# CALIFORNIA

**CALIFORNIA & FEDERAL LABOR LAW POSTER** 

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# LaborLawCenter.com

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## **EEOC - KNOW YOUR RIGHTS: WORKPLACE DISCRIMINATION IS ILLEGAL**

#### Know Your Rights: Workplace Discrimination is Illegal

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help.

<ul> <li>Who is Protected?</li> <li>Employees (current and former), including managers and temporary employees</li> <li>Job applicants</li> <li>Union members and applicants for membership in a union</li> <li>What Organizations are Covered?</li> <li>Most private employers</li> <li>State and local governments (as employers)</li> <li>Educational institutions (as employers)</li> <li>Unions</li> <li>Staffing agencies</li> <li>What Types of Employment Discrimination are Illegal?</li> <li>Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of:</li> <li>Race</li> <li>Color</li> <li>Religion</li> <li>National origin</li> <li>Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity)</li> <li>Age (40 and older)</li> <li>Disability</li> <li>Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)</li> </ul>	<ul> <li>Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding</li> <li>Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation</li> <li>What Employment Practices can be Challenged as Discriminatory? All aspects of employment, including:</li> <li>Discharge, firing, or lay-off</li> <li>Harassment (including unwelcome verbal or physical conduct)</li> <li>Hiring or promotion</li> <li>Assignment</li> <li>Pay (unequal wages or compensation)</li> <li>Failure to provide reasonable accommodation for a disability; pregnancy, childbirth, or related medical condition; or a sincerely-held religious belief, observance or practice</li> <li>Benefits</li> <li>Job training</li> <li>Classification</li> <li>Referral</li> <li>Obtaining or disclosing genetic information of employees</li> <li>Requesting or disclosing medical information of employees</li> </ul>	<ul> <li>Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or proceeding</li> <li>Conduct that coerces, intimidates, threatens, or interferes with someone exercising their rights, or someone assisting or encouraging someone else to exercise rights, regarding disability discrimination (including accommodation) or pregnancy accommodation</li> <li>What can You Do if You Believe Discrimination has Occurred? Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:</li> <li>Submit an inquiry through the EEOC's public portal: <a href="https://publicportal.eeoc.gov/Portal/Login.aspx">https://publicportal.eeoc.gov/Portal/Login.aspx</a></li> <li>Call 1–800–669–4000 (toll free) 1–800–669–4000 (toll free) 1–800–669–4000 (toll free) 1–800–669–4000 (toll free) 1–800–669–4000 (toll free)</li> <li>Nist an EEOC field office (information at <a href="https://publicportal.eeoc.gov/">www.eeoc.gov/field-office</a>)</li> <li>E-Mail info@eeoc.gov</li> <li>Additional information about the EEOC, including information about thing a charge of discrimination is available at www.eeoc.gov.</li> </ul>
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#### EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

enforces the nondiscrimination and affirmative action commitments of companies 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and doing business with the Federal Government. If you are applying for a job with, or are requires affirmative action to recruit, employ, and advance in employment, disabled an employee of, a company with a Federal contract or subcontract, you are protected under Federal law from discrimination on the following bases: Race, Color, Religion, from active duty), active duty wartime or campaign badge veterans, or Armed Forces Sex, Sexual Orientation, Gender Identity, National Origin Executive Order 11246, as service medal veterans. Retaliation Retaliation is prohibited against a person who files a mended, prohibits employment discrimination by Federal contractors based on race, complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes color, religion, sex, sexual orientation, gender identity, or national origin, and requires discrimination by Federal contractors under these Federal laws. Any person who believes affirmative action to ensure equality of opportunity in all aspects of employment. a contractor has violated its nondiscrimination or affirmative action obligations under Asking About, Disclosing, or Discussing Pay Executive Order 11246, as amended, OFCCP's authorities should contact immediately. protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees. **Disability** Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to acces making reasonable accommodation to the known physical or mental limitations of an telecommunications relay services. OFCCP may also be contacted by submitting otherwise qualified individual with a disability who is an applicant or employee, barring a question online to OFCCP's Help Desk at https://ofccphelpdesk.dol.gov/s/, or by undue hardship to the employer. Section 503 also requires that Federal contractors take calling an OFCCP regional or district office, listed in most telephone directories affirmative action to employ and advance in employment qualified individuals with under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage disabilities at all levels of employment, including the executive level. at <u>https://www.dol.gov/agencies/ofccp/contact</u>.

The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) Protected Veteran Status The Vietnam Era Veterans' Readjustment Assistance Act of The Office of Federal Contract Compliance Programs (OFCCP) U.S. Department of Labor 200 Constitution Avenue, N.W. Washington, D.C. 20210 1-800-397-6251 (toll-free)

#### PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Race, Color, National Origin, Sex In addition to the protections of Title VII of the Civil which receive Federal financial assistance. Individuals with Disabilities Section 504 of Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Discrimination is prohibited in all aspects of employment against persons with disabilities Fitle VI if the primary objective of the financial assistance is provision of employment, who, with or without reasonable accommodation, can perform the essential functions of or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits which receives Federal financial assistance, you should immediately contact the Federal employment discrimination on the basis of sex in educational programs or activities agency providing such assistance.

#### CALIFORNIA MINIMUM WAGE

	PLEASE POST NEXT TO YOUR IWC OR INDUS	TRY OCCUPATION ORDER - OFFICIAL NOTICE	Amends Gene
I	PLEASE POST NEXT TO YOUR IWC OR INDUST California Minimum Wage	MW-2023	and IWC Indust

Effectiv	/e January 1, 2023 Minimum Wage \$15.	50 per hour
	PREVIOUS YEARS	
EFFECTIVE DATE	Employers with 25 or Fewer Employees*	Employers with 26 or More Employees *
January 1, 2022	\$14.00	\$15.00
January 1, 2021	\$13.00	\$14.00
January 1, 2020	\$12.00	\$13.00

\*Employees treated as employed by a single qualified taxpayer pursuant to Revenue and downloading online at https://www.dir.ca.gov/iwc/WageOrderIndustries.htm or by axation Code section 23626 are treated as employees of that single taxpayer. To employers contacting your local Division of Labor Standards Enforcement office. of persons working in industries and occupations in the State of California: **1. APPLICABILITY** The provisions of this Order shall not apply to outside salespersons **SUMMARY OF ACTIONS** TAKE NOTICE that on April 4, 2016, the Governor of California signed legislation passed by the California Legislature, raising the minimum wage for all contained in this Order and the IWC's industry and occupation orders. Exceptions and dustries. (SB 3, Stats of 2016, amending section 1182.12. of the California Labor Code.) modifications provided by statute or in Section 1, Applicability, and in other sections Pursuant to its authority under Labor Code section 1182.13, the Department of Industrial of the IWC's industry and occupation orders may be used where such provisions are enforceable and applicable to the employer. Order, MW-2022. Section 1, Applicability, and Section 4, Separability, have not been 2. MINIMUM WAGES Every employer shall pay to each employee wages not less than

orders. This summary must be made available to employees in accordance with the IWC's to meet part of the employer's minimum wage obligation, the amounts so credited

