



Natural Resources Conservation Service  
Civil Rights Division  
6601 Sunnyside Avenue  
Mail Stop 5472, Room 1-2184  
Beltsville, Maryland 20705

JAN 20 2012

SUBJECT: EOP – NRCS FY 2012 Civil Rights Policy Statement

TO: All NRCS Employees

File Code: 230-15

The Natural Resources Conservation Service (NRCS) was founded in 1935 during a period in American History known for the “New Deal,” to help get the country out of the Great Depression. NRCS employees are our greatest asset for enabling people to be good stewards of the Nation’s soil, water, and related natural resources on non-Federal lands, in other words, in “Helping People Help the Land.” We must accomplish this goal and fulfill our mission to provide service throughout the Nation by treating everyone in a fair, non-discriminatory, and equitable manner.

Prohibited discrimination is a violation of Title VI and Title VII of the 1964 Civil Rights Act and will not be tolerated. It is NRCS’ policy to treat all customers and employees equitably regardless of race, color, national origin, sex (including gender identity and expression), religion, age, disability, political beliefs, sexual orientation, marital or familial status, parental status, and protected genetic information, and that employees and customers must be free from reprisal or harassment in the pursuit of fairness and equal employment opportunity. Complainants, representatives, and witnesses involved in complaints of discrimination must be unimpeded and free from restraint, coercion, or retaliation in the exercise of eliminating discrimination in the workplace. Reprisal of any kind against customers or employees will not be tolerated. Agency officials, managers, supervisors, and all employees will be held accountable for discrimination, reprisal, civil rights violations, and related misconduct.

I am committed to enforcing the Secretary’s zero tolerance policy on discrimination. As such, managers and supervisors are responsible for the environment in which their employees work and have a duty to take both affirmative and corrective action to ensure equal opportunity and civil rights for customers and employees. To deter violations, managers and supervisors are required to take appropriate corrective or disciplinary action in findings of discrimination, reprisal, civil rights violations, and related misconduct in employment and program matters. NRCS will ensure appropriate corrective or disciplinary action is taken against violators who engage in discriminatory behavior. Simply put, accountability is key to our success.

*Helping People Help the Land*  
An Equal Opportunity Provider and Employer

**NRCS CHIEF’S CIVIL RIGHTS POLICY  
STATEMENT for FY2012  
Chief Dave White  
January 2012**

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[www.ia.nrcs.usda.gov/about/Posters.html](http://www.ia.nrcs.usda.gov/about/Posters.html)

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We must embrace the goals of “Cultural Transformation” as expressed by Secretary Vilsack. On August 29, 2011, I sent an email message to all NRCS employee’s titled “What is Cultural Transformation” and it was followed in September, by an agency-wide training entitled “Starting the Cultural Transformation Conversation.” As I renew my commitment and the expectation of the agency to be committed to equal opportunity and civil rights, it is imperative to remind everyone that the core values of cultural transformation include of the principles of equal opportunity and civil rights. As such, I am incorporating Cultural Transformation as part of the NRCS Civil Rights policy.

Cultural Transformation is a “strategic effort to ensure every employee, partner, and customer can operate in an environment that is diverse, inclusive and high performing.” Cultural transformation is a shift in our thinking, a modification in our behavior, and ultimately, a greater, more accepting world view about what it is that makes each of us unique. At NRCS, cultural transformation is not a dramatic departure from how we operate, instead it is an affirmation of our core beliefs, founded upon mutual respect for each other and an abiding core value to conserve our natural resources.

All NRCS employees are expected to model equal opportunity, civil rights, and cultural transformation, and managers and supervisors must demonstrate an elevated regard by supporting civil rights, equal employment opportunity, diversity, and cultural transformation. The Civil Rights Division will continue to provide guidance and ensure the agency’s compliance with the laws and principles of equality for employment and programs.

NRCS can achieve and maintain a diverse workforce with an abundance of opportunities for every employee to reach his or her full potential. We can also achieve our critical mission of providing assistance and service to conserve our Nation’s natural resources, but it requires every employee’s cooperation and commitment. I have every confidence that you will take this responsibility seriously and do your part to renew and champion our commitment to equal opportunity, civil rights, and cultural transformation.

If you have questions, concerns, suggestions, or complaints of discrimination, contact the Civil Rights Division at (301) 504-2181.

Dave White  
Chief

**NRCS CHIEF’S CIVIL RIGHTS POLICY  
STATEMENT for FY2012  
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Natural Resources Conservation Service  
P.O. Box 2890  
Washington, D.C. 20013

FEB 14 2012

SUBJECT: EOP – Anti-Harassment Policy Statement

TO: All NRCS Employees

File Code: 230-15

The Natural Resource Conservation Service (NRCS) Anti-Harassment Policy Statement reaffirms my commitment to prohibit sexual and non-sexual harassment in the agency's work environment and program delivery.

