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Project Construction and Contract Administration

Contract Administration

Job Site Posters

www.fhwa.dot.gov/federal-aidessentials

Federal law requires employers to physically display a variety of posters on job sites



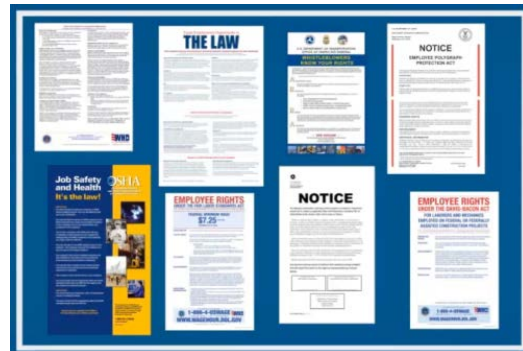
In the United States, many Federal laws interact to ensure a fair and safe workplace for all employees.



These laws provide for protections for all workers. As employees, we expect workplace rules, practices, policies, and behaviors to be fair and to create an inclusive environment where all workers are valued and respected. As the local public agency (LPA), your job is to ensure your contractors create and maintain a safe work environment where everyone is treated with fairness, dignity, and respect while implementing requirements of specific laws requiring postings.

Why Posters are Displayed

To make sure that all workers are aware of the legal protections available to them, all employers are required to display many Federal and State posters on the job site for their employees. More specifically, Federal-aid construction contracts also make this a requirement for your contractors.



Postings are to be visibly displayed, easily seen, and readily accessible to all of your contractor's employees at the worksite. Since the job site for most highway construction projects are outdoors, this means the contractor may need to erect a poster board, such as the one seen here. If located outdoors, the poster board should be covered to protect the postings from deterioration due to weather exposure. The poster board needs to be located in an area where the employees are most likely to gather, such as near the contractor's field office or a carpool location. The contractor's employees must be able to freely look at the information without question, suspicion, or influence.

What Posters Must Be Displayed

To be in compliance with Federal-aid contract requirements, the job-site posters that must be displayed on the poster board are highlighted here. Note that there are additional employer posting requirements that go beyond these eight posters shown.



Equal Employment Opportunity is the Law poster is a summary of all employment laws that provide equal employment opportunity protections. The U.S. Equal Employment Opportunity Commission is the oversight agency for these protections.

In addition to this poster, contractors should also post a copy of their equal opportunity policy and identify their EEO officer on the board.

The Notice: Federal-aid Project poster is a false statements poster required on federally funded projects.

The Employee Rights under the Davis-Bacon Act poster describes what the Davis-Bacon Act is, how it affects the project, and who is covered.



The contractor will also need to post a list of actual wages to be paid on the project to enable workers to confirm they are being paid correctly.

The U.S. Department of Labor requires that the Occupational Safety and Health Administration’s (OSHA) “Job Safety and Health It’s the Law!” poster is displayed at worksites.

This poster lists both employee and employer rights regarding workplace safety. This poster

basically states that a worker has a right to a hazard free workplace. It lists the OSHA phone number to call for information or to register a complaint.



The Employee Rights poster describes the rights given to employees under The Fair Labor Standards Act. The Fair Labor Standards Act, or FLSA, establishes minimum wage rate, overtime pay, record-keeping, and youth employment standards affecting employees in the private sector and in Federal, State, and local governments. FLSA enforcement is by U.S. Department of Labor.

This Employee Rights and Responsibilities poster describes the rights and responsibilities given to employees under the Family and Medical Leave Act. The Family and Medical Leave Act, more commonly called FMLA, requires employers to provide up to 12 weeks of unpaid, job protected leave to eligible employees for the specific reasons listed on the poster.

This poster must be displayed even if there are no eligible employees. The poster also tells the employees how to file a complaint.

The Notice: Employee Polygraph Protection Act poster advises employees of their right to refuse to take a lie detector test.

U.S. DEPARTMENT OF LABOR
EMPLOYMENT STANDARDS ADMINISTRATION
Wage and Hour Division
Washington, D.C. 20210



NOTICE 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.

Employers are prohibited from discharge, discipline, or discriminating against any employee for exercising their right of refusal.

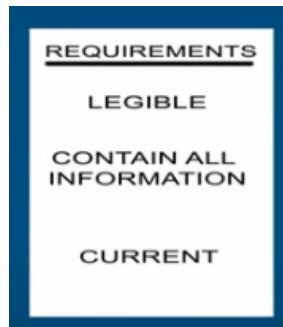
The U.S. Department of Labor enforces this protection.

The Whistleblowers Know Your Rights poster is required for projects that use American Recovery and Reinvestment Act or ARRA funds. This act provides protections for certain individuals who make specified disclosures relating to Recovery Act funds.

Where to find Posters

All posters that are required on Federal-aid construction project job sites can be accessed through the link provided in this module. Most State departments of transportation can also provide these posters along with any additional required information and posters required by State or local laws.

However, once the contractor downloads the posters, the posters are not complete until the additional information required on some of the posters, such as contact names or telephone numbers, is added. To be in compliance with Federal-aid poster requirements, all posters must be legible, contain all required information, and the information is current.



Summary

Creating a safe, inclusive environment where all workers are valued and respected requires an understanding by both employers and employees of their workplace rights. Maintaining a poster board that is visible, accurate, and readily accessible means that employees have the information they need, when they need it.



Additional Resources

- FHWA list of required job-site posters
<http://www.fhwa.dot.gov/programadmin/contracts/poster.cfm>
- Regulations covering form FHWA-1273 dealing with Federal-aid contracts
<http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=2f2ef2bacf77078a9240f766d42ea55e&rgn=div5&view=text&node=23:1.0.1.7.22&idno=23>
- Information on workplace poster requirements for small businesses
<http://www.dol.gov/oasam/programs/osdbu/sbrefa/poster/matrix.htm>
- Information on Federal workplace posting requirements
<http://www.shrm.org/LegalIssues/StateandLocalResources/StateandLocalStatutesandRegulations/Documents/stateposting.pdf>

The content of this document is not a substitute for information obtained from State departments of transportation, appropriate FHWA Division Offices, and applicable laws. Scenarios have been simplified for emphasis and do not necessarily reflect the actual range of requirements applicable to the scenario or this topic. This document was created under contract number DTFH63-11-D-00066 by the Federal Highway Administration, U.S. Department of Transportation, and is offered to the public to heighten and focus awareness of Federal-aid requirements within the local public agencies community and reinforces the importance of these necessary policies, procedures, and practices.

This companion resource is the script content for the video production of the same name.