

Required Notices and Posters, by Threshold Numbers of Employees, rev. May 2018

ALL EMPLOYERS (1+ Employees)

▪ **Worker's Compensation Laws, State of Arizona**

"**Notice to Employees RE: Arizona Worker's Compensation Law**"; the bi-lingual (English and Spanish) poster is available from your Worker's Compensation insurance carrier or at:

http://www.ica.state.az.us/Claims/Forms/Claims_Poster_WorkersCompLawBilingual.pdf

NOTE: the poster **MUST** include the name, address, and phone number of the worker's compensation insurance carrier **AND** the policy number. If you obtain the poster from your carrier, that information should be pre-printed on the poster. If the information is not pre-printed on the poster (regardless of the source), you must write-in that information.

AND

"**Work Exposure To Bodily Fluids, HIV, AIDS, HepC**"; the bi-lingual (English and Spanish) poster is available from your Worker's Compensation insurance carrier or at:

http://www.ica.state.az.us/Claims/Forms/Claims_Poster_WorkExpToBodilyFluids_HIV_AIDS_HepC.pdf

NOTE: certain employers also may be required to post/display the following:

"**Work Exposure to Methicillin-resistant *STAPHYLOCOCCUS AUREUS* (MRSA), Spinal Meningitis, or Tuberculosis (TB)**"; the bi-lingual (English and Spanish) poster is available from:

http://www.ica.state.az.us/Claims/Forms/Claims_Poster_WorkExpToMRSA_SpMen_TB.pdf

▪ **Occupational Safety and Health Act (OSHA)**

All Employers must post either the Arizona **OR** the federal poster.

The Arizona poster, "**Employee Safety and Health Protection**", is available from the Industrial Commission, State of Arizona. The bi-lingual poster (English and Spanish) is available at:

http://www.ica.state.az.us/ADOSH/Forms/ADOSH_Poster_WorkplaceSafetyBilingual.pdf

The federal posters, "**Job Safety and Health, It's the Law**", are available at:

<http://www.osha.gov/Publications/osha3165.pdf> (English)

<http://www.osha.gov/Publications/osha3167.pdf> (Spanish)

In 2014, OSHA updated its rules regarding recordkeeping. For information about the new recordkeeping rule, "**Detailed Guidance for OSHA's Injury and Illness Recordkeeping Rule**", go to:

<https://www.osha.gov/recordkeeping/entryfaq.html>

The OSHA Recordkeeping forms are available at: <https://www.osha.gov/recordkeeping/RKforms.html>

The OSHA Recordkeeping Advisor page is available at:

<http://webapps.dol.gov/elaws/OSHARecordkeeping.htm>

▪ **Unemployment Insurance for Employees**

"**Notice To Employees, You Are Covered By Unemployment Insurance**". Available from the Arizona Department of Economic Security at:

<https://des.az.gov/sites/default/files/legacy/dl/POU-003.pdf> (English)

<https://des.az.gov/sites/default/files/legacy/dl/POU-003-S.pdf> (Spanish)

- **Fair Labor Standards Act (FLSA)**

"*Employee Rights Under The Fair Labor Standards Act*". Available from the U.S. Department of Labor, Wage and Hour Division in English, Spanish, and other languages.

For the English version, go to: <http://www.dol.gov/whd/regs/compliance/posters/minwagep.pdf>

For the Spanish version, go to: <http://www.dol.gov/whd/regs/compliance/posters/minwagespP.pdf>

- **Employee Polygraph Protection Act**

"**NOTICE: Employee Polygraph Protection Act**". Available from the U.S. Department of Labor, Wage and Hour Division.

For the English version, go to: <http://www.dol.gov/ofccp/regs/compliance/posters/pdf/eppac.pdf>

For the Spanish version, go to: <http://www.dol.gov/whd/regs/compliance/posters/eppaspan.pdf>

NOTE: The two printed pages must be taped or pasted together to form an 11 x 17 inch poster.

- **Uniformed Services Employment and Reemployment Rights Act (USERRA)**

"*Your Rights Under USERRA*." Available at:

http://www.dol.gov/vets/programs/userra/USERRA_Private.pdf

- **Arizona Minimum Wage Act**

"*Arizona Minimum Wage Act*" poster.

To obtain the poster, in English or Spanish, go to: <https://www.azica.gov/posters-employers-must-display>.

- **Arizona Paid Sick Time (The Fair Wages and Healthy Families Act)**

"*Earned Paid Sick Time*" poster.

To obtain the poster, go to: <https://www.azica.gov/posters-employers-must-display>

- **E-Verify**

The Department of Homeland Security has a notice/poster available that identifies the employer as one that complies with E-Verify.

This notice/poster of employer participation is recommended and is available at:

http://www.uscis.gov/USCIS/Controlled%20Vocabulary/Native%20Documents/E-Verify/E-Verify_Poster_V08-08_Standard_English.pdf (English); and,

<http://www.uscis.gov/USCIS/E-Verify/EVerifyPosterSpanish1.pdf> (Spanish).