Sexual and non-sexual harassment (a form of discrimination) based on a prohibited basis of race, color, national origin, sex (including gender identity and expression) gender, religion, age (40 and over), mental or physical disability, political affiliation or belief, sexual orientation, marital or familial status, genetic information, and reprisal (retaliation) for prior Equal Employment Opportunity activity is prohibited by the agency.

For the purpose of this policy, harassment is defined as any objectionable verbal or physical conduct, comment, or display which demeans, disparages, aggravates, intimidates, or causes humiliation or embarrassment to another person. Harassment is a reasonably known unwelcome offense and serves no legitimate work purpose. Harassment occurs based on any of the above protected characteristics when:

- (a) The behavior can reasonably be considered to adversely affect the work environment (create an intimidating, hostile, or offensive work environment);
- (b) An employment decision affecting the employee is based upon the employee's acceptance or rejection of such conduct;
- (c) Unreasonable interference with an individual's work performance; and
- (d) An individual's employment opportunities are affected.

Harassing conduct includes, but not limited to:

Physical – Actual or threatened assault including hitting, tripping, kicking, punching, or unwanted touching; malicious or insulting gestures.

Verbal – Unwelcome remarks, jokes, innuendos, or taunts causing offense or embarrassment; name calling, swearing, bullying, expressing or insinuating threats, incessant teasing, wolf whistling, or spreading rumors.

Helping People Help the Land  
An Equal Opportunity Provider and Employer

# NRCS ANTI-HARASSMENT POLICY STATEMENT

Chief Dave White  
February 2012

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Page 2

Psychological – Shunning or ostracizing, stalking, staring; gesturing; preventing someone from joining in an activity; hiding, damaging, or taking another's property; and displaying objectionable materials, graffiti or pictures.

Intimidation – Use of physical or organizational power to coerce a person to perform a particular action or to instill a feeling of humiliation or intimidation. Intimidation does not include the exercise of supervisory authority in the ordinary course of agency business.

NRCS strictly prohibits the use of abuse or official authority or position to intimidate, coerce, or harass employees or customers. Managers and supervisors are subject to receive disciplinary or adverse action for tolerating harassment and failing to take appropriate and immediate action when harassment is reported.

Personnel actions that a supervisor or manager takes for valid reasons do not constitute harassment in the workplace. Please note that this notice does not limit the supervisor's right to manage effectively. All employees must be proactive in preventing harassment and promoting a discrimination free workplace.

Any employee who is subjected to or witnesses conduct which is unwelcome and perceived to be harassment, or receives a report of alleged harassment, should immediately report the incidents to a NRCS official. If an informal attempt at resolution fails or is impractical, employees may seek relief from harassment based on one or more of the above-cited prohibited basis by contacting the NRCS Civil Rights Division, Complaints Branch at 1-866-NRCS-295 or TTY at (301) 504-2439 within 45 days of the alleged incident. All other allegations of harassment (non-discriminatory) may be reported directly to an official.

As Chief of NRCS, I am fully committed to ensuring that every employee and customer is treated with respect and dignity. Managers, supervisors, and employees must remain cognizant of this policy and refrain from perpetuating acts of harassment. All employees, including contractors and others performing official work for the agency, must fully support this zero tolerance harassment policy.

Dave White  
Chief

# NRCS ANTI-HARASSMENT POLICY STATEMENT

Chief Dave White  
February 2012

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United States Department of Agriculture  
Office of the Secretary  
Washington, D.C. 20250

**Civil Rights Policy Statement**

As Secretary of Agriculture, I fully support the U.S. Department of Agriculture's (USDA) civil rights, equal employment opportunity, and diversity policies and programs. Improving civil rights throughout USDA is one of my top priorities, and by pursuing this goal together in a transparent and ethical manner we can lead the way in making USDA a model organization.

The success of today's "People's Department" requires the steadfast support and commitment of every USDA employee. We will have zero tolerance for any form of discrimination or reprisal. There exists *no reason to discriminate* based on race, color, religion, national origin, age, sex (including gender identity and expression), sexual orientation, disability, marital or familial status, political beliefs, parental status, receipt of public assistance, or protected genetic information. Our policy at USDA is simply to understand that there will be zero tolerance for any form of discrimination. This standard is *applicable to every employee* at USDA and to every action taken at USDA.

