



Texas  
Hospital  
Association

TEXAS HOSPITAL ASSOCIATION

**GUIDE TO HOSPITAL  
SIGNAGE REQUIREMENTS**



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# Introduction

Texas hospitals are subject to numerous laws, rules and regulations mandating certain signage in their facilities. Some signage requirements are intended to improve patient and visitor safety, while others provide employee protections or convey information of interest to the community. While signage may seem like a minor part of overall hospital operations, failure to adhere to mandatory signage requirements can risk a hospital's licensure and subject the facility to fines and other consequences.

The Texas Hospital Association has developed this guidebook to assist Texas hospitals in understanding what is required and how to comply.

## Frequently Asked Questions

### **Who mandates hospital signage?**

At the state level, the Texas Health and Human Services Commission requires most of the signage postings. Signs addressed through federal law and/or regulations are mandated by the Centers for Medicare & Medicaid Services and the U.S. Department of Labor.

### **How many mandatory signage requirements are there?**

There are 23 required signs for hospitals specifically and an additional 10 signs required for all employers, which include hospitals.

### **What is one of the newest signage requirements that hospitals may not know about?**

The Emergency Department Posting Requirement on Human Trafficking, a result of House Bill 2552, 85th Legislature, Regular Session, is the newest signage requirement. The law requires hospital emergency departments to display signs in English and Spanish notifying individuals that no one may force a person to have an abortion and also clarifying that it is illegal for someone to force an individual to engage in sexual acts. The signs also must include a telephone number to an organization that assists victims of human trafficking or forced abortions. In addition, hospitals licensed under Chapter 241 of the Health & Safety Code must post these signs in all patient rooms and restrooms in their emergency departments as of Jan. 1, 2018.

### **What are the consequences if these signs are not in place?**

If a hospital surveyor from the Texas Department of State Health Services, CMS, or Joint Commission cites deficiencies based on the absence of required signage within the hospital, a plan of correction must be submitted that brings the hospital into compliance by a specific date. The regulating agency may take enforcement action, including the imposition of financial penalties, if the deficiencies are not corrected.

### **Are hospitals allowed to have signs scroll on a monitor?**

No. Signs are required to be visible at all times, which cannot occur if signs are scrolling.

If you have additional questions about mandatory signage, please contact Sharon Beasley, [sbeasley@tha.org](mailto:sbeasley@tha.org) or 512/465-1030.

## Required Signs

**The following section lists required hospital signage. Each section includes the applicable legal or regulatory language.**

### **1. Abuse/Neglect Reporting – Duty to report abuse, neglect or illegal, unprofessional or unethical conduct.**

a. Each hospital, inpatient mental health facility, and treatment facility shall prominently and conspicuously post for display in a public area of the facility that is readily available to patients, residents, volunteers, employees, and visitors a statement of the duty to report under this section. The statement must be in English and in a second language and contain a toll-free telephone number that a person may call to report. *Tex. Health & Safety Code § 161.132(e)* (2017)

b. A facility (hospital) shall prominently and conspicuously post for display in a public area that is readily visible to patients, residents, volunteers, employees, and visitors a statement of the duty to report abuse and neglect, or illegal, unethical or unprofessional conduct. The statement shall be in English and in a second language appropriate to the demographic makeup of the community served and contain the number of the department's patient information and complaint line at 888-973-0022. *25 Texas Administrative Code 133.47 (c)(2)* (2017)

c. A facility (private psychiatric hospital and crisis stabilization unit) shall prominently and conspicuously post for display in a public area that is readily visible to patients, residents, volunteers, employees, and visitors a statement of the duty to report abuse and neglect, or illegal, unethical or unprofessional conduct. The statement shall be in English and in a second language appropriate to the demographic makeup of the community served and contain the number of the department's patient information and complaint line at 888-973-0022. *25 TAC §134.42(c)(2)* (2017)

### **2. Charity Care – Availability of no-cost medical care and the application procedures.**

a. Each hospital shall provide, to each person who seeks any health care service at the hospital, notice, in appropriate languages, if possible, about the charity care program, including the charity care and eligibility policies of the program, and how to apply for charity care. Such notice shall also be conspicuously posted in the general waiting area, in the waiting area for emergency services, in the business office, and in such other locations as the hospital deems likely to give notice of the

charity care program and policies. Each hospital shall annually publish notice of the hospital's charity care program and policies in a local newspaper of general circulation in the county. Each notice under this subsection must be written in language readily understandable to the average reader. *25 TAC §13.17(e)* (2017)

### **3. Community Benefits Plan – Annual Report of Community Benefits Plan.**

a. A nonprofit hospital shall prepare a statement that notifies the public that the annual report of the community benefits plan is public information; that it is filed with the department; and that it is available to the public on request from the department. The statement shall be posted in prominent places throughout the hospital, including but not limited to the emergency room waiting area and the admissions office waiting area. The statement shall also be printed in the hospital patient guide or other material that provides the patient with information about the admissions criteria of the hospital. *Tex. Health & Safety Code § 311.046(c)* (2017)

b. Nonprofit hospitals shall prepare a statement notifying the public that the annual report of the Community Benefits Plan is public information, that it is filed with the department, and that it is available on request from the Center for Health Statistics, Hospital Survey Unit, Department of State Health Services, 1100 West 49th Street, Austin, Texas 78756. The statement must indicate the report's availability date and be posted in prominent places throughout the hospital, including, but not limited to, the waiting areas of the emergency room and admissions office. Nonprofit hospitals shall also print the statement in the patient guide or other materials that provide the patient with information about the hospital's admission criteria. *25 TAC §13.17(d)* (2017)

### **4. Complaints to the Texas Department of State Health Services – Directs complaints to the appropriate DSHS divisions, programs, and offices.**

a. The names, mailing addresses, and telephone numbers of the appropriate department divisions, programs, and offices to whom the public, consumers, and service recipients can direct complaints will be included on a sign prominently displayed in the place of business of each person or entity regulated by the department. *25 TAC 1.191(b)* (2017)

### **5. Physician Complaints – Directs complaints about physicians to the Texas Medical Board.**

a. The board by rule shall establish methods by which members of the public and license holders are

notified of the name, mailing address, and telephone number of the board for the purpose of directing complaints to the board. The board may provide for that notice:

- i. on a sign prominently displayed in the place of business of each person or entity regulated under this subtitle. *Occ. Code §154.051(a)(2)*
- b. The board shall list with its regular telephone number any toll-free telephone number established under other state law that may be called to present a complaint about a health professional. *Occ. Code §154.051(b)*
- c. Complaints against licensees. For the purpose of directing complaints to the board, the board and its licensees shall provide notification to the public of the name, mailing address, and telephone number of the board by one or more of the following methods:
  - i. displaying in a prominent location at a licensee's place of business, signs in English and Spanish of no less than 8-1/2 inches by 11 inches in size with the board-approved notification statement printed alone and in its entirety in black on white background in type no smaller than standard 24-point Times Roman print with no alterations, deletions, or additions to the language of the board-approved statement; or
  - ii. placing the board-approved notification statement printed in English and Spanish in black type no smaller than standard 10-point 12-pitch typewriter print on each bill for services by a licensee with no alterations, deletions, or additions to the language of the board-approved statement; or
  - iii. placing the board-approved notification statement printed in English and Spanish in black type no smaller than standard 10-point, 12-pitch typewriter print on each registration form, application, or written contract for services of a licensee with no alterations, deletions, or additions to the language of the board-approved statement. *22 TAC §178.3 (a)(i)(A)-(C) (2017)*

## **6. Directional Signage – External and Internal directional signage**

- a. Separate facilities. Each hospital shall provide the following separate facilities:
  - i. External signage at the building entrance which identifies each hospital; and
  - ii. Internal signage which provides directions to each hospital. *25 TAC §133.165(a)(2)(L),(M) (2017)*
- b. Hospitals located in buildings with licensed health care facilities other than hospitals.
  - i. Each licensed facility shall be identified with external signage at the building entrance.
  - ii. Internal signage shall provide direction to the hospital. *25 TAC §133.165(b)(1)(B)(iv)(I)(II) (2017)*
- c. Hospitals in buildings with non-health care occupancies.
  - i. External signage shall be provided at the building entrance which identifies the hospital.
  - ii. Internal signage shall be provided to give directions to the hospital. *25 TAC §133.165(c)(1)(C)(i),(ii) (2017)*
- d. Private psychiatric hospitals and crisis stabilization units. Each facility shall provide the following separate services and amenities:
  - i. External signage at the building entrance which identifies each facility; and
  - ii. Internal signage which provides directions to each facility. *25 TAC §133.125(a)(2)(H),(I) (2017)*
- e. Facilities located in buildings with hospitals licensed under Health and Safety Code, Chapter 241.
  - i. The facility shall be in one identifiable location and shall be separated (vertically and horizontally) with two-hour fire rated noncombustible construction from the 241 hospital.
- a) Access to the facility shall be directly from a main lobby or an elevator lobby, if on an upper floor. The required means of egress from the facility shall not be through the 241 hospital.
  - I. Each facility and 241 hospital shall be identified with external signage at the building entrance.
  - II. Internal signage shall provide direction to the facility and to the 241 hospital. *25 TAC §134.125(b)(1)(A)(i),(ii) (2017)*
- f. Facilities located in buildings with other licensed health care entities.
  - i. The facility shall be in one identifiable location and shall be separated (vertically and horizontally) with two-hour fire rated noncombustible construction from the other licensed health care entity.
  - ii. Access to the facility shall be directly from a main lobby or an elevator lobby, if on an upper floor. The required means of egress from the facility shall not be through the other licensed health care entity.
- a) Each facility and licensed entity shall be identified with external signage at the building entrance.

b) Internal signage shall provide direction to the facility and to the licensed entity. *25 TAC §134.125(c)(1)(A)(i)(I),(II) (2017)*

**7. Emergency Care – Rights to examination and treatment for emergency medical conditions and women in labor (EMTALA).**

a. In the case of a hospital as defined in *42 CFR § 489.24(b)* –

- i. To post conspicuously in any emergency department or in a place or places likely to be noticed by all individuals entering the emergency department, as well as those individuals waiting for examination and treatment in areas other than traditional emergency departments (that is, entrance, admitting area, waiting room, treatment area), a sign (in a form specified by the Secretary) specifying rights of individuals under Section 1867 of the Act with respect to examination and treatment for emergency medical conditions and women in labor; and
- ii. To post conspicuously (in a form specified by the Secretary) information indicating whether or not the hospital or rural primary care hospital participates in the Medicaid program under a State plan approved under title XIX. *42 CFR §489.20(q)(1)(2) (2017)*

**8. Emergency Entry Signage – Emergency sign at the entry serving the site visible from the public road or street.**

a. An emergency sign shall be provided at the entry from the public road(s) or street(s) serving the site. The emergency sign at the entry to the site shall be illuminated and connected to the emergency essential electrical system. Additional sign(s) on-site may be required to direct patients to the emergency treatment area entrance when the emergency treatment area is not visible from the site entry. The letters on the entry sign shall be red with a contrasting background, all capitalized, at least eight inches in height, and an arrow indicating direction. *25 TAC §133.163(f)(1)(A)(ii)(I) (2017)*

**9. Emergency Possession of Certain Abandoned Children – A designated emergency infant care provider which includes a hospital is required to post a notice.**