The "right to work" posters are available at:

http://www.uscis.gov/USCIS/Verification/E-Verify/E-Verify_Native_Documents/Right_to_Work_Poster_English.pdf (English); and,

http://www.uscis.gov/USCIS/Verification/E-Verify/E-Verify_Native_Documents/Right_to_Work_Poster_Spanish.pdf (Spanish).

To obtain a copy of the *E-Verify User Manual for Employers* (current as of August 2017), go to: <https://www.uscis.gov/e-verify/publications/manuals-and-guides/e-verify-user-manual>

The *Manual* is not available in a .pdf format; it is only available using the link.

- **Smoke-Free Arizona Act**

Employers are required to post "No Smoking" signs OR the international "No Smoking" symbol wherever smoking is prohibited. And, the same signage must be posted at every entrance. The signs must include information about to whom a complaint can be made.

To order signage, go to: <http://www.smokefreearizona.org/order-signage.asp>

15 OR MORE EMPLOYEES

- **Title VII, the Civil Rights Act of 1964; the Civil Rights Act of 1991; the Americans with Disabilities Act (ADA); and, the Arizona Civil Rights Act.**

"*Equal Employment Opportunity Is The Law*"; this poster identifies protections provided by the Civil Rights Act, the Equal Pay Act, the Americans With Disabilities Act, and the Age Discrimination in Employment Act. Available from the Equal Employment Opportunity Commission.

For the English poster, go to: <http://www.dol.gov/ofccp/regs/compliance/posters/pdf/eeopost.pdf>

For the Spanish poster, go to: <http://www.dol.gov/ofccp/regs/compliance/posters/pdf/eeosp.pdf>

NOTE: The two printed pages must be taped or pasted together to form an 11 x 17-inch poster.

AND

"*Arizona Law Prohibits Discrimination In Employment*"; this poster identifies protections provided by the Arizona Civil Rights Act. Available from the Arizona Attorney General's Office, Civil Rights Division. (English and Spanish language versions on the same poster.). Go to:

<https://www.azag.gov/sites/default/files/sites/all/docs/civil-rights/discrimination/EmploymentPoster.pdf>

- **Genetic Information Non-Discrimination Act (GINA)**

"*EEO is the Law*" **Poster Supplement**; this poster must be displayed **IN ADDITION TO** the "*Equal Employment Opportunity Is The Law*" poster

For the English poster, go to:

http://www.dol.gov/ofccp/regs/compliance/posters/pdf/Supplement_English.pdf

For the Spanish poster, go to:

http://www.dol.gov/ofccp/regs/compliance/posters/pdf/Supplement_Spanish.pdf

20 OR MORE EMPLOYEES

- **Age Discrimination In Employment Act (ADEA)**

Same poster as for the Civil Rights Acts; see **15 OR MORE EMPLOYEES**, above.

50 OR MORE EMPLOYEES

- **Family and Medical Leave Act (FMLA)**

"*Employee Rights and Responsibilities Under the Family and Medical Leave Act* ." Available from the U.S. Department of Labor, Wage and Hour Division.

For the English poster, go to: <http://www.dol.gov/whd/regs/compliance/posters/fmlaen.pdf>

For the Spanish poster, go to: <http://www.dol.gov/whd/regs/compliance/posters/fmlasp.pdf>

OTHER REQUIRED NOTICES/POSTERS

- "*Notice to Employees Working On Government Contracts*".

Applies to employers with federal government contracts that exceed a certain dollar amount. Contact the U.S. Department of Labor; Wage and Hour Division. Phone: (602) 514-7100.

- Posters/Notices are also required of employers who:

(a) anticipate a plant closing or mass layoff that falls under the Worker Adjustment and Retraining Notification Act (WARN)/Plant Closing Act; (contact the U.S. Department of Labor; phone: 602-514-7100);

OR,

(b) are working on federally-financed construction projects; (contact the U.S. Department of Labor; phone: 602-514-7100).

COUNTING EMPLOYEES FOR COMPLIANCE PURPOSES

The U.S. Supreme Court says that as long as an employee is on the payroll every day of a calendar week (whether at work or not), he/she is counted as an employee for compliance purposes. *See Walters v. Metropolitan Educational Enterprises, 1997 WL9783 (Supreme Court).*

WHERE TO POST

Employment posters/notices must be displayed in areas that employees frequent on a daily basis, such as exits and entrances, by time clocks, and/or lunchroom or break areas. Companies with large physical facilities should display posters/notices in multiple locations. If employees work in separate facilities, buildings, or locations, posters/ notices must be displayed in each location, facility, or building. If employees work on more than one floor/level of a multiple-story building/facility, posters/notices must be displayed on every floor on which employees work.