## YOUR RIGHTS AND OBLIGATIONS AS A PREGNANT EMPLOYEE

**YOUR RIGHTS AND OBLIGATIONS** AS A PREGNANT EMPLOYEE IF YOU ARE PREGNANT, HAVE A PREGNANCY-RELATED MEDICAL CONDITION, OR ARE RECOVERING FROM CHILDBIRTH, PLEASE READ THIS NOTICE. YOUR EMPLOYER\* HAS AN OBLIGATION TO or end of pregnancy, and/or post-partum depression. PDL does not need to be taken all at once but can Reasonably accommodate your medical needs related to pregnancy, childbirth, or related be taken on an as-needed basis as required by your health care provider, including intermittent leave or conditions (such as temporarily modifying your a reduced work schedule work duties, providing you with a stool or chair, or lowing more frequent breaks); • Your leave will be paid or unpaid depending on your employer's policy for other medical leaves. You may Transfer you to a less strenuous or hazardous also be eligible for state disability insurance or Paid position (if one is available) or duties if medically needed because of your pregnancy; Family Leave (PFL), administered by the California Employment Development Department. Provide you with pregnancy disability leave (PDL) of • At your discretion, you can use any vacation or other up to four months (the working days you normally paid time off during your PDL. would work in one-third of a year or 17 1/3 weeks) and return you to your same job when you are no Your employer may require or you may choose to use any available sick leave during your PDL. longer disabled by your pregnancy or, in certain instances, to a comparable job. Taking PDL, however, Your employer is required to continue your group health coverage during your PDL at the same level and does not protect you from non-leave related under the same conditions that coverage would have employment actions, such as a layoff: been provided if you had continued in employment Provide a reasonable amount of break time and use continuously for the duration of your leave. of a room or other location in close proximity to the Taking PDL may impact certain of your benefits and employee's work area to express breast milk in your seniority date; please contact your employer private as set forth in the Labor Code; and Never discriminate, harass, or retaliate on the basis for details. NOTICE OBLIGATIONS AS AN EMPLOYEE of pregnancy. FOR PREGNANCY DISABILITY LEAVE · Give your employer reasonable notice. To receive reasonable accommodation, obtain a transfer, or take person"). Employers may pay their employees while PDL is not for an automatic period of time, but for PDL, you must give your employer sufficient notice taking CFRA leave, but employers are not required to the period of time that you are disabled by pregnancy, childbirth, or related medical condition our health care provider determines how much time you will need. • Once your employer has been informed that you need to take PDL, your employer must guarantee in writing that you can return to work in your same or a comparable position if you request a written guarantee. Your employer may require you to submit written medical certification from your health care provider substantiating the need for your leave. PDL may include, but is not limited to, additional or more frequent breaks, time for prenatal or postnatal medical appointments, and doctor-ordered bed rest, and covers conditions such as severe morning sickness, gestational diabetes, pregnancy-induced hypertension, preeclampsia, recovery from childbirth or loss

THE RIGHTS OF EMPLOYEES WHO ARE

need for the reasonable accommodation, transfer, or leave may be eligible for benefits administered by PDL is foreseeable, or as soon as practicable if the Employment Development Department need is an emergency or unforeseeable. • Provide a written medical certification from your TO FILE A COMPLAINT health care provider. Except in a medical emergency Civil Rights Department where there is no time to obtain it. your employer may calcivilrights.ca.gov/com require you to supply a written medical certification Toll Free: 800.884.1684 / TTY: 800.700.2320 from your health care provider of the medical need for California Relay Service (711) your reasonable accommodation, transfer or PDL. If Have a disability that requires a reasonable the need is an emergency or unforeseeable, you must accommodation? CRD can assist you with your provide this certification within the time frame your complaint. employer requests, unless it is not practicable for you *For translations of this guidance, visit* to do so under the circumstances despite your diligent, good faith efforts. Your employer must

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Civil Rights Department

provide at least 15 calendar days for you to submit the

ertification. See if your employer has a copy of a

medical certification form to give to your health care

Please note that if you fail to give your employed

reasonable advance notice or, if your employed

requires it, written medical certification of your

medical need, your employer may be justified in

delaying your reasonable accommodation, transfer,

ADDITIONAL LEAVE UNDER THE CALIFORNIA

Under the California Family Rights Act (CFRA), if you

have more than 12 months of service with an employer

and have worked at least 1,250 hours in the 12-month

period before the date you want to begin your leave.

you may have a right to a family care or medical leave

(CFRA léave). This leave may be up to 12 workweeks ir

a 12-month period for the birth, adoption, or foster

care placement of your child\*\*, or for your own serious

health condition or that of your child, parent\*\*

spouse, domestic partner, grandparent, grandchild,

sibling, or someone else related by blood or in family

like relationship with the employee ("designate

provider to complete.

FAMILY RIGHTS ACT (CFRA)

or PDL

\*PDL, CFRA leave, and anti-discrimination protections apply to employers of 5 or more employees; anti-harassment protections apply to employers of 1 or more. \*\* "Child" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of an employee or the employee's domestic partner, or a person to whom the employee stands in loco parentis. \*\*\* "Parent" includes a biological, foster, or adoptive parent, a parent-in-law, CRD-E09P-ENG / January 202

## FAMILY CARE AND MEDICAL LEAVE AND PREGNANCY DISABILITY LEAVE

## FAMILY CARE & MEDICAL LEAVE & PREGNANCY DISABILITY LEAVE

Under California law, an employee may have the right to take job-protected leave to care for their own serious health condition or a family member with a serious health condition, or to bond with a new child (via birth, adoption, or foster care). California law also requires employers to provide job-protected leave and accommodations to employees who are disabled by pregnancy, childbirth, or a related medical condition.

Under the California Family Rights Act of 1993 (CFRA), circumstances. Employees on CFRA leave may also be should notify their employers, at least verbally, as many employees have the right to take job-protected eligible for benefits administered by the Employment soon as they learn of the need for the leave. Failur leave, which is leave that will allow them to return to Development Department. Taking CFRA leave may to comply with these notice rules is grounds for, and their job or a similar job after their leave ends. This leave impact certain employee benefits and seniority date. If may result in, deferral of the requested leave until the may be up to 12 work weeks in a 12-month period for: employees want more information regarding eligibility employee complies with this notice policy. for a leave and/or the impact of the leave on seniority **Certification.** Employers may require certification from the employee's own serious health condition; and benefits, they should contact their employer. the serious health condition of a child, spouse, an employee's health care provider before allowing Pregnancy Disability Leave. Even if an employee is leave for pregnancy disability or for the employee' domestic partner, parent, parent-in-law, grandparent, not eligible for CFRA leave, if disabled by pregnancy, own serious health condition. Employers may also grandchild, sibling, or someone else with a blood r family-like relationship with the employment childbirth or a related medical condition, the employee require certification from the health care provider of is entitled to take a pregnancy disability leave of up to  $\,$  the employee's family member, including a designated ("designated person"); or four months, depending on their period(s) of actual person, who has a serious health condition, before the birth, adoption, or foster care placement of a child. If an employee takes leave for their own or a family disability. If the employee is CFRA-eligible, they have granting leave to take care of that family member. certain rights to take both a pregnancy disability leave Want to learn more? Visit: calcivilrights.ca.gov/ nember's serious health condition, leave may be taken and a CFRA leave for reason of the birth of their child. on an intermittent or reduced work schedule when family-medical-pregnancy-leave/ Reinstatement. Both CFRA leave and pregnancy nedically necessary, among other circumstances. disability leave contain a guarantee of reinstatement If you have been subjected to discrimination Eligibility. To be eligible for CFRA leave, an employee for pregnancy disability it is to the same position harassment, or retaliation at work, or have nust have more than 12 months of service with their employer, have worked at least 1,250 hours in the and for CFRA it is to the same or a comparable been improperly denied protected leave, file a position at the end of the leave, subject to any complaint with the Civil Rights Department (CRD). -month period before the date they want to begin defense allowed under the law. their leave, and their employer must have five or TO FILE A COMPLAINT Notice. For foreseeable events (such as the expected more employees. birth of a child or a planned medical treatment for **Civil Rights Department** Pay and Benefits During Leave. While the law the employee or of a family member), the employee provides only unpaid leave, some employers pay their Toll Free: 800.884.1684 / TTY: 800.700.2320 must provide, if possible, at least 30 days' advance employees during CFRA leave. In addition, employees

notice to their employer that they will be taking California Relay Service (711) ay choose (or employers may require) use of accrued Have a disability that requires a reaso leave. For events that are unforeseeable, employees paid leave while taking CFRA leave under certain CRD can assist you with your complaint. For additional translations of this guidance, visit: www.calcivilrights.ca.gov/posters/required CRD-100-21ENG / January 202

### TRANSGENDER RIGHTS IN THE WORKPLACE

#### USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertak military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

#### REEMPLOYMENT RIGHTS You have the right to be reemployed in your civilian job if you HEALTH INSURANCE PROTECTION leave that job to perform service in the uniformed service and: • If you leave your job to perform military service, you have the right to elect to continue you ensure that your employer receives advance written or verbal notice of your service; your existing employer-based health plan coverage for you and your dependents for up

you have five years or less of cumulative service in the uniformed services while with that particular employer; 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 disgualifying discharge or under other

nan honorable conditions. f 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, o comparable job

#### RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

you: • are a past or present member of the uniformed service; • have applied for nembership in the uniformed service; or • are obligated to serve in the uniformed service; hen an employer may not deny you: • initial employment; • reemployment; • retention in nployment; • promotion; or • any benefit of employment, because of this status. addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries. **ENFORCEMENT** 

•The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations • For assistance in filing a complaint, or for any other information on USERRA, contact

• Even if you don't elect to continue coverage during your military service, you have

VETS at 1-866-4-USA-DOL or visit its website at https://www.dol.gov/agencies/vets/. An interactive online USERRA Advisor can be viewed at https://webapps.dol.gov/elaws/vets/userra

to 24 months while in the military.