- a. Each designated emergency infant care provider shall post in a conspicuous location a notice stating that the provider is a designated emergency infant care provider location and will accept possession of a child. *Tex. Fam. Code §262.306*
- b. “Designated emergency infant care provider” means: a hospital and a freestanding emergency

medical care facility licensed under Chapter 254, Health & Safety Code. *Tex. Fam. Code §262.301 (1)(B) & (C) (2017).*

**10. Evacuation Floor Plan – facility floor plan to show evacuation route in the event of an emergency.**

a. An evacuation floor plan shall be prominently and conspicuously posted for display throughout the hospital in public areas that are readily visible to patients, residents, employees, and visitors. *25 TAC §133.141(f)(1) (2017)*

**11. Notice of Facility Fees in Certain Freestanding Emergency Medical Care Facilities**

a. A facility described by Section 241.251 (a freestanding emergency medical care facility) shall post notice that states:

- i. the facility is a freestanding emergency medical care facility;
- ii. the facility charges rates comparable to a hospital emergency room and may charge a facility fee;
- iii. a facility or a physician providing medical care at the facility may not be a participating provider in the patient’s health benefit plan provider network; and
- iv. a physician providing medical care at the facility may bill separately from the facility for the medical care provided to a patient; and either:
  - a) lists the health benefit plans in which the facility is a participating provider in the health benefit plan’s provider network; or
  - b) states the facility is not a participating provider in any health benefit plan provider network.

b. The notice required by this section must be posted prominently and conspicuously:

- i. at the primary entrance to the facility;
- ii. in each patient treatment room;
- iii. at each location within the facility at which a person pays for health care services; and
- iv. on the facility’s Internet website.

c. The notice required must be in legible print on a sign with dimensions of at least 8.5 inches by 11 inches. *Tex. Health & Safety Code §241.252 (b)-(d) (2017)*

d. A facility shall post notice that states:

- i. the facility is a freestanding emergency medical care facility;

ii. the facility charges rates comparable to a hospital emergency room and may charge a facility fee;

iii. a facility or a physician providing medical care at the facility may not be a participating provider in the patient's health benefit plan provider network; and

iv. a physician providing medical care at the facility may bill separately from the facility for the medical care provided to a patient; and either:

- a) lists the health benefit plans in which the facility is a participating provider in the health benefit plan's provider network; or
- b) states the facility is not a participating provider in any health benefit plan provider network.

e. The notice required by this section must be posted prominently and conspicuously:

- i. at the primary entrance to the facility;
- ii. in each patient treatment room;
- iii. at each location within the facility at which a person pays for health care services; and
- iv. on the facility's Internet website.

f. The notice must be in legible print on a sign with dimensions of at least 8.5 inches by 11 inches.

g. Notwithstanding Subsection (b), a facility that is a participating provider in one or more health benefit plan provider networks complies if the facility:

- i. provides notice on the facility's Internet website listing the health benefit plans in which the facility is a participating provider in the health benefit plan's provider network; and
- ii. provides to a patient written confirmation of whether the facility is a participating provider in the patient's health benefit plan's provider network. *Tex. Health & Safety Code §254.155 (a)-(c) (2017)*

h. Each freestanding emergency medical care facility shall advertise as an emergency room. The facility shall display notice that it functions as an emergency room.

- i. The notice shall explain that patients who receive medical services will be billed according to comparable rates for hospital emergency room services in the same region.
- ii. The notice shall be prominently and conspicuously posted for display in a public area of the facility that is readily available to each patient, managing conservator, or guardian. The postings shall be easily readable and

consumer-friendly. The notice shall be in English and in a second language appropriate to the demographic makeup of the community served. *25 TAC §133.41(e)(1)(E) (2017)*

## **12. Handguns prohibited – Concealed and open carry handguns are prohibited in hospitals.**

a. A hospital licensed under Chapter 241, Health and Safety Code, or a nursing home licensed under Chapter 242, Health and Safety Code, shall prominently display at each entrance to the hospital or nursing home, as appropriate, a sign that complies with the requirements of (d) other than the requirement that the sign include on its face the number "51".

b. The sign required must give notice in both English and Spanish that it is unlawful for a person licensed under this subchapter to carry a handgun on the premises. The sign must appear in contrasting colors with block letters at least one inch in height. The sign shall be displayed in a conspicuous manner clearly visible to the public. *Tex. Gov't Code §411.204(b)-(c) (2017)*

c. A license holder commits an offense if the license holder intentionally, knowingly, or recklessly carries a handgun, regardless of whether the handgun is concealed or carried in a shoulder or belt holster, on or about the license holder's person:

- i. on the premises of a hospital licensed under Chapter 241, Health and Safety Code, or on the premises of a nursing facility licensed under Chapter 242, Health and Safety Code, unless the license holder has written authorization of the hospital or nursing facility administration, as appropriate. *Tex. Penal code §46.035(b)(4) (2017)*

d. A license holder commits an offense if the license holder:

- i. carries a concealed handgun, on property of another without effective consent; and
- ii. received notice that entry on the property by a license holder with a concealed handgun was forbidden.
- iii. A person receives notice if the owner of the property or someone with apparent authority to act for the owner provides notice to the person by oral or written communication.
  - a) a card or other document on which is written language identical to the following: "Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing

law), may not enter this property with a concealed handgun”; or

b) a sign posted on the property that:

- 1) includes the language in both English and Spanish;
- 2) appears in contrasting colors with block letters at least one inch in height; and
- 3) is displayed in a conspicuous manner clearly visible to the public. *Tex. Penal Code §30.06(a)(1)-(2),(b),(c)(3)(A)-(B)(i)-(iii) (2017)*

e. A license holder commits an offense if the license holder:

- i. openly carries a handgun, on property of another without effective consent; and
- ii. received notice that entry on the property by a license holder openly carrying a handgun was forbidden.
- iii. For purposes of this section, a person receives notice if the owner of the property or someone with apparent authority to act for the owner provides notice to the person by oral or written communication.

a) a card or other document on which is written language identical to the following: “Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly”; or

b) a sign posted on the property that:

- 1) includes the language in both English and Spanish;
- 2) appears in contrasting colors with block letters at least one inch in height; and
- 3) is displayed in a conspicuous manner clearly visible to the public at each entrance to the property. *Tex. Penal Code §30.07(a)(1)-(2),(b),(c)(3)(A)-(B)(i)-(iii) (2017)*

### 13. Hospital License – State certificate of licensure for hospitals.

a. A hospital shall prominently and conspicuously display the hospital license in a public area of the licensed premises that is readily visible to patients, employees, and visitors. *25 TAC §133.21 (d) (2017)*

b. For private psychiatric hospitals and crisis stabilization units: A facility shall prominently and conspicuously display the license in a public area of the licensed premises that is readily visible to patients, employees, and visitors. *25 TAC §134.21 (d) (2017)*

### 14. Human Trafficking Signs

a. An emergency department of a hospital shall display separate signs, in English and Spanish, that comply with Section 245.025 as if the hospital is an abortion facility. *Tex. Health & Safety Code §241.011 (2017)*

b. An abortion facility shall display separate signs, in English, Spanish, and any additional language as required by Subsection (b), side by side in accordance with this section in each restroom and patient consulting room. The signs must include the following information:

- i. no person, including an individual’s parents, may force any individual to have an abortion;
- ii. it is illegal for a person to force an individual to engage in sexual acts;
- iii. a woman who needs help may call or text a state or national organization that assists victims of human trafficking and forced abortions; and
- iv. the toll-free number of an organization that assists victims of human trafficking or forced abortions.

c. Signs required under this section must be in English and Spanish. If an abortion facility is located in a political subdivision required to provide election materials in a language other than English or Spanish under Section 272.011, Election Code, the facility shall display a separate sign in that language.

d. Signs required under this section must be at least 8.5 inches by 11 inches in size and displayed in a conspicuous manner clearly visible to the public and employees of an abortion facility. The notice must cover at least four-fifths of the sign. *Tex. Health & Safety Code §245.025 (a)-(c) (2017)*

### 15. No Smoking – Policy relating to smoking in health care occupancies.

a. Each hospital shall adopt, implement and enforce a smoking policy. The policy shall include the minimal provisions of *NFPA 101, § 18.7.4. 25 TAC 133.141(d) (2017)*

b. Smoking regulations shall be adopted and shall include not less than the following provisions:

- i. Smoking shall be prohibited in any room, ward, or individual enclosed space where flammable liquids, combustible gases, or oxygen is used

or stored and in any other hazardous location, and such areas shall be posted with signs that read NO SMOKING or shall be posted with the international symbol for no smoking.

ii. In health care occupancies where smoking is prohibited and signs are prominently placed at all major entrances, secondary signs with language that prohibits smoking shall not be required. *NFPA 101, §18.7.4 (2018)*

## 16. Patient Billing and Payment Policy Information

a. Each facility shall develop, implement, and enforce written policies for the billing of facility health care services and supplies. The policies must address:

- i. any discounting of facility charges to an uninsured consumer, subject to Chapter 552, Insurance Code;
- ii. any discounting of facility charges provided to a financially or medically indigent consumer who qualifies for indigent services based on a sliding fee scale or a written charity care policy established by the facility and the documented income and other resources of the consumer;
- iii. the providing of an itemized statement;
- iv. whether interest will be applied to any billed service not covered by a third-party payor and the rate of any interest charged;
- v. the procedure for handling complaints;
- vi. the providing of a conspicuous written disclosure to a consumer at the time the consumer is first admitted to the facility or first receives services at the facility that:

- a) provides confirmation whether the facility is a participating provider under the consumer's third-party payor coverage on the date services are to be rendered based on the information received from the consumer at the time the confirmation is provided;
- b) informs consumers that a facility-based physician who may provide services to the consumer while the consumer is in the facility may not be a participating provider with the same third-party payors as the facility;
- c) informs consumers that the consumer may receive a bill for medical services from a facility-based physician for the amount unpaid by the consumer's health benefit plan;
- d) informs consumers that the consumer may request a listing of

facility-based physicians who have been granted medical staff privileges to provide medical services at the facility; and

e) informs consumers that the consumer may request information from a facility-based physician on whether the physician has a contract with the consumer's health benefit plan and under what circumstances the consumer may be responsible for payment of any amounts not paid by the consumer's health benefit plan;

f) the requirement that a facility provide a list, on request, to a consumer to be admitted to, or who is expected to receive services from, the facility, that contains the name and contact information for each facility-based physician or facility-based physician group that has been granted medical staff privileges to provide medical services at the facility; and

g) if the facility operates a website that includes a listing of physicians who have been granted medical staff privileges to provide medical services at the facility, the posting on the facility's website of a list that contains the name and contact information for each facility-based physician or facility-based physician group that has been granted medical staff privileges to provide medical services at the facility and the updating of the list in any calendar quarter in which there are any changes to the list.

b. Each facility shall post in the general waiting area and in the waiting areas of any off-site or on-site registration, admission, or business office a clear and conspicuous notice of the availability of the policies required by Subsection (a). *Tex. Health & Safety Code §324.101(a)(1)-(8), (c) (2017)*

## 17. Patient Rights, Responsibilities and Health Care Choices – Rights, responsibilities and choices of patients.

a. Patient rights requirements for all hospitals: The hospital patient's bill of rights shall be prominently and conspicuously posted for display in a public area of the facility that is readily available to patients, residents, employees, and visitors.

