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Virginia Beach, VA 23455
Phone (757) 460-6308
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OKLAHOMA EMPLOYEES

MANCON Employees,

Included in this packet is the following information:

1. Minimum Wage Notice (English and Spanish)
2. Workers Compensation Notice
3. Discrimination

If you have any questions, please contact your supervisor.

Thanks,
Human Resources

Your Rights Under the Oklahoma Minimum Wage Act



Employee Health, Morals & Wages

It's against the law for employers to have workers in jobs that hurt their health. It's against the law for employers to have workers in jobs that hurt their morals. It's against the law for employers to pay workers less than adequate wages.

Federal Minimum Wage

Unless the law says it's okay, employers can't pay less than the federal minimum wage.

Employer Defined

The law defines an "employer" as having ten or more full-time workers in one place or more than \$100,000 of business a year.

Employee Defined

The law says an "employee" is a worker for an "employer." But, an "employee" is not:

- (1) a worker on a farm; a worker on a ranch; a worker with animals on a farm or ranch; or a mechanic on a farm or ranch;
- (2) a maid;
- (3) a federal government worker;
- (4) someone who volunteers for a charity, church, or nonprofit club;
- (5) a newspaper vendor or carrier;
- (6) a railroad worker;
- (7) any worker who is already being paid the federal minimum wage or more;
- (8) executives; someone in an administrative job; professionals; or an "outside" salesman;
- (9) anyone who works less than 25 hours per week in a temporary position;
- (10) anyone younger than 18 who hasn't graduated from school, and anyone younger than 22 who is in school;
- (11) anyone who works in a feedstore; or
- (12) a reserve deputy sheriff.

Other Protected Employees

The law says employers must pay all workers who are 18 or older at least \$2.00 per hour. The law says all employees are covered by the Oklahoma Minimum Wage Act.

Tips, Room & Board

The law says tips, room and board can be added to wages in figuring the minimum wage. However, tips, room and board can't be more than 50% of the wages.

Uniforms

The law says the cost of uniforms given to workers can be added to wages in figuring the minimum wage.

Investigation of Wage Claims

The law says the Commissioner of Labor, **LLOYD L. FIELDS**, can investigate whether wages are due workers. He will write down his findings. If any employee's employment has terminated and the Commissioner finds that wages are due, a penalty of 2% per day up to the total amount of the wage claim will be added to the wages due. He will mail his findings to the employer and the worker by certified mail. If the employer pays the wages (and the penalty) and the worker accepts the payment, that's the end of the wage claim.

Employer Liability

If a court finds an employer hasn't paid all wages due, the law says the employer is liable for double the amount of the wages minus any sums already paid to the worker. The employer is also liable for court costs and reasonable attorney fees of at least \$100. The employer can't defend a wage claim by arguing that there was an agreement with the worker to work for less than the lawful wage. The law says an employer who pays or even agrees to pay less than the lawful wage is guilty of a misdemeanor. The punishment could be a fine of not more than \$500. The punishment could be as much as six (6) months in the county jail. The punishment could be both a fine and jail time.

IT'S THE LAW!

1-888-269-5353
www.labor.ok.gov



Sus Derechos a la Ley del Sueldo Mínimo de Oklahoma



La Salud Moral del Empleado y Sueldos

Es ilegal que empleadores tengan a sus empleados en trabajos que hagan da o a su salud. Es ilegal que empleadores tengan a sus empleados en trabajos que le hagan da o a su moral. Es ilegal que los empleadores paguen sueldos menores de los sueldos mínimos a sus empleados.

Sueldo Federal Mínimo

A menos que la ley diga que esta bien los empleadores no pueden pagar menos del sueldo mínimo federal.

Empleador Definido

La ley define “a un empleador” como alguien que tiene diez o más trabajadores de tiempo completo en un lugar o tiene ingresos mas de \$100,000 dólares por a o.

Empleado Definido

La ley dice que “un empleado” es un trabajador para “un empleador”. Pero, “un empleado” no puede ser:

- (1) un trabajador en una granja; un trabajador en un rancho; un trabajador con animales en una granja o rancho; o un mecánico trabajando en una granja o rancho;
- (2) una criada;
- (3) un trabajador del gobierno federal;
- (4) alguien que se ofrece voluntariament para una caridad, iglesia, o club no lucrativo;
- (5) un vendedor de periódico o cargador;
- (6) un trabajador de ferrocarril;
- (7) cualquier trabajador a quien pagan ya el salario mínimo federal de \$7.25 dólares por hora o más;
- (8) ejecutivos; alguien en un trabajo administrativo; profesionales; o un vendedor “de exterior”;
- (9) alguien que trabaja menos de 25 horas por semana en una posición temporal;
- (10) alguien más joven que 18 a os quién no se ha graduado de la escuela, y alguien más joven de 22 a os quién esta llendo a la escuela;
- (11) alguien que trabaja en una tienda de comida para animales, grangas etc.
- (12) un diputado de la reserva de sheriff.

