



This Business is Subject to Indiana's Unemployment Insurance Laws

If you lose your job or work less than full time, you may be eligible for unemployment insurance benefits. Information is available on-line at **www.in.gov/dwd**. Computers are available at any Indiana WorkOne Center.

No deductions are made from employees' pay for unemployment insurance. This employer pays this tax.

www.in.gov/dwd

1-800-891-6499

SAFETY AND HEALTH PROTECTION ON THE JOB

INTRODUCTION:

The intent of the Indiana Occupational Safety and Health Act of 1974, Indiana Code 22-8-1.1, is to assure, so far as possible, safe and healthful working conditions for the workers in the State.

The Indiana Department of Labor has primary responsibility for administering and enforcing the Act and the safety and health standards promulgated under its provisions.

Requirements of the Act include the following:

EMPLOYERS:

Each employer shall establish and maintain conditions of work which are reasonably safe and healthful for employees and free from recognized hazards that are causing or likely to cause death or serious physical harm to employees. The Act further requires that employers comply with the Occupational Safety and Health Standards, Rules, and Regulations.

EMPLOYEES:

All employees shall comply with Occupational Safety and Health Standards and all rules, regulations, and orders issued under the Act, which are applicable to their own actions and conduct.

INSPECTION:

The Act requires that an opportunity be provided for employees and their representatives to bring possible safety and health violations to the attention of the Department of Labor inspector in order to aid the inspection. This requirement may be fulfilled by allowing a representative of the employees and a representative of the employer to accompany the inspector during inspection. Where there is no employee representative, the inspector shall consult with a reasonable number of employees.

COMPLAINT:

Employees have the right to file a complaint with the Department of Labor. There shall be an inspection where reasonable grounds exist for the Department of Labor to believe there may be a hazard. Unless permission is given by the employees complaining to release their names, they will be withheld from the employer. Telephone Number (317) 232-2693.

The Act provides that no employer shall discharge, suspend, or otherwise discriminate in terms of conditions of employment against any employees for their failure or refusal to engage in unsafe practices or for filing a complaint, testifying, or otherwise acting to exercise their rights under the Act.

Employees who believe they have been discriminated against may file a complaint with the Department of Labor within 30 days of the alleged discrimination. Please note that extensions of the 30-day filing requirement may be granted under certain special circumstances, such as where the employer has concealed or misled the employee regarding the grounds for discharge. However, a grievance-arbitration proceeding, which is pending, would not be considered justification for an extension of the 30-day filing period. The Commissioner of Labor shall investigate said complaint and upon finding discrimination in violation of the Act, shall order the employer to provide necessary relief to the employees. This relief may include rehiring, reinstatement to the job with back pay, and restoration of seniority.

All employees are also afforded protection from discrimination under Federal Occupational Safety and Health Act and may file a complaint with the U.S. Secretary of Labor within 30 days of the alleged discrimination.

VIOLATION NOTICE:

When an alleged violation of any provision of the Act has occurred, the Department of Labor shall promptly issue a written order to the employer, who shall be required to post it prominently at or near the place where the alleged violation occurred

until it is made safe and required safeguards are provided or 3 days, whichever is longer.

PROPOSED PENALTIES:

The Act provides for CIVIL penalties of not more than \$7,000 for each serious violation and CIVIL penalties of up to \$7,000 for each non-serious violation. Any employer who fails to correct a violation within the prescribed abatement period may be assessed a CIVIL penalty of not more than \$7,000 for each day beyond the abatement date during which such violation continues. Also, any employer who knowingly or repeatedly violates the Act may be assessed CIVIL penalties of not more than \$70,000 for each violation. A minimum penalty of \$5,000 may be imposed for each knowing violation. A violation of posting requirements can bring a penalty of up to \$7,000.

VOLUNTARY ACTIVITY:

The Act encourages efforts by labor and management, before the Department of Labor inspections, to reduce injuries and illnesses arising out of employment.

The Act encourages employers and employees to reduce workplace hazards voluntarily and to develop and improve safety and health programs in all workplaces and industries.

Such cooperative action would initially focus on the identification and elimination of hazards that could cause death, injury, or illness to employees and supervisors,

The Act provides a consultation service to assist in voluntary compliance and give recommendations for the abatement of cited violations. This service is available upon a written request from the employer to INSafe. Telephone Number (317) 232-2688.

COVERAGE:

The Act does not cover those hired for domestic service in or about a private home and those covered by a federal agency. Those exempted from the Act's coverage include employees in maritime services, who are covered by the U.S. Department of Labor, and employees in atomic energy activities who are covered by the Atomic Energy Commission.

NOTE:

Under a plan approved March 6, 1974, by the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA), the State of Indiana is providing job safety and health protection for workers throughout the State. OSHA will monitor the operation of this plan to assure that continued approval is merited. Any person may make a complaint regarding the State administration of this plan directly to the OSHA Regional Office, Regional Administrator, Region V, U.S. Department of Labor, Occupational Safety and Health Administration, 230 South Dearborn Street, Chicago, Illinois 60604, Telephone Number (312) 353-2220.

MORE INFORMATION:

INDIANA DEPARTMENT OF LABOR
402 West Washington Street, Room W195
Indianapolis, Indiana 46204
Telephone: (317) 232-2655
TT/Voice: (800) 743-3333
Fax: (317) 233-3790
Internet: <http://www.in.gov/dol>



Lori A. Torres
Commissioner of Labor

EMPLOYERS: This poster must be displayed prominently in the workplace.





*Indiana Department of Labor
402 West Washington St., Rm 195
Indianapolis, IN 46204
(317) 232-2655
www.in.gov/dol*

INDIANA MINIMUM WAGE LAW

\$7.25 per hour

Indiana law requires this poster to be displayed in a conspicuous place in the area where employees are employed.

