

FEDERAL WAGE AND LABOR LAW INSTITUTE

You Have a Right to a Safe and Healthful Workplace.
IT'S THE LAW!

EMPLOYEES

You have the right to notify your employer or UOSH about workplace hazards. You may ask UOSH to keep your name confidential.

You have the right to request a UOSH inspection if you believe that there are unsafe and unhealthful conditions in your workplace. You or your representative may participate in the inspection.

You can file a complaint with UOSH within 30 days of discrimination by your employer for making safety and health complaints or for exercising your rights under the UOSH Act.

You have a right to see UOSH citations issued to your employer. Your employer must post the citations at or near the place of the alleged violation. You may request an informal review of the abatement period granted to the employer.

Your employer must correct workplace hazards by the date indicated on the citation and must certify that these hazards have been reduced or eliminated.

You have the right to copies of your medical records or records of your exposure to toxic and harmful substances or conditions.

Your employer must post this notice in your workplace.

EMPLOYERS

You are required to notify UOSH at 801-530-6901, within 8 hours of occurrence, of all fatalities, disabling, significant and serious injuries or illnesses to workers. Tools, equipment, materials or other evidence that might pertain to the cause of such accident shall not be removed or destroyed until so authorized by the Labor Commission or one of its Compliance Officers. You are also required to investigate all worker injuries or occupational disease incidents.

Guidance on "disabling and serious" includes, but is not limited to the following: any injury or illness resulting in immediate admittance to the hospital, permanent or temporary impairment in which part of the body is made functionally useless or is substantially reduced in efficiency on or off the job which would usually require treatment by a medical doctor (examples of such injuries are any amputation, fracture, deep cuts, severe burns, electric shock, sight impairment, loss of consciousness and concussions); illnesses that could shorten life or significantly reduce physical or mental efficiency by inhibiting the normal function of a part of the body (examples of such illnesses include cancer, silicosis, asbestosis, byssinosis, hearing impairment and visual impairment).

Inspections, Citations, and Proposed Penalties

UOSH may enter at reasonable times without delay any work place where work is performed by an employee of an employer and inspect or investigate. UOSH may interview a reasonable number of employees to determine compliance with the Act of UOSH standards or rules. A Citation will be issued if UOSH has reason to believe that an employer is in violation of the Act of UOSH standards or rules. A serious violation of the UOSH Act will be assessed a proposed penalty of not less than \$250 or more than \$7,000. Other Than Serious violations may be assessed a proposed penalty of not to exceed \$7,000. Willful or Repeated violations may be assessed a proposed penalty not to exceed \$70,000. Failure to correct or abate a violation may result in additional penalties not to exceed \$7,000 for each day the violation is not corrected.

Contests and Appeals

You may request an informal review of any citation, proposed penalty or abatement period. Informal reviews do not stay the 30 days in which an employer must file a contest for a formal hearing before the Labor Commission. The Labor Commission will provide an adjudicative hearing if an employer files a written notice of contest with the Administrator within 30 days of receipt of the Citation or Proposed Penalties. Upon expiration of the 30 day period the Citation and Proposed Penalties are final and not subject to review by any court or agency.

The Federal Occupational Safety and Health Administration monitors the UOSH program. Any person may make a complaint regarding the administration of the UOSH program to the OSHA Regional Office, 1999 Broadway, Suite 1690, Denver Colorado 80202-5716. Telephone 303-844-1600 or 1-800-321-OSHA.

The Utah Occupational Safety and Health Act of 1984 (UOSH Act), assures safe and healthful working conditions for working men and women throughout the State of Utah. The Utah Occupational Safety and Health Division of the Utah Labor Commission, has the primary responsibility for administering the UOSH Act. The rights listed here may vary depending on the particular circumstances. To file a complaint, report an emergency, or seek UOSH advice, assistance, or products, call 1-801-530-6901 or 1-800-530-5090. To file a complaint online or obtain more information on UOSH programs, visit UOSH's website at www.uosh.utah.gov.

1-801-530-6901/1-800-530-5090
www.uosh.utah.gov

"Working together we can make the beautiful State of Utah a safer place to work,
elevating our safety and health culture to a higher level of excellence"

November 7, 2007

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UTAH DEPARTMENT OF WORKFORCE SERVICES jobs.utah.gov

UNEMPLOYMENT INSURANCE NOTICE TO WORKERS

Your work is covered under the provisions of the Utah Employment Security Act for unemployment insurance purposes, unless specifically exempted by the act.

Unemployment insurance specifically provides payments to qualified workers who are unemployed through no fault of their own and are able, available, and seeking full-time work. It is not public assistance, Social Security, or a disability payment. Benefits are based upon your previous earnings—not on economic need. The funds to pay unemployment benefits are paid by your employer. No deductions are made from your wages.

