

MISSISSIPPI



MISSISSIPPI & FEDERAL LABOR LAW POSTER

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EEOC - KNOW YOUR RIGHTS: WORKPLACE DISCRIMINATION IS ILLEGAL



Know Your Rights: Workplace Discrimination is Illegal

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

Who is Protected?

- Employees (current and former), including managers and temporary employees
- Job applicants
- Union members and applicants for membership in a union
- What Organizations are Covered?**
 - Most private employers
 - State and local governments (as employers)
 - Educational institutions (as employers)
 - Unions
 - Staffing agencies
- What Types of Employment Discrimination are Illegal?**
 - Under the EOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of:
 - Race
 - Color
 - Religion
 - National origin
 - Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity)
 - Age (40 and older)
 - Disability
 - Genetic information (including employer requests for, purchase, use, or disclosure of genetic tests, genetic services, or family medical history)

- Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding
- Conduct that coerces, intimidates, threatens, or interferes with someone exercising their rights, or someone assisting or encouraging someone else to exercise rights, regarding disability discrimination (including accommodation) or pregnancy accommodation
- What Employment Practices can be Challenged as Discriminatory?**
 - All aspects of employment, including:
 - Discharge, firing, or lay-off
 - Harassment (including unwelcome verbal or physical conduct)
 - Hiring or promotion
 - Assignment
 - Payout (unequal wages or compensation)
 - Failure to provide reasonable accommodation for a disability; pregnancy, childbirth, or related medical condition; or a sincerely-held religious belief, observance or practice
 - Benefits
 - Job training
 - Classification
 - Referral
 - Obtaining or disclosing genetic information of employees
 - Requesting or disclosing medical information of employees
 - Conduct that might reasonably discourage someone from opposing discrimination, is available at www.eeoc.gov.

- Retaliation for filing a charge, reasonably opposing discrimination, or participating in an investigation lawsuit, investigation, or proceeding
- Conduct that coerces, intimidates, threatens, or interferes with someone exercising their rights, or someone assisting or encouraging someone else to exercise rights, regarding disability discrimination (including accommodation) or pregnancy accommodation
- What Can You Do If You Believe Discrimination has Occurred?** Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:
 - Submit an inquiry through the EEOC's public portal:
<https://publicportal.eeoc.gov/Portal/Login.aspx>
 - Call 1-800-669-4000 (toll free)
1-800-669-6820 (TTY)
1-844-234-5122 (ASL video phone)
 - Visit an EEOC field office ([information at www.eeoc.gov/field-office](http://www.eeoc.gov/field-office))
E-Mail: info@eeoc.gov
- Additional information about the EEOC, including information about filing a charge of discrimination, is available at www.eeoc.gov.



EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

Protected Veteran Status The Vietnam Era Veterans' Readjustment Program (OFCPP) enforces the nondiscrimination and affirmative action commitments of companies doing business with the Federal Government. If you are applying for a job with, or are an employee of, a company with a Federal contract or subcontract, you are protected under Federal law from discrimination on the following bases:

Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin Executive Order 11246, as amended, prohibits employment discrimination based on race, color, religion, sex, sexual orientation, gender identity or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

Asking About, Disclosing, or Discussing Pay Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees.

Disability Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, and other terms and conditions of employment by Federal contractors. 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 to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Individuals with Disabilities Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job. If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

(Revised 6/27/2023)

UNEMPLOYMENT COMPENSATION

Unemployment Insurance for Employees

IMPORTANT

This employer is registered with the Mississippi Department of Employment Security, and the employees are covered by Unemployment Insurance.

This insurance is carried to protect you in case you become unemployed through no fault of your own.

Nothing is deducted from your pay to cover its cost.



MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY

An equal opportunity employer and program, MDES has auxiliary aids and services available upon request to those with disabilities. Those needing TTY assistance may call 800-582-2233.

Funded by the U.S. Department of Labor through the Mississippi Department of Employment Security.

Employer: Please Post in a Conspicuous Place Extra Copies on Request

FMLA - FAMILY AND MEDICAL LEAVE ACT

Your Employee Rights Under the Family and Medical Leave Act

What is FMLA leave? The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with job-protected leave for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees. Eligible employees can take up to 12 weeks of FMLA leave in a 24-month period for:

- The birth or adoption or foster placement of a child with you.