To realize our vision of a modern workforce working in a modern workplace, USDA must become a model department of tolerance and inclusion. Only then will we live up to President Lincoln's description of USDA as "The People's Department." This is my commitment to you, and I expect every employee to demonstrate respect for and adherence to USDA civil rights, equal employment opportunity, and diversity policies.

To this end, accountability is key. USDA employees will be held accountable for doing their part to ensure that all USDA applicants, customers, constituents, and stakeholders as well as other USDA employees are provided equal access to the opportunities, programs, and services available through "The People's Department." Accordingly, I am counting on all senior leaders, managers, and supervisors to model appropriate behavior and to lead by example.

We must all strive to create an inclusive environment in which every employee is respected, trusted, and valued. Let us continue to cultivate and reap the benefits of a diverse USDA workforce that is rich in talent, ideas, background, and experience. The USDA mission depends on it.

Thomas J. Vilsack  
Secretary  
June 2, 2011

An Equal Opportunity Employer

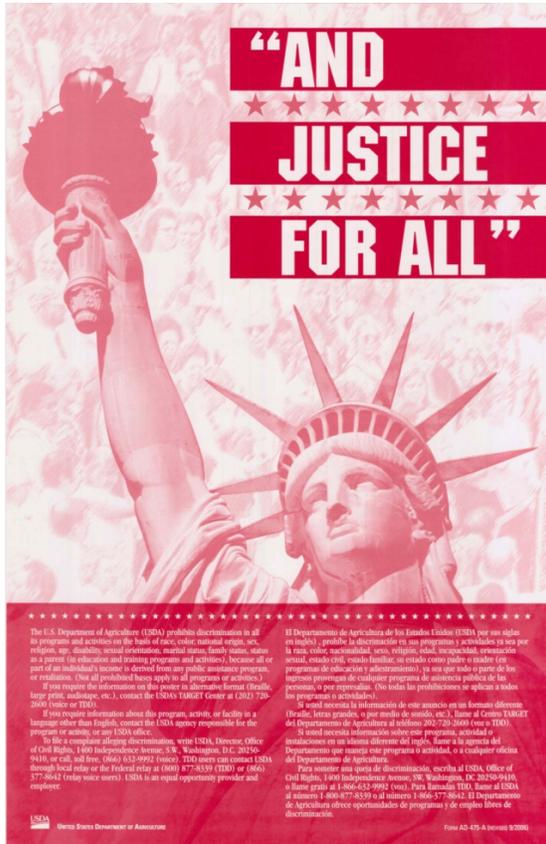
**USDA SECRETARY CIVIL RIGHTS POLICY STATEMENT**  
**Secretary Tom Vilsack**  
**June 2, 2011**

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**AND JUSTICE FOR ALL**

**PUBLIC DISPLAY**

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Red and white.

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**NRCS**  
Natural Resources Conservation Service

# EEO

## Equal Employment Opportunity Counseling Program

**Discrimination in Employment Is Illegal!**

**WHO**  
Any employee or applicant who believes that he or she has been discriminated against on the basis of race, color, religion, national origin, sex, age (40+), physical or mental disability, retaliation (for prior participation in the EEO complaint process), sexual orientation, genetic information, political beliefs, parental status, and/or marital status may request EEO counseling.

**WHEN**  
In order to protect your civil rights, you must contact an EEO counselor within 45 calendar days of the alleged discriminatory event.



Phone: (301) 504-2181 or 1-866-NRCS395  
(301) 504-2439 (voice or TTY)  
Federal Relay Service: 1-800-877-8339 (voice or TTY)

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, sex, national origin, age, disability, and marital status. USDA also prohibits discrimination on the basis of religion, sexual orientation, genetic information, political beliefs, parental status, and/or marital status. Persons with disabilities who require alternative means of communication (voice, TTY) should contact USDA's TARGET Center at (202) 720-2600 (voice) or (202) 720-2600 (TTY). USDA is an equal opportunity employer.

## NRCS EEO COUNSELING PROGRAM

January 2002

IN-HOUSE DISPLAY  
Required Display: NRCS Offices  
**REQUIRED SIZE: 11 X 17**  
Available at:  
[www.ia.nrcs.usda.gov/about/Posters.html](http://www.ia.nrcs.usda.gov/about/Posters.html)

## EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW

**Who May File a Complaint:**

- Employees, former employees, or applicants for employment have a right to file an EEO complaint under various Federal laws, if they believe they have been discriminated against on the basis of:
  - Protected Genetic Information
  - Retaliation for EEO activity
  - Sexual Orientation
  - Political Affiliation
  - Marital Status
  - Status as a Parent
  - Race
  - Color
  - Religion
  - Sex
  - National Origin
  - Age (40+)
  - Disability

**When to File a Complaint:**

- Within 45 calendar days of the date of the matter alleged to be discriminatory or, in the case of a personnel action, within 45 days of the effective date of the action.