If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation • You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

Publication Date — May 2022

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: https://www.dol.gov/agencies/vets/programs/userra/poster Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.

YOUR RIGHTS UNDER USERRA - THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT



## DISCRIMINATION



The California Civil Rights Department (CRD) enforces laws that protect you from illegal discrimination and harassment in employment based on you

<ul> <li>ANCESTRY</li> <li>AGE (40 and above)</li> <li>COLOR</li> <li>DISABILITY (physical, developmental, mental health/psychiatric, HIV and AIDS)</li> <li>GENETIC INFORMATION</li> <li>GENDER EXPRESSION</li> <li>GENDER IDENTITY</li> <li>MARITAL STATUS</li> <li>MEDICAL CONDITION (genetic characteristics, cancer, or a record or history of cancer)</li> </ul>	<ul> <li>MILITARY OR VETERAN STATUS</li> <li>NATIONAL ORIGIN (includes language restrictions and possession of a driver's license issued to undocumented immigrants)</li> <li>RACE (includes hair texture and hairstyles)</li> <li>RELIGION (includes religious dress and grooming practices)</li> <li>REPRODUCTIVE HEALTH DECISION MAKING</li> <li>SEX/GENDER (includes pregnancy, childbirth, breastfeeding and/or related medical conditions)</li> <li>SEXUAL ORIENTATION</li> </ul>
THE CALIFORNIA FAIR EMPLOYMENT A REGULATIONS PROTECT CIVIL RIGHTS A	ND HOUSING ACT AND ITS IMPLEMENTING IT WORK.
HARASSMENT	

I. The law prohibits harassment of employees, applicants, unpaid interns, volunteers and independent contractors by any person. This includes a prohibition against REMEDIES/FILING A COMPLAINT harassment based on any characteristic listed above, such as sexual harassment gender harassment, and harassment based on pregnancy, childbirth, breastfeeding,

and/or related medical conditions. All employers are required to take reasonable steps to prevent all forms of harassmen as well as provide information to each of their employees on the nature, illegality, and

legal remedies that apply to sexual harassment. Employers with 5 or more employees and public employers must train their employees **2.** If you believe you have experienced discrimination, harassment, or retaliation, you

regarding the prevention of sexual harassment, including harassment based on gender identity, gender expression, and sexual orientation.

#### DISCRIMINATION/REASONABLE ACCOMODATIONS

California law prohibits employers with 5 or more employees and public employers from discriminating based on any protected characteristic listed above when making decisions about hiring, promotion, pay, benefits, terms of employment, layoffs, and other aspects of employment.

. Employers cannot limit or prohibit the use of any language in any workplace unless justified by business necessity. The employer must notify employees of the language **TO FILE A COMPLAINT** restriction and consequences for violation.

. Emplovers cannot discriminate against an applicant or employee because they possess a California driver's license or ID issued to an undocumented person. Employers must reasonably accommodate the religious beliefs and practices of an employee, unpaid intern, or job applicant, including the wearing or carrying of Have a disability that requires a reasonable accommodation?

religious clothing, jewelry or artifacts, and hair styles, facial hair, or body hair, which CRD can assist you with your complaint. are part of an individual's observance of their religious beliefs.

5. Employers must reasonably accommodate an employee or job applicant with a disability to enable them to perform the essential functions of a job. ADDITIONAL PROTECTIONS

4. Employers, employment agencies, and unions must preserve applications, personnel records, and employment referral records for a minimum of four years. 5. Employment agencies must serve all applicants equally, refuse discriminatory job orders, and prohibit employers and employment agencies from making discriminatory pre-hiring inquiries or publishing help-wanted advertisements that express a discriminatory hiring preference. 6. Unions cannot discriminate in member admissions or dispatching members to jobs. 7. The law prohibits retaliation against a person who opposes, reports, or assists another person to oppose unlawful discrimination, including filing an internal complaint or a complaint with CRD.

**2.** Employers with 5 or more employees and public employers must provide up to

12 weeks of job-protected leave to eligible employees: to care for themselves, a

family member (child of any age, spouse, domestic partner, parent, parent-in- law,

grandparent, grandchild, sibling) or a designated person (with a blood or family-like

because of pregnancy, childbirth, or a related medical condition, as well as require

employers to reasonably accommodate an employee, on the advice of their health

are provider, related to their pregnancy, childbirth, or a related medical condition

3. Employers must provide job-protected leave of up to 4 months to employees disabled

relationship to employee); to bond with a new child; or for certain military exigencies.

1. The law provides remedies for individuals who experience prohibited discrimination, harassment, or retaliation in the workplace. These remedies can include hiring, front pay, back pay, promotion, reinstatement, cease-and-desist orders, expert witness fees, reasonable attorney's fees and costs, punitive damages, and emotional distress

may file a complaint with CRD. Independent contractors and volunteers: If you believe you have been harassed, you may file a complaint with CRD.

3. Complaints must be filed within three years of the last act of discrimination/ harassment/retaliation. For those who are under the age of eighteen, complaints must be filed within three years after the last act of discrimination/harassment/retaliation or one year after their eighteenth birthday, whichever is later.

If you have been subjected to discrimination, harassment, or retaliation at work, file a complaint with the Civil Rights Department (CRD).

**Civil Rights Department** calcivilrights ca gov/complaintproce Toll Free: 800.884.1684 / TTY: 800.700.2320 California Relay Service (711)

The Fair Employment and Housing Act is codified at Government Code sections 12900 - 12999. The regulations implementing the Act are at Code of Regulations, title 2, division 4.1

Government Code section 12950 and California Code of Regulations, title 2, section 11023, require all employers to post this document. It must be conspicuously posted in hiring offices, on employees bulletin boards, in employment agency waiting rooms, union halls, and other places employees gather Any employer whose workforce at any facility or establishment consists of more than 10% of non-English

CRD-F07P-FNG / January 2023

# (Revised 6/27/2023

neral Minimum Wage Order

## Every employer, regardless of the number of employees, shall pay to each employee wages not less than the following:

Effectiv	e January 1, 2023	Minimum Wage \$15.50 pe	r hour
	PRE	VIOUS YEARS	
EFFECTIVE DATE	Employers wit	h 25 or Fewer Employees*	Employers with 26 or More Employees *
January 1, 2022		\$14.00	\$15.00
January 1, 2021		\$13.00	\$14.00
		· · · · · ·	

changed. Consistent with this enactment, amendments are made to the minimum wage, and the meals and lodging credits sections of all of the IWC's industry and occupation **3. MEALS AND LODGING CREDITS - TABLE** When credit for meals or lodging is used

ustry and Occupation Orders

your employer to make appropriate plans. do so, unless the employee is taking accrued paid Sufficient notice means 30 days advance notice if the time-off while on CFRA leave. Employees taking CFRA parent, a legal guardian, or other person who stood in loco parentis to the employee when the employee was a child.

orders. Copies of the full text of the amended wage orders may be obtained by pursuant to a voluntary written agreement may not be more than the followin

EFFECTIVE:	JANUARY 1, 2020		JANUARY 1, 2021		JANUARY 1, 2022		JANUARY 1, 2023	
For an employer who employs:	26 or More	25 or Fewer	26 or More	25 or Fewer	26 or More	25 or Fewer	All Employers regardless	
	Employees	Employees	Employees	Employees	Employees	Employees	of number of Employees	
Room occupied alone	\$61.13	\$56.43	\$65.83	\$61.13	\$70.53	\$65.83	\$72.88	
	/week	/week	/week	/week	/week	/week	/week	
Room shared	\$50.46	\$46.58	\$54.34	\$50.46	\$58.22	\$54.34	\$60.16	
	/week	/week	/week	/week	/week	/week	/week	
Apartment – two thirds (2/3) of the ordinary rental value, and in no event more than:	\$734.21	\$677.75	\$790.67	\$734.21	\$847.12	\$790.67	\$875.33	
	/month	/month	/month	/month	/month	/month	/month	
Where a couple are both employed by the employer, two thirds (2/3) of the ordinary rental value, and in no event more than:	\$1086.07	\$1002.56	\$1169.59	\$1086.07	\$1253.10	\$1169.59	\$1294.83	
	/month	/month	/month	/month	/month	/month	/month	
MEALS								
Breakfast	\$4.70	\$4.34	\$5.06	\$4.70	\$5.42	\$5.06	\$5.60	
Lunch	\$6.47	\$5.97	\$6.97	\$6.47	\$7.47	\$6.97	\$7.72	
Dinner	\$8.68	\$8.01	\$9.35	\$8.68	\$10.02	\$9.35	\$10.35	