- Your serious medical or physical health condition that makes you unable to work.

- To care for your spouse, child or parent with a serious mental or physical health condition, and

- Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember;

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

You have the right to use FMLA leave in one block of time. When it is needed, whether temporarily or otherwise permitted, you may take FMLA leave intermittently in separate blocks of time, or on a reduced schedule by working less hours each day or week. **Read Fact Sheet #28(c) for more information.**

FMLA leave is not paid leave, but you may choose, or be required, to use your employer's paid leave policy if your employer's paid leave policy covers the reason for which you need FMLA leave.

Am I eligible to take FMLA leave? You are an eligible employee if all of the following apply:

- You work for a covered employer,

- You have worked for your employer at least 12 months,

- You have at least 1,250 hours of service for your employer during the 12 months before you leave, and

- Your employer has at least 50 employees within 75 miles of your work location.

Airline flight crew employees have different "hours of service" requirements.

You work for a **covered employer** if one of the following applies:

- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,

- You work for an elementary or public or private secondary school, or

- You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management.

How do I request FMLA leave? Generally, to request FMLA leave you must:

- Follow your employer's normal policies for requesting leave,

- Give notice at least 30 days before your need for FMLA leave, or

- If advance notice is not possible, give notice as soon as possible.

ANTI-DISCRIMINATION NOTICE

It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination.

For information, please contact

The Office of Special Counsel for Immigration Related Unfair Employment Practices Office at 800-255-7688.

FEDERAL MINIMUM WAGE

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 1 1/2 times your 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-agricultural 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-agricultural jobs with certain work hours restrictions. Different rules apply to agricultural workers.

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.

PUMP AT WORK The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for their nursing child for one year after the child's birth each time the employee needs to express breast milk. Employers must provide a place, other than a bathroom, that is shielded from view and free from intrusion from 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 mitigate 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. Certain narrow exemptions also apply to the piecework requirements.

APPLICABILITY to workers in American Samoa, the Commonwealth of Northern Mariana Islands, and the U.S. Virgin Islands.

DISCLAIMER The FLSA does not apply to employees of the Department of Defense.

NOTICE TO EMPLOYERS who meet certain conditions

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WORKERS' COMPENSATION

MISSISSIPPI WORKERS' COMPENSATION NOTICE OF COVERAGE

I. Please take notice that your Employer is in compliance with the requirements of the Mississippi Workers' Compensation Law, and (select one) (has been approved by the Mississippi Workers' Compensation Commission to act as a self-insurer), or (maintains workers' compensation insurance coverage with the following):

(Name of insurance carrier or self-insurance group)

(address & telephone number)

II. Individual workers' compensation claims will be submitted to and processed by:

(Name of third party claims administrator or claims office)

(address & phone number)

III. This workers' compensation coverage is effective for the following period:

_____ to _____.

IV. All job related injuries or illnesses should be reported as soon as possible to your immediate supervisor, or to the person listed below:

(Name of employer contact person)

(Title & Department/Division)

V. Please be advised that any person who willfully makes any false or misleading statement or representation for the purpose of obtaining or wrongfully withholding any benefit or payment under the Mississippi Workers' Compensation Law may be charged with violation of Miss. Code Ann. §71-3-69 (Rev. 2000) and upon conviction be subjected to the penalties therein provided.

2001 M.W.C.C. Notice of Coverage Form

DISCRIMINATION

EQUAL OPPORTUNITY IS THE LAW

It is against the law for this recipient of Federal financial assistance to discriminate on the following basis:

Against any individual in the United States, on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief; and

Against any beneficiary of programs financially assisted under Title I of the Workforce Investment Act of 1998 (WIA), on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in any WIA Title I-financially assisted programs or activity.

The recipient must not discriminate in any of the following areas:

Deciding who will be admitted, or have access, to any WIA Title I-financially assisted program or activity.

Providing opportunities in, or treating any person with regard to, such a program or activity; or

Making employment decisions in the administration of, or in connection with, such a program or activity.

