

### PROB - EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW

#### EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW

Private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases:

- RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN, GENETIC INFORMATION:** Title VII of the Civil Rights Act of 1964, as amended, prohibits employment discrimination based on race, color, religion, sex, national origin, or genetic information.
- AGE:** The Age Discrimination in Employment Act of 1967, as amended, prohibits employment discrimination on the basis of age for individuals who are 40 years of age or older from discrimination based on age.
- DISABILITY:** The Americans with Disabilities Act of 1990, as amended, prohibits employment discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.
- RETIRED VETERANS:** The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, prohibits employment discrimination against disabled veterans, recently separated veterans, etc.
- GENETIC INFORMATION:** The Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information.

#### EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

Applicants to and employees of a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases:

- RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, NATIONAL ORIGIN:** Executive Order 12968, as amended, prohibits employment discrimination based on race, color, religion, sex, sexual orientation, gender identity, or national origin.
- AGE:** Executive Order 12968, as amended, prohibits employment discrimination on the basis of age for individuals who are 40 years of age or older.
- DISABILITY:** Executive Order 12968, as amended, prohibits employment discrimination on the basis of disability.
- RETIRED VETERANS:** Executive Order 12968, as amended, prohibits employment discrimination against disabled veterans, recently separated veterans, etc.

#### PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Individuals who are participants in programs or activities that receive Federal financial assistance are protected from discrimination on the following bases:

- RACE, COLOR, NATIONAL ORIGIN, SEX:** Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color, or national origin in programs or activities that receive Federal financial assistance.
- AGE:** Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex in educational programs or activities that receive Federal financial assistance.
- DISABILITY:** Section 504 of the Rehabilitation Act of 1973, as amended, prohibits discrimination on the basis of disability in programs or activities that receive Federal financial assistance.

#### CALIFORNIA MINIMUM WAGE

Effective Date	Employers with 25 or Fewer Employees*	Employers with 26 or More Employees*
January 1, 2021	\$13.00	\$14.00
January 1, 2022	\$15.00	\$15.00
January 1, 2023	\$16.00	\$16.00

\*Employees treated as employed by a single qualified taxpayer pursuant to Revenue and Taxation Code Section 23266 are treated as employees of that single taxpayer. To employees and representatives of persons working in agriculture and occupations in the State of California.

#### PREVIOUS YEAR

Year	Employers with 25 or Fewer Employees*	Employers with 26 or More Employees*
2020	\$12.00	\$13.00
2019	\$11.00	\$12.00
2018	\$10.00	\$11.00
2017	\$9.00	\$10.00
2016	\$8.00	\$9.00
2015	\$7.25	\$8.00
2014	\$7.00	\$7.50
2013	\$6.75	\$7.25
2012	\$6.50	\$7.00
2011	\$6.25	\$6.75
2010	\$6.00	\$6.50
2009	\$5.75	\$6.25
2008	\$5.50	\$6.00
2007	\$5.25	\$5.75
2006	\$5.00	\$5.50
2005	\$4.75	\$5.25
2004	\$4.50	\$5.00
2003	\$4.25	\$4.75
2002	\$4.00	\$4.50
2001	\$3.75	\$4.25
2000	\$3.50	\$4.00
1999	\$3.25	\$3.75
1998	\$3.00	\$3.50
1997	\$2.75	\$3.25
1996	\$2.50	\$3.00
1995	\$2.25	\$2.75
1994	\$2.00	\$2.50
1993	\$1.75	\$2.25
1992	\$1.50	\$2.00
1991	\$1.25	\$1.75
1990	\$1.00	\$1.50
1989	\$0.75	\$1.25
1988	\$0.50	\$1.00
1987	\$0.25	\$0.75
1986	\$0.00	\$0.50
1985	\$0.00	\$0.25
1984	\$0.00	\$0.00
1983	\$0.00	\$0.00
1982	\$0.00	\$0.00
1981	\$0.00	\$0.00
1980	\$0.00	\$0.00

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

The United States Department of Labor Wage and Hour Division enforces the Family and Medical Leave Act (FMLA). FMLA entitles eligible employees of covered employers to take unpaid, job-protected leave with certain benefits and compensation arrangements for certain family and medical reasons.

- Eligible Employees:** Employees who have worked for a covered employer for at least 12 months and have worked at least 1,250 hours during the 12-month period.
- Covered Employers:** Employers with at least 50 employees and at least one full-time employee within a 75-mile radius of the employee's worksite.
- Qualifying Reasons:** Birth of a child, care for a newborn child, care for a child with a serious health condition, care for a spouse, child, or parent with a serious health condition, or the employee's own serious health condition.

#### EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT (Continued)

**Transferee Rights:** An employee who is transferred to a new position or location during FMLA leave retains the right to return to the same or a comparable position. If the employee is not able to return to the same or a comparable position, the employer must provide a reasonable accommodation.

**Notice Requirements:** Employees must provide notice of FMLA leave as soon as possible and generally follow the employer's usual procedures for notifying the employer of an absence.

**Documentation:** Employees may be required to provide medical certification or other documentation to support their FMLA leave request.

#### EMPLOYMENT INSURANCE NOTICE TO EMPLOYEES

The Employment Development Department (EDD) is 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:

- UI Unemployment Insurance (funded entirely by employers' taxes):** Unemployment Insurance (UI) is paid for by your employer and provides partial income replacement when you are unemployed or your hours are reduced.
- Online UI Online:** The fastest and most convenient way to file your UI claim. Visit [uionline.edd.ca.gov/UI](http://uionline.edd.ca.gov/UI) to get started.
- Phone:** Representatives will take your claim over the phone. Hours: 8 a.m. to 5 p.m., Monday through Friday, standard time except during state holidays.
- Mail:** Fill out and mail your claim to the EDD. Address: [www.edd.ca.gov](http://www.edd.ca.gov)

#### WHISTLEBLOWER PROTECTION ACT

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 the employee, or another employee with authority to investigate, discover, or correct the violation or noncompliance, and to provide information to a 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.

**Who 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.

#### WHISTLEBLOWER PROTECTION ACT (Continued)

**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, when the employee has reasonable cause to believe that the information discloses:

- A violation of a state or federal statute,
- A violation or noncompliance with a local, state or federal rule or regulation, or
- With reference to employee safety or health, unsafe working conditions or work practices in the employee's employment or place of employment.

#### WHISTLEBLOWER PROTECTION ACT (Continued)

**Whistleblower Protection:** An whistleblower can also be an employee who refuses to participate in an activity that would result in a violation of a state or federal statute, or a violation of or noncompliance with a local, state or federal rule or regulation.

**What protections are afforded to whistleblowers?**

- An employer may not make, adopt, or enforce any rule, regulation, or policy preventing an employee from being a whistleblower.
- An employer may not retaliate against an employee who is a whistleblower.
- 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 of or noncompliance with a state or federal rule or regulation.
- An employer may not retaliate against an employee for having exercised his or her rights as a whistleblower in any former employment.
- An employer, or a person acting on behalf of the employer, shall not retaliate against an employee because the employee is a family member of a person who has, or is perceived to have, engaged in any acts protected by this section.

#### 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 to its shareholders, investors, or employees, call the California State Attorney General's Whistleblower Hotline at 1-800-952-5225. The Attorney General will refer your call to the appropriate government authority for review and possible investigation.

### CALIFORNIA & FEDERAL LABOR LAW POSTER

#### YOUR RIGHTS AND OBLIGATIONS AS A PREGNANT EMPLOYEE

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**YOUR EMPLOYER HAS AN OBLIGATION TO:**

- Reasonably accommodate your medical needs related to pregnancy, childbirth, or related conditions, including, but not limited to, temporarily modifying your work duties, providing a stool or other low-back support, or making other adjustments.
- Transfer you to a less strenuous or hazardous position (if one is available) or to a different shift or schedule (if one is available) if you are unable to perform your current position due to pregnancy, childbirth, or related conditions.
- Provide you with pregnancy disability leave (PDL) of up to four months of leave before and after the birth of your child, or until you are no longer disabled by pregnancy, childbirth, or related conditions, if you are unable to perform your current position.
- Provide a reasonable amount of break time and use of a room or other facilities during pregnancy, childbirth, or related conditions.
- Not discriminate, harass, or retaliate on the basis of pregnancy.

**NOTE OBLIGATIONS AS AN EMPLOYEE:**

- Notify your employer reasonable notice to receive reasonable accommodation, or to transfer or to be on PDL. You must give your employer sufficient notice to allow your employer to make appropriate plans. Sufficient notice means 30 days advance notice if the need for the reasonable accommodation, transfer, or PDL is foreseeable, or as soon as practicable if the need is an emergency or unforeseeable.
- Provide your medical certification from your health care provider. Except in a medical emergency where there is no time to obtain it, your employer may require you to supply a written medical certification from your health care provider of the medical need for your reasonable accommodation, transfer, or PDL. Your employer may require you to provide a written medical certification within the time frame your employer requests, unless it is not practicable for you to do so under the circumstances despite your medical certification. You must provide your employer with a copy of your medical certification to your employer. You must provide your employer with a copy of your medical certification to your employer. You must provide your employer with a copy of your medical certification to your employer.