Also, to ensure that posters/notices are visible to applicants, a set of posters/notices should be displayed in the employment (or reception) area where applicants complete their Employment Application forms.

OTHER COMPLIANCE RESOURCES

▪ **OSHA FORM 300: LOG OF OCCUPATIONAL INJURIES AND ILLNESSES**

Businesses/Organizations in certain Standard Industrial Classification (SIC) codes and employers required by the Bureau of Labor Statistics must keep records of on-the-job injuries or illness.

In 2014, OSHA updated its rules regarding recordkeeping. For information about the new recordkeeping rule, ***Detailed Guidance for OSHA's Injury and Illness Recordkeeping Rule***, go to:

<https://www.osha.gov/recordkeeping/entryfaq.html>

The OSHA Recordkeeping forms are available at: <https://www.osha.gov/recordkeeping/RKforms.html>

The OSHA Recordkeeping Advisor page is available at:

<http://webapps.dol.gov/elaws/OSHARecordkeeping.htm>

▪ **EQUAL EMPLOYMENT OPPORTUNITY, EMPLOYER INFORMATION REPORT EEO-1**

Employers with 100+ employees are required to submit an annual EEO-1 Report. Obtain an instruction booklet and the EEO-1 Report form from the Joint Reporting Committee; phone: 1.866.286.6440. **OR,** you can go to: <http://www.eeoc.gov/employers/eeo1survey/index.cfm>

▪ **HAZARD COMMUNICATION STANDARD (HCS)**

All employers with hazardous chemicals in their workplaces must have labels and Safety Data Sheets (SDS's) for their exposed workers, and train them to handle the chemicals appropriately.

For general information about hazardous chemicals in the workplace and the requirements of employers, go to: <https://www.osha.gov/dsg/hazcom/index.html>

For information about employer responsibilities and compliance assistance available from federal OSHA, go to: <https://www.osha.gov/employers/>

- **THE FEDERAL WAGE GARNISHMENT LAW**

Regarding garnishments, you should obtain *Fact Sheet #30: The Federal Wage Garnishment Law, Consumer Credit Protection Act's Title 3 (CCPA)*; go to:

<http://www.dol.gov/whd/regs/compliance/whdfs30.pdf>

- **NEW HIRE REPORTING (PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996)**

Employers are required to report new hires within 20 days of employment. In Arizona, new hires must be reported to the Arizona New Hire Reporting Center. New hires can be reported by sending a copy of the employee's completed W-4 form or by sending a completed Arizona New Hire Reporting Form.

For additional information, contact them at: <https://az-newhire.com/>

- **FAIR CREDIT REPORTING ACT (FCRA)**

Employers who obtain or wish to obtain background investigation reports ("consumer reports") about applicants or employees (e.g., reference checks, credit checks, felony conviction checks, etc.) through an outside agency/firm or using consumer reporting services must comply with the FCRA. Applicants or employees must be provided with a written disclosure Notice and must sign the Notice **before** the "consumer report" is conducted.

A copy of the "consumer report" must be given to the applicant or employee if it is the basis of an adverse employment action (e.g., not hiring an applicant, taking disciplinary action against an employee, discharging an employee, etc.) along with a copy of "**A Summary of Your Rights Under the Fair Credit Reporting Act.**" To obtain a copy, go to:

http://files.consumerfinance.gov/f/201410_cfpb_summary_your-rights-under-fcra.pdf

For the document, *Using Consumer Reports: What Employers Need to Know*, go to:

<https://www.ftc.gov/tips-advice/business-center/guidance/using-consumer-reports-what-employers-need-know>.

For the document, *Your Duties Under the Fair Credit Reporting Act*, go to:

https://www.firstdata.com/downloads/marketing-merchant/fcra_duties_secure.pdf

- **FAIR AND ACCURATE CREDIT TRANSACTIONS (FACT) ACT**

As of June 1, 2005, all employers are required to destroy any document that has personal information on it prior to discarding the document. Personal information could be a telephone number, address, Social Security number, etc.

The law requires the destruction — 'shredding or burning' or 'smashing or wiping' — of all paper or computer disks containing personal information that is 'derived from a consumer report' before it is discarded. This law applies to all employers with one or more employees.

The aim is to protect the public from identity theft, one of the fastest-growing crimes in the United States. Many times personal information is stolen from an employer. The information comes from the employer's paperwork, as well as computer database systems.

Employers have a duty to restrict access to this data as well as properly dispose of (destroy) the information. Every employer should establish written guidelines for maintaining confidentiality and placing restrictions on access to and use of this information. The guidelines also should contain provisions regarding data of temporary employees and contract employees.

For additional information, go to: <https://www.ftc.gov/tips-advice/business-center/guidance/disposing-consumer-report-information-rule-tells-how>; **and,**

<http://corporate.findlaw.com/business-operations/new-ftc-regulations-on-proper-destruction-of-consumer.html>