Most Indiana employers and employees are covered by the minimum wage and overtime provisions of the federal Fair Labor Standards Act (FLSA); however, those not covered under federal law may still be covered by the Indiana Minimum Wage Law.

Both the federal and Indiana state minimum wage increased from \$6.55 per hour to \$7.25 per hour, effective July 24, 2009.

The Indiana Minimum Wage Law generally requires employers to pay employees at least the minimum wage for all hours worked and to pay employees 1 ½ times their regular rate of pay ("Overtime compensation") when employees work more than forty (40) hours during a work week. However, there are many exceptions to the overtime pay requirement. Most of those exceptions can be found at Indiana Code § 22-2-2-3 (a) – (p).

Indiana law requires every employer subject to the Indiana Minimum Wage Law to furnish each employee a statement of the hours worked by the employee, the wages paid to the employee, and a listing of the deductions made. The Indiana Minimum Wage Law also prohibits pay discrimination on the basis of sex.

Tipped Employees

Generally, employers must pay tipped employees at least \$2.13 per hour if the employer claims a tip credit. If the employee's tips combined with the hourly wage do not equal the minimum wage, the employer must make up the difference.

Training Wage

Indiana employers may pay \$4.25 per hour to employees under 20 years of age for the first 90 consecutive calendar days after the employee is initially employed by the employer.

Violations

Indiana law provides for both civil and criminal penalties for violation of the Indiana Minimum Wage Law.

For Additional Information For additional information, please contact the Indiana Department of Labor's Wage and Hour Division by email at wagehour@dol.in.gov or phone (317) 232-2655



Equal Employment Opportunity is the Law

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations with six or more persons are protected under State and Federal law from discrimination on the following bases:

Race | Color | Sex | Disability | Ancestry | Religion | National Origin | Veteran Status

This includes:

Discriminatory hiring, firing, training, discipline, compensation, promotion and other terms or conditions of employment

Denial of equal benefits or privileges

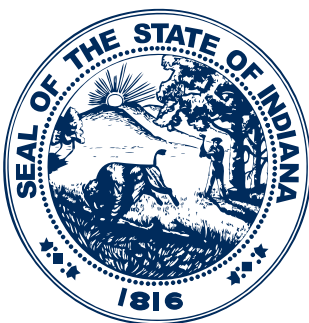
Denying a reasonable accommodation to a qualified individual with a disability or an employee with deeply held religious beliefs

Conducting medical examinations (except in limited circumstances)

Harassing employees because of their membership in a protected class

Retaliating against a person for filing a complaint, testifying at a hearing or assisting in an investigation

Failing to hire an applicant based on their status as a veteran



Contact Us

Indiana Civil Rights Commission
100 North Senate Avenue, Room N103
Indianapolis, IN 46204

Office: (317)232-2600 | Toll Free: (800) 628-2909
Hearing Impaired: (800) 743-3333 | Fax: (317) 232-6580
E-mail: icrc@crc.in.gov | Website: www.in.gov/icrc

WHAT IS WORKPLACE HARASSMENT



Workplace harassment is any unwelcome verbal, written, or physical conduct that shows hostility or aversion towards a person on the basis of a protected class.



State law currently protects employees on the basis of:

- Race
- Religion
- Color
- Sex
- Disability
- National Origin
- Ancestry
- Veteran Status
- Age (40-75)*

★ ★ ★ **Local and/or federal law may also protect on the basis of:**

- Pregnancy
- Sexual Orientation
- Gender Identity

**Age cases investigated by DOL or EEOC*



CONTACT US



@INCIVILRIGHTS

**100 North Senate Avenue, Room N300
Indianapolis, IN 46204**

Office: (317) 232-2600

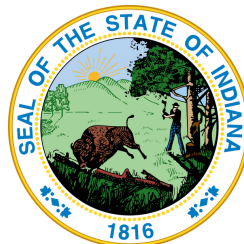
Toll Free: (800) 628-2909

Hearing Impaired: (800) 743-3333

Fax: (317) 232-6580

Website: www.in.gov/icrc

YOUR RIGHTS, OUR MISSION.



WORKPLACE HARASSMENT

Indiana Civil Rights Commission
"ICRC"

A TYPE OF HOSTILE WORK ENVIRONMENT

A type of sexual harassment that may be unlawful is when employees are subjected to unwanted actions or comments including but not limited to those of a sexual nature. This can include sexual stories or innuendos, discussions about employees' sex lives, unwanted touching, requests for sex, and sexual materials in the workplace.

An employer may be held liable for the conduct of its employees if the conduct is severe and/or pervasive, and is reported to a supervisor or management and the employer does not take prompt and effective measures to address the hostility. A hostile work environment may also be created based on other protected classes.

QUID PRO QUO

A term meaning "this for that," this type of sexual harassment exists when a supervisor or other "superior" demands sexual favors or attention in return for job benefits, such as a raise, promotion, or preferred assignment.

RETALIATION

It is unlawful to discriminate against someone due to their participation in a protected activity with the ICRC, including filing a charge of discrimination, testifying, or otherwise assisting in an investigation or proceeding before the ICRC.



POLICIES & PROCEDURES

It is important employers make clear, specific policies and procedures for reporting and evaluating allegations of workplace harassment.

Employers should handle complaints of workplace harassment ***in a timely and professional manner to ensure allegations are properly and effectively addressed.***



Any person who feels they have been subject to workplace harassment may file a complaint with the ICRC. Complaints can be filed in person by mail, fax, or on our website.

Employment complaints must be filed within **180 days** from the date of the alleged discriminatory act.

ICRC is ready to help you with your discrimination claim.