b. Posting requirements for patient bill of rights for hospitals providing comprehensive medical rehabilitation services, chemical dependency

services, or mental health services. The hospital shall prominently and conspicuously post for display a copy of the patient's bill of rights in a public area of the hospital that is readily visible to patients, residents, employees, and visitors. The patient bill of rights posted for display shall be in English and in a second language appropriate to the demographic makeup of the community served. *25 TAC §133.42 (a)(2), (e) (2017)*

#### **18. Pest Control Notification – Notification of pest control treatment.**

a. Employers, building managers, IPM Coordinators and chief administrators of workplaces, hospitals, nursing homes, hotels, motels, lodges, warehouses, food-processing establishments, school or educational institutions, and day-care centers must post a pest control sign in an area of common access at least 48 hours prior to each planned treatment and provide a Consumer Information Sheet to any individual working or residing in the building at the request of that individual. Area of common access means a common area that an individual is likely to observe on a regular basis, such as building entranceway, mailboxes, laundry rooms, beverage machines, building bulletin boards, etc. This requirement does not apply to new construction on school campuses where students have not yet been introduced. *4 TAC §7.148(b) (2017)*

#### **19. Pharmacy Closing Notification – Notification prior to closing a pharmacy.**

a. At least 14 days prior to the closing of a pharmacy that dispenses prescription drug orders the pharmacist-in-charge shall post a closing notice sign in a conspicuous place in the front of the prescription department and at all public entrance doors to the pharmacy. The closing notice shall contain the following:

- i. the date of closing; and
- ii. the name, address, and telephone number of the pharmacy acquiring the prescription drug orders, including refill information and patient medication records of the pharmacy.

b. Emergency closing. If pharmacy is closed suddenly due to fire, destruction, natural disaster, death, property seizure, eviction, bankruptcy, or other emergency circumstances and the pharmacist-in-charge cannot provide notification 14 days prior to the closing, the pharmacist-in-charge shall comply with the provisions as far in advance of the closing as allowed by the circumstances. *22 TAC §291.5(a)(1) (A),(B) & (d) (2017)*

#### **20. Privacy practices for protected health information.**

a. An individual has a right to adequate notice of the uses and disclosures of protected health information that may be made by the covered entity, and of the individual's rights and the covered entity's legal duties with respect to protected health information.

b. The covered entity must provide a notice that is written in plain language and that contains the elements required by this paragraph.

i. Header. The notice must contain the following statement as a header or otherwise prominently displayed: "THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY."

ii. Uses and disclosures. The notice must contain:

- a) A description, including at least one example, of the types of uses and disclosures that the covered entity is permitted by this subpart to make for each of the following purposes: treatment, payment, and health care operations.
- b) A description of each of the other purposes for which the covered entity is permitted or required by this subpart to use or disclose protected health information without the individual's written authorization.
- c) If a use or disclosure for any purpose described is prohibited or materially limited by other applicable law, the description of such use or disclosure must reflect the more stringent law.
- d) For each purpose described, the description must include sufficient detail to place the individual on notice of the uses and disclosures that are permitted or required by this subpart and other applicable law.
- e) A description of the types of uses and disclosures that require an authorization, a statement that other uses and disclosures not described in the notice will be made only with the individual's written authorization, and a statement that the individual may revoke an authorization.

iii. Separate statements for certain uses or disclosures. If the covered entity intends to engage in any of the following activities, the description must include a statement informing the individual of such activities, as applicable:

- a) The covered entity may contact the individual to raise funds for the covered entity and the individual has a right to opt out of receiving such communications;
- b) The group health plan, or a health insurance issuer or HMO with respect to a group health plan, may disclose protected health information to the sponsor of the plan; or
- c) If a covered entity that is a health plan, excluding an issuer of a long-term care policy falling within the definition of health plan, intends to use or disclose protected health information for underwriting purposes, a statement that the covered entity is prohibited from using or disclosing protected health information that is genetic information of an individual for such purposes.

iv. Individual rights. The notice must contain a statement of the individual's rights with respect to protected health information and a brief description of how the individual may exercise these rights as follows:

- a) The right to request restrictions on certain uses and disclosures of protected health information, including a statement that the covered entity is not required to agree to a requested restriction, except in the case of a restricted disclosure.
- b) The right to receive confidential communications of protected health information, as applicable;
- c) The right to inspect and copy protected health information;
- d) The right to amend protected health information;
- e) The right to receive an accounting of disclosures of protected health information; and
- f) The right of an individual, including an individual who has agreed to receive the notice electronically, to obtain a paper copy of the notice from the covered entity upon request.

v. Covered entity's duties. The notice must contain:

- a) A statement that the covered entity is required by law to maintain the privacy of protected health information, to provide individuals with notice of its legal duties and privacy practices with respect to

protected health information, and to notify affected individuals following a breach of unsecured protected health information;

b) A statement that the covered entity is required to abide by the terms of the notice currently in effect; and

c) For the covered entity to apply a change in a privacy practice that is described in the notice to protected health information that the covered entity created or received prior to issuing a revised notice, a statement that it reserves the right to change the terms of its notice and to make the new notice provisions effective for all protected health information that it maintains. The statement must also describe how it will provide individuals with a revised notice.

vi. Complaints. The notice must contain a statement that individuals may complain to the covered entity and to the Secretary if they believe their privacy rights have been violated, a brief description of how the individual may file a complaint with the covered entity, and a statement that the individual will not be retaliated against for filing a complaint.

vii. Contact. The notice must contain the name, or title, and telephone number of a person or office to contact for further information.

viii. Effective date. The notice must contain the date on which the notice is first in effect, which may not be earlier than the date on which the notice is printed or otherwise published.

ix. Provision of notice. A covered entity must make the required notice available on request to any person and to individuals, as applicable.

x. A covered health care provider that has a direct treatment relationship with an individual must provide the notice:

a) No later than the date of the first service delivery, including service delivered electronically, to such individual after the compliance date for the covered health care provider; or

b) In an emergency treatment situation, as soon as reasonably practicable after the emergency treatment situation.

xi. Except in an emergency treatment situation, make a good faith effort to obtain a written acknowledgment of receipt of the notice provided, and if not obtained, document its good faith efforts to obtain such acknowledgment and the reason why the acknowledgment was not obtained.

xii. If the covered health care provider maintains a physical service delivery site:

- a) Post the notice in a clear and prominent location where it is reasonable to expect individuals seeking service from the covered health care provider to be able to read the notice. 45 CFR 164.520 (2017)

**21. Protection from discrimination or retaliation for reporting a violation of law – Employees, staff and non-employees are protected when reporting a violation of law.**

a. Each hospital, mental health facility, and treatment facility shall prominently and conspicuously post for display in a public area of the facility that is readily available to patients, residents, employees, and visitors a statement that employees and staff are protected from discrimination or retaliation for reporting a violation of law. The statement must be in English and in a second language, appropriate to the demographic makeup of the community served. *Tex. Health & Safety Code §161.134(j)* (2017); 25 TAC §133.43(a) (2017)

b. Each hospital, mental health facility, and treatment facility shall prominently and conspicuously post for display in a public area of the facility that is readily available to patients, residents, employees, and visitors a statement that nonemployees are protected from discrimination or retaliation for reporting a violation of law. The statement must be in English and in a second language appropriate to the demographic makeup of the community served. The sign may be combined with the sign required by Section 161.134(j). *Tex. Health & Safety code §161.135(h)* (2017); 25 TAC §134.42(a) (2017)

**22. Public Facility Signage – Toilet/restroom facility for public, staff or patient use.**

a. A sign shall be posted at the entrance to each toilet/restroom to identify the facility for public, staff or patient use. Signs are not required for patient room bathrooms. 25 TAC §133.162(d)(2)(B)(x) (2017)

**23. Radiation Sign Posting – Protection against radiation.**

- a. Posting of radiation areas. The licensee shall post each radiation area with a conspicuous sign or signs bearing the radiation symbol and the words “CAUTION, RADIATION AREA.”
- b. Posting of high radiation areas. The licensee shall post each high radiation area with a conspicuous sign or signs bearing the radiation symbol and the words “CAUTION, HIGH RADIATION AREA” or “DANGER, HIGH RADIATION AREA.”
- c. Posting of very high radiation areas. The licensee

shall post each very high radiation area with a conspicuous sign or signs bearing the radiation symbol and words “GRAVE DANGER, VERY HIGH RADIATION AREA.”

d. Posting of airborne radioactivity areas. The licensee shall post each airborne radioactivity area with a conspicuous sign or signs bearing the radiation symbol and the words “CAUTION, AIRBORNE RADIOACTIVITY AREA” or “DANGER, AIRBORNE RADIOACTIVITY AREA.”

e. Posting of areas or rooms in which licensed radioactive material is used or stored. The licensee shall post each area or room in which there is used or stored an amount of licensed material exceeding 10 times the quantity of such material specified with a conspicuous sign or signs bearing the radiation symbol and the words “CAUTION, RADIOACTIVE MATERIAL(S)” or “DANGER, RADIOACTIVE MATERIAL(S).” 30 TAC §336.326(a)-(e) (2017)

## Required Employment Postings

**24. Employee Polygraph Protection Act – Prohibits most private employers from using lie detector tests.**

a. Each employer shall post and maintain such notice in conspicuous places on its premises where notices to employees and applicants to employment are customarily posted. 29 USCA §2003 (2017)

**25. Employment of Workers with Disabilities under Special Certificates – Authority to pay special minimum wages to workers with disabilities.**

b. Every employer having workers who are employed under special minimum wage certificates shall at all times display and make available to employees a poster as prescribed and supplied by the Administrator. The Administrator will make available, upon request, posters in other formats such as Braille or recorded tapes. Such a poster will explain, in general terms, the conditions under which special minimum wages may be paid and shall be posted in a conspicuous place on the employer’s premises where it may be readily observed by the workers with disabilities, the parents and guardians of such workers, and other workers. Where an employer finds it inappropriate to post such a notice, this requirement may be satisfied by providing the poster directly to all employees subject to its terms. 29 CFR §525.14 (2017)

**26. Equal Employment Opportunities – Protection for a job applicant or an employee because of the**

**person's race, color, religion, sex, national origin, age, disability or genetic information.**

c. Every employer, employment agency, and labor organization, as the case may be, shall post and keep posted in conspicuous places upon its premises where notices to employees, applicants for employment, and members are customarily posted a notice to be prepared or approved by the Commission setting forth excerpts from or, summaries of, the pertinent provisions of this subchapter and information pertinent to the filing of a complaint. 42 USCA §2000-e-10(a) (2017)

**27. Family and Medical Leave Act – All covered employers are required to display and keep displayed a poster prepared by the Department of Labor summarizing the major provisions of the Family and Medical Leave Act and telling employees how to file a complaint.**

a. Every employer covered by the FMLA is required to post and keep posted on its premises, in conspicuous places where employees are employed, a notice explaining the Act's provisions and providing information concerning the procedures for filing complaints of violations of the Act with the Wage and Hour Division. The notice must be posted prominently where it can be readily seen by employees and applicants for employment. The poster and the text must be large enough to be easily read and contain fully legible text. Electronic posting is sufficient to meet this posting requirement as long as it otherwise meets the requirements of this section.

b. Covered employers must post this general notice even if no employees are eligible for FMLA leave.

c. Employers may duplicate the text of the Department's prototype notice (WHD Publication 1420) or may use another format so long as the information provided includes, at a minimum, all of the information contained in that notice. Where an employer's workforce is comprised of a significant portion of workers who are not literate in English, the employer shall provide the general notice in a language in which the employees are literate. 29 CFR §825.300(a)(1),(2),(4) (2017)