**How to File a Complaint:**

- Contact your Agency's Civil Rights Office or an EEO Counselor.
- Information on how to file an EEO complaint or to identify an EEO Counselor can be found on the Office of Civil Right's Website: [www.usda.gov/cr](http://www.usda.gov/cr) or (202) 720-7467 or (202) 720-6382 TTY.

*Persons with disabilities who require alternative means of communication (Braille, large print, audiotope, etc.) should contact USDA's TARGET Center at (202) 720-2600 (Voice/TTY).*

**USDA**  
United States Department of Agriculture  
USDA is an equal opportunity employer

AD-1181 September 2003

## USDA EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW

AD-1181 Rev 09/03

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# EMPLOYEE RIGHTS

## UNDER THE FAIR LABOR STANDARDS ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

### FEDERAL MINIMUM WAGE

# \$7.25 PER HOUR

BEGINNING JULY 24, 2009

- OVERTIME PAY** At least 1½ 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-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 under the following conditions:
- No more than**
- 3 hours on a school day or 18 hours in a school week;
  - 8 hours on a non-school day or 40 hours in a non-school week.
- Also, work may not begin before 7 a.m. or end after 7 p.m., except from June 1 through Labor Day, when evening hours are extended to 9 p.m. Different rules apply in agricultural employment.
- TIP CREDIT** Employers of "tipped employees" must pay 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. Certain other conditions must also be met.
- ENFORCEMENT** The Department of Labor may recover back wages either administratively or through court action, for the employees that have been underpaid in violation of the law. Violations may result in civil or criminal action.
- Employers may be assessed civil money penalties of up to \$1,100 for each willful or repeated violation of the minimum wage or overtime pay provisions of the law and up to \$11,000 for each employee who is the subject of a violation of the Act's child labor provisions. In addition, a civil money penalty of up to \$50,000 may be assessed for each child labor violation that causes the death or serious injury of any minor employee, and such assessments may be doubled, up to \$100,000, when the violations are determined to be willful or repeated. The law also prohibits discriminating against or discharging workers who file a complaint or participate in any proceeding under the Act.
- 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 and the Commonwealth of the Northern Mariana Islands.
  - Some state laws provide greater employee protections; employers must comply with both.
  - The law requires employers to display this poster where employees can readily see it.
  - Employees under 20 years of age may be paid \$4.25 per hour during their first 90 consecutive calendar days of employment with an employer.
  - 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.

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

WHD Publication 1088 (Revised July 2009)

## NOTICE TO EMPLOYEES -- FEDERAL MINIMUM WAGE

Revised July 2009

Required by US Dept of Labor, Employment Standards Administration, Wage and Hour Division.

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SAND CREEK GROUP, LTD.  
RESOURCES WITHOUT BARRIERS

### Your Employee Assistance Program

Bringing balance to your work and home life

The Employee Assistance Program (EAP) offers free, confidential assessment, short-term counseling and referral designed to assist you and your family members with:

- Relationships
- Work Issues
- Financial Concerns
- Childcare Referral
- Substance Abuse
- Problem Gambling
- Elder Care
- Stress
- And Other Life Concerns

WE'RE ONLY A PHONE CALL AWAY

**1-888-243-5744**

24 HOURS A DAY  
7 DAYS A WEEK  
CONFIDENTIAL

Sand Creek Group, Ltd.  
610 North Main Street, Suite 200, Stillwater, MN 55082  
[www.sandcreekeap.com](http://www.sandcreekeap.com) ~ 888-243-5744 or 651-430-3383

## EMPLOYEE ASSISTANCE PROGRAM POSTER

*The Sand Creek Group Ltd.*

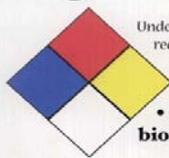
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# Employees' Right to Know



Under State law, any employee may request information about these materials in the workplace.

- Toxic substances
- Chemical and biological agents

## You have a right to know

- The identity of any chemical and biological agents with which you work or to which you may be exposed.
- The hazardous effects of these substances.
- The precautions to observe when handling these substances.
- The procedures to follow when emergency medical treatment is needed in the event of overexposure.