What to Do If You Believe You Have Experienced Discrimination

If you think you have been subjected to discrimination under a WIA Title I-financially assisted program or Activity, you may file a complaint within 180 days from the date of the alleged violation with either:

State - Workforce Investment Act Equal Opportunity Officer
Dovie Reed
Phone: 601-321-6024
Email: dred@mdes.ms.gov

Assistant Equal Opportunity Officer
Randy Langley
Phone: 601-321-6504
Email: rlangley@mdes.ms.gov

Mississippi Department of Employment Security
P.O. Box 1699
Jackson, MS 39215-1699
Fax: 601-321-6037
TDD: 800-582-2233

If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center:

The Director
Civil Rights Center (CRC)
U.S. Department of Labor
200 Constitution Avenue, NW, Room N-4123
Washington, D.C. 20210
Voice: 202-693-6502-TTY: 202-693-6516

If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you do not have to wait for the recipient to issue that notice before filing a complaint with CRC. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient).

If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.



MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY

Equal Opportunity Employer Program
Auxiliary aids and services available upon request to individuals with disabilities.

WORKERS' COMPENSATION SENATE BILL 2576

The following is a summary of the changes made to the Workers' Compensation Law by Senate Bill 2576. The changes themselves are underlined for easy reference.

-Section 71-3-1 is amended as follows in relevant part:

(1)...[T]his chapter shall be fairly and impartially construed and applied according to the law and the evidence in the record, and, notwithstanding any common law or case law to the contrary, this chapter shall not be presumed to favor one party over another and shall not be liberally construed in order to fulfill any beneficent purposes.

(3) The primary purposes of the Workers' Compensation Law are to pay timely temporary and permanent disability benefits to every worker who legitimately suffers a work-related injury or occupational disease arising out of and in the course of his employment, to pay reasonable and necessary medical expenses resulting from the work-related injury or occupational disease, and to encourage the return to work of the worker.

-Section 71-3-7 is amended as follows in relevant part:

(1)... In all claims in which no benefits, including disability, death and medical benefits, have been paid, the claimant shall file medical records in support of his claim for benefits when filing a petition to controvert. If the claimant is unable to file the medical records in support of his claim for benefits at the time of filing the petition to controvert because of a limitation of time established by Section 71-3-35 or Section 71-3-53, the claimant shall file medical records in support of his claim within sixty (60) days after filing the petition to controvert.

(2) Where a preexisting physical handicap, disease, or lesion is shown by medical findings to be a material contributing factor in the results following injury, the compensation which, but for this subsection, would be payable shall be reduced by that proportion which such preexisting physical handicap, disease, or lesion contributed to the production of the results following the injury. The preexisting condition does not have to be occupationally disabling for this apportionment to apply.

(4) No compensation shall be payable if the use of drugs illegally, or the use of a valid prescription medication(s) taken contrary to the prescriber's instructions and/or contrary to label warnings, or intoxication due to the use of alcohol of the employee was the proximate cause of the injury, or if it was the willful intention of the employee to injure or kill himself or another.

-Section 71-3-15 is amended as follows in relevant part:

(1)... A physician to whom the employee is referred by his employer shall not constitute the employee's selection, unless the employee, in writing, accepts the employer's referral as his own selection. However, if the employee is treated for his alleged work-related injury or occupational disease by a physician for six (6) months or longer, or if the employee has surgery for the alleged work-related injury or occupational disease performed by a physician, then that physician shall be deemed the employee's selection.

-Section 71-3-17 is amended as follows in relevant part:

(c)(24) Disfigurement: The commission, in its discretion, is authorized to award proper and equitable compensation for serious facial or head disfigurements not to exceed Five Thousand Dollars (\$5,000.00). No such award shall be made until a lapse of one (1) year from the date of the injury resulting in such disfigurement.

-Section 71-3-19 is amended as follows:

An employee who as a result of injury is or may be expected to be totally or partially incapacitated for a remunerative occupation and who, under the direction of the commission is being rendered fit to engage in a remunerative occupation may, in the discretion of the commission under regulations adopted by it, receive additional compensation necessary for his maintenance, but such additional compensation shall not exceed Twenty-five Dollars (\$25.00) a week for not more than fifty-two (52) weeks.