**28. Federal Minimum Wage poster required by the Wage and Hour Division, Department of Labor.**

a. Every employer employing any employees subject to the Act's minimum wage provisions shall post and keep posted a notice explaining the Act, as prescribed by the Wage and Hour Division, in conspicuous places in every establishment where such employees are employed so as to permit them to observe readily a copy. 29 CFR §516.4 (2017)

**29. Texas Hazard Communication Act – The Act requires public employers to provide employees with specific information on the hazards of chemicals to which employees may be exposed in the workplace.**

a. An employer shall post and maintain adequate notice, at locations where notices are normally posted, informing employees of their rights under this chapter. *Tex. Health & Safety Code §502.017*

b. The workplace notice shall measure at least 8-1/2 by 11 inches and be typed, typeset, or mechanically produced with lettering that is clearly legible. The letters shall not be smaller than 12 characters per inch. The words "NOTICE TO EMPLOYEES" shall be in bold capital letters at least 1/2 inch high. Other words spelled in capital letters in the sample notice shall be reproduced in capital letters.

c. A current version of the workplace notice shall be clearly posted and unobstructed at all locations in the workplace where notices are normally posted, and at least one location in each workplace.

d. An employer may add information to the workplace notice as long as the wording required by this section is included. Employers may add the name and telephone number of the employer's safety or environmental health officer to the bottom of the workplace notice in order to facilitate communication within the workplace. 25 TAC §295.12 (b)-(d) (2017)

**30. OSHA Workplace Poster – The Occupational Safety and Health Act of 1970, P.L. 91-596, assures safe and healthful working conditions for working men and women throughout the nation.**

a. Each employer shall post and keep posted a notice or notices, to be furnished by the Occupational Safety and Health Administration, U.S. Department of Labor, informing employees of the protections and obligations provided for in the Act, and that for assistance and information, including copies of the Act and of specific safety and health standards, employees should contact the employer or the nearest office of the Department of Labor. Such notice or notices shall be posted by the employer in each establishment in a conspicuous place or places where notices to employees are customarily posted. Each employer shall take steps to insure that such notices are not altered, defaced, or covered by other material.

b. Reproductions or facsimiles of such Federal or State posters shall constitute compliance with the posting requirements of section 8(c)(1) of the Act where such reproductions or facsimiles are at least 8 1/2 inches by 14 inches, and the printing size is at least

10 pt. Whenever the size of the poster increases, the size of the print shall also increase accordingly. The caption or heading on the poster shall be in large type, generally not less than 36 pt. *29 CFR §1903.2 (2017)*

### **31. Payment of Wages – Designation of paydays.**

a. An employer shall post, in conspicuous places in the workplace, notices indicating paydays. *Tex. Lab. Code §61.012(c) (2017)*

### **32. Workers' Compensation – Covered and Non-Covered Employer Notices to Employees**

a. Employers shall post notices in the workplace to inform employees about workers' compensation issues as required by this rule. These notices shall be posted in the personnel office, if the employer has a personnel office, and in the workplace where each employee is likely to see the notice on a regular basis. The notices shall be printed with a title in at least 26 point bold type, subject in at least 18 point bold type, and text in at least 16 point normal type, and shall include ENGLISH, SPANISH, and any other LANGUAGE common to the employer's employee population. The text for the notices shall be the text provided by the division on the sample notice without any additional words or changes.

b. Any time the information regarding workers' compensation insurance coverage status, insurance carrier, or third party administrator changes, the notice shall be updated to reflect current information.

c. Notices required by this rule shall be posted by:

- xiii. The non-subscribing employer;
- xiv. The employer who is terminating workers' compensation insurance coverage;
- xv. The self-insurer;
- xvi. The employer who becomes covered either by a workers' compensation insurance policy or through self-insurance;
- xvii. The employer whose workers' compensation insurance policy is canceled by the insurance carrier. *28 TAC 110.101 (b) (1)-(5), (c), (e) (2017)*

### **33. The Uniformed Services Employment and Reemployment Rights Act – Employment and Reemployment Rights of Members of the Uniformed Services.**

**USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake 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.**

a. Each employer shall provide to persons entitled to rights and benefits under this chapter a notice of the rights, benefits, and obligations of such persons and such employers under this chapter. The requirement for the provision of notice under this section may be met by the posting of the notice where employers customarily place notices for employees. *38 USCA §4334 (2017)*

# Texas Hospital Employer Notices

## Texas and Federal Requirements/Guidelines

	Title	Language & Font/Size	Target Audience	Facilities Affected	Display Location	Required Posting
1	<b>Abuse/Neglect Reporting</b> – Duty to report abuse, neglect or illegal, unprofessional or unethical conduct	English and a second language appropriate to demographic makeup of the community served	Patients, residents, volunteers, employees, and visitors	Hospitals, inpatient mental health facilities, treatment facilities, psychiatric hospitals, crisis stabilization units	Prominent and conspicuous display in public area readily visible to target audience	Yes
2	<b>Charity Care</b> – Availability of no-cost medical care and application procedures	In appropriate languages, if possible	Each person who seeks any health care service at the hospital	Hospitals	Conspicuous posting in general waiting area, waiting area for emergency services, business office, other locations hospital deems likely to give notice of charity care program and policies	Yes
3	<b>Community Benefits Plan</b> – Annual Report of Community Benefits Plan	No specific requirements	The public and patients	Hospitals	Prominent places throughout hospital, including but not limited to emergency room waiting area and admissions office	Yes
4	<b>Complaints to the Texas Department of State Health Services</b> – Directs complaints to the appropriate DSHS divisions, programs, and offices	Requires names, mailing addresses, telephone numbers of appropriate department divisions, programs, offices which receive complaints	The public, consumers, service recipients	Hospitals, place of business which provides services regulated by DSHS	Prominent display in hospitals or place of business	Yes
5	<b>Physician Complaints</b> – Directs complaints about physicians to the Texas Medical Board	Requires name, mailing address, telephone number of the Texas Medical Board	Anyone receiving services from a person or entity regulated by TMB	Hospitals and other entities regulated by TMB	Prominent display in hospitals or place of business	Yes
6	<b>Directional Signage</b> – External and Internal signage	There are no specific language, font/size requirements for external and internal signage; however, hospitals are responsible for contacting the Texas Department of Transportation to request the Blue H sign (shown in Sample Sign 6) for posting near a roadway.	The public, patients, visitors, and employees	Hospitals	External – Building Entrance  Internal - As needed for direction	External and internal signage is required; Blue H sign is optional
7	<b>Emergency Care</b> – Rights to examination and treatment for emergency medical conditions and women in labor (EMTALA)	Specify the rights of individuals with emergency medical conditions and women in labor who come to the emergency department for health care services; Indicate whether the facility participates in the Medicaid program	All individuals entering the emergency department and those waiting for examination and treatment in other areas	Hospitals	Emergency department; place likely to be noticed by individuals entering emergency department	Yes

	Title	Language & Font/Size	Target Audience	Facilities Affected	Display Location	Required Posting
8	<b>Emergency Entry Signage</b> – Emergency sign at the entry serving the site visible from the public road or street	Illuminated and connected to the emergency essential electrical system; letters on entry sign shall be red with a contrasting background, all capitalized, at least eight inches in height, and arrow indicating direction	The Public	Hospitals	Provide at entry from the public road(s) or street(s) serving the site	Yes
9	<b>Emergency Possession of Certain Abandoned Children</b> – Required posting by a designated emergency infant care provider, including hospitals	“Provider is a designated emergency infant care provider location and will accept possession of a child”	The public, patients, visitors, and employees	Hospitals	Conspicuous location	Yes
10	<b>Evacuation Floor Plan</b> – Facility floor plan to show evacuation route in the event of an emergency	No specific requirements	Patients, residents, employees, and visitors	Hospitals and other DSHS-regulated entities	Prominent and conspicuous display in public area	Yes
11	<b>Notice of Facility Fees in Certain Freestanding Emergency Medical Care Facilities</b>	See specific language under Required Signage; easily readable, in English and a second language appropriate to demographic makeup of community legible print on a sign of at least 8.5 x 11 inches	Patient, managing conservator, and guardian	Freestanding Emergency Medical Care Facilities	Prominent and conspicuous posting at: 1) primary entrance to facility 2) each patient treatment room 3) each location with the facility at which a person pays for health care services	Yes
12	<b>Handguns prohibited</b> – Concealed and open carry handguns are prohibited in hospitals	See specific language under Required Signage; English and Spanish; contrasting colors with block letters at least one inch in height	The public	Hospitals and nursing homes	Each entrance clearly visible to the public	Yes
13	<b>Hospital License</b> – State certificate of licensure for hospitals [No Sample Sign]	Actual hospital license	Patients, employees, and visitors	Hospitals, psychiatric hospitals, and crisis stabilization units	Public area of facility	Yes
14	<b>Human Trafficking Signs</b> – Prohibits human trafficking and forced abortions	Separate signs in English and Spanish placed side by side on a 8.5 by 11 inches page, with the notice covering four-fifths of the page	Patients, visitors, and employees	Hospitals	Emergency department and restrooms and patient rooms of this area. <b>[Note: location requirements may change pending rule adoption]</b>	Yes

	Title	Language & Font/Size	Target Audience	Facilities Affected	Display Location	Required Posting
15	<b>No Smoking</b> – Policy relating to smoking in health care occupancies	NO SMOKING or international symbol for no smoking	Patients, employees, visitors, and the public	Hospitals and nursing homes	All major entrances, any room, ward, or individual enclosed space where flammable liquids, combustible gases, or oxygen is stored and in any other hazardous location.	Yes
16	<b>Patient Billing and Payment Policy Information</b>	No specific requirements	Consumers	Hospitals	Clear and conspicuous notice in general waiting area and waiting areas of any off-site or on-site registration, admission, or business office	Yes
17	<b>Patient Rights, Responsibilities and Health Care Choices</b>	English and a second language appropriate to the demographic makeup of the community	Patients, residents, employees, and visitors	Hospitals, facilities providing comprehensive medical rehabilitation services, chemical dependency services, or mental health services	Prominent and conspicuous display in public area of facility	Yes
18	<b>Pest Control</b> – Notification of pest control treatment [No Sample Sign]	No specific requirements	Public, patients, visitors, and employees	Hospitals and nursing homes	Area of common access, including building entry-way, beverage machines, building bulletin boards	Yes
19	<b>Pharmacy Closing Notification</b> – Notification prior to closing pharmacy	Closing notice sign shall contain the date of closing; and the name, address, and telephone number of the pharmacy acquiring the prescription drug orders	The Public	Pharmacies that dispense prescription drug orders	In front of the prescription department or and at all public entrance doors to the pharmacy	Yes
20	<b>Privacy Practices</b> – Notice of privacy practices for protected health information	See specific language requirement for header under Required Signage; ensure all elements of notice are included	Individuals seeking service from covered health care provider	Covered health care providers	Clear and prominent location	Yes
21	<b>Protection for Reporting a Violation of the Law</b> – Protection for employees, staff and non-employees when reporting a violation of law	English and a second language appropriate to the demographic makeup of the community served	Patients, residents, visitors, employees and non-employees	Hospitals, mental health facilities, treatment facilities	Prominent and conspicuous display in public area of facility	Yes
22	<b>Public Facility Signage</b> – Toilet/restroom facility for public, employees, or patient use [No Sample Sign]	No specific requirements	Public, patients, and employees	Hospitals	Entrance to each toilet/restroom	Yes