Agricultural Material Safety Data Sheets (MSDS) are available at the Crop Protection Reference website, at [www.greenbook.net](http://www.greenbook.net). Pesticide Re-entry Intervals (REI) are available at <http://pestdata.nrcs.usda.gov/cropprofiles/cropprofiles.cfm>

To find out more about how to request information on toxic substances used in this work area, review the Iowa NRCS Hazard Communication Plan, or contact:

Chris Knudsen, HR Manager  
Safety Officer  
210 Walnut Street  
693 Federal Building  
Des Moines, IA 50309  
515-284-4587

Barb Stewart, Agronomist  
Hazard Control Program Coordinator  
210 Walnut Street  
693 Federal Building  
Des Moines, IA 50309  
515-284-4370



Poison Information 1-800-222-1222  
Pesticide Team Safety Network 1-800-420-9300

## EMPLOYEES' RIGHT TO KNOW

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## This Organization Participates in E-Verify



This SWA will provide the Social Security Administration (SSA) and, if necessary, the Department of Homeland Security (DHS), with information from each applicant's Form I-9 to confirm work authorization.

IMPORTANT: If the Government cannot confirm that you are authorized to work, this SWA is required to provide you written instructions and an opportunity to contact SSA and/or DHS before taking adverse action against you, including terminating your employment.

**NOTICE:**  
Federal law requires all employers to verify the identity and employment eligibility of all persons hired to work in the United States.

SWA and employers may not use E-Verify to re-verify current employees and may not limit or influence the choice of documents presented for use on the Form I-9.

If you believe that your SWA has violated its responsibilities under this program or has discriminated against you during the verification process based upon your national origin or citizenship status, please call the Office of Special Counsel for Immigration Related Unfair Employment Practices at 1-800-255-7688 (TDD: 1-800-237-2515).

Employment Verification. Done.

For more information on E-Verify, please contact DHS at:

**1-888-464-4218**

The E-Verify logo and such are registered trademarks of Department of Homeland Security. Commercial use of this poster is strictly prohibited.



E-VERIFY IS A SERVICE OF DHS AND SSA. © 2010 DHS. 12/2010

## Employment Eligibility Verification Program (E-Verify) December 2010

**Updated**

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**EMPLOYEE RIGHTS AND RESPONSIBILITIES  
UNDER THE FAMILY AND MEDICAL LEAVE ACT**

**Basic Leave Entitlement**  
FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employer's child after birth, or placement for adoption or foster care;
- To care for the employer's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employer's job.

**Military Family Leave Entitlements**  
Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintroduction briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in equivalent status; or is on the temporary disability retired list.

**Benefits and Protections**  
During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be returned to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefits that accrued prior to the start of an employee's leave.

**Eligibility Requirements**  
Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

**Definition of Serious Health Condition**  
A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either one or more of the following: a period of incapacity of more than 3 consecutive calendar days that requires the employee to use a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

**Use of Leave**  
An employee does not need to use this leave entitlement in one block. Leave can be taken incrementally or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

**Substitution of Paid Leave for Unpaid Leave**  
Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

**Employer Responsibilities**  
Employers must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employers must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer of the requested leave in the manner for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic re-certification supporting the need for leave.

**Employer Responsibilities**  
Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employee's rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

**Unlawful Acts by Employers**  
FMLA makes it unlawful for any employer to:  
• Interfere with, restrain, or deny the exercise of any right provided under FMLA;  
• Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or related to FMLA.

**Enforcement**  
An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.309(a) may require additional disclosures.



For additional information:  
1-866-4US-WAGE (1-866-487-9234) TTY: 1-877-889-5627  
[WWW.WAGEHOUR.DOL.GOV](http://WWW.WAGEHOUR.DOL.GOV)



U.S. Department of Labor | Employment Standards Administration | Wage and Hour Division | WHD Publication 1027 Revised October 2009

**FAMILY & MEDICAL LEAVE ACT**

WH Publication 1420 Revised January, 2009  
Required by US Dept of Labor, Employment Standards Administration, Wage and Hour Division.

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**Occupational Safety and Health Protection For Employees of the Department of Agriculture**



The Occupational Safety and Health Act of 1970, Executive Order 12196 and 29 CFR 1960 require the heads of Federal agencies to furnish to employees places and conditions of employment that are free from job safety and health hazards.