Meals or lodging may not be credited against the minimum wage without a voluntary provisions thereof shall not be affected thereby, but shall continue to be given full force written agreement between the employer and the employee. When credit for meals or and effect as if the part so held invalid or unconstitutional had not been included herein lodging is used to meet part of the employer's minimum wage obligation, the amounts 5. AMENDED PROVISIONS This Order amends the minimum wage and meals and credited may not be more than the amounts stated in the table above 4. SEPARABILITY If the application of any provision of this Order, or any section, (See Orders 1-15, Secs. 4 and 10; and Order 16, Secs. 4 and 9.) This Order makes no other

odging credits in MW-2022, as well as in the IWC's industry and occupation orders ibsection, subdivision, sentence, clause, phrase, word or portion of this Order should changes to the IWC's industry and occupation orders

penalties may be assessed for each child labor violation that results in the death or seriou

Certain occupations and establishments are exempt from the minimum wage, and/or

Some state laws provide greater employee protections; employers must comply with both

Some employers incorrectly classify workers as "independent contractors" when they

Northern Mariana Islands, and the Commonwealth of Puerto Rico.

pecial provisions apply to workers in American Samoa, the Commonwealth of the

These Amendments to the Wage Orders shall be in effect as of January 1, 2023. be held invalid, unconstitutional, unauthorized, or prohibited by statute, the remaining

ement should be directed to the Labor Commissioner's Office. For the address and telephone number of the office nearest you, information can be found on the internet a www.dir.ca.gov/DLSE/dlse.html or under a search for "California Labor Commissioner's Office" on the internet or any other directory. The Labor Comm oner has offices in the following cities: Bakersfield o, Long Beach, Los Angeles, Oakland, Redding, Sacramento, Salinas, San Bernardino, San Diego, San Francisco, San Jose, Santa Ana, Santa Barbara, Santa Rosa, Stockton, and Van Nuys.

## FEDERAL MINIMUM WAGE

overtime pay provisions.

## **EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT**

# FEDERAL MINIMUM WAGE \$7.25 PER HOUR BEGINNING JULY 24, 2009

The law requires employers to display this poster where employees can readily see it. be assessed for violations of the FLSA's child labor provisions. Heightened civil mone **OVERTIME PAY** At least 1 ½ times your regular rate of pay for all hours worked over 40 in a workweek

injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or CHILD LABOR An employee must be at least 16 years old to work in most non-farm jobs discharging workers who file a complaint or participate in any proceeding under the FLSA. and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. ADDITIONAL INFORMATION Youths 14 and 15 years old may work outside school hours in various non-manufacturing. non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment

TIP CREDIT Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the polover must make up the difference.

**PUMP AT WORK** The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for their nursing child for one year after the child's birth each time the employee needs to express breast milk. Employers must provide a place, other than a bathroom, that is shielded from view and free from intrusion from oworkers and the public, which may be used by the employee to express breast milk.

**INFORCEMENT** The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also

UNEMPLOYMENT INSURANCE

## NOTICE TO EMPLOYEES

This employer is registered with the Employment Development Department (EDD) as 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 due to no fault of your own. To claim UI benefit payments you must also meet all UI eligibility requirements, including that you must be available for work and searching for work.

How to File a New UI Claim Use one of the following methods:

• Online: UI Online<sup>™</sup> is the fastest and most convenient way to file your UI claim. Visit <u>UI Online</u> (edd.ca.gov/UI\_Online) to get started.

Phone: Representatives are available at the following toll-free numbers, Monday through Friday between 8 a.m. to 12 noon (Pacific Standard Time) except during state holidays.

English 1-800-300-5616 Cantonese	1-800-547-3506	Vietnamese	1-800-547-2058
Spanish 1-800-326-8937 Mandarin	1-866-303-0706	TTY	1-800-815-9387

Fax or Mail: When accessing UI Online to file a new claim, some customers will be instructed to fax ormail their UI application to the EDD. If this occurs, the Unemployment Insurance Application (DE 1101I), will display. For faster and more secure processing, fax the completed form to the number listed on the form. If mailing your UI application, use the address on the form and allow additional time for processing

mportant: Waiting to file your UI claim may delay benefit payments

DI Disability Insurance (funded entirely by employees' contributions) Disability Insurance (DI) is funded by employees' contributions and provides partial wage replacement mefits to eligible Californians who are unable to work due to a non-work-related illness, injury, pregnancy, or disability. Your employer must provide the Disability Insurance Provisions (DE 2515) brochure, to newly hired employees and to each employee who is unable to work due to a non-work-related illness, injury, pregnancy, or disability. How to File a New DI Claim Use one of the following methods:

• Online: SDI Online is the fastest and most convenient way to file your claim. Visit <u>SDI Online</u> (edd.ca.gov/SDI\_Online) to get started.

Mail: To file a claim with the EDD by mail, complete and submit a Claim for Disability Insurance (DI) Benefits (DE 2501) form. You can obtain a paper claim form from your employer, physician/practitioner, visiting a State Disability Insurance office, online at EDD Forms and Publications (edd.ca.gov/Forms), or by calling 1-800-480-3287. Note: If your employer maintains an approved Voluntary Plan for DI coverage, contact your employer for assistance

For more information about DI, visit <u>State Disability Insurance</u> (edd.ca.gov/disability) or call 1-800-480-3287. State government employees should call 1-866-352-7675.TTY (for deaf or hearing-impaired individuals only) is available at 1-800-563-2441.

PFL Paid Family Leave (funded entirely by employees' contributions) Paid Family Leave (PFL) is funded by employees' contributions and provides partial wage replacement benefits to eligible Californians who need time off work to care for seriously ill child, parent, parent-in-law, grandparent, grandchild, sibling, spouse, or registered domestic partner. Benefits are available to parents who need time off work to bond with a new child entering the family by birth, adoption, or foster care placement. Benefits are also available for ligible Californians who need time off work to participate in a qualifying event resulting from a spouse, registered domestic partner, parent, or child's military deployment to a oreign country. Your employer must provide the Paid Family Leave (DE 2511) brochure, to newly hired employees and to each employee who is taking time off work to care for a seriously ill family members, to bond with a new child, or to participate in a qualifying military event. How to File a New PEL Claim Use one of the following methods:

• Online: SDI Online is the fastest and most convenient way to file your claim. Visit SDI Online (edd.ca.gov/SDI\_Online) to get started. Mail: To file a claim with the EDD by mail, complete and submit a Claim for Paid Family Leave (PFL) Benefits (DE 2501F) form. You can obtain a paper claim form from your employer,

a physician/practitioner, visiting a State Disability Insurance office, online at EDD Forms and Publications (edd.ca.gov/Forms), or by calling 1-877-238-4373. Note: If your employer maintains an approved Voluntary Plan for PFL coverage, contact your employer for assistance.