-Section 71-3-25 is amended as follows in relevant part:

If the injury causes death, the compensation shall be known as a death benefit and shall be payable in the amount and to or for the benefit of the following persons:

(a) An immediate lump-sum payment of One Thousand Dollars (\$1,000.00) to the surviving spouse, in addition to other compensation benefits.

(b) Reasonable funeral expenses not exceeding Five

Thousand Dollars (\$5,000.00) exclusive of other burial insurance or benefits.

-Section 71-3-63 is amended as follows in relevant part:

(3)... Attorneys may not recover attorney's fees based upon benefits voluntarily paid to an injured employee for temporary or permanent disability. Any settlement negotiated by an attorney shall not be considered a voluntary payment.

-Section 71-3-121 is amended as follows:

(1) In the event that an employee sustains an injury at work or asserts a work-related injury, the employer shall have the right to administer drug and alcohol testing or require that the employee submit himself to drug and alcohol testing. If the employee has a positive test indicating the presence, at the time of injury, of any drug illegally used or the use of a valid prescription medication(s) taken contrary to the prescriber's instructions and/or contrary to label warnings, or eight one-hundredths percent (.08%) or more by weight volume of alcohol in the person's blood, it shall be presumed that the proximate cause of the injury was the use of a drug illegally, or the use of a valid prescription medication(s) taken contrary to the prescriber's instructions and/or contrary to label warnings, or the intoxication due to the use of alcohol by the employee. If the employee refuses to submit himself to drug and alcohol testing immediately after the alleged work-related injury, then it shall be presumed that the employee was using a drug illegally, or was using a valid prescription medication(s) contrary to the prescriber's instructions and/or contrary to label warnings, or the intoxication due to the use of alcohol by the employee. The burden of proof will then be placed upon the employee to prove that the use of drugs illegally, or the use of a valid prescription medication(s) taken contrary to the prescriber's instructions and/or contrary to label warnings, or the intoxication due to the use of alcohol was not a contributing cause of the accident in order to defeat the defense of the employer provided under Section 71-3-7.

(2) The results of the drug and alcohol tests, employer-administered or otherwise, shall be considered admissible evidence solely on the issue of causation in the determination of the use of drugs illegally, or the use of a valid prescription medication(s) taken contrary to the prescriber's instructions and/or contrary to label warnings, or the intoxication due to the use of alcohol of an employee at the time of injury for workers' compensation purposes under Section 71-3-7.

(3) No cause of action for defamation of character, libel, slander or damage to reputation arises in favor of any person against an employer under the provisions of this section.

-Section 71-7-5 is amended as follows in relevant part:

(d) An employer may administer drug and alcohol testing or require that the employee submit himself to drug and alcohol testing as provided under Section 71-3-121 in the event that the employee sustains an injury at work or asserts a work-related injury.

-A new section is created which states the following:

-The Workers' Compensation Commission shall promulgate a written statement specifying the changes made to the Workers' Compensation Law by this act to every employer in this state subject to the Workers' Compensation Law. Within ten (10) days of receipt of this written statement from the Commission, every employer shall post the Commission's statement in a conspicuous place or places in and about his place or places of business and adjacent to the Notice of Coverage as required by Section 71-3-81.

-This act shall take effect and be in force from and after July 1, 2012, and shall apply to injuries occurring on or after July 1, 2012.

MWCC

June 14, 2012

Mississippi Workers' Compensation Commission

1428 Lakeland Drive / Post Office Box 5300

Jackson, Mississippi 39296-5300

(601) 987-4200

<http://www.mwcc.state.ms.us>

Liles Williams, Chairman

John R. Junkin, Commissioner

Ray C. Minor, Executive Director



UNEMPLOYMENT COMPENSATION

Unemployment Insurance for Employees

IMPORTANT

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Funded by the U.S. Department of Labor through the Mississippi Department of Employment Security.

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NOTICE TO EMPLOYEES

Availability of Unemployment Compensation

Unemployment Insurance (UI) benefits are available to workers who are unemployed and who meet the requirements of UI eligibility laws for the state of Mississippi.

You may file a UI claim with the Mississippi Department of Employment Security (MDES) in the first week that employment stops or work hours are reduced.