**Responsibilities of Your agency**  
**1. General Requirements**  
The Secretary of Agriculture and each USDA agency head will furnish USDA employees places and conditions of employment that are free from recognized on-the-job safety and health hazards that are causing or likely to cause death or serious physical harm.  
**2. OSHA Regulation**  
All USDA agencies will comply with applicable regulations of the Occupational Safety and Health Administration and the Department of Agriculture.  
**3. Reporting Hazards**  
USDA will respond to employee reports of hazards in the workplace within 24 hours for imminent dangers, 3 days for serious conditions, and 20 days for others. A log of such reports will be maintained by each USDA agency.  
**4. Workplace Inspections**  
USDA will insure that each workplace is inspected at least annually by a qualified safety and health inspector for hazardous conditions. More frequent inspections will be conducted where there is an increased risk of accident, injury, or illness due to the nature of the work performed. USDA will post Notices of Unsafe or Unhealthful Working Conditions found during the inspections for a minimum or three working days, or until the hazard is corrected, whichever is later.  
**5. Correction of Unsafe Conditions**  
USDA will take prompt action to assure that hazardous conditions are eliminated. Imminent danger conditions will be corrected immediately.  
**6. Safety and Protective Equipment**  
USDA will acquire, maintain and require use of appropriate protective and safety equipment.  
**7. Safety and Health Training**  
USDA will provide occupational safety and health training for employees.

**8. Reporting Accidents, Injuries and Occupational Illnesses**  
Supervisors must submit a supervisor's report of accidental injury/illness for all work-related accidents, occupational illnesses experienced by employees under their supervision. Each USDA establishment or other central employee reporting site will maintain a log of accidents, injuries and illness for that location.  
**9. Safety and Health Committees**  
USDA agencies may form safety and health committees that include both management and employee representatives.  
**Employee Responsibilities**  
**1. Compliance with Standards**  
Employees shall comply with all OSHA and approved USDA occupational safety and health standards, policies and operating procedures.  
**2. Safety and Protective Equipment**  
Employees shall use appropriate protective and safety equipment provided by USDA.  
**Rights of Employees and Their Representatives**  
**1. Participation in Safety and Health Program**  
Employees and their representatives shall have the right to participate in the USDA Safety and Health Program. Employees shall be authorized official time for these activities.  
**2. Access to Records and Documents**  
Employees and their representatives shall have access to copies of applicable OSHA and other recognized standards and regulations; USDA agency safety and health policies and directives; and accident, injury and illness statistics of the USDA.  
**3. Reporting Hazards**  
Employees and their representatives shall have the right to report unsafe or unhealthful working conditions to appropriate officials; and to request an inspection of the workplace. The name of the employee making the report will be kept confidential if requested.

**4. Freedom from Fear of Reprisal**  
Employees and their representatives are protected from restraint, interference, coercion, discrimination, or reprisal for exercising any of their rights under the USDA Safety and Health Program.  
**Responsible Official:**  
The Safety and Health Designee for this workplace is:  
(Name) \_\_\_\_\_  
and may be contacted at \_\_\_\_\_  
  
(Telephone Number) \_\_\_\_\_  
The Designated Agency Safety and Health Official (DASHO) for this workplace is:  
(Name) \_\_\_\_\_  
and may be contacted at: \_\_\_\_\_  
  
(Telephone Number) \_\_\_\_\_  
The USDA Headquarters Director, Safety and Health Management Division may be contacted at:  
(202) 729-8248  
  
**Further Information**  
This notice highlights the USDA employee job safety and health program. More information about your agency program or its standards and procedures may be obtained from the workplace Safety and Health Designee.  
  
Washington, D.C.  
1999  
  
Secretary  
US Department of  
Agriculture  
  
AD 1010

**OCCUPATIONAL SAFETY AND HEALTH PROTECTION FOR EMPLOYEES OF THE DEPARTMENT OF AGRICULTURE**

Form AD 1010 - 1999

**IN-HOUSE DISPLAY**

Required Display: NRCS Offices  
Available at:

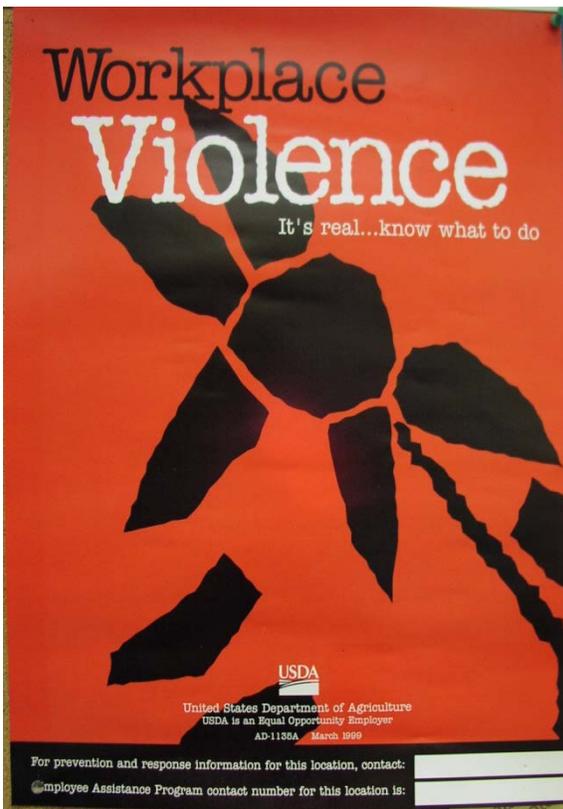
[www.ia.nrcs.usda.gov/about/Posters.html](http://www.ia.nrcs.usda.gov/about/Posters.html)