TRANSGENDER OR GENDER NONCONFORMING CALIFORNIA LAW PROTECTS TRANSGENDER AND GENDER NONCONFORMING PEOPLE FROM DISCRIMINATION, HARASSMENT, AND RETALIATION AT WORK THESE PROTECTIONS ARE ENFORCED BY THE CIVIL RIGHTS DEPARTMENT (CRD) THINGS YOU NEED TO KNOW unlawful retaliation when it responds to an employee purposes when legally required, refusing or failir Does California law protect transgender making a discrimination complaint – to their supervisor, to use that person's chosen name and pronouns, i ing employees from human resources staff, or CRD – by cutting their shifts. different from their legal name, on a shift schedule, and gender nonconfor 4. If bathrooms, showers, and locker rooms are sex- nametag, instant messaging account, or work ID employment discrimination? Yes. All employees, segregated, can employees choose the one that is card could be harassing or discriminatory. CRD job applicants, unpaid interns, volunteers, and ontractors are protected from discrimination at most appropriate for them? Yes. All employees have recommends that employers take care to ensure that work when based on a protected characteristic, such a right to safe and appropriate restroom and locker each employee's chosen name and pronouns are room facilities. This includes the right to use a restroom respected to the greatest extent allowed by law. as their gender identity, gender expression, sexual entation, race, or national origin. This means that or locker room that corresponds to the employee's **6.Does an employee have the right to dress in a way** private employers with five or more employees may gender identity, regardless of the employee's sex that corresponds with their gender identity and not, for example, refuse to hire or promote someone assigned at birth. In addition, where possible, an gender expression? Yes. An employer who imposes because they identify as – or are perceived to identify employer should provide an easily accessible, gender- a dress code must enforce it in a non-discriminatory neutral (or "all-gender"), single user facility for use by manner. This means that each employee must be as – transgender or non-binary, or because they express any employee. The use of single stall restrooms and allowed to dress in accordance with their gender their gender in non-stereotypical ways. Employment other facilities should always be a matter of choice. identity and expression. While an employer may mination can occur at any time during the hiring Employees should never be forced to use one, as a establish a dress code or grooming policy in accord or employment process. In addition to refusing to hire with business necessity, all employees must be held or promote someone, unlawful discrimination includes matter of policy or due to harassment. discharging an employee, subjecting them to worse **5. Does an employee have the right to be addressed** to the same standard, regardless of their gender working conditions, or unfairly modifying the terms of by the name and pronouns that correspond to identity or expression. their gender identity or gender expression, even 7, Can an employer ask an applicant about their employment because of their gender identity or if different from their legal name and gender? Yes. their sex assigned at birth or gender identity oyees have the right to use and be addressed in an interview? No. Employers may ask no 2. Does California law protect transgender and by the name and pronouns that correspond with discriminatory questions, such as inquiring about gender nonconforming employees from harassment at work? Yes. All employers are prohibited from their gender identity or gender expression. These are an applicant's employment history or asking for sometimes known as "chosen" or "preferred" names professional references. But an interviewer should harassing any employee, intern, volunteer, or contractor and pronouns. For example, an employee does not not ask questions designed to detect a person's because of their gender identity or gender expression. For example, an employer can be liable if co-workers need to have legally changed their name or birth gender identity or gender transition history such as create a hostile work environment – whether in person certificate, nor have undergone any type of gender asking about why the person changed their nam transition (such as surgery), to use a name and/or Employers should also not ask questions about a or virtual - for an employee who is undergoing a gender transition. Similarly, an employer can be liable when pronouns that correspond with their gender identity person's body or whether they plan to have surger Want to learn more? Visit: https://bit.ly/3hTG1EO or gender expression. An employer may be legally customers or other third parties harass an employee because of their gender identity or expression, such obligated to use an employee's legal name in specific TO FILE A COMPLAINT

s intentionally referring to a gender-nonconforming employment records, but when no legal obligation compels the use of a legal name, employers and co- Civil Rights Department plovee by the wrong pronouns or name. 3. Does California law protect employees who workers must respect an employee's chosen name calcivilrights.ca.gov/complaintprocess omplain about discrimination or harassment in and pronouns. For example, some businesses utilize Toll Free: 800.884.1684 / TTY: 800.700.2320 the workplace? Yes. Employers are prohibited from software for payroll and other administrative purposes, California Relay Service (711) retaliating against any employee who asserts their such as creating work schedules or generating virtual Have a disability that requires a reasonable right under the law to be free from discrimination profiles. While it may be appropriate for the business accommodation? CRD can assist you with or harassment. For example, an employer commits to use a transgender employee's legal name for payroll your complaint. CRD-E04P-ENG / November 2022 For additional translations of this guidance, visit: www.calcivilrights.ca.gov/posters/required

## EDD NOTICE TO EMPLOYEES

**NOTICE TO EMPLOYEES UNEMPLOYMENT INSURANCE BENEFITS** This employer is registered under the institution may not be paid during a Unemployment Insurance (UI) is with California Unemployment Insurance school recess period if the employee UI Online at www.edd.ca.gov/UI\_ Code and is reporting wage credits to the has reasonable assurance of returning **Online.** Employment Development Department to work at the end of the recess period You may also file for Unemployment (EDD) that are being accumulated for you (California Unemployment Insurance Insurance by calling toll-free from to be used as a basis for Unemployment Code section 1253.3). Benefits based on anywhere in the U.S. at: other covered employment may be English 1-800-300-5616 Insurance benefits ou may be eligible to receive payable during recess periods if the Mandarin 1-866-303-0706 Jnemployment Insurance benefits if unemployed individual is in all other Spanish 1-800-326-8937 respects eligible, and the wages earned Vietnamese 1-800-547-2058 ou are: Unemployed or working less than in other covered employment are Cantonese 1-800-547-3506 sufficient to establish an Unemployment TTY (nonvoice) 1-800 full-time. and Out of work due to no fault of your own Insurance claim after excluding wages Note: Waiting to file and physically able to work, ready to earned from a public or nonprofit benefits. EDD repre educational institution(s). accept work, and looking for work. available Monday Note: Some employees may be exempt Employees of Educational Institutions: Friday between 8 a. from Unemployment and Disability Inemployment Insurance benefits and 12 noon based on wages earned while employed Insurance coverage. (Pacific Time) by a public or nonprofit educational The fastest way to file fo

## ACCESS TO MEDICAL AND EXPOSUR

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

<ul> <li>Your medical records and records of exposure to toxic substance physical agents.</li> </ul>		THESE RECORDS ARE AVAILABLE AT:
<ul> <li>Records of exposure to toxic substances or harmful physical agemployees with work conditions similar to yours.</li> <li>Safety Data Sheets (SDS) or other information that exists for substances used in the workplace, or which employees may be</li> </ul>	chemicals or	FROM:
State of California Department of Industrial Relations Division of Occupational Safety and Health 1515 Clay Street, Suite 1901 Oakland, CA 94612 www.dir.ca.gov/dosh/dosh1.html Phone: (510) 286-7030   Fax: (510) 286-7037	The above i be fulfilled l the employ	nformation satisfies the requirements of GISO <u>3204</u> (g), which may by posting this placard in the workplace, or by any similar method er chooses.

EMERGENCY	INFORMATION	
AMBULANCE:	FIRE - RESCUE:	
HOSPITAL:	PHYSICIAN:	
ALTERNATE:	POLICE:	
CAL/OSHA: Posting is required by Title 8 Section 1512 (e), California Code of Industrial Relations-Cal/OSHA Publications - P.O. Box 42060	of Regulations. State of California Department 3, San Francisco, CA 94142-0603 03/199	OSHA Deserved subsection DO S-500
TIME OFF	TO VOTE	

Civil Rights Department	1. The law provides specific protections and hiring procedures for people with criminal histories who are looking for employment.
	For additional translations of this guidance, visit: www.calcivilrights.ca.gov/posters/requir

speaking persons must also post this notice in the appropriate language or language

quired

WORKERS' COMPENSATION

#### STATE OF CALIFORNIA - DEPARTMENT OF INDUSTRIAL RELATIONS Division of Workers' Compensation $\bigcirc$ Notice to Employees--Injuries Caused By Work

You may be entitled to workers' compensation benefits if you are injured or become ill 2. Report Your Injury. Report the injury immediately to your supervisor or to an because of your job. Workers' compensation covers most work-related physical or mental employer representative. Don't delay. There are time limits. If you wait too long, injuries and illnesses. An injury or illness can be caused by one event (such as hurting your back in a fall) or by repeated exposures (such as hurting your wrist from doing the same notion over and over).

#### enefits. Workers' compensation benefits include:

• Medical Care: Doctor visits, hospital services, physical therapy, lab tests, x-rays, medicines, medical equipment and travel costs that are reasonably necessary to treat your injury. You should never see a bill. There are limits on chiropractic, physical therapy and occupational 3. See Your Primary Treating Physician (PTP). This is the doctor with overall therapy visits Temporary Disability (TD) Benefits: Payments if you lose wages while recovering. For most

injuries, TD benefits may not be paid for more than 104 weeks within five years from the date of injury. • Permanent Disability (PD) Benefits: Payments if you do not recover completely and your

injury causes a permanent loss of physical or mental function that a doctor can measure. Supplemental Job Displacement Benefit: A nontransferable voucher, if you are injured on or after 1/1/2004, your injury causes permanent disability, and your employer does not offer you

regular modified, or alternative work. Death Benefits: Paid to your dependents if you die from a work-related injury or illness laming Your Own Physician Before Injury or Illness (Predesignation). You may be able to

choose the doctor who will treat you for a job injury or illness. If eligible, you must tell your employer, in writing, the name and address of your personal physician or medical group before you are injured. You must obtain their agreement to treat you for your work injury. For nstructions, see the written information about workers' compensation that your employer is required to give to new employees. f You Get Hurt

you may lose your right to benefits. Your employer is required to provide you with a claim form within one working day after learning about your injury. Within one working day after you file a claim form, your employer or claims administrator must authorize the provision of all treatment, up to ten thousand dollars, consistent with the applicable treatment guidelines, for your alleged injury until the claim is accepted or rejected.

responsibility for treating your injury or illness.