TO FILE AN UNEMPLOYMENT CLAIM:

- Visit our website at MDES.MS.GOV
- Call MDES at 601-493-9427, Monday through Friday from 8 a.m. to 5 p.m. Call wait time may be longer during peak hours and seasons.
- Email questions to contact-center@mdes.ms.gov

THE FOLLOWING INFORMATION WILL BE NEEDED TO COMPLETE YOUR CLAIM BY PHONE:

- Full legal name;
- Social Security Number;
- Driver's License Number or State Issued Identification number;
- Alien Registration Number or Visa Number if you are not a U.S. citizen;
- Names and addresses of employers you worked for in the last eighteen (18) months
- The dates you worked and the reason you are no longer working for each employer

If you experience issues or need more information about filing a UI claim, you can quickly find the answers to most questions on our website under FREQUENTLY ASKED QUESTIONS.

To file a UI claim online visit: MDES.MS.GOV

To file a UI claim by phone call: 601-493-9427

MDES Communications 04092024

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Por favor publique en un lugar visible. Fecha de Publicación:
Las leyes laborales cambian frecuentemente. Contacte a su distribuidor para asegurarse de cumplir con los requisitos de publicación a nivel Estatal y Federal al menos una vez al año. © LaborLawCenter, Inc. All rights reserved.

COMPENSACIÓN LABORAL DE MISSISSIPPI NOTIFICACIÓN DE COBERTURA

I. Por favor note que su Empleador cumple con los requerimientos de la Ley de Compensación Laboral de Mississippi, y (seleccione uno)(ha sido aprobado por la Comisión de Compensación Laboral de Mississippi para actuar como asegurador), o (mantiene el seguro de cobertura de compensación laboral con los siguientes):

(Nombre del corredor de seguros o aseguradora)

(dirección y número telefónico)

II. Las solicitudes individuales por compensación laboral serán enviadas y procesadas por:

(Nombre del administrador de terceros u oficina de reclamos)

(dirección y teléfono)

III. Esta cobertura de compensación laboral es efectiva para el siguiente período:

_____ hasta _____.

IV. Todas las lesiones laborales o enfermedades deberían ser reportadas tan pronto como sea posible a su supervisor inmediato, o a la personal anunciada abajo:

(Nombre de la persona de contacto del empleador)

(Cargo y Departamento/División)

V. Por favor tenga en cuenta que cualquier persona que voluntariamente haga una declaración falsa o malintencionada o representación con el objeto de obtener o erróneamente lograr un beneficio o pago bajo la Ley de Compensación Laboral de Mississippi puede ser culpado de violación del Código de Mississippi Ann. 571-3-69 (Rev. 2000) y tras convicción puede ser objeto de las multas allí contenidas.

2001 M.W.C.C. Formulario de Notificación de Cobertura

IGUALDAD DE OPORTUNIDAD ES LA LEY

Es contra la ley que si el destinatario de asistencia financiera federal la discrimine por las siguientes razones:

En contra de cualquier individuo en los Estados Unidos por razón de, raza, color, religión, sexo, edad, incapacidad, origen nacional, afiliación política o credo; y

En contra de cualquier beneficiario de programas asistidos financieramente bajo el Título I de "Workforce Investment Act" del 1998 (WIA), por razón del estatus de ciudadanía siendo un inmigrante legalmente autorizado para trabajar en los Estados Unidos o de su participación en cualquiera de las programas o actividades financieramente asistidos por WIA Título I.

Si el destinatario no discriminará en ninguna de las siguientes áreas:

Decidiendo quien será admitido o tendrá acceso a cualquiera de las programas o actividades de WIA asistidos financieramente por el Título I;

Proveyendo oportunidades en o el tratamiento de cualquier persona con relación a semejante programa o actividad; o en la toma de decisiones de empleo en la administración de o en conexión con semejante programa o actividad.

¿Que hacer si usted cree que ha experimentado discriminación?