**USDA SEXUAL HARRASSMENT IS ILLEGAL**  
AD 1085, September 2003

**IN-HOUSE DISPLAY**  
Required Display: NRCS Offices  
**REQUIRED SIZE: 11 X 17**  
Available at:  
[www.ia.nrcs.usda.gov/about/Posters.html](http://www.ia.nrcs.usda.gov/about/Posters.html)



**WORKPLACE VIOLENCE**  
AD-1135A

**IN-HOUSE DISPLAY**  
Required Display: NRCS Offices.  
NOTE: Each office must place their contact information, as contained in the USDA Service Center's or NRCS Office *Emergency Preparedness Plan*. The phone number for the EAP must be included, as well. The numbers are: **1-888-243-5744 (TDD) 1-800-627-3529**  
Available at:  
[www.ia.nrcs.usda.gov/about/Posters.html](http://www.ia.nrcs.usda.gov/about/Posters.html)

**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.

**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 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.

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 the address: <http://www.dol.gov/vets/program/userrra.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  
 Publication Date—October 2008

**YOUR RIGHTS UNDER USERRA**  
 Revised October 2008

**IN-HOUSE DISPLAY**  
 Required Display: NRCS Offices  
 Available at:  
[www.ia.nrcs.usda.gov/about/Posters.html](http://www.ia.nrcs.usda.gov/about/Posters.html)

**USDA Hotline**  
 REPORT VIOLATIONS OF LAWS AND REGULATIONS RELATING TO USDA PROGRAMS

- ✓ Criminal Activity, such as:
  - Bribery
  - Smuggling
  - Theft
  - Fraud
  - Endangerment of Public Health or Safety
- ✓ Mismanagement / Waste of Funds
- ✓ Workplace Violence
- ✓ Employee Misconduct
- ✓ Research Misconduct
- ✓ Conflict of Interest

call > **800.424.9121**  
**202.690.1622**  
**202.690.1202 (TDD)**

fax > **202.690.2474**  
 or

write > **United States Department of Agriculture**  
**Office of Inspector General**  
**PO Box 23399**  
**Washington, DC 20026-3399**

website > **www.usda.gov/oig**  
 e-mail > **usda.hotline@oig.usda.gov**

reward > Cash rewards may be paid for information leading to the conviction of individuals involved in the commission of particular felonies.  
 The identity of writers and callers is protected under the provisions of the Whistleblower Protection Act of 1989.

USDA  
 United States Department of Agriculture • Office of Inspector General

**USDA HOTLINE**

**Updated**

**PUBLIC DISPLAY**  
 Required Display: NRCS Offices  
**REQUIRED SIZE: 11 x 17**  
 Available at:  
[www.ia.nrcs.usda.gov/about/Posters.html](http://www.ia.nrcs.usda.gov/about/Posters.html)



## Prohibited Personnel Practices

By law, Federal employees may not:

- Discriminate
- Solicit or consider employment recommendations based on factors other than personal knowledge or records of job related abilities or characteristics
- Coerce the political activity of any person
- Deceive or willfully obstruct any person from competing for employment
- Influence any person to withdraw from job competition
- Give an unauthorized preference or advantage to improve or injure the prospects of any particular person for employment
- Engage in nepotism
- Take or threaten to take a personnel action because of whistleblowing
- Take or threaten to take a personnel action because of the exercise of a lawful appeal, complaint, or grievance right
- Discriminate based on personal conduct which does not adversely affect the performance of the employee or other employees
- Knowingly take or fail to take a personnel action in the violation of veteran's preference laws
- Violate any law, rule or regulation implementing or directly concerning merit system principles

More information may be obtained from:

U.S. OFFICE OF SPECIAL COUNSEL  
1730 M STREET, N.W., SUITE 218  
WASHINGTON, DC 20036-4505

[WWW.OSC.GOV](http://WWW.OSC.GOV)

PHONE: (202) 254-3600\* TOLL FREE: 1-800-872-9855\*  
\*Hearing and Speech Disabled: Federal Relay Service 1-800-877-8339

Rev. 12/05

## PROHIBITED PERSONNEL PRACTICES

### IN-HOUSE DISPLAY

Required Display: NRCS Offices  
Available at:

[www.ia.nrcs.usda.gov/about/Posters.html](http://www.ia.nrcs.usda.gov/about/Posters.html)



## Whistleblower Retaliation 5 U.S.C. § 2302(b)(8)

### What Is Whistleblower Retaliation?

A federal employee authorized to take, direct others to take, recommend or approve any personnel action may not take, fail to take, or threaten to take any personnel action against an employee because of protected whistleblowing.