• If you predesignated your personal physician or a medical group, you may see your personal physician or the medical group after you are injured. If your employer is using a medical provider network (MPN) or a health care organization (HCO), in most cases you will be treated within the MPN or HCO unless you predesignated a personal physician or medical group. An MPN is a group of physicians and health care providers who provide treatment to workers injured on the job. You should receive information from your employer if you are covered by an HCO or a MPN. Contact your employer for more information. • If your employer is not using an MPN or HCO, in most cases the claims administrator can choose the doctor who first treats you when you are injured, unless you predesignated a personal physician or medical group.

Medical Provider Networks. Your employer may be using an MPN, which is a group of health care providers designated to provide treatment to workers injured on the job. If you have predesignated a personal physician or medical group prior to your work injury, then you may go there to receive treatment from your predesignated doctor. If you are treating with a non-MPN doctor for an existing nge to a doctor within the MPN. For more rmation below:

in fou det huit.	predesignated doctor. If you are treat
<b>1. Get Medical Care.</b> If you need emergency care, call 911 for help immediately from the hospital,	injury, you may be required to chan
ambulance, fire department or police department. If you need first aid, contact your employer.	information, see the MPN contact infor
MPN Website:	

MPN Effective Date:	MPN Identification numb

If you need help locating an MPN physician, call your MPN access assistant at: \_

f you have questions about the MPN or want to file a complaint against the MPN, call the MPN Contact Person at: .

Discrimination: It is illegal for your employer to punish or fire you for having a work injury or illness, for filing a claim, or testifying in another person's workers' compensation case. If proven, you may receive lost wages, job reinstatement, increased benefits, and costs and expenses up to limits set by the state. Questions? Learn more about workers' compensation by reading the information that your employer is required to give you at time of hire. If you have questions, see your employer or the claims administrator (who handles workers' compensation claims for your employer):

Claims Administrator	Phone
Workers' Compensation Insurer	(Enter "self-insured" if appropriate

You can also get free information from a State Division of Workers' Compensation Information (DWC) & Assistance Officer. The nearest Information & Assistance Officer can be found

\_ or by calling toll-free (800) 736-7401. Learn more information at location

about workers' compensation online: www.dwc.ca.gov and access a useful booklet "Workers' Compensation in California: A Guidebook for Injured Workers." False claims and false denials. Any person who makes or causes to be made any knowingly false or fraudulent material statement or material representation for the purpose of ptaining or denying workers' compensation benefits or payments is guilty of a felony and may be fined and imprisoned.

> Your employer may not be liable for the payment of workers' compensation benefits for any injury that arises from your voluntary participation in any **off-duty, recreational, social, or athletic activity** that is not part of your work-related duties. DWC 7 (1/1/2016)

## EMPLOYEE POLYGRAPH PROTECTION ACT

e Employee Polygraph Protection Act prohibits most private employers from preempt any provision of any State or local law or any collective bargaining agreement ing lie detector tests either for pre-employment screening or during the course — which is more restrictive with respect to lie detector tests. **EXAMINEE RIGHTS** Where polygraph tests are permitted, they are subject to numerous

employment. ROHIBITIONS Employers are generally prohibited from requiring or requesting any strict standards concerning the conduct and length of the test. Examinees have a nployee or job applicant to take a lie detector test, and from discharging, disciplining, number of specific rights, including the right to a written notice before testing, the right r discriminating against an employee or prospective employee for refusing to take a to refuse or discontinue a test, and the right not to have test results disclosed to test or for exercising other rights under the Act.

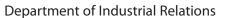
unauthorized persons. EXEMPTIONS Federal, State and local governments are not affected by the law. Also, the ENFORCEMENT The Secretary of Labor may bring court actions to restrain violations and aw does not apply to tests given by the Federal Government to certain private assess civil penalties against violators. Employees or job applicants may also bring their individuals engaged in national security-related activities. The Act permits polygraph (a own court actions. kind of lie detector) tests to be administered in the private sector, subject to restrictions, THE LAW REQ

to certain prospective employees of security service firms (armored car, alarm, and JOB guard), and of pharmaceutical manufacturers, distributors and dispensers. The Act also ermits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer. The law does not

ANTS CAN RE	ADILY SEE IT.	ERE EMIPLOTEES A
	WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR 1-866-487-9243 www.dol.gov/agencies/whd	WH1462 REV 02/22

## **CALOSHA - THE OCCUPATIONAL SAFETY AND HEALTH ACT**

## **SAFETY AND HEALTH PROTECTION ON THE JOB** CAL OSHA State of California



California law provides workplace safety and health protections for workers through regulations enforced by the Division of Occupational Safety and Health (Cal/OSHA). This poster explains some basic requirements and procedures to comply with the state's workplace safety and health standards and orders. The law requires that this poster be displayed. Failure to do so could result in a substantial penalty. Cal/OSHA standards can be found at www.dir.ca.gov/samples/search/query.htm.

## WHAT AN EMPLOYER MUST DO:

All employers must provide work and workplaces that are safe and healthful. In other Employers who use any substance that is listed as a hazardous substance in California

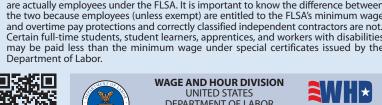
00-815-9387 e a claim could delay	ALLOWED	OD
esentatives are hrough .m. Employment Development State of California	Except in designated areas Reference: Section 6404.5 of the California State	
DE 1857D Rev. 19 (7-18) (INTERNET)	Labor Code	Th us of PF

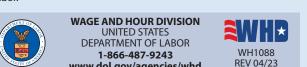
NO SMOKING

NO SMOKING

WAGE AND HOUR DIVISION **WHE** UNITED STATES DEPARTMENT OF LABOR WH1088 1-866-487-9243 REV 04/23 www.dol.gov/agencies/whd

EDD Developme Departme





For more information about PFL, visit State Disability Insurance (edd.ca.gov/disability) or call 1-877-238-4373. State government employees should call 1-877-945-4747. TTY (for deaf or hearing-impaired individuals only) is available at 1-800-445-1312 Note: Some employees may be exempt from coverage by the above insurance programs. It is illegal to make a false statement or to withhold facts to claim benefits. For additional

nformation, visit the EDD (edd.ca.gov) DE 1857A Rev. 44 (12-20) (INTERNET

## WHISTLEBLOWER PROTECTION ACT

# WHISTLEBLOWERS ARE PROTECTED

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 and 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. [California Labor Code Section 1106]

## 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, where the employee has reasonable cause to believe that the information discloses:

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

A 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?

- **1.** An employer may not make, adopt, or enforce any rule, regulation, or policy preventing an employee from being a whistleblower.
- **2.** An employer may not retaliate against an employee who is a whistleblower.
- **3.** 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 or noncompliance with a state or federal rule or regulation.
- **4.** An employer may not retaliate against an employee for having exercised his or her rights as a whistleblower in any former employment.
- 5. 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,

election, California law allows you to take up to two hours off to vote, without losi pay. You may take as much time as you need to vote, but only two hours of that time will be paid. Your time of or voting can be only at the beginning or end of your regular work shift, whichever allows the most free time for voting and the least time off from your regular working shift, unless you make another arrangement with your employer. If three working days before the election you think you will need time off to vote, you must notify you employer at least two working days prior to the election. CALIFORNIA ELECTIONS CODE SECTION 1400

POLLS ARE OPEN FROM 7:00 A.M. TO 8:00 P.M. EACH ELECTION DAY

If you are scheduled to be at work during that time and you do not have sufficient time outside of working hours

## PAYDAY NOTICE

STATE OF CALIFORNIA - DEPARTMENT OF INDUSTRIAL RELATIONS - DIVISION OF LABOR STANDARDS ENFORCEMENT PAY DAY NOTICE

**REGULAR PAY DAYS FOR EMPLOYEES OF:** 

An employee who, on or after July 1, 2015, works in California

for 30 or more days within a year from the beginning of

SHALL BE AS FOLLOWS:	(FIRM NAME)	
THIS IS IN ACCORDANCE WI	TH SECTIONS 204, 204A, 204B, 205, AND 20 LABOR CODE.	05.5 OF THE CALIFORNIA
BY:	TITLE:	
DLSE 8	PLEASE POST	(REV. 06-02)
	PAID SICK LEAVE	