Otros Empleados Protegidos

La ley dice que los empleadores deben pagar a todos los trabajadores quienes tienen mas de 18 a os cuando menos \$2.00 dólares por hora. La ley dice que todos los empleados son cubiertos por el Acto de Sueldo Mínimo de Oklahoma.

Propinas, Cuartos y Ospedage

La ley dice que las propinas, cuartos y ospedage pueden ser a adidos a sueldos en la figuración del sueldo mínimo. Sin embargo, las propinas, cuartos y ospedages no pueden ser ser más del 50 % de los sueldos.

Uniformes

La ley dice que el costo de uniformes entregados a los trabajadores pueden ser a adidos a los sueldos en la figuración del sueldo mínimo.

Investigación de Reivindicaciones Salariales

La ley dice que el Comisario de Trabajo, LLOYD L. FIELDS, puede investigar si sueldos se deben a los trabajadores. El anotará sus conclusiones. Si el encuentra que los sueldos son debidos, una pena de 10 % será a adida a los sueldos debidos. El enviará sus conclusiones al empleador y al trabajador por correo certificado. Si el empleador paga los sueldos (y el penalti) y el trabajador acepta el pago, esto terminara la queja de sueldos.

Responsabilidad de Patrón

Si un tribunal encuentra que el empleador no ha pagado todos los sueldos debidos, la ley dice que el empleador es responsable en pagar el doble la cantidad de los sueldos menos cualquier suma ya pagada al trabajador. El empleador es también responsable en pagar los costos del tribunal y costos razonables de abogado de cuando menos \$100 dólares. El empleador no puede defender una queja de sueldos sosteniendo que había un acuerdo con el trabajador para trabajar por menos del sueldo legal. La ley dice que un empleador quien paga o se pone de acuerdo en pagar menos de los sueldos legales estara culpable de un delito de menor cuantía. El castigo podría ser una multa de no más de \$500 dólares. El castigo podría ser un maximo de seis (6) meses en la cárcel del condado. El castigo podría ser ambos la multa y tiempo en la cárcel.

Es La Ley!
1-888-269-5353
www.labor.ok.gov



Form 1A Oklahoma Workers' Compensation Notice and Instruction to Employers and Employees

All employees of this employer who are entitled to benefits of the Workers' Compensation Act are hereby notified that this employer has complied with all rules of the Workers' Compensation Court 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 and any other like services required by law as well as payments of compensation to any injured employee as provided in the Workers' Compensation Act.

Any employee who has suffered a compensable injury covered by the Workers' Compensation Act shall be entitled to vocational rehabilitation services, including retraining and job placement, if, as a result of the injury, the employee is unable to perform the same occupational duties the employee was performing prior to the injury.

NOTE: Mediation is available to address certain workers' compensation disputes. For information, call (405) 522-8760 or in-state toll free (800) 522-8210.

The Oklahoma Workers' Compensation Court has a counselor program to provide information to injured workers, employers, and other interested parties. Counselors assist unrepresented parties to enable them to protect their rights under the workers' compensation system.



MANCON Corporate Human Resources

Signature of Employer

888-892-0787

Insurer & Insurer Phone Number

Employee's Responsibilities in Case of Accidental Injury or Occupational Disease

If accidentally injured or affected by 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 notice is given to the employer or medical treatment is rendered within thirty (30) days of injury, any claim for compensation may be forever barred.

If accidentally injured or affected by an occupational disease, the employee may file a claim for compensation with the Workers' Compensation Court. This employer is required to furnish the employee with appropriate forms to file a compensation claim.

A claim for compensation must be filed with the court within a period of time specified by statute, or be forever barred. Based on statute effective July 1, 2005, if a claim for compensation for any accidental injury or death is not filed with the Court within two (2) years from the date of the accidental injury or death or if a claim for compensation for occupational disease or cumulative trauma is not filed within two (2) years of either the last hazardous exposure or from the date the disease first became manifest, which ever last occurred, the claim for compensation may be forever barred. Provided, claims may be filed within two (2) years from the date of the last medical treatment authorized by the employer or payment of any compensation or remuneration paid in lieu of compensation. Post termination claims must be filed within six (6) months of termination of employment.

