPLOYER?

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

HOW DO UNIFORMS AFFECT MINIMUM WAGE?

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

WHAT IS THE CIVIL PENALTY FOR VIOLATIONS?

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

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

WHAT IS THE CRIMINAL PENALTY FOR VIOLATIONS?

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

Oklahoma Department of Labor

Leslie Osborn
Commissioner of Labor

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

NOTICE:

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

3017 N. Stiles, Suite 100, Oklahoma City, OK 73105
Telephone 405-521-6100
Toll-free 1-888-269-5353 • Fax 405-521-6018 • www.ok.gov/odol

OKLAHOMA LAW PROHIBITS

DISCRIMINATION IN EMPLOYMENT BECAUSE OF RACE, COLOR, RELIGION, NATIONAL ORIGIN, DISABILITY, AGE, SEX OR GENETIC INFORMATION[1]

If you are an employee or an applicant for employment and feel that because of race, color, religion, national origin, disability, age, sex, or genetic information, you have been discriminated against concerning:

Qualifications, hire, discharge, recall, layoff, promotion, transfer, compensation, conditions, terms, privileges or responsibilities of employment, or sexual harassment, and wish to file or discuss the filing of a complaint contact:

Office of Oklahoma Attorney General
Office of Civil Rights Enforcement
313 N.E. 21st Street
Oklahoma City, Oklahoma 73105

Oklahoma City Office: (405) 521-3921
Tulsa Office: (918) 581-2342

Website: www.oag.ok.gov
Email: ocrc.complaints@oag.ok.gov

Contacting the Office of Civil Rights Enforcement does not conflict with or affect any other rights you may have, including internal grievance or appeal procedures with your employer or other third parties. However, an Employment Discrimination Complaint must be filed with the Office of Civil Rights Enforcement **within 180 days** after the alleged discriminatory act(s).

[1] Title 25, Oklahoma Statutes, Section 1302

UNEMPLOYMENT INSURANCE BENEFITS

NOTICE TO WORKERS

If you lose your job or if you work less than full time and get less than your full-time wages, you may be entitled to receive Unemployment Insurance (UI) benefits. You can obtain a free copy of "Reemployment Assistance for the Unemployed – Informational Booklet for Workers Who are Unemployed" by visiting the Oklahoma Employment Security Commission's website at www.oklahoma.gov/oesc/individuals. This document explains your rights and how to file an Unemployment Insurance (UI) claim.

The unemployment claim filing process can will be done online at www.ui.ok.gov. If you have questions or need assistance, you may contact the Oklahoma Employment Security Commission's Service Center at (405) 525-1500 or visit an Oklahoma Works office. To find your nearest office, go to https://oklahoma.gov/oesc/locations.html.

EMPLOYERS: *It is required by Sec. 2-502 of the Oklahoma Employment Security Act that you shall post and maintain this notice in places readily accessible to individuals in your employ.*

OKLAHOMA Employment Security Commission

(rev. 12-2020)

STATE OF OKLAHOMA

CHILD LABOR LAW

Section 71 et. seq. of Title 40 of the Oklahoma Statutes

Applicable to minors UNDER 16 years of age

Minimum Age
14 years of age

Employment Certificate

Employment certificate is issued by the school and is required for all employed minors, including home schooled minors and minors from out-of-state working in Oklahoma.

Employers are required to have an employment certificate from the school before a minor is allowed to work.

Note to Issuing Officer(s): Minors must comply with compulsory School Laws, Title 70 Section 10

Hours Standard

School in session – minors restricted to:
No more than three (3) hours per school day
No more than eight (8) hours per non-school day
No more than eighteen (18) hours per school week

School not in session – minors restricted to:
No more than eight (8) hours per non-school day
No more than forty (40) hours per non-school week

Break Periods

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

Times Standard

From Tuesday after Labor Day through May 31st – minors:
Can not work before 7:00 a.m. and not after 7:00 p.m.

From June 1st through Labor Day – minors:
Can not work before 7:00 a.m. and not after 9:00 p.m.

Prohibited Occupations

Occupations which threaten health and well-being include, but not limited to:

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

For information on hazardous occupations for 16 and 17 year olds, contact the United States Department of Labor at 1-866-487-9243

Oklahoma Department of Labor
1-888-269-5353
www.labor.ok.gov

YOUR RIGHTS UNDER OKLAHOMA'S USERRA

THE OKLAHOMA UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

Oklahoma's USERRA, 44 O.S. § 4300 *et seq.*, protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service in the Oklahoma state military forces. USERRA also prohibits employers from discriminating against past and present members of the Oklahoma state military forces, and applicants to the Oklahoma state military forces.

Oklahoma state military forces include the National Guard of the State of Oklahoma, which includes an army component and an air force component; the Oklahoma State Guard; and any other military force organized under the Constitution and laws of the State of Oklahoma when not in a status placing them under exclusive federal jurisdiction. Unless otherwise established by Oklahoma law, the unorganized militia or any other state military force that does not meet this definition shall not be considered part of the "state military forces."

REEMPLOYMENT RIGHTS

You have the right to be reemployed in your civilian job if you leave that job to perform service in the Oklahoma state military forces 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 military service or, in some cases, a comparable job.

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

If you:

- are a past or present member of the Oklahoma state military forces;
- have applied for membership in the Oklahoma state military forces; or
- are obligated to serve in the Oklahoma state military forces;

then an employer, including a state agency, may not deny you:

- initial employment;
- reemployment;
- retention in employment;
- promotion; or
- any benefit of employment

because of this status.

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 person has no service connection.

HEALTH INSURANCE PROTECTION

- If you leave your job to perform military service in the Oklahoma state military forces, 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 the service of the Oklahoma state military forces.
- Even if you don't elect to continue coverage during your service in the Oklahoma state military forces, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

ENFORCEMENT

- The Oklahoma Commissioner of Labor is authorized to investigate and resolve complaints of Oklahoma USERRA violations.
- For assistance in filing a complaint, or for any other information on USERRA, contact the Oklahoma Department of Labor's Wage & Hour Division at **1-405-521-6100** or visit its website at **http://www.ok.gov/Labor.**
- If you file a complaint with the Oklahoma Department of Labor ("ODOL") against a state government employer and ODOL is unable to resolve it, you may request that your case be referred to the District Attorney with relevant jurisdiction for representation.
- You may also bypass the ODOL complaint process and bring a civil action against an employer for violations of Oklahoma's USERRA.

The rights listed here may vary depending on the circumstances. 44 O.S. § 4334 requires employers to notify employees of their rights under Oklahoma's USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.

Notice to Employers / Employees

Your state has its own minimum wage law which requires posting a notice regarding the aspects of that law. Employers are still required to post the Federal Minimum Wage notice from the U.S. Dept. of Labor Fair Labor Standards Act in addition to this state posting. According to the Dept. of Labor; where Federal and state law have different minimum wage rates, the higher standard applies.

This Posting is for Informational Purposes Only

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