Si usted cree que ha estado sujeto a discriminación bajo cualquiera de los programas o actividades de WIA asistidos financieramente por el Título I, usted puede presentar una querella dentro de los primeros 180 días después de la alegada violación al Oficial de Oportunidad de Igualdad (Equal Opportunity Officer) del destinatario (o la persona designada por el destinatario para este propósito); o

State - Workforce Investment Act Equal Opportunity Officer

Dovie Reed
Phone: 601-321-6024
Email: dred@mdes.ms.gov

Assistant Equal Opportunity Officer

Randy Langley
Phone: 601-321-6504
Email: rlangley@mdes.ms.gov

Mississippi Department of Employment Security

P.O. Box 1699
Jackson, MS 39215-1699
Fax: 601-321-6037
TDD: 800-582-2233

Si usted presenta un querella al destinatario, deberá esperar hasta que el destinatario expida una Notificación de Acción Final por escrito o hasta que pasen 90 días (lo primero que suceda), antes de presentar la querella al Centro de Derechos Civiles (Civil Rights Center) (vea la dirección arriba).

Director del Centro de Derechos Civiles
(Civil Rights Center - CRC)
U.S. Department of Labor
200 Constitution Avenue, NW, Room N-4123
Washington, D.C. 20210
Voice: 202-693-6502-TTY: 202-693-6516

Si el destinatario no le provee una Notificación de Acción Final por escrito dentro de 90 días de la fecha cuando usted presentó su querella, usted no tiene que esperar que el destinatario expida la notificación antes de presentar su querella al CRC. Sin embargo, deberá presentar su querella dentro de 30 días después del límite de 90 días (en otras palabras, 120 días después de haber presentado la querella al destinatario). Si el destinatario le expide una Notificación Acción Final por escrito respondiendo a su querella pero usted no está satisfecho con la decisión o resolución, usted puede presentar su querella a CRC.

Su querella deberá ser presentada al CRC dentro de 30 días de la fecha en que usted reciba su Notificación de Acción Final.



MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY

Programa de oportunidades de igualdad del empleo Ayudantes auxiliares y servicios
están disponibles para individuos con incapacidades si así lo requieren.

LEY DE COMPENSACIÓN LABORAL MEDIANTE EL PROYECTO DE LEY 2576 DEL SENADO

El siguiente es un resumen de los cambios realizados a la Ley de Compensación Laboral mediante el Proyecto de Ley 2576 del Senado. Los cambios están subrayados para fácil referencia.

-La Sección 71-3-1 quedará modificada como sigue en la parte pertinente:

(1)...Este capítulo deberá interpretarse y aplicarse equitativa e impartialmente de acuerdo con la ley y la evidencia en el registro, y, en caso que cualquier ley común o jurisprudencia sea contraria, este capítulo no deberá presumirse a favor de una parte u otra y no se interpretará liberalmente para cumplir con fines benéficos.

(3) Los objetivos primordiales de la Ley de Compensación Laboral son los de pagar oportunamente los beneficios por incapacidad temporal y permanente a cada trabajador que legítimamente sufra una lesión de trabajo o enfermedad ocupacional que surjan por su empleo o durante el ejercicio del mismo, para pagar gastos médicos razonables y necesarios que resulten de la lesión de trabajo o enfermedad ocupacional, y fomentar el regreso al trabajo del empleado.

-La Sección 71-3-7 quedará modificada como sigue en la parte pertinente:

(1)... En todas las reclamaciones en que no se ha pagado ningún beneficio, incluyendo discapacidad, muerte, y beneficios médicos, el reclamante deberá presentar registros médicos que prueben su reclamación de beneficios cuando presente una petición de disputa. Si el reclamante es incapaz de presentar los registros médicos que prueben su reclamación de beneficios en el momento de presentar la petición de disputa debido a una limitación de tiempo establecida por la Sección 71-3-35 o la Sección 71-3-53, el reclamante deberá presentar registros médicos que prueben su reclamación dentro de los sesenta (60) días posteriores a la presentación de la petición de disputa.

(2) Cuando las pruebas médicas muestren un impedimento físico preexistente, enfermedad o lesión, como un factor contribuyente en los resultados posteriores a la lesión, la compensación que, de acuerdo a esta subsección, se tendría que pagar, deberá reducirse según el grado en que tal impedimento físico preexistente, enfermedad o lesión haya contribuido a la producción de los resultados posteriores a la lesión. La condición preexistente no tiene que ser incapacitante en términos laborales para aplicar el anterior prorrogo.

