

REQUIRED POSTERS ON FEDERAL-AID PROJECTS

The following 4-poster set is available from the NDDOT Central Office, or from any NDDOT District Office. It contains all required federal forms for federal-aid highway construction projects, except for 1) the Davis-Bacon wage rates (available in the proposal) and 2) the contractor's discrimination complaint procedure, which may be produced by the company (a sample is attached as Exhibit C).

Know Your Rights Workplace Discrimination is Illegal

The Equal Employment Opportunity Commission (EEOC) enforces federal laws that prohibit employers from discriminating against employees on the basis of race, sex, age, disability, and religion.

Who is Protected?
Federal laws protect employees who work for employers with 15 or more employees. State laws may protect employees who work for employers with fewer than 15 employees.

What Types of Employment Discrimination are Prohibited?
Employers are prohibited from discriminating against employees on the basis of race, sex, age, disability, and religion. This includes decisions about hiring, firing, promotion, pay, and benefits.

What Can You Do if You Experience Discrimination?
If you believe you have been discriminated against, you should first talk to your employer. If the problem is not resolved, you can file a complaint with the EEOC.

Important Wage Rate Information Federal-Aid Highway Project

Contractors and subcontractors must comply with the Davis-Bacon Act, which requires that workers on federal-aid highway projects be paid at least the prevailing wage rate for their occupation and locality.

Who is Covered?
The Davis-Bacon Act applies to contractors and subcontractors who are engaged in the construction, reconstruction, or maintenance of any public building or work of art, or any public work of art, or any public work of art, or any public work of art.

How is the Prevailing Wage Rate Determined?
The prevailing wage rate is determined by the Bureau of Labor Statistics (BLS) based on a survey of wages paid to workers in the same occupation and locality.

NOTICE

FEDERAL EMPLOYMENT OPPORTUNITY PRACTICES

This notice is required for all federal-aid highway projects. It informs workers of their rights under federal laws that prohibit employment discrimination.

Who is Covered?
This notice applies to all workers on federal-aid highway projects, regardless of whether they are employed by a contractor or a subcontractor.

What Rights are Protected?
Federal laws prohibit employers from discriminating against employees on the basis of race, sex, age, disability, and religion. This includes decisions about hiring, firing, promotion, pay, and benefits.

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

Employers holding federal contracts or subcontracts must comply with various federal laws, including those related to labor practices, anti-discrimination, and equal opportunity.

Key Requirements:
- Comply with the Davis-Bacon Act regarding prevailing wage rates.
- Adhere to federal anti-discrimination laws.
- Follow federal equal opportunity regulations.

Reporting Requirements:
Employers must submit certain reports to the federal government, including information about the number of workers employed and the wages paid.

PAY TRANSPARENCY NONDISCRIMINATION PROVISION

This provision requires employers to disclose wage information to employees in a non-discriminatory manner. It aims to promote transparency and fairness in the workplace.

Key Elements:
- Employers must disclose the wage range for each job position.
- The disclosure must be made in a non-discriminatory manner.
- Employers must provide a process for employees to request wage information.

NOTICE

REAL EMPLOYMENT OPPORTUNITY PRACTICES

This notice is required for all federal-aid highway projects. It informs workers of their rights under federal laws that promote employment opportunities.

Who is Covered?
This notice applies to all workers on federal-aid highway projects, regardless of whether they are employed by a contractor or a subcontractor.

What Rights are Protected?
Federal laws promote employment opportunities for all workers, regardless of their race, sex, age, disability, or religion.

EMPLOYEE RIGHTS FOR WORKERS WITH DISABILITIES PAID AT SUBMINIMUM WAGES

This poster outlines the rights of workers with disabilities who are paid at subminimum wages. It includes information about the Americans with Disabilities Act (ADA) and the Fair Labor Standards Act (FLSA).

Key Points:
- Workers with disabilities who are paid at subminimum wages are still entitled to certain rights under the ADA and FLSA.
- Employers must provide reasonable accommodations to workers with disabilities.
- Workers have the right to file a complaint with the EEOC if they believe their rights have been violated.

EMPLOYEE RIGHTS EMPLOYEE POLYGRAPH PROTECTION ACT

This poster explains the Employee Polygraph Protection Act (EPPA), which prohibits most private employers from using lie detector tests on their employees.

Prohibitions:
Employers are generally prohibited from requiring or requesting any employee to take a lie detector test. There are exceptions for certain government contractors and private employers in specific industries.

Exemptions:
The EPPA does not apply to federal, state, or local government contractors, or to private employers in the security services industry, pharmaceutical manufacturers, distributors, and dispensers.

EMPLOYEE RIGHTS UNDER THE DAVIS-BACON ACT

FOR LABORERS AND MECHANICS EMPLOYED ON FEDERAL OR FEDERALLY ASSISTED CONSTRUCTION PROJECTS

This poster provides information about the Davis-Bacon Act, which requires that workers on federal-aid highway projects be paid at least the prevailing wage rate.

Key Information:
- The Davis-Bacon Act applies to contractors and subcontractors engaged in the construction, reconstruction, or maintenance of any public building or work of art, or any public work of art.
- The prevailing wage rate is determined by the Bureau of Labor Statistics (BLS).