FILING FOR UNEMPLOYMENT INSURANCE BENEFITS

To receive unemployment benefits you may file your claim online at jobs.utah.gov, select "Unemployment Benefits," then choose "File New or Reopen Claims." You may also call the Claims Center at: Salt Lake/South Davis Counties – (801) 526-4400; Weber/North Davis Counties – (801) 612-0877; Utah County – (801) 375-4067; elsewhere in Utah and out-of-state – (888) 848-0688. No benefits will be paid for weeks prior to the week in which you file your claim. You should, therefore, file immediately after becoming unemployed or when your work hours are reduced to less than full-time.

FILING AFTER RECEIVING WORKER'S COMPENSATION BENEFITS

If you are separated from employment due to a work-related illness or injury for which you have received Worker's Compensation, your rights to unemployment benefits may be preserved for up to THREE YEARS from the date of your injury. In order to use wages earned prior to such an injury or illness, you must file a claim for unemployment benefits within 90 DAYS of your doctor's release to full time work.

SEPARATION INFORMATION

At the time you are separated from your job, you should request information as to the reasons for your separation. You do not need to have a separation notice to file a claim. Both you and your employer will be requested to provide statements explaining the reason for your separation.

WAGES DETERMINE BENEFIT AMOUNT

The amount of your unemployment benefits will be determined from your wages in covered employment. "Wages" are all payments for personal services performed such as salaries, commissions, bonuses, tips, and the cash value of goods and services received for services performed. Tips received but not reported to your employer generally cannot be used to determine your unemployment benefits.

SELF-EMPLOYMENT

If you are classified as "self-employed" (independent contractor), you may want to discuss this with your employer and have your status reviewed by the DWS. Work performed in "self employment" cannot be used for unemployment benefits. You are "self-employed" if your work is performed without direction and control and you are in your own established business. This generally means you are properly licensed in business, perform similar services for others, maintain proper accounting records and business reports, pay self-employment taxes, and provide for insurance.

ONLINE SERVICES

Access our web site jobs.utah.gov to search for jobs, find out about available programs, and obtain economic information.

NO FEE EMPLOYMENT SERVICES

DWS services are available on our web site at jobs.utah.gov or by going to any of our Employment Centers listed below. Employment services include job referrals, career counseling, workshops, employer recruitment, Veterans' services, labor market information, and job training/internships. Supportive services include food stamps, financial assistance, medical assistance, childcare assistance, unemployment assistance, emergency assistance, referrals to community, and other resources. Our Job Connection Rooms provide Internet access along with Information Specialists to assist you in accessing services and resources. Fax and copy machines are also available.

STATE EMPLOYMENT CENTERS

American Fork.....751 East Quality Dr. #100.....(801) 492-4500	Ogden480 27th Street.....(801) 626-0300
Beaver.....875 North Main.....(435) 438-3580	Panguitch.....665 North Main.....(435) 676-1410
Blanding.....544 North 100 East.....(435) 678-1400	Park City.....1960 Sidewinder Dr., Ste. 202.....(435) 649-8451
Brigham City.....1050 South 500 West.....(435) 734-4060	Price.....475 West Price River Dr #300.....(435) 636-2300
Cedar City.....176 East 200 North.....(435) 865-6530	Roy.....1550 North 200 West.....(801) 342-2600
Clearfield.....1290 East 1450 South.....(801) 776-7800	Richfield.....115 East 100 South.....(435) 893-0000
Delta.....44 South 350 East.....(435) 864-3860	Roosevelt.....140 West 425 South 330-13.....(435) 722-6500
Emery County.....550 West Hwy 29.....(435) 381-6100	Roy.....1951 West 5400 South.....(801)776-7200
Heber City.....69 North 600 West, Ste. C.....(435) 654-6520	Salt Lake Downtown.....158 South 200 West.....(801) 524-9000
Junction.....550 North Main.....(435) 577-2443	Salt Lake Metro.....720 South 200 East.....(801) 536-7000
Kanab.....468 East 300 South.....(435) 644-8910	Salt Lake So County.....5735 South Redwood Rd.....(801) 269-4700
Loa.....18 South Main.....(435) 836-2406	South Davis.....763 West 700 South W. Cross.....(801) 298-6600
Logan.....180 North 100 West.....(435) 792-0300	Spanish Fork.....1185 North Chappel Drive.....(801) 794-6600
Manti.....55 South Main #3.....(435) 835-0720	St. George.....162 North 400 East Bldg. B.....(435) 674-5627
Midvale.....7292 South State St.....(801) 567-3800	Tooele.....305 North Main, Ste. 100.....(435) 833-7310
Moab.....457 Kane Creek Blvd.....(435) 719-2600	Vernal.....1050 West Market Dr.....(435) 781-4100
Nephi.....625 North Main.....(435) 623-1927	West Valley.....2750 South 5600 West Ste. A.....(801) 840-4400

INFORMATION FOR EMPLOYERS

Utah law requires that each employee's wages must be reported each quarter with the regular quarterly contribution (tax) report. All wage and separation information and correspondence must include your unemployment insurance registration number. You must also maintain and make available records of wages and separation information on all workers for at least four (4) calendar years.