### Division of Labor Standards Enforcement - Office of the Labor Commissioner THIS POSTER MUST BE DISPLAYED WHERE EMPLOYEES CAN EASILY READ IT HEALTHY WORKPLACES/HEALTHY FAMILIES ACT OF 2014 • PAID SICK LEAVE

on the 90<sup>th</sup> day of employment. • An employer shall provide paid sick days upon the ora employment is entitled to paid sick leave. Paid sick leave accrues at the rate of one hour per every 30 hours or written request of an employee for themselves worked, paid at the employee's regular wage rate. Accrual shall a family member for the diagnosis, care or treatment begin on the first day of employment or July 1, 2015, whichever of an existing health condition or preventive care, o specified purposes for an employee who is a victim Accrued paid sick leave shall carry over to the following year domestic violence sexual assault or stalking of employment and may be capped at 48 hours or 6 days. • An employer may limit the use of paid sick days ver, subject to specified conditions, if an employer has 24 hours or three days in each year of employment a paid sick leave, paid leave or paid time off policy (PTO) that Retaliation or discrimination against an employee wh provides no less than 24 hours or three days of paid leave or requests paid sick days or uses paid sick days or both i paid time off, no accrual or carry over is required if the full prohibited. An employee can file a complaint with th amount of leave is received at the beginning of each year in Labor Commissioner against an employer who retaliate accordance with the policy. or discriminates against the employee. or additional information, you may contact your employer or the local office of the Labor Commissioner. Locate the office by

An employ

/ee may use accrued paid sick days beginr

looking at the list of offices on our website http://www.dir.ca.gov/dlse/DistrictOffices.htm using the alphabetical listing of ties, locations, and communities. Staff is available in person and by telephone. DLSE Paid Sick Leave Posting 11/2014

## WITHHOLDING STATUS

YOU MAY NEED TO CHECK YOUR WITHHOLDING					
Since you last filed form W-4 with your employer did you • Marry or divorce? • Gain or lose a dependent? • Change your name? Were there major changes to • Your non-wage income (interest, dividends, capital gains, etc.)?	• Your tax credits? If you can answer "YES" To any of these questions or you owed extra tax when you filed your last return, you may need to file a new form W-4. See your employer for a copy of Form W-4 or call the IRS at 1-800-829-3676. Now is the time to check your	Calculator at: www.irs.gov/individuals on the IRS website. Employer: Please post or publish this Bulletin Board Poster so that your employees will see it. Please indicate where they can get forms and information on this subject.			
<ul> <li>Your family wage income (you or your spouse started or ended a job)?</li> <li>Your itemized deductions?</li> </ul>	withholding. For more details, get Publication 919, How Do I Adjust My Tax Withholding?, or use the Withholding	Publication 213 (Rev. 8-2009) Cat. No. 11047P Internal Revenue Service www.irs.gov			

## FMLA - FAMILY AND MEDICAL LEAVE ACT

Your Employee Rights Under the Family and Medical Leave Ac

Your Employee Rights Under the Family and Medical Leave Act					
<ul> <li>What is FMLA leave? The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with job-protected leave for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees. Eligible employees can take up to 12 workweeks of FMLA leave in a 12-month period for:</li> <li>The birth, adoption or foster placement of a child with you, Your serious mental or physical health condition that makes you unable to work,</li> <li>To care for your spouse, child or parent with a serious mental or physical health condition, and</li> <li>Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.</li> <li>An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness may take up to 26 workweeks of FMLA leave in a single 12-month period to care for the servicemember. You have the right to use FMLA leave in one block of time. When it is medically necessary or otherwise permitted, you may take FMLA leave intermittently in separate blocks of time, or on a reduced schedule by working less hours each day or week. Read Fact Sheet #28M(c) for more information. FMLA leave if your employer, to use any employer-provided pail leave, if your employer, baid leave policy covers the reason for</li> </ul>	<ul> <li>If advance notice is not possible, give notice as soon as possible.</li> <li>You do not have to share a medical diagnosis but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You must also inform your employer if FMLA leave was previously taken or approved for the same reason when requesting additional leave. Your employer may request certification from a health care provider to verify medical leave and may request certification of a qualifying exigency. The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights. State employees may be subject to certain limitations in pursuit of direct lawsuits. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the US. Office of Personnel Management or Congress.</li> <li>What does my employer must:</li> <li>Allow you to take job-protected time off work for a qualifying reason,</li> <li>Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and</li> <li>Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working</li> </ul>				
which you need FMLA leave.	conditions, including shift and location, at the end of				
Am I eligible to take FMLA leave? You are an eligible	your leave.				
employee if <u>all</u> of the following apply:	Your employer cannot interfere with your FMLA rights				
You work for a covered employer,	or threaten or punish you for exercising your rights under				
<ul> <li>You have worked for your employer at least 12 months,</li> </ul>	the law. For example, your employer cannot retaliate				
• You have at least 1,250 hours of service for your employer	against you for requesting FMLA leave or cooperating				

words, as an employer, you must follow state laws governing job safety and health. monetary penalties.

You must have a written and effective Injury and Illness Prevention Program (IIPP)

meeting the requirements of California Code of Regulations, title 8, section 3203 (www.dir.ca.gov/title8/3203.html). and provide access to employees and their Employees have the right to see and copy their medical records and records of designated representatives

You must be aware of hazards your employees face on the job and keep records showing Employers must allow access by employees or their representatives to accurate that each employee has been trained in the hazards unique to each job assignment. You must correct any hazardous condition that you know may result in injury to employees. Failure to do so could result in criminal charges, monetary penalties, and even incarceration.

You must notify a local Cal/OSHA district office of any serious injury or illness, or of employee exposure to hazards conducted to comply with Cal/OSHA regulations. death, occurring on the job. Be sure to do this immediately after calling for WHEN CAL/OSHA COMES TO THE WORKPLACE: emergency help to assist the injured employee. Failure to report a serious injury or A trained Cal/OSHA safety engineer or industrial hygienist may visit the workplace to illness, or death, within 8 hours can result in a minimum civil penalty of \$5,000.

## WHAT AN EMPLOYER MUST NEVER DO:

Never permit an employee to do work that violates Cal/OSHA workplace safety and OSHA. health regulations. Never permit an employee to be exposed to harmful substances without providing or fatality. adequate protection.

Never allow an untrained employee to perform hazardous work.

## **EMPLOYEES HAVE CERTAIN WORKPLACE SAFETY & HEALTH RIGHTS:**

As an employee, you (or someone acting for you) have the right to file a confidential complaint and request an inspection of your workplace if you believe conditions there employee representative, the investigator will talk to a reasonable number of are unsafe or unhealthful. This is done by contacting the local Cal/OSHA district office employees about safety and health conditions at the workplace. (see below). Your name is not revealed by Cal/OSHA, unless you request otherwise.

the Cal/OSHA investigator inspecting your workplace.

Any employee has the right to refuse to perform work that would violate an monetary penalty, may be issued in lieu of a citation for certain non-serious violations. occupational safety or health standard or order where such violation would create a Penalty amounts depend in part on the classification of the violation as regulatory, real and apparent hazard to the employee or other employees.

You may not be fired or punished in any way for filing a complaint about unsafe or unhealthful working conditions, or for otherwise exercising your rights to a safe and adjustment factors, and minimum and maximum penalty amounts are set forth in healthful workplace. If you feel that you have been fired or punished for exercising your rights, you may file a complaint about this type of discrimination by contacting the nearest office of the California Department of Industrial Relations, Division of of any employee can result, upon conviction, in a fine of up to \$250,000 or Labor Standards Enforcement (Labor Commissioner's Office) or the San Francisco imprisonment up to three years, or both, and if the employer is a corporation or office of the U.S. Department of Labor, Occupational Safety and Health Administration. (Employees of state or local government agencies may only file these complaints The law provides that employers may appeal citations within 15 working days of with the California Labor Commissioner's Office.) Consult your local telephone receipt to the Occupational Safety and Health Appeals Board. directory for the office nearest you.

### **EMPLOYEES ALSO HAVE RESPONSIBILITIES:**

To keep the workplace and your coworkers safe, you should tell your employer about any hazard that could result in an injury or illness to an employee.

While working, you must always obey state workplace safety and health laws.