	Title	Language & Font/Size	Target Audience	Facilities Affected	Display Location	Required Posting
23	<b>Radiation Sign Posting</b> – Protection against radiation	Radiation symbol and the words: “CAUTION, RADIATION AREA;” “CAUTION, HIGH RADIATION AREA” or “DANGER, HIGH RADIATION AREA;” “GRAVE DANGER, VERY HIGH RADIATION AREA;” “CAUTION, AIRBORNE RADIOACTIVITY AREA” or “DANGER AIRBORNE RADIOACTIVITY AREA;” “CAUTION, RADIOACTIVE MATERIAL (S)” or “DANGER, RADIOACTIVE MATERIAL (S)”	Public, patient visitors, and employees	Any person who holds a license issued by the Texas Commission on Environmental Quality	Each radiation area within a facility	Yes
<b>Required Employment Postings</b>						
	Title	Language & Font/Size	Target Audience	Facilities Affected	Display Location	Required Posting
24	<b>Employee Polygraph Protection Act</b> – Prohibits most private employers from using lie detector tests	No specific requirements	Employees and applicants for employment	Private employers	Conspicuous place on premise	Yes, if private employer
25	<b>Employment of Workers with Disabilities under Special Certificates</b> – Authority to pay special minimum wages to workers with disabilities	No specific requirements (Provide in Braille or recorded tapes upon request)	Workers with disabilities, parents and guardians of such workers, and other workers	Employers that have workers who are employed under special minimum wage certificates	Conspicuous place on employer’s premises where it is readily observed by workers with disabilities, parents and guardians of such workers, and other workers	Yes, if facility has workers employed under special minimum wage certificates
26	<b>Equal Employment Opportunity</b> – Protection for job applicant or employee because of person’s race, color, religion, sex, national origin, age, disability, or genetic information	“Equal Employment Opportunity is the Law” poster	Employees, applicants for employment, and members	Employers, employment agencies, and labor organizations	Conspicuous places on premises	Yes
27	Family and Medical Leave Act	General notice in a language in which employees are literate; large enough to be easily read and contain fully legible text	Employees and applicants for employment	Employers covered under the Fair Labor Standards Act	Conspicuous and prominent place where employees and applicants for employment can readily view	Yes

Required Employment Postings						
	Title	Language & Font/Size	Target Audience	Facilities Affected	Display Location	Required Posting
28	<b>Federal Minimum Wage</b>	Wage and Hour Division poster – See Poster Sample	Employees	Employers covered under Fair Labor Standards Act	Post where employees can readily observe	Yes
29	<b>Texas Hazard Communication Act</b> – Requires public employers to provide employees with specific information on hazards of chemicals to which employees may be exposed in the workplace	Notice shall measure 8.5 x11 inches, typed, typeset, or mechanically produced with lettering clearly legible; letters shall not be smaller than 12 characters per inch; the words “NOTICE TO EMPLOYEES” shall be in bold capital letters at least ½ inch high; other words in capital letters in sample notice shall be reproduced in capital letters	Employees of public employers	Public employers	Clearly posted and unobstructed at all locations in the workplace where notices are normally posted, and at least in one location in each workplace.	Yes
30	<b>OSHA Workplace Poster</b> – Assures safe and healthful working conditions for working men and women throughout the nation	Notice furnished by the Occupational Safety and Health Administration, U.S. Department of Labor; reproductions of notice shall be at least 8 ½ x14 inches and the printing size shall be at least 10 point; caption or heading on poster shall be in large type, generally not less than 36 point	Employees	Employers covered under Fair Labor Standards Act	Conspicuous place or places where notices to employees are customarily posted	Yes
31	<b>Payment of Wages</b> – Designation of paydays	No specific requirements	Employees	Employer who employs one or more employees	Conspicuous place in workplace	Yes
32	<b>Workers’ Compensation</b> – Covered and non-covered employer notices to employees	Printed with a title in at least 26 point bold type, subject in at least 18 point bold type, and text in at least 16 normal type, in ENGLISH, SPANISH, and any other language common to the employer’s employee population	Employees	All	Personnel office, if employer has one and in the workplace where each employee is likely to see the notice on a regular basis	Yes
33	<b>Uniformed Services Employment and Reemployment Rights Act</b> – Employment and reemployment rights of members of the uniformed services	“Your Rights under USERRA” poster; See Poster Sample	Employees	Employers	Display where employees can readily see	Yes

## Poster Examples

The following are examples of signs/posters where available. This section is provided as reference only. Some signs require specific type size, fonts or sign dimensions. Refer to the detailed descriptions of each sign for specific requirements.

## DUTY TO REPORT ABUSE AND NEGLECT OR ILLEGAL, UNPROFESSIONAL OR UNETHICAL CONDUCT

A person, including an employee, volunteer or other person associated with (facility name), has a duty to report to the appropriate state health care regulatory agency any abuse or neglect of a patient receiving chemical dependency, mental health or comprehensive rehabilitation services at (facility name).

All employees, health care professionals or other persons associated with (facility name) have a duty to report to the appropriate state health care regulatory agency, any illegal, unprofessional, or unethical conduct related to the operation of this (facility name) facility or to mental health, chemical dependency or rehabilitation services provided by the (facility name).

Reports of suspected abuse or neglect may be made to any of the following entities:

Texas Health and Human Services Commission  
Health Care Quality Section  
Complaint Hotline

1-888-973-0022

Texas Department of Family and Protective  
Abuse/Neglect Reports Hotline

1-800-252-5400

Texas Department of State Health Services  
Consumer Rights for Mental Health Services

1-800-252-8154

Texas Department of State Health Services  
Substance abuse consumer/family with a complaint

1-800-832-9623

2.

### **CHARITY CARE**

(Facility Name) has a tradition of serving the poor, the needy and all who require health care services, without regard to a patient's ability to pay for health care costs. Through a variety of programs, (Facility Name) provides direct medical care, health screening, health promotion and education free of charge or at discounted rates. For information about charity care programs offered by (Facility Name) and assistance in applying for charity care, please contact (Facility Contact Information).

3.

#### **COMMUNITY BENEFITS PLAN**

In keeping with its mission, (Facility Name) prepares an annual report of the programs, services and benefits it offers to the community. This report is public information. It is filed with the Texas Department of State Health Services, and is available to the public upon request to the **Center for Health Statistics, Hospital Survey Unit, Department of State Health Services, 1100 West 49<sup>th</sup> Street, Austin, Texas 78756.**

4.

**Complaints against  
insert facility name may be  
submitted to:**

**Health Care Quality  
Texas Health and Human Services Commission  
P. O. Box 14937  
Austin, TX 78714-9347  
888-973-0022**

5.

## **NOTICE CONCERNING COMPLAINTS**

Complaints about physicians, as well as other licensees and registrants of the Texas Medical Board, including physician assistants, acupuncturists, and surgical assistants may be reported for investigation at the following address:

**Texas Medical Board  
Attention: Investigations  
333 Guadalupe, Tower 3, Suite 610  
P.O. Box 2018, MC-263  
Austin, Texas 78768-2018**

Assistance in filing a complaint is available by calling the following telephone number:

**1-800-201-9353**

6.



## **IT'S THE LAW**

**IF YOU HAVE A MEDICAL EMERGENCY OR ARE  
IN LABOR, YOU HAVE THE RIGHT TO RECEIVE,  
WITHIN THE CAPABILITIES OF THIS  
HOSPITAL'S STAFF AND FACILITIES:**

- An appropriate medical screening examination
- Necessary stabilizing treatment (including treatment for an unborn child) and if necessary
- An appropriate TRANSFER to another facility even if

**YOU CANNOT PAY or DO NOT HAVE MEDICAL  
INSURANCE  
or**

**YOU ARE NOT ENTITLED TO MEDICARE OR  
MEDICAID**

**This hospital (does/does not) participate in the  
Medicaid program**

7a.

## **Es la Ley**

SI USTED TIENE UNA EMERGENCIA O ESTA DE PARTO, USTED TIENE DERECHO A RECIBIR DENTRO DE LA CAPACIDAD TANTO DEL PERSONAL COMO DE LAS INSTALACIONES DE ESTE HOSPITAL:

- Un examen medico adecuado
- El tratamiento necesario para estabilizarle incluyendo tratamiento para un bebé que no ha nacido-y si fuese necesario

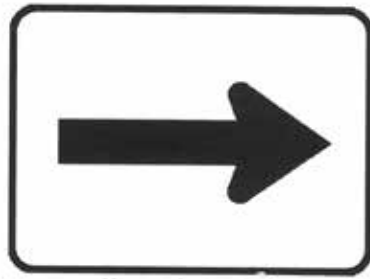
Un traslado apropiado a otro centro  
Aun cuando usted no pueda pagar o no tenga seguro  
Medico  
o

Usted no califique para Medicare o Medicaid

ESTE HOSPITAL SI PARTICIPA EN EL  
PROGRAMA DE MEDICAID

8.

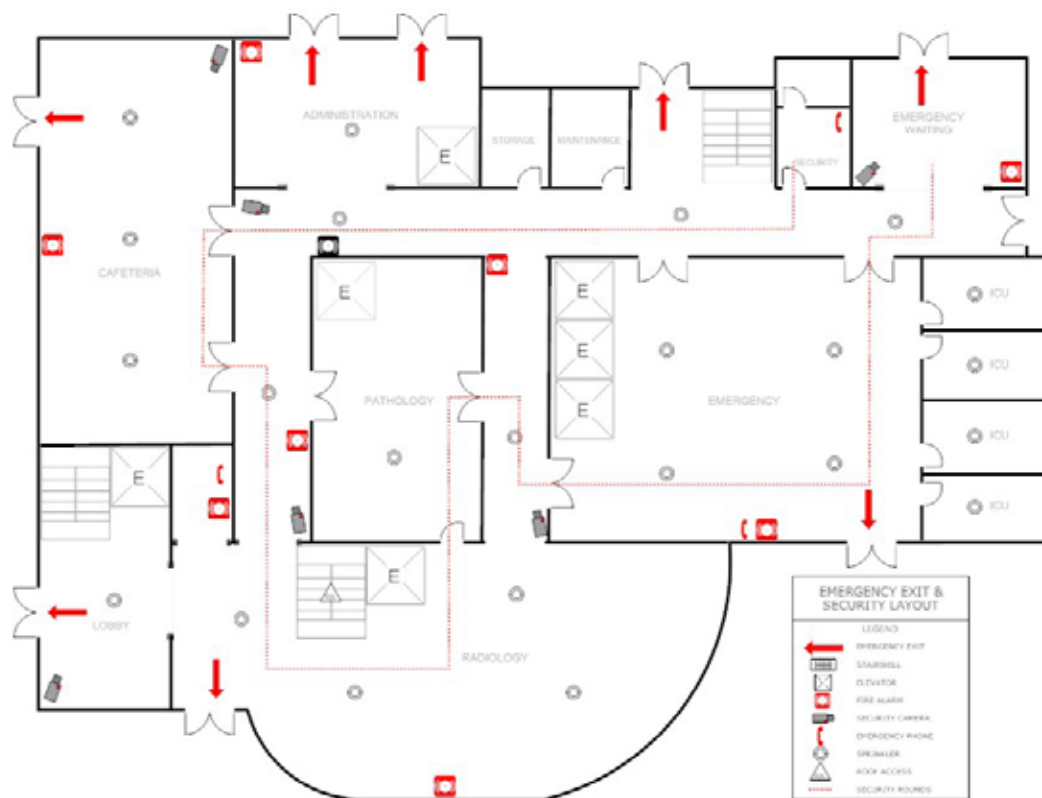
EMERGENCY



9.