#### ADDITIONAL LEAVE UNDER THE CALIFORNIA FAMILY RIGHTS ACT (CFRA)

Under the California Family Rights Act (CFRA), if you have more than 12 months of service with your employer, you are entitled to 12 weeks of leave for the birth, adoption, or foster care placement of a child, or for your own serious health condition, or for the care of a child, spouse, domestic partner, grandchild, or sibling. Employees may take CFRA leave for the birth, adoption, or foster care placement of a child, or for your own serious health condition, or for the care of a child, spouse, domestic partner, grandchild, or sibling. Employees may take CFRA leave for the birth, adoption, or foster care placement of a child, or for your own serious health condition, or for the care of a child, spouse, domestic partner, grandchild, or sibling. Employees may take CFRA leave for the birth, adoption, or foster care placement of a child, or for your own serious health condition, or for the care of a child, spouse, domestic partner, grandchild, or sibling.

#### FAMILY CARE & MEDICAL LEAVE & PREGNANCY DISABILITY LEAVE

**Family Care and Medical Leave:** Employees are entitled to up to 5 days of leave per year for the care of a family member with a serious health condition. Family care leave is available for the care of a child, spouse, domestic partner, grandchild, or sibling.

**Pregnancy Disability Leave:** Employees are entitled to up to four months of leave before and after the birth of their child, or until they are no longer disabled by pregnancy, childbirth, or related conditions.

#### TRANSFERRER RIGHTS IN THE WORKPLACE

**Transferee Rights:** An employee who is transferred to a new position or location during FMLA leave retains the right to return to the same or a comparable position. If the employee is not able to return to the same or a comparable position, the employer must provide a reasonable accommodation.

#### TRANSFERRER RIGHTS IN THE WORKPLACE (Continued)

**Notice Requirements:** Employees must provide notice of FMLA leave as soon as possible and generally follow the employer's usual procedures for notifying the employer of an absence.

**Documentation:** Employees may be required to provide medical certification or other documentation to support their FMLA leave request.

#### ACCESS TO MEDICAL AND EXPOSURE RECORDS

**BY CAL/OSHA REGULATION - GENERAL INDUSTRY SAFETY ORDER 3204 - YOU HAVE THE RIGHT TO SEE AND COPY:**

- Your medical records and records of exposure to toxic substances or harmful physical agents.
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#### EMPLOYEE POLYGRAPH PROTECTION ACT

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

**Prohibitions:** Employers are generally prohibited from using lie detector tests for pre-employment screening or during the course of employment.

**Exceptions:** Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Government or to tests given by a contractor engaged in national security-related activities. The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector to employees in certain industries and to employees of security service firms (armored car, alarm, and other services) and to employees of pharmaceutical manufacturers, distributors, and dispensers. The Act also permits polygraph tests, subject to certain restrictions, to be used by employers to determine the responsibility of an employee in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.

#### EMPLOYEE POLYGRAPH PROTECTION ACT (Continued)

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#### PAID SICK LEAVE

The Division of Labor Standards Enforcement - Office of the Labor Commissioner enforces the Paid Sick Leave Law. Paid sick leave is a benefit that allows employees to take paid time off for their own or a family member's illness.

**Accrual:** Paid sick leave accrues at the rate of one hour for every 30 hours worked, paid at the employee's regular rate of pay. Accrual shall begin on the first day of employment or on the first day of the employee's first full-time employment.

**Use:** Paid sick leave shall carry over to the following year of employment and may be accrued at 48 hours or 6 days. Paid sick leave may be used for the employee's own or a family member's illness, or for the employee's own or a family member's care, or for the employee's own or a family member's care, or for the employee's own or a family member's care.

#### PAID SICK LEAVE (Continued)

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### CALIFORNIA LAW PROHIBITS WORKPLACE DISCRIMINATION & HARASSMENT

The California Department of Fair Employment and Housing (DFEH) enforces laws that protect you from illegal discrimination and harassment in employment based on your actual or perceived:

- ANCESTRY
- AGE (40 and above)
- DISABILITY
- GENETIC INFORMATION
- GENDER IDENTITY, GENDER EXPRESSION
- MARITAL STATUS
- NATIONAL ORIGIN
- RELIGION
- SEX
- SEXUAL ORIENTATION

#### DISCRIMINATION

**Prohibited Discrimination:** Employers are prohibited from discriminating against employees based on the protected characteristics listed above.

**Harassment:** Employers are prohibited from harassing employees based on the protected characteristics listed above.

#### DISCRIMINATION (Continued)

**Retaliation:** Employers are prohibited from retaliating against employees who have exercised their rights under the law.

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#### DISCRIMINATION (Continued)

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