### **HELP IS AVAILABLE:**

**District Office** 

Bakersfield

Foster City Fremont

Long Beach Los Angeles

Modesto

Monrovia Oakland

Redding Sacramento

San Diego San Francisco

San Bernarding

Fresno

American Canyor

To learn more about workplace safety rules, you may contact Cal/OSHA Consultation Services for free information, required forms, and publications. You can also contact a local district office of Cal/OSHA. If you prefer, you may retain a competent private consultant, or ask your workers' compensation insurance carrier for guidance in obtaining information.

## Call the FREE Worker Information Helpline - (833) 579-0927

## **DIVISION OF OCCUPATIONAL SAFETY AND HEALTH (CAL/OSHA)** HEADQUARTERS: 1515 Clay Street, Ste. 1901, Oakland, CA 94612 – Telephone (510) 286-7000

CA-0723-F04

	Cal OSHA Consultation Services		OSHA Consultation Services	
3419 Broadway St., Ste. H8, American Canyon 94503	(707) 649-3700	Field / Area Offices —		
7718 Meany Ave., Bakersfield 93308	(661) 588-6400	Fresno / Central Valley	2550 Mariposa Mall, Rm. 2005	(EEO) 44E 6000
1065 East Hillsdale Bl., Ste. 110, Foster City 94404	(650) 573-3812	Fresho / Central valley	Fresno 93721	(559) 445-6800
39141 Civic Center Dr., Ste. 310, Fremont 94538	(510) 794-2521			
2550 Mariposa St., Rm. 4000, Fresno 93721	(559) 445-5302	• La Palma / Los Angeles /	1 Centerpointe Dr., Ste. 150	(714) 562-5525
1500 Hughes Way, Suite C-201, Long Beach 90810	(424) 450-2630	Orange County	La Palma 90623	
320 West Fourth St., Rm. 820, Los Angeles 90013	(213) 576-7451	• Oakland/ Bay Area	1515 Clay St., Ste 1103	(510) 622-2891
4206 Technology Dr., Ste. 3, Modesto 95356	(209) 545-7310		Oakland 94612	
800 Royal Oaks Dr., Ste. 105, Monrovia 91016	(626) 239-0369	Sacramento /	1750 Howe Ave., Ste. 490,	(916) 263-0704
1515 Clay St., Ste. 1303, Box 41, Oakland 94612	(510) 622-2916	Northern CA	Sacramento 95825	() () 200 0/01
381 Hemsted Dr., Redding 96002	(530) 224-4743	. Can Pornardino	464 West Fourth St., Ste. 339	(909) 383-4567
1750 Howe Ave., Ste. 430, Sacramento 95825	(916) 263-2800	<ul> <li>San Bernardino</li> </ul>	San Bernardino 92401	(909) 505-4507
464 West Fourth St., Ste. 332, San Bernardino 92401	(909) 383-4321			
7575 Metropolitan Dr., Ste. 207, San Diego 92108	(619) 767-2280	• San Diego /	7575 Metropolitan Dr., Ste. 204	(619) 767-2060
455 Golden Gate Ave., Rm. 9516, San Francisco 94102	(415) 557-0100	Imperial County	San Diego 92108	
		<ul> <li>San Fernando Valley</li> </ul>	6150 Van Nuvs Blvd , Ste 307	(818) 901-5754

Code of Regulations, title 8, section 339 (www.dir.ca.gov/title8/339.html), or Failure to do so can result in a threat to the life or health of workers, and substantial covered by the Hazard Communication standard (www.dir.ca.gov/title8/5194.html) must provide employees information on the hazardous chemicals in their work areas,

SPECIAL RULES APPLY FOR WORK AROUND HAZARDOUS SUBSTANCES:

You must display this poster in a conspicuous place where notices to employees are access to safety data sheets, and training on how to use hazardous chemicals safely. customarily posted so everyone on the job can be aware of basic rights and responsibilities. Employers shall make available on a timely and reasonable basis a safety data sheet

on each hazardous substance in the workplace upon request of an employee, an employee's collective bargaining representative, or an employee's physician.

exposure to potentially toxic materials or harmful physical agents.

records of employee exposures to potentially toxic materials or harmful physical agents, and notify employees of any exposures in concentration or levels exceeding the exposure limits allowed by Cal/OSHA standards.

Any employee or their representative has the right to observe monitoring or measuring

make sure your company is obeying workplace safety and health laws.

Inspections are also conducted when an employee files a valid complaint with Cal/

Cal/OSHA also goes on-site to the workplace to investigate a serious injury or illness,

When an inspection begins, the Cal/OSHA investigator will show official identification. The employer, or someone the employer chooses, will be given an opportunity to accompany the investigator during the inspection. An authorized representative of the employees will be given the same opportunity. Where there is no authorized

## **VIOLATIONS, CITATIONS, AND PENALTIES:**

You also have the right to bring unsafe or unhealthful conditions to the attention of If the investigation shows that the employer has violated a safety and health standard or order, Cal/OSHA may issue a citation. Each citation carries a monetary penalty and You and your designated representative have the right to access the employer's IIPP. specifies a date by which the violation must be abated. A notice, which carries no

> general, serious, repeat, or willful; and whether the employer failed to abate a previous violation involving the same hazardous condition. Base penalty amounts, penalty California Code of Regulations, title 8, section 336 (www.dir.ca.gov/title8/336.html). In addition, a willful violation that causes death or permanent impairment of the body limited liability company, the fine may be up to \$1.5 million.

An employer who receives a citation, Order to Take Special Action, or Special Order must post it prominently at or near the place of the violation for three working days, or until the unsafe condition is corrected, whichever is longer, to warn employees of danger that may exist there. Any employee may protest the time allowed for correction of the violation to the Division of Occupational Safety and Health or the Occupational Safety and Health Appeals Board.

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.

uring the 12 months before your leave, and with a WHD investigation. After becoming aware that /our employer has at least 50 employees within 75 miles  $\,$  your need for leave is for a reason that may qualify under of your work location. Airline flight crew employees have different "hours of **are eligible** or not eligible for FMLA leave. If your service" requirements. You work for a **covered employer** if employer determines that you are eligible, your **employer** one of the following applies: • You work for a private employer that had at least • About your FMLA rights and responsibilities, and 50 employees during at least 20 workweeks in the current • How much of your requested leave, if any, will be FMLAor previous calendar year, protected leave. You work for an elementary or public or private secondary Where can I find more information? Call 1-866-487-9243 or visit dol.gov/fmla to learn more. If you believe your right chool, or You work for a public agency, such as a local, state or  $\_$  under the FMLA have been violated, you federal government agency. Most federal employees are may file a complaint with WHD or file a SCAN MF covered by Title II of the FMLA, administered by the Office private lawsuit against your employer in of Personnel Management court. Scan the QR code to learn about v do I request FMLA leave? Generally, to request our WHD complaint process. FMLA leave you <u>must</u>: Follow your employer's normal policies for requesting leave,
 Give notice at least 30 days before your need for FMLA WAGE AND HOUR DIVISION OF LABOR WH1420 REV 04/2

Santa Ana Van Nuys	2 MacArthur Place, Ste. 720, Santa Ana 92707 6150 Van Nuys Blvd., Ste. 405, Van Nuys 91401	(714) 558-4451 (818) 901-5403	• Sall Enando Valley	Van Nuys 91401	+C10 (010)
Regional Offices		(	<b>Consultation Region Office</b>		
San Francisco Sacramento Santa Ana Monrovia	455 Golden Gate Ave., Rm 9516, San Francisco 94102 1750 Howe Ave., Ste. 440, Sacramento 95825 2 MacArthur Place, Ste. 720, Santa Ana 92707 800 Royal Oaks Dr., Ste. 105, Monrovia 91016	(415) 557-0300 (916) 263-2803 (714) 558-4300 (626) 471-9122	• Fresno	2550 Mariposa Mall, Rm. 3014 Fresno 93721	(559) 445-6800

Enforcement of Cal/OSHA workplace safety and health standards is carried out by the Division of Occupational Safety and Health, under the California Department of Industrial Relations, which has primary responsibility for administering the Cal/OSHA program. Safety and health standards are promulgated by the Occupational Safety and Health Standards Board. Anyone desiring to register a complaint alleging inadequacy in the administration of the California Occupational Safety and Health Plan may do so by contacting the San Francisco Regional Office of the Occupational Safety and Health Administration (OSHA), U.S. Department of Labor Tel: (415) 625-2547. OSHA monitors the operation of state plans to assure that continued approval ismerited. July 2022