*EXAMPLE: A supervisor directs the geographic reassignment of an employee because the employee reported safety violations to senior agency officials.*

Protected whistleblowing is defined as disclosing information which the discloser reasonably believes evidences:

1. a violation of law, rule, or regulation,
2. gross mismanagement,
3. gross waste of funds,
4. an abuse of authority, or
5. a substantial and specific danger to public health or safety.

### What Can You Do If You Believe Whistleblower Retaliation Has Occurred?

If you believe that you have been subject to retaliation for protected whistleblowing you can file a complaint with the Office of Special Counsel (OSC). OSC is an independent agency that investigates and prosecutes allegations of prohibited personnel practices (PPP) by federal employees. OSC has the authority to investigate PPPs, including allegations of whistleblower retaliation, and may seek corrective or disciplinary action when warranted.

For more information contact:

U.S. OFFICE OF SPECIAL COUNSEL  
1730 M STREET, N.W., SUITE 218  
WASHINGTON, DC 20036-4505

PHONE: (202) 254-3600 TOLL FREE: 1-800-872-9855\*  
\*Hearing and Speech Disabled: Federal Relay Service 1-800-877-8339

[WWW.OSC.GOV](http://WWW.OSC.GOV)

Rev. 12/05

## WHISTLEBLOWER RETALIATION

### IN-HOUSE DISPLAY

Required Display: NRCS Offices  
Available at:

[www.ia.nrcs.usda.gov/about/Posters.html](http://www.ia.nrcs.usda.gov/about/Posters.html)

**No Firearms or Weapons Allowed  
in USDA Service Center**



Federal law prohibits the possession of firearms or other dangerous weapons in Federal facilities and Federal court facilities by all persons not specifically authorized by 18 U.S.C 930. Violators will be subject to fine and/or imprisonment for periods up to (5) years.

**No Firearms or Weapons Allowed in  
USDA Service Center**

**IN-HOUSE DISPLAY**

Optional: To be displayed in a front door at a Service Center

Available at:

[www.ia.nrcs.usda.gov/about/Posters.html](http://www.ia.nrcs.usda.gov/about/Posters.html)

**No Firearms or Weapons  
Allowed in USDA Office**



Federal law prohibits the possession of firearms or other dangerous weapons in Federal facilities and Federal court facilities by all persons not specifically authorized by 18 U.S.C 930. Violators will be subject to fine and/or imprisonment for periods up to (5) years.

**No Firearms or Weapons Allowed in  
USDA Office**

**IN-HOUSE DISPLAY**

Option: To be displayed in a front door at NRCS Offices not part of a service center

Available at:

[www.ia.nrcs.usda.gov/about/Posters.html](http://www.ia.nrcs.usda.gov/about/Posters.html)

The following poster is no longer required to be posted:

# EMPLOYEE RIGHTS UNDER THE DAVIS-BACON ACT

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

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

**PREVAILING WAGES** You must be paid not less than the wage rate listed in the Davis-Bacon Wage Decision posted with this Notice for the work you perform.

**OVERTIME** You must be paid not less than one and one-half times your basic rate of pay for all hours worked over 40 in a work week. There are few exceptions.

**ENFORCEMENT** Contract payments can be withheld to ensure workers receive wages and overtime pay due, and liquidated damages may apply if overtime pay requirements are not met. Davis-Bacon contract clauses allow contract termination and debarment of contractors from future federal contracts for up to three years. A contractor who falsifies certified payroll records or induces wage kickbacks may be subject to civil or criminal prosecution, fines and/or imprisonment.

**APPRENTICES** Apprentice rates apply only to apprentices properly registered under approved Federal or State apprenticeship programs.

**PROPER PAY** If you do not receive proper pay, or require further information on the applicable wages, contact the Contracting Officer listed below:

or contact the U.S. Department of Labor's Wage and Hour Division.

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 | Employment Standards Administration | Wage and Hour Division 909 120/Revised April 2009