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

This poster explains the Family and Medical Leave Act (FMLA), which provides eligible employees with unpaid, job-protected leave for certain family and medical reasons.

Key Points:
- The FMLA applies to employers with 50 or more employees.
- Employees are eligible for FMLA if they have worked for the employer for at least 12 months and have worked at least 1,250 hours during the 12-month period.
- FMLA leave is unpaid but job-protected.

ND MINIMUM WAGE & WORK CONDITIONS

MINIMUM WAGE RATE: \$7.25 PER HOUR
Effective Date: August 1, 2015

WORKING CONDITIONS:
- Overtime: 1.5 times the regular rate for hours worked over 40 in a week.
- Meal Periods: 30 minutes for every 5 hours of work.
- Paid Time Off: 10 days per year for full-time employees.

EMPLOYMENT AT WILL:
Employment is at-will unless otherwise specified in a written contract.

RIGHT TO WORK:
Employees have the right to work without being forced to join a union.

YOUTH EMPLOYMENT:
Federal child labor laws apply to all workers under the age of 18.

TO EMPLOYEES:

THIS EMPLOYER IS SUBJECT TO THE UNEMPLOYMENT COMPENSATION LAWS OF THE STATE OF NORTH DAKOTA

YOU MAY BE ELIGIBLE FOR UNEMPLOYMENT COMPENSATION BENEFITS IF YOU MEET THE ELIGIBILITY REQUIREMENTS

online: www.jobsnd.com
click on the UI/CE logo

North Dakota Department of Labor and Human Rights
1-800-562-4688

YOUR RIGHTS UNDER USERRA THE UNITED STATES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

This poster explains the Uniformed Services Employees Reemployment Rights Act (USERRA), which provides veterans and active military members with reemployment rights after military service.

Key Rights:
- Right to be reinstated to the same or a comparable position.
- Right to receive the same or a comparable rate of pay.
- Right to receive the same or a comparable benefit plan.

NOTICE

This notice informs workers that the highway construction underway at this location is a Federal or Federal-aid project and is subject to applicable State and Federal laws, including Title 18, United States Code, Section 1020.

Key Information:
- Workers are entitled to certain rights under federal laws.
- Employers must comply with these laws.
- Workers should report any violations to the appropriate agency.

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE \$7.25 PER HOUR
Effective Date: July 24, 2009

Key Information:
- The Fair Labor Standards Act (FLSA) sets the federal minimum wage.
- Employers must pay at least the minimum wage to all employees.
- Overtime pay is required for hours worked over 40 in a week.

Job Safety and Health IT'S THE LAW!

OSHA

This poster explains the Occupational Safety and Health Act (OSHA), which is designed to ensure safe and healthy working conditions for all workers.

Key Points:
- OSHA sets and enforces standards for workplace safety and health.
- Employers must comply with OSHA standards.
- Workers have the right to a safe and healthy workplace.

NORTH Dakota Transportation

Be Legendary.

Logo for North Dakota Transportation, featuring the state outline and the slogan "Be Legendary."

Additional required posters (not included):

- Emergency Phone Numbers

BULLETIN BOARD REQUIREMENTS

Instead of providing their own bulletin board, subcontractors may opt to post their company EEO, policy, letters appointing their EEO and DBE officers, and their discrimination complaint procedure on the prime contractor's bulletin board and to share the prime contractor's poster boards, and Davis-Bacon wage rate decision.

When a subcontractor is on a federal-aid highway construction project or the **site of the work** for less than one week (seven calendar days), or when a subcontractor is extremely mobile on a federal-aid highway construction project or the **site of the work** (e.g., paint stripers, guardrail installers, fencers, etc.), the subcontractor will **NOT** be required to provide a **project-site** bulletin board if:

1. The subcontractor's home office is located in North Dakota.
2. The subcontractor maintains a bulletin board at their home office location in an area readily accessible to all employees, applicants for employment, and other interested parties.
3. The bulletin board contains all of the required notices and posters.
4. The subcontractor provides documentation that their employees are required to check in at the home office on a daily and/or weekly basis and do so.
5. The subcontractor's employee's know where the bulletin board is located.

The district in which the subcontractor's home office is located will conduct an annual supplemental review of the subcontractor's bulletin board at the location identified to ensure all of the required notices and posters are displayed, current, and legible. The district will initiate the supplemental review whenever the subcontractor begins working on a federal-aid highway construction project within its jurisdiction or whenever another district requests a supplemental review be conducted. The supplemental review will then be shared with the other seven NDDOT district offices.

In cases where a subcontractor works away from their home office location and hires local individuals who **DO NOT** check in at the home office, a copy of each of the required notices and posters **MUST** be given to those individuals. The subcontractor **MUST** obtain an acknowledgement of receipt from each individual and provide a copy of each acknowledgement to the district in which the federal-aid highway construction project is located.

During routine labor compliance job-site interviews, contractor employees are asked if they know where the bulletin board is located. Any negative answers by the subcontractor's employees will be brought to the attention of the subcontractor. The allowance for the subcontractor to display the required notices and posters at their home office rather than at the project site will be re-evaluated at that time.