When an unemployment claim is filed by a former employee, the Department of Workforce Services will send Form 606 "Notice of Claim Filed." This notice will provide an opportunity for you to report details of the reason for the claimant's separation and, in some cases, to request relief of potential charges. You will also receive a Form 65 "Employer Notice of Potential Liability" showing any wages from your firm being used on the claim and your firm's potential benefit costs.

If you have classified or contemplate classifying any of your workers as "self-employed" (independent contractors), notify the Department in order that a proper determination of status can be made. By doing this, you may avoid unpaid contributions (tax) liabilities, interest, and penalties.

Additional information is available in the "Employer Handbook" which you can access on the Internet at jobs.utah.gov/employer.

In accordance with Section 35A-4-406(1)(b) of the Utah Employment Security Act, this notice must be permanently posted by each employer at suitable points (on bulletin boards, near time clocks, etc.) in each work place and establishment.

Equal Opportunity Employer/Program

Auxiliary aids and services are available upon request to individuals with disabilities by calling (801) 526-9240. Individuals with speech and/or hearing impairments may call Relay Utah by dialing 711. Spanish Relay Utah: 1-888-346-3162

NOTICE THAT

Employer: _____
has complied with the provisions of the Workers' Compensation Act, Title §34A-2-101, Utah Code Annotated, 1997 (as amended), and the rules of the Labor Commission, and has insured the liability to pay the compensation and other benefits provided by said Act by insuring with
Insurance Carrier: _____ **Policy Number:** _____
Address for the above insurance carrier is _____
Telephone No. is _____

WORKERS' COMPENSATION

IS INSURANCE WHICH PROTECTS YOU DURING WORK. IF YOU HAVE AN ON-THE-JOB INJURY OR OCCUPATIONAL DISEASE, IT WILL PAY FOR: HOSPITAL AND MEDICAL BILLS • TIME LOST FROM WORK • PERMANENT LOSS OF BODY FUNCTION • PROSTHETIC DEVICES • BURIAL BENEFITS IN DEATH CASES.

HOW TO REPORT AN ACCIDENT

1. Report the injury – no matter how slight - to your boss immediately. (You may lose your rights if your injury is not reported within 180 days of injury or work related illness.)
2. Ask your employer to fill out the employer's first report of injury form. A copy of this report is to be given to you and copies are to be sent to the Labor Commission and to the insurance company within seven (7) days of the accident.
3. If your employer has a first-aid room or company designated doctor, go there promptly for treatment. If not, go to a doctor of your choice.
4. Tell the doctor **HOW, WHEN and WHERE** the accident happened. The doctor will fill out a medical report form. Copies of the report are to be sent within (7) days of your visit to (1) the insurance company, (2) the Labor Commission and (3) you, the employee.

HOW TO START COMPENSATION

1. Ask your employer which insurance company pays workers' compensation for your company.
2. Ask your doctor to send a medical report to that insurance company.
3. Ask your employer to send a report of the accident to that insurance company.
4. Call the insurance company and ask them to start your workers' compensation benefits. The insurance company will require the doctor's report, employer's report, and may ask you to fill out a request for compensation.

REHABILITATION

IF YOU CANNOT RETURN TO WORK, YOU MAY BE ELIGIBLE FOR A REHABILITATION PROGRAM - CALL YOUR INSURANCE CARRIER AS LISTED ABOVE.

FRAUD

"For your protection, Utah law requires the following to appear on this form, any person who knowingly presents false or fraudulent underwriting information, files or causes to be filed a false or fraudulent claim for disability compensation or medical benefits, or submits a false or fraudulent report or billing for health care fees or other professional services is guilty of a crime and may be subject to fines and confinement in state prison."

STATE OF UTAH



LABOR COMMISSION
160 EAST 300 SOUTH, PO BOX 146610, SALT LAKE CITY, UT 84114-6610
(801) 530-6800 - (800) 530-5090

If you want an Employee's Guide to Workers' Compensation or have questions, call the Labor Commission at the above listed numbers.

NOTE: This notice must be posted and kept continuously in a public and conspicuous place in the office, shop or place of business of the employer as per §34A-2-204, Utah Code Annotated, 1997.

7001 W. 43RD STREET
HOUSTON, TEXAS 77092

FOR INFORMATION OR TO REORDER
AN ALL-IN-ONE® POSTER CALL

(800) 767-9243
www.fwlli.com