Facility Name is a designated emergency infant care provider location and will accept possession of a child in accordance with Tex. Fam. Code § **262.301** (2017).

10.



**This Emergency Room Facility is a  
Freestanding Emergency Medical Care  
Facility**

- The facility charges rates comparable to a hospital emergency room and may charge a facility fee.
- A facility or a physician providing medical care at the facility may not be a participating provider in the patient's health benefit plan provider network.
- A physician providing medical care at the facility may bill separately from the facility for the medical care provided to a patient.

[List health benefit plans in which the facility is a participating provider in the health benefit plan's provider network]

or

[The facility is not a participating provider in any health benefit plan provider network]

12.

"PURSUANT TO SECTION 30.06, PENAL CODE (TRESPASS BY LICENSE HOLDER WITH A CONCEALED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A CONCEALED HANDGUN"

"PURSUANT TO SECTION 30.07, PENAL CODE (TRESPASS BY LICENSE HOLDER WITH AN OPENLY CARRIED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A HANDGUN THAT IS CARRIED OPENLY"



12a.



**“PURSUANT TO SECTION  
30.06, PENAL CODE  
(TRESPASS BY HOLDER  
OF LICENSE TO CARRY A  
CONCEALED HANDGUN),  
A PERSON LICENSED UNDER  
ARTICLE 4413(29ee), REVISED STATUTES  
(CONCEALED HANDGUN LAW), MAY  
NOT ENTER THIS PROPERTY WITH  
A CONCEALED HANDGUN”**

(Article 4413(29ee).  
Revised Statutes has  
been codified at Chapter  
411, Subchapter H,  
Government Code)

**“CONFORME A LA SECCIÓN 30.06 DEL  
CÓDIGO PENAL (TRASPASAR PORTANDO  
ARMAS DE FUEGO) PERSONAS CON  
LICENCIA BAJO AUTORIDAD DEL ARTICULO  
4413(29ee), ORDENANZAS REVISADAS  
(LEY DE PORTAR ARMAS), NO DEBEN  
ENTRAR A ESTA PROPIEDAD  
PORTANDO UN ARMA DE FUEGO”**

(Artículo 4413(29ee)  
Ordenanzas Revisadas  
han sido codificadas en  
Capítulo 411, Sub-Capítulo  
H, Código de Gobierno)

## **Human Trafficking Prohibition**

### **English**

- No person, including an individual's parents, may force any individual to have an abortion.
- It is illegal for a person to force an individual to engage in sexual acts.
- A woman who needs help may call or text a state or national organization that assists victims of human trafficking and forced abortions. The National Human Trafficking Hotline is available 24/7 by phone at (888) 373-7888 or text message at 233733.

### **Spanish**

- Ninguna persona, incluidos los padres de un individuo, pueden obligar a otra a practicar un aborto.
- Es ilegal que una persona obligue a otra a mantener relaciones sexuales.
- Una mujer que necesita ayuda puede llamar o enviar un mensaje de texto al estado o una organización nacional que ayude a las víctimas de trata de personas y abortos forzados. La línea de atención para la trata de personas está disponible los 7 días de la semana, las 24 horas por teléfono al (888) 373-7888 o a través de mensajes de texto al 233733.

15.



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**Hospital**
**Patient Billing and Payment Policy Information****IF YOU DO NOT HAVE HEALTH INSURANCE**

To find out if you may be eligible for government health care programs or assistance under the hospital's charity care or discounting policies, please call the [insert office or department] at [insert phone number].

**CHARITY CARE**

If you are not eligible for coverage under governmental health care programs and your financial condition is such that you are not able to pay for hospital services, you may be eligible for assistance under the hospital's charity care program. To apply for charity care, you must complete a financial assistance application, provide requested financial verification documents and be screened by a financial counselor to determine eligibility. If determined eligible for assistance, you may receive needed services at no charge or at a discounted amount.

**DISCOUNTING POLICY FOR UNINSURED PATIENTS**

The hospital provides a \_\_\_\_% discount off the total bill for hospital services if you are uninsured and do not qualify for coverage under government health care programs or for charity care under the hospital's charity care policy. To qualify for this discount, you must pay for hospital services when received or within \_\_\_\_ days of discharge. The discount applies only to the bill for hospital services, and NOT to any doctor or professional bills related to this care.

**IF YOU HAVE HEALTH INSURANCE**

Depending on your health insurance coverage, you may be personally responsible for payment for hospital services and for services provided by your doctor or other health care providers. Please contact your health plan to confirm benefit coverage, deductibles, co-payments, co-insurance and other plan provisions that may impact your responsibility for payment.

**INTEREST CHARGES**

If you are personally responsible for payment for all or a part of the bill for hospital services and you are not able to pay the amount due within \_\_\_\_ days, please call the [insert office or department] at [insert phone number] for information on payment plans and the amount of interest that may be charged on the amount due.

**DISCLOSURE OF PARTICIPATION IN HEALTH PLAN NETWORK**

You have the right to request a written disclosure at the time you are first admitted to or treated that provides confirmation whether the hospital is a participating provider under your health plan. If you receive services in the emergency department or admitted on an emergency basis, you will receive a written disclosure concerning the hospital's participation in your health plan before you are discharged. Some facility-based doctors at the hospital, such as, emergency room doctors and anesthesiologists, and other health care providers may not be in the same health plan network as the hospital and may not be in your health plan's network. This may result in more out-of-pocket expense for you. You may request a listing of facility-based doctors who practice at the hospital. Please call the [insert office or department] at [insert phone number] to request this listing. You also may request information from these doctors on whether they have a contract with your health plan and under what circumstances you may be responsible for payment of any amounts not paid by your health plan. Please contact your health plan to verify if the doctors or other health care providers who will be treating you are in the plan's network.

**RECEIVING SEPARATE OR ADDITIONAL BILLS**

You can expect to receive a bill from the hospital as well as separate bills from various doctors and other health care providers for their professional services. Usually, more than one doctor will care for you at the hospital and you may receive several doctor bills (attending doctor, surgeon, radiologist, pathologist, etc.).

**REQUESTING ESTIMATED CHARGES FOR SERVICES**

The hospital will provide you with an estimate of hospital charges for any elective inpatient admission or non-emergency outpatient surgical procedure or other service on request before the scheduling of the admission/service. The estimate will be provided within (10) business days of the request. Please call the [insert office or department] at [insert phone number] to request an estimate.

**REQUESTING ITEMIZED BILLING STATEMENT**

You have the right to receive a free copy of your itemized billing statement of hospital charges for services if the request is made within one year from the date of discharge from the hospital. Once requested, you will receive an itemized bill within 10 business days. Please call the [insert office or department] at [insert phone number] to request a statement.

**PATIENT COMPLAINTS**

If you have questions or concerns about hospital charges for services or care received at the hospital, please call the [insert office or department] at [insert phone number] for assistance. If your complaint cannot be resolved informally at the hospital, you may file a complaint with the Texas Department of State Health Services by phone at 1-888-973-0022 or by mail to Health Facility Compliance Group (MC 1979), Texas Department of State Health Services, P.O. Box 149347, Austin, TX 78714-9347.

## (a) Patient rights requirements for all hospitals.

(1) A hospital shall adopt, implement, and enforce a policy to ensure patients' rights. The written policy shall include:

- (A) the right of the patient to the hospital's reasonable response to his or her requests and needs for treatment or service, within the hospital's capacity, its stated mission, and applicable law and regulation;
- (B) the right of the patient to considerate and respectful care:
  - (i) the care of the patient includes consideration of the psychosocial, spiritual, and cultural variables that influence the perceptions of illness;
  - (ii) the care of the dying patient optimizes the comfort and dignity of the patient through:
    - (I) treating primary and secondary symptoms that respond to treatment as desired by the patient or surrogate decision maker;
    - (II) effectively managing pain; and
    - (III) acknowledging the psychosocial and spiritual concerns of the patient and the family regarding dying and the expression of grief by the patient and family;
- (C) the right of the patient, in collaboration with his or her physician, to make decisions involving his or her health care, to include the following:
  - (i) the right of the patient to accept medical care or to refuse treatment to the extent permitted by law and to be informed of the medical consequences of such refusal; and
  - (ii) the right of the patient to formulate advance directives and to appoint a surrogate to make health care decisions on his or her behalf to the extent permitted by law. Advance directives are written instructions recognized under state law relating to the provision of health care when individuals are unable to communicate their wishes regarding medical treatment. The advance directive may be a written document authorizing an agent or surrogate to make decisions on an individual's behalf (a medical power of attorney for health care), a written or verbal statement (a living will), or some other form of instruction recognized under state law specifically addressing the provisions of health care;
- (I) a hospital shall have in place a mechanism to ascertain the existence of, and, as appropriate, assist in the development of advance directives at the time of the patient's admission;
- (II) the provision of care shall not be conditioned on the existence of an advance directive; and
- (III) an advance directive(s) shall be in the patient's medical record and shall be reviewed periodically with the patient or surrogate decision maker if the patient has executed an advance directive;
- (D) the right of the patient to the information necessary to enable him or her to make treatment decisions that reflect his or her wishes; a policy on informed decision making shall be adopted, implemented and enforced by the medical staff and governing body and shall be consistent with any legal requirements;
- (E) the right of the patient to receive, at the time of admission, information about the hospital's patient rights policy(ies) and the mechanism for the initiation, review, and when possible, resolution of patient complaints concerning the quality of care;
- (F) the right of the patient or the patient's designated representative to participate in the consideration of ethical issues that arise in the care of the patient. The hospital shall have a mechanism for the consideration of ethical issues arising in the care of patients and to provide education to care givers and patients on ethical issues in health care;
- (G) the right of the patient to be informed of any human experimentation or other research or educational projects affecting his or her care or treatment;
- (H) the right of the patient, within the limits of law, to personal privacy and confidentiality of information;
- (I) the right of the patient or the patient's legally designated representative access to the information contained in the patient's medical record, within the limits of the law; and
- (J) the right of the patient's guardian, next of kin, or legally authorized responsible person to exercise, to the extent permitted by law, the rights delineated on behalf of the patient if the patient:
  - (i) has been adjudicated incompetent in accordance with the law;
  - (ii) is found by his or her physician to be medically incapable of understanding the proposed treatment or procedure;
  - (iii) is unable to communicate his or her wishes regarding treatment; or
  - (iv) is a minor.

19.

(Insert Facility Name) Pharmacy  
will close on (Insert Date)

(Insert New Pharmacy Name)

(Insert New Pharmacy Address)

(Insert New Pharmacy Telephone #)

will acquire and fill prescription drug orders.

**THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW THIS NOTICE CAREFULLY.**

**Understanding Your Health Record/Information**

This notice explains Hospital privacy practices. These practices relate to any health care professional allowed to enter information into your hospital chart. This includes all departments and units of Hospital, any member of a volunteer group we allow to help you while you are at Hospital, all employees, staff, trainees and other personnel. This notice also applies to all the entities, sites and locations in the Hospital, with whom your medical information may be shared for the purposes of treatment, payment or operations described in this notice.