Any person receiving temporary disability benefits from an employer or the employer's insurance carrier shall promptly report in writing to the employer or insurance carrier any change in a material fact or the amount of income the employee is receiving or any change in the employee's employment status, occurring during the period of receipt of such benefits.

Employer's Responsibilities

The employer must provide employees with immediate first aid, medical and surgical care and other like services necessary. This applies to care for all injuries and illnesses arising out of and in the course of employment, regardless of their character. If an employee is injured and this results in the loss of time beyond his/her shift, or requires medical attention away from the work site (fatal or otherwise), the employer MUST file a Form 2 within ten (10) days of the notice of injury or a reasonable time thereafter. The employer must provide a copy of such Form 2 to the employer's workers' compensation insurance carrier, if any.

No agreement by any employee to pay any portion of premiums paid by the employer to maintain or carry compensation insurance as required by law shall be valid. Any employer who deducts money from the wages or salary of any employee for that purpose who is entitled to workers' compensation shall be guilty of a misdemeanor.

If the employer has notice of an undisputed injury and the employer's insurance carrier fails to commence weekly temporary total disability benefit payments due within the time provided by law, the insurer may be subject to a penalty of fifteen percent (15%) of the unpaid or delayed weekly benefits due and payable to the employee.

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.

Workers' Compensation Court
1915 North Stiles Avenue
Oklahoma City, Oklahoma 73105-4918
(405) 522-8600 WATS # 1-800-522-8210



OKLAHOMA LAW PROHIBITS

DISCRIMINATION IN EMPLOYMENT BECAUSE OF RACE, COLOR, RELIGION, NATIONAL ORIGIN, HANDICAP, AGE OR SEX¹

If you are an employee, or an applicant for employment, and feel that because of race, color, religion, national origin, handicap, age or sex you have been discriminated against with respect to:

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 the

OKLAHOMA HUMAN RIGHTS COMMISSION

Oklahoma City Office

Jim Thorpe Office Building, Room 480

2101 North Lincoln Boulevard

(405) 521-2360 • 521-3441 • 521-4028 • 1-888-456-2558

Tulsa Field Office

Robert S. Kerr Office Building

440 South Houston, Room 302

(918) 581-2733 • 1-888-456-2006

Contacting the Human Rights Commission, whether or not you file a complaint, does not conflict with or affect any other rights you may have including appeal to the Oklahoma Merit Protection, the State Affirmative Action Officer or internal grievance procedure.

However, regardless of any other action you may take, the filing of a complaint with the Human Rights Commission must be done within 180 days after the alleged discriminatory act(s) took place.

¹Title 25, Oklahoma Statutes, Section 1302



LEY DE OKLAHOMA PROHIBE

DESCRIMINACION EN EL TRABAJO A CAUSA DE RAZA, COLOR, RELIGION, ORIGEN NACIONAL, INCAPACIDAD, EDAD, O SEXO. (NOTA 1)

Si usted es un empleado, o un aplicante para un empleo, y cree que a causa de su raza, color, religion, origen nacional, incapacidad, edad, o sexo, usted ha sido discriminado con respecto a:

qualificaciones, empleo, desempleo, reinstitucion de empleo,
suspension, promocion, traslado, compensacion, condiciones,
terminos, privilegios o responsabilidades del empleo o abuso sexual

y si usted desea presentar una queja y averiguar como hacerlo,
comuniquese con:

**COMISION DE DERECHOS HUMANOS DE OKLAHOMA
OFICINA EN LA CIUDAD DE OKLAHOMA**

Jim Thorpe Office Building, Room 480

2101 North Lincoln Boulevard

(405) 521-2360 • 521-3441 • 521-4028 • 1-888-456-2558

OFICINA EN TULSA

TULSA FIELD OFFICE

Robert S. Kerr Office Building

440 South Houston, Room 302

(918) 581-2733 • 1-888-456-2006

Contacto con la Comision De Derechos Humanos, haya usted presentado, o no presentado una queja, no tendra conflicto con, o efecto a cualquier otros derechos que usted tenga incluso una apelacion a Proteccion de Merito en Oklahoma, (Oklahoma Merit Protection) al Oficial del Estado en Accion Afirmativa, (The State Affirmative Action Officer), o al proceso de quejas internas.

Sin Embargo, cualquiera de las otras acciones que usted haga, la presentacion de una queja con la Comision de Derechos Humanos debe de ser hecha dentro de 180 dias despues de que el acto(s) de discriminacion ocurrio.