

Oklahoma State Postings



OKLAHOMA

Oklahoma Workers' Compensation Notice and Instruction to Employers and Employees

CO-Form-1A

All employees of the 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 have further notified this employer will furnish first aid, medical, surgical, hospital, apothecary, 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)

Employer'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 the 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. Unwritten 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 printed 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, 2010, 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 this Act for the injury, six (6) months from the date of the last disbursement 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 injury 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, apothecary, 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 required by the workers' compensation laws, shall be void. 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 73106-4918
Tel. 405-522-5308 (OKC) • 811-295-3732 (TTL)
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

OKLAHOMA LAW PROHIBITS

DISCRIMINATION IN EMPLOYMENT BECAUSE OF RACE, COLOR, RELIGION, NATIONAL ORIGIN, DISABILITY, AGE, SEX OR GENETIC INFORMATION¹

Unlawful discrimination in employment occurs when a job applicant or employee is treated less favorably than others because of their race, color, religion, sex, which includes pregnancy, national origin, age, disability, or genetic information. Unlawful discrimination includes refusal to hire, promotion, transfer, discharge, layoff or recall. Unlawful discrimination includes harassment because of a person's race, color, religion, sex, national origin, age, disability, or genetic information. Unlawful sexual harassment includes requests for sexual favors in exchange for granting or denying favorable terms, conditions, or privileges of employment or threatening to take adverse employment action in response to rejecting a request for sexual favors.

Unlawful discrimination includes retaliation against a person because he or she has opposed a discriminatory practice, or because he or she has made a charge, filed a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing involving discrimination.

If you believe you have experienced unlawful discrimination in employment, you may file a complaint with:

Oklahoma Attorney General
Office of Civil Rights Enforcement

15 W. 4th Street, Suite 1000
Tulsa, Oklahoma 74119

(918) 581-5885
<http://www.ok.gov/ag>

Complaint forms are available at the Oklahoma Attorney General's website. Filing a complaint with the Office of Civil Rights Enforcement is a prerequisite to filing suit in court, but it does not conflict with or affect any other rights you may have under state or federal law, local ordinance, your employer's policies or procedures, or provided to a collective bargaining agreement.

To preserve your right to seek legal relief in court, you must file a complaint with the Office of Civil Rights Enforcement within 180 days of the last date of act of discrimination.

¹ Title 25, Oklahoma Statutes, Section 1502.

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 wage, you may be entitled to receive Unemployment Insurance (UI) benefits. You can obtain a free copy of the "Unemployment Insurance Handbook" (unemployment) - information booklet for workers who are unemployed" by visiting the Oklahoma Employment Security Commission's website at www.oklahoma.gov/oescc/unemployment. This document explains your rights and how to file an unemployment insurance claim.

The unemployment claim filing process can be done online at www.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 Workforce Office. To find your nearest office, go to <http://www.oklahoma.gov/oescc/locations.html>.

EMPLOYERS: It is required by Sec. 2-602 of the Oklahoma Employment Security Act that you send and maintain this notice in places readily accessible to individualized employees. Copies may be obtained from the Oklahoma Employment Security Commission at www.oklahoma.gov/oescc/employees/employer-responses-and-forms.

Oklahoma
Department of Labor

(Rev. 09-17-2021)

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 those schooled nights 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 Offices: Minors must comply with compulsory School Laws, Title 70 Section 10.

Hours Standard

School is 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 8:00 p.m.

Prohibited Occupations

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

- | | | |
|------------------|-----------------|------------------|
| Baking | Communications | Construction |
| Cooking | Coolers | Cutlery |
| Demolition | Frazers | Grays |
| Grills | Heating devices | Ladders |
| Loading | Machinery | Manufacturing |
| Mining | Motor vehicles | Mowers |
| Power-Driven | Processing | Public messenger |
| Public Utilities | Repair | Shoes |
| Storage | Transportation | Slings |
| Warehouse | Wood editors | Work rooms |

For information on hazardous occupations for 16 and 17 year olds, contact the United States Department of Labor at 1-866-487-4243

Oklahoma Department of Labor

1-888-269-5353

www.labor.ok.gov

Your Rights Under the Oklahoma Minimum Wage Act

40 O.S. § 197.1 et seq.

WHO IS AN EMPLOYEE?

40 O.S. § 197.1(A) - "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 other 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 lands 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 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 domestic occupation, 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 benefit-eligible hours per 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 business operation primarily for the benefit and use of farmers and ranchers; or
- (12) Any individual working as a reserve force supply shift.

WHO IS AN EMPLOYER?

40 O.S. § 197.1(A) - "Employer" means any individual, partnership, association, corporation, business trust, or any person or group of persons, having 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 that 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 measurable cost of furnishing the uniforms.

WHAT IS THE CIVIL PENALTY FOR VIOLATIONS?

40 O.S. § 197.9 - The Commissioner, after investigation, shall promptly make a 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 delivery. 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 so 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 wages less than those in 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 to 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 wages 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
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

Toll-free 1-888-269-5353 • Fax 405-521-6016 • www.ok.gov/dol

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 status placing them under exclusive federal jurisdiction. Unless otherwise established by Oklahoma law, the organized 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 less than five years of consecutive service in the uniformed services within the period of your service;
 - 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:
- reemployment;
 - reemployment in a position commensurate with your seniority, status, and pay;
 - promotion;
 - any benefit of employment because of this notice.
- In addition, an employer may not retaliate against anyone exercising the enforcement of USERRA rights, including identifying or making a statement in connection with a proceeding under USERRA, even if that person has no seniority 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 within any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected diseases 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 1-800-621-6100 or visit its website at <http://www.ok.gov/dol>.
- If you file a complaint with the Oklahoma Department of Labor ("DOL"), against a state government employer and DOL 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 DOL 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. § 4304 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 to 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

Oklahoma
Department of Labor

(Rev. 09-17-2021)

OKLAHOMA

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