This notice applies to all of the records of your care generated by Hospital, whether made by hospital personnel or your doctor. Your doctor may have different policies or notices regarding the doctor's use and disclosure of your medical information created in the doctor's office or clinic.

To better serve you, Hospital provides this notice jointly with the [name of another entity]. Hospital and other entity may share your medical information with each other for treatment, payment or health care operations purposes described in the Notice and are allowed to do so by law for the benefit of providing you with efficient health care services. Both organizations have agreed to follow the terms of this Notice as permitted by the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

**It is important to note that the participation of Hospital and other entity in this joint notice is only for the purpose of providing this joint notice and sharing health information as is permitted by applicable law.**

**Both Hospital and other entity are individual health care providers and each is individually responsible for its own activities, including compliance with privacy laws and all health care services each provides.**

**Our Pledge Regarding Medical Information**

We understand that medical information about you and your health is personal and we are committed to protecting medical information about you. This notice describes your rights and the responsibility Hospital has regarding the use and disclosure of medical information.

**YOUR HEALTH INFORMATION RIGHTS**

Although your health record is the property of Hospital, the information belongs to you. You have the following rights regarding medical information we maintain about you:

***Right to Inspect and Copy:***

You have the right to inspect and copy medical information as provided by law.

***Right to Amend:***

You may ask us to amend the information as provided by law. We will notify you if we are unable to grant your request to amend your health record.

***Right to Accounting of Disclosures:***

You have the right to request an "accounting of disclosures" as provided by law.

***Right to Request Restrictions:***

You have the right to request a restriction or limitation on the medical information we use or disclose about you for treatment, payment or health care operations and as to disclosures permitted to persons, including family members involved with your care and as provided by law. However, we are not required to agree to your request.

***Right to Request Confidential Communications:***

You have the right to request that we communicate with you about medical matters in a certain way or at a certain location. We will accommodate all reasonable requests.

***Right to a Paper Copy of This Notice:***

You have the right to a paper copy of this notice upon request. Alternatively, you may obtain a copy of this notice at our website: [www.pmh.org](http://www.pmh.org)

**PROTECTION IF REPORTING A VIOLATION OF LAW**

(Facility Name) employees and staff are protected from discrimination or retaliation for reporting a violation of law to a supervisor, an administrator of the hospital, a state regulatory agency, or a law enforcement agency. Non-employees are also protected from discrimination or retaliation for reporting a violation.

23.



CAUTION  
RADIATION  
AREA

23a.



CAUTION  
HIGH  
RADIATION  
AREA

23b.



**GRAVE  
DANGER**  
VERY HIGH  
RADIATION  
AREA

23c.



**CAUTION**  
**AIRBORNE**  
**RADIOACTIVITY**  
**AREA**

23d.



**CAUTION**  
RADIOACTIVE  
MATERIAL(S)

23e.



**DANGER**  
RADIOACTIVE  
MATERIAL(S)

# EMPLOYEE RIGHTS

## EMPLOYEE POLYGRAPH PROTECTION ACT

**The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.**

- PROHIBITIONS** Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.
- EXEMPTIONS** Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities.
- The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers.
- The Act also permits 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 preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.
- EXAMINEE RIGHTS** Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.
- ENFORCEMENT** The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions.

**THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.**



WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243  
TTY: 1-877-889-5627  
[www.dol.gov/whd](http://www.dol.gov/whd)



WH1462 REV 07/16

# EMPLOYEE RIGHTS

## FOR WORKERS WITH DISABILITIES PAID AT SPECIAL MINIMUM WAGES

### THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

*This establishment has a certificate authorizing the payment of special minimum wages to workers who are disabled for the work they are performing. Authority to pay special minimum wages to workers with disabilities applies to work covered by the Fair Labor Standards Act (FLSA), McNamara-O'Hara Service Contract Act (SCA), and/or Walsh-Healey Public Contracts Act (PCA). Such special minimum wages are referred to as "commensurate wage rates" and are less than the basic hourly rates stated in an SCA wage determination and less than the FLSA minimum wage of \$7.25 per hour beginning July 24, 2009. A "commensurate wage rate" is based on the worker's individual productivity, no matter how limited, in proportion to the wage and productivity of experienced workers who do not have disabilities that impact their productivity when performing essentially the same type, quality, and quantity of work in the geographic area from which the labor force of the community is drawn.*

#### WORKERS WITH DISABILITIES

For purposes of payment of commensurate wage rates under a certificate, a worker with a disability is defined as:

- An individual whose earnings or productive capacity is impaired by a physical or mental disability, including those related to age or injury, for the work to be performed.
- Disabilities which may affect productive capacity include blindness, mental illness, mental retardation, cerebral palsy, alcoholism, and drug addiction. The following do not ordinarily affect productive capacity for purposes of paying commensurate wage rates: educational disabilities; chronic unemployment; receipt of welfare benefits; nonattendance at school; juvenile delinquency; and correctional parole or probation.

#### KEY ELEMENTS OF COMMENSURATE WAGE RATES

- **Nondisabled worker standard**—The objective gauge (usually a time study of the production of workers who do not have disabilities that impair their productivity for the job) against which the productivity of a worker with a disability is measured.
- **Prevailing wage rate**—The wage paid to experienced workers who do not have disabilities that impair their productivity for the same or similar work and who are performing such work in the area. Most SCA contracts include a wage determination specifying the prevailing wage rates to be paid for SCA-covered work.
- **Evaluation of the productivity of the worker with a disability**—Documented measurement of the production of the worker with a disability (in terms of quantity and quality).

The wages of all workers paid commensurate wages must be reviewed, and adjusted if appropriate, at periodic intervals. At a minimum, the productivity of hourly-paid workers must be reevaluated at least every six months and a new prevailing wage survey must be conducted at least once every twelve months. In addition, prevailing wages must be reviewed, and adjusted as appropriate, whenever the applicable state or federal minimum wage is increased.

#### OVERTIME

Generally, if you are performing work subject to the FLSA, SCA, and/or PCA, you must be paid at least 1½ times your regular rate of pay for all hours worked over 40 in a workweek.

#### CHILD LABOR

Minors younger than **18 years of age** must be employed in accordance with the child labor provisions of FLSA. No persons under 16 may be employed in manufacturing or on a PCA contract.

#### FRINGE BENEFITS

Neither the FLSA nor the PCA have provisions requiring vacation, holiday, or sick pay nor other fringe benefits such as health insurance or pension plans. SCA wage determinations may require such fringe benefit payments (or a cash equivalent). **Workers paid under a certificate authorizing commensurate wage rates must receive the full fringe benefits listed on the wage determination.**

#### WORKER NOTIFICATION

Each worker with a disability and, where appropriate, the parent or guardian of such worker, shall be informed orally and in writing by the employer of the terms of the certificate under which such worker is employed.

#### PETITION PROCESS

Workers with disabilities paid at special minimum wages may petition the Administrator of the Wage and Hour Division of the Department of Labor for a review of their wage rates by an Administrative Law Judge. No particular form of petition is required, except that it must be signed by the worker with a disability or his or her parent or guardian and should contain the name and address of the employer. Petitions should be mailed to: Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

*Employers shall display this poster where employees and the parents and guardians of workers with disabilities can readily see it.*



For additional information:

**1-866-4-USWAGE**

(1-866-487-9243)

TTY: 1-877-889-5627



**WWW.WAGEHOUR.DOL.GOV**

U.S. Department of Labor | Wage and Hour Division

WH 1284  
Revised July 2009

# Equal Employment Opportunity is **THE LAW**

## Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations

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

### **RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN**

Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship.

### **DISABILITY**

Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship.

### **AGE**

The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

### **SEX (WAGES)**

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment.

### **GENETICS**

Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

### **RETALIATION**

All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice.

### **WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED**

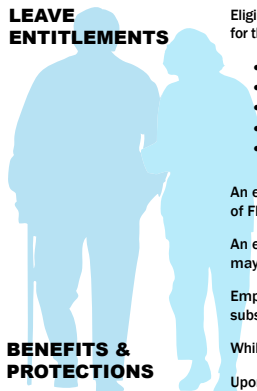
There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is suspected:

The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at [www.eeoc.gov](http://www.eeoc.gov) or in most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at [www.eeoc.gov](http://www.eeoc.gov).

# EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

## LEAVE ENTITLEMENTS



Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

## BENEFITS & PROTECTIONS

## ELIGIBILITY REQUIREMENTS

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;\* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

\*Special "hours of service" requirements apply to airline flight crew employees.

## REQUESTING LEAVE

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

## EMPLOYER RESPONSIBILITIES

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

## ENFORCEMENT

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

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.

For additional information or to file a complaint:

**1-866-4-USWAGE**

(1-866-487-9243) TTY: 1-877-889-5627

**www.dol.gov/whd**

U.S. Department of Labor | Wage and Hour Division



# 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.

#### OVERTIME PAY

At least 1½ times the regular rate of pay for all hours worked over 40 in a workweek.

#### CHILD LABOR

An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. 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 employer must make up the difference.

#### NURSING MOTHERS

The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA's overtime requirements in order for the employee to express breast milk for her nursing child for one year after the child's birth each time such employee has a need to express breast milk. Employers are also required to provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

#### ENFORCEMENT

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 be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious 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 discharging workers who file a complaint or participate in any proceeding under the FLSA.

#### ADDITIONAL INFORMATION

- Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions.
- Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.
- Some state laws provide greater employee protections; employers must comply with both.
- Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not.
- Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.



WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243  
TTY: 1-877-889-5627  
[www.dol.gov/whd](http://www.dol.gov/whd)



WH1088 REV 07/16

# NOTICE TO EMPLOYEES

The Texas Hazard Communication Act, codified as Chapter 502 of the Texas Health and Safety Code, requires public employers to provide employees with specific information on the hazards of chemicals to which employees may be exposed in the workplace. As required by law, your employer must provide you with certain information and training. A brief summary of the law follows.

## HAZARDOUS CHEMICALS

Hazardous chemicals are any products or materials that present any physical or health hazards when used, unless they are exempted under the law. Some examples of more commonly used hazardous chemicals are fuels, cleaning products, solvents, many types of oils, compressed gases, many types of paints, pesticides, herbicides, refrigerants, laboratory chemicals, cement, welding rods, etc.

## WORKPLACE CHEMICAL LIST

Employers must develop a list of hazardous chemicals used or stored in the workplace in excess of 55 gallons or 500 pounds. This list shall be updated by the employer as necessary, but at least annually, and be made readily available for employees and their representatives on request.

## EMPLOYEE EDUCATION PROGRAM

Employers shall provide training to newly assigned employees before the employees work in a work area containing a hazardous chemical. Covered employees shall receive training from the employer on the hazards of the chemicals and on the measures they can take to protect themselves from those hazards. This training shall be repeated as needed, but at least whenever new hazards are introduced into the workplace or new information is received on the chemicals which are already present.

## SAFETY DATA SHEETS

Employees who may be exposed to hazardous chemicals shall be informed of the exposure by the employer and shall have ready access to the most current Safety Data Sheets (SDSs) or Material Safety Data Sheets (MSDSs) if an SDS is not available yet, which detail physical and health hazards and other pertinent information on those chemicals.

## LABELS

Employees shall not be required to work with hazardous chemicals from unlabeled containers except portable containers for immediate use, the contents of which are known to the user.