(4) No se pagará ninguna indemnización si se confirma que el uso de drogas ilegales, o el uso de medicamento(s) prescripto(s) válidamente pero usados en contra a las instrucciones del médico que las prescribe y/o en contra de las advertencias de la etiqueta, o la intoxicación debido al uso de alcohol por parte del empleado, fue la causa inmediata de la lesión, o si fué la intención deliberada del empleado el herirse o matarse a sí mismo o a otro.

-La Sección 71-3-15 quedará modificada como sigue en la parte pertinente:

(1)...Un médico al cual sea remitido el empleado por su empleador no constituirá la selección del empleado, a menos que el empleado, por escrito, acepte la remisión del empleado como su propia selección. Sin embargo, si el empleado es tratado por su presunta lesión laboral o enfermedad ocupacional por un médico durante seis (6) meses o más, o si el empleado tiene una cirugía por la supuesta lesión de trabajo o enfermedad ocupacional realizada por un médico, entonces ese médico se considerará la selección del empleado.

-La Sección 71-3-17 quedará modificada como sigue en la parte pertinente:

(c)(24) Desfiguración: La comisión, en su criterio, está autorizada para otorgar una indemnización adecuada y equitativa por desfiguraciones graves de la cara o cabeza que no excedan los cinco mil dólares (\$5,000.00). Dicha indemnización no se deberá efectuar sino hasta un (1) año después de la fecha de la lesión que haya dado como resultado dicha desfiguración.

-La Sección 71-3-19 quedará modificada como sigue:

Un empleado que como resultado de sus lesiones quede, o se espere que quede, totalmente o parcialmente incapacitado para una ocupación bien remunerada y quien, bajo la instrucción de la comisión está apto para ejercer una profesión remunerada puede, por decisión de la comisión en virtud de los reglamentos adoptados por ella, recibir compensación adicional necesaria para su mantenimiento, pero dicha compensación adicional no deberá exceder veinticinco dólares (\$25.00) por semana durante no más de cincuenta y dos (52) semanas.

-La Sección 71-3-25 quedará modificada como sigue en la parte pertinente:

Si la lesión causa la muerte, la indemnización será conocida como un beneficio por muerte y deberá pagarse por la cantidad y/o a beneficio de las siguientes personas:

(a) Un pago inmediato por una suma de mil dólares (\$1,000.00) para el cónyuge sobreviviente, además de otros beneficios por compensación.

(b) Gastos funerarios razonables no superiores a cinco mil dólares (\$5,000.00) sin incluir otro seguro o beneficio funerario.

-La Sección 71-3-63 quedará modificada como sigue en la parte pertinente:

(3)... Los abogados no pueden recuperar sus honorarios basándose en prestaciones pagadas voluntariamente a un empleado lesionado por incapacidad temporal o permanente. Cualquier acuerdo negociado por un abogado no se considerará un pago voluntario.

-La Sección 71-3-121 quedará modificada como sigue:

(1) En caso que un empleado sufra una lesión en el trabajo o declare haber sufrido una lesión relacionada con el trabajo, el empleado tendrá derecho a realizar pruebas de alcohol y drogas o exigir que el empleado se someta a pruebas de alcohol y drogas. Si el empleado da positivo en la prueba, indicando la presencia, al momento de la lesión, del uso de cualquier droga ilegal o el uso de un medicamento de validez pero tomado en contra de las instrucciones del médico que la prescribe y/o contrario a las advertencias de la etiqueta, o ochocentésimas por ciento (.08%).

o más de peso por volumen de alcohol en la sangre de la persona, se presumirá que la causa inmediata de la lesión fue el uso de drogas ilegales, o el uso de un medicamento de prescripción válida pero usado en contra de las instrucciones del médico que la prescribe y/o contrario a las advertencias de la etiqueta, o la intoxicación se debió al uso de alcohol por parte del empleado. Si el empleado se niega a someterse a pruebas de drogas y alcohol, el empleado da positivo en la prueba, indicando la presencia, al momento de la lesión, del uso de cualquier droga ilegal o el uso de un medicamento de validez pero tomado en contra de las instrucciones del médico que la prescribe y/o contrario a las advertencias de la etiqueta, o la intoxicación se debió al uso de alcohol por parte del empleado. 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