## EMPLOYEE RIGHTS

Employees have rights to:

- access copies of SDSs (or an MSDS if an SDS is not available yet)
- information on their chemical exposures
- receive training on chemical hazards
- receive appropriate protective equipment
- file complaints, assist inspectors, or testify against their employer

Employees may not be discharged or discriminated against in any manner for the exercise of any rights provided by this Act. A waiver of employee rights is void; an employer's request for such a waiver is a violation of the Act. Employees may file complaints with the Texas Department of State Health Services at the telephone numbers provided below.

## EMPLOYERS MAY BE SUBJECT TO ADMINISTRATIVE PENALTIES AND CIVIL OR CRIMINAL FINES RANGING FROM \$50 TO \$100,000 FOR EACH VIOLATION OF THIS ACT

Further information may be obtained from:

Texas Department of State Health Services  
Division for Regulatory Services  
Policy, Standards, & Quality Assurance Unit  
Environmental Hazards Group  
PO Box 149347, MC 1987  
Austin, TX 78714-9347

(800) 293-0753 (toll-free in Texas)

(512) 834-6787

Fax: (512) 834-6726

[TXHazComHelp@dshs.texas.gov](mailto:TXHazComHelp@dshs.texas.gov)



**TEXAS**  
Department of  
State Health Services

Worker Right-To-Know Program  
Publication # E23-14173  
Revised 03/2014



U.S. Department of Labor



# Job Safety and Health IT'S THE LAW!

## All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request an OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. OSHA will keep your name confidential. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

*This poster is available free from OSHA.*

## Employers must:

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Report to OSHA all work-related fatalities within 8 hours, and all inpatient hospitalizations, amputations and losses of an eye within 24 hours.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations.

FREE ASSISTANCE to identify and correct hazards is available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.

**Contact OSHA. We can help.**



1-800-321-OSHA (6742) • TTY 1-877-889-5627 • [www.osha.gov](http://www.osha.gov)

OSHA 3185-04-01015

## ATTENTION EMPLOYEES

The Texas Payday Law, Title 2, Chapter 61, Texas Labor Code, requires Texas employers to pay their employees who are exempt from the overtime pay provisions of the Fair Labor Standards Act of 1938 at least once per month. All other employees must be paid at least as often as semi-monthly and each pay period must consist as nearly as possible of an equal number of days.

Scheduled paydays: (You must indicate date or dates of the month for employees paid monthly or semi-monthly, and day of the week for employees paid weekly or at other times.)

MONTHLY	_____
SEMI-MONTHLY	_____
WEEKLY	_____
OTHER	_____

For more information write or contact the Texas Workforce Commission in Austin or contact your nearest TWC office. TWC offices are located in major cities throughout the state.

### TEXAS WORKFORCE COMMISSION

#### Labor Law Section

101 East 15th Street, Room 514

Austin, Texas 78778-0001

1-800-832-9243

TDD 1-800-735-2989 (Hearing Impaired)

**TO EMPLOYERS:** *The law requires that this notice or its equivalent be posted in conspicuous places at your business.*

## ATENTO AVISO A LOS EMPLEADOS

La Ley Tejana del Salario Atrasado, Título II, Capítulo 61 del Código del Trabajo de Tejas, exige que los patrones de Tejas paguen no menos de una vez al mes a sus empleados que estén eximidos de las disposiciones de la ley de Normas Laborales Justas de 1938, en lo referente al pago de horas adicionales. A todos los demás empleados hay que pagarles no menos de dos veces mensuales, y cada periodo salarial debe, en la medida de lo posible, tener igual número de días.

Días de pago establecidos: (Hay que indicar en qué día(s) del mes se paga a los empleados con salario quincenal o mensual y en qué día de la semana en que se paga a los empleados pagados semanalmente o en algún otro periodo.)

MENSUAL	_____
QUINCENAL	_____
SEMANAL	_____
OTRO PERIODO	_____

Para mayores informes, sírvase escribir o llamar a la Comisión de la Fuerza Laboral de Tejas, Austin, Tejas 78778 o comunicarse con la oficina más próxima de la Comisión. Se encuentran oficinas de la Comisión en las principales ciudades del estado.

### TEXAS WORKFORCE COMMISSION

#### Labor Law Section

101 East 15th Street, Room 514

Austin, Texas 78778-0001

**1-800-832-9243 or TDD 1-800-735-2989 (Hearing Impaired)**

**A LOS PATRONES:** *La ley requiere fijar este aviso, o un aviso equivalente, dentro de su empresa y a la vista de todos.*

## NOTICE TO EMPLOYEES CONCERNING WORKERS' COMPENSATION IN TEXAS

**COVERAGE:** [Name of employer] \_\_\_\_\_  
has workers' compensation insurance coverage from [name of commercial insurance company] \_\_\_\_\_ in the event of work-related injury or occupational disease. This coverage is effective from [effective date of workers' compensation insurance policy] \_\_\_\_\_. Any injuries or occupational diseases which occur on or after that date will be handled by [name of commercial insurance company] \_\_\_\_\_. An employee or a person acting on the employee's behalf, must notify the employer of an injury or occupational disease not later than the 30th day after the date on which the injury occurs or the date the employee knew or should have known of an occupational disease, unless the Texas Department of Insurance, Division of Workers' Compensation (Division) determines that good cause existed for failure to provide timely notice. Your employer is required to provide you with coverage information, in writing, when you are hired or whenever the employer becomes, or ceases to be, covered by workers' compensation insurance.

**EMPLOYEE ASSISTANCE:** The Division provides free information about how to file a workers' compensation claim. Division staff will answer any questions you may have about workers' compensation and process any requests for dispute resolution of a claim. You can obtain this assistance by contacting your local Division field office or by calling 1-800-252-7031. The Office of Injured Employee Counsel (OIEC) also provides free assistance to injured employees and will explain your rights and responsibilities under the Workers' Compensation Act. You can obtain OIEC's assistance by contacting an OIEC customer service representative in your local Division field office or by calling 1-866-EZE-OIEC (1-866-393-6432).

**SAFETY VIOLATIONS HOTLINE:** The Division has a 24 hour toll-free telephone number for reporting unsafe conditions in the workplace that may violate occupational health and safety laws. Employers are prohibited by law from suspending, terminating, or discriminating against any employee because he or she in good faith reports an alleged occupational health or safety violation. Contact the Division at 1-800-452-9595.

## NOTICE TO EMPLOYEES CONCERNING WORKERS' COMPENSATION IN TEXAS

**COVERAGE:** Effective on [effective date of certificate] \_\_\_\_\_ [name of employer] \_\_\_\_\_ has been certified by the Texas Department of Insurance, Division of Workers' Compensation (Division) as a self-insured employer providing workers' compensation insurance in the event of work-related injury or occupational disease. Claims for injuries or occupational diseases which occur on or after that date will be handled by [name of third party administrator] \_\_\_\_\_. An employee or a person acting on the employee's behalf, must notify the employer of an injury or occupational disease not later than the 30th day after the date on which the injury occurs or the date the employee knew or should have known of an occupational disease, unless the Division determines that good cause existed for failure to provide timely notice. Your employer is required to provide you with coverage information, in writing, when you are hired or whenever the employer becomes, or ceases to be, covered by workers' compensation insurance.

**EMPLOYEE ASSISTANCE:** The Division provides free information about how to file a workers' compensation claim. Division staff will answer any questions you may have about workers' compensation and process any requests for dispute resolution of a claim. You can obtain this assistance by contacting your local Division field office or by calling 1-800-252-7031. The Office of Injured Employee Counsel (OIEC) also provides free assistance to injured employees and will explain your rights and responsibilities under the Workers' Compensation Act. You can obtain OIEC's assistance by contacting an OIEC customer service representative in your local Division field office or by calling 1-866-EZE-OIEC (1-866-393-6432).

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## NOTICE TO EMPLOYEES CONCERNING WORKERS' COMPENSATION IN TEXAS

**COVERAGE:** Effective on [effective date of certificate] \_\_\_\_\_ [name of employer] \_\_\_\_\_  
\_\_\_\_\_ provides workers' compensation insurance coverage  
as a member of a self-insurance group under Labor Code Chapter 407A in the event of work-related  
injury or occupational disease. Claims for injuries or occupational diseases which occur on or after that  
date will be handled by [name of third party administrator] \_\_\_\_\_  
. An employee or a person acting on the employee's behalf, must notify the employer of an injury or  
occupational disease not later than the 30th day after the date on which the injury occurs or the date  
the employee knew or should have known of an occupational disease, unless the Texas Department  
of Insurance, Division of Workers' Compensation (Division) determines that good cause existed for  
failure to provide timely notice. Your employer is required to provide you with coverage information, in  
writing, when you are hired or whenever the employer becomes, or ceases to be, covered by workers'  
compensation insurance.






**EMPLOYEE ASSISTANCE:** The Division provides free information about how to file a workers'  
compensation claim. Division staff will answer any questions you may have about workers'  
compensation and process any requests for dispute resolution of a claim. You can obtain this  
assistance by contacting your local Division field office or by calling 1-800-252-7031. The Office  
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Employers are prohibited by law from suspending, terminating, or discriminating against any employee  
because he or she in good faith reports an alleged occupational health or safety violation. Contact the  
Division at 1-800-452-9595.

## NOTICE TO EMPLOYEES CONCERNING WORKERS' COMPENSATION IN TEXAS

**COVERAGE:** [Name of employer] \_\_\_\_\_ does not have workers' compensation insurance coverage. As an employee of a non-covered employer, you are not eligible to receive workers' compensation benefits under the Texas Workers' Compensation Act. However, a non-covered (non-subscribing) employer can and may provide other benefits to injured employees. You should contact your employer regarding the availability of other benefits for a work-related injury or occupational disease. In addition, you may have rights under the common law of Texas should you have an on the job injury or occupational disease. Your employer is required to provide you with coverage information, in writing, when you are hired or whenever the employer becomes, or ceases to be, covered by workers' compensation insurance.

**SAFETY VIOLATIONS HOTLINE:** The Division has a 24 hour toll-free telephone number for reporting unsafe conditions in the workplace that may violate occupational health and safety laws. Employers are prohibited by law from suspending, terminating, or discriminating against any employee because he or she in good faith reports an alleged occupational health or safety violation. Contact the Division at 1-800-452-9595.

# YOUR RIGHTS UNDER USERRA

## THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

**USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake 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.**

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### REEMPLOYMENT RIGHTS

You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:

- ☆ you ensure that your employer receives advance written or verbal notice of your service;
- ☆ 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 disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

### RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

If you:

- ☆ are a past or present member of the uniformed service;
- ☆ have applied for membership in the uniformed service; or
- ☆ are obligated to serve in the uniformed service;

then an employer may not deny you:

- ☆ initial employment;
- ☆ reemployment;
- ☆ retention in employment;
- ☆ promotion; or
- ☆ any benefit of employment

because of this status.

In 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.

### HEALTH INSURANCE PROTECTION


- ☆ If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military.
- ☆ Even if you don't elect to continue coverage during your military service, you have 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 VETS at **1-866-4-USA-DOL** or visit its website at <http://www.dol.gov/vets>. An interactive online USERRA Advisor can be viewed at <http://www.dol.gov/elaws/userra.htm>.
- ☆ 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.

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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: <http://www.dol.gov/vets/programs/userra/poster.htm>. 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.




**U.S. Department of Labor**  
1-866-487-2365



**U.S. Department of Justice**



**Office of Special Counsel**



**1-800-336-4590**

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