

On The Job

EMPLOYMENT AND BENEFITS

Now that you are 18, it's time to get to work. However, before doing so, you must have a Social Security number. If you do not already have a Social Security number, call the Social Security Administration Office. The national toll free telephone number is (800) 772-1213.

BENEFITS

When you interview for a job, there are a number of benefits you need to discuss with the employer. It is important to know if your employer carries a health/medical insurance plan and, if so, when coverage begins, especially since you may no longer be covered by your parents' health insurance plan. You need to understand exactly what your employer's insurance plan covers, and when and how to use it once you are covered. If you don't have insurance and you get sick or hurt and are unable to work, you may be faced with huge medical bills. In addition, find out whether your employer provides dental insurance, life insurance, disability insurance, and even a retirement or 401(k) plan. Some of these benefits may be optional, and it is necessary to understand how they work and how much you will be required to pay out of your own pocket. Some employers hand out a manual of benefits and services to new employees. Keep this handy and review any updates you receive.

CONTRACTS

Although a written employment contract is not necessary or common, it is possible that your employer will present one to you. Most employment contracts are verbal, not in writing. An "at will" contract is one that means that an employer can fire an employee at any time without warning and for no reason. Of course, there are exceptions. An employer may not fire or discriminate against someone because of race, sex, color, religion, national origin, physical or mental disability, or age. Many employers have a manual that explains policies and procedures, as well as an "employee handbook," which explains rights and responsibilities. You should ask about each of these and become familiar with them. If there is a problem at work, you should follow any procedures set forth in any manual or handbook you received.

PAY

At the time they are hired, new employees should understand how much they will be getting paid and how often checks are issued. If you disagree with the employer about the amount you are being paid, or if they fail to pay you, the Department of Labor and Employment, Labor Standards Unit, of the state of

Colorado can help. In Colorado call (888) 390-7936. This agency ensures that the wage and hour laws are enforced. If you are not paid when you are supposed to be, Colorado law allows you to pursue a wage claim against the employer. If a legal action is necessary and you win, you are also entitled to your attorney's fees.

DISCRIMINATION

Job discrimination occurs whenever an employer makes decisions about an employee's hiring, wages, working conditions, promotions, vacations, or other benefits based on the employee's age, sex, race, color, national origin, marital status, physical or mental disability, or religion. Discrimination is illegal. If a job can be performed only by people of a certain sex or by people having certain physical or mental capabilities, it is lawful for an employer to hire any person meeting such job qualifications.

If you believe someone has discriminated against you because of your race, sex, color, religion, national origin, physical or mental ability, or age, you should contact the Colorado Civil Rights Division at (303) 894-2997 or (800) CO CIVIL, or the local Equal Employment Opportunity Commission at (303) 866-1300. You may wish to contact an attorney who deals with employment law and discrimination in the workplace.

SEXUAL HARASSMENT

It is against the law to "sexually harass" another person. Sexual harassment includes unwelcomed sexual advances, requests for sexual favors, verbal or physical contact of a sexual nature that interferes with the person's performance on the job, or sexual conduct that creates an intimidating, hostile or offensive working environment. It is illegal for an employer to refuse to hire or promote someone for refusing to submit to sexual advances. It is also illegal to fire someone for refusing to submit to sexual advances. A "hostile working environment" is difficult to define. It may be created by sexual jokes, sexual photos, or other behavior that makes the person feel uncomfortable. It is usually a pattern of behavior, but it also may involve a single offensive incident.

Sexual harassment also can occur at high schools and colleges. Most schools have specific sexual harassment policies and complaint procedures. If you believe your rights have been violated under these standards, your first step is to see if your employer or school has a sexual harassment policy, and then follow its procedures. If this fails to lead to immediate satisfactory results, contact an attorney to advise you of your rights.

UNEMPLOYMENT COMPENSATION

Consider this: You've worked for a company for a while and suddenly your job is eliminated or you are terminated or "laid off." You have the right to apply for unemployment benefits when you are out of work. Unemployment benefits

typically do not equal what you were previously making, which is an incentive for you immediately to look for work again. In Colorado, to collect unemployment benefits you must be partially or fully unemployed, registered for work at an unemployment or job service office, make a claim for benefits, be able and available to work, and be actively looking for work. You may be eligible if you were fired for reasons not related to your job, were unable to do the job, left a job due to illness and were not eligible for rehire, or were laid-off. You have a right to appeal any decision concerning your eligibility. You must report your job search efforts while receiving benefits. Be prepared to provide names of companies and people you've applied to work for and interviewed with. You also must report all temporary or part-time work and wages earned. In Colorado, you may receive up to twenty-six weeks of benefits. For more information, call (800) 388-5515, or in the Denver metro area, call (303) 318-9000.

WORKERS' COMPENSATION

If you are injured on the job, you may be entitled to workers' compensation benefits. All employers are required to carry insurance or be self-insured. Your employer's insurance pays for reasonable and necessary medical benefits to cure and relieve the effects of your job-related injury. This includes medical/doctor bills, prescription medicines, supplies prescribed by your physician, and mileage to and from your medical appointments. You may receive two-thirds of your average weekly wage (up to a maximum of 91% of the state average weekly wage) if you are off work for more than three days under physician orders. This must be paid at least every two weeks. You also may receive temporary partial disability benefits when you are able to return to work only on a part-time basis or are earning less than your date-of-injury wage (two-thirds of the difference between current earnings and average weekly wage), permanent partial disability benefits when full recovery from the injury is not possible, permanent total disability benefits when you are unable to earn any wages in the same or other employment, and disfigurement benefits for any scarring that resulted from the injury or surgeries subsequent to the injury.

When you are injured on the job, you must report the injury in writing to your employer within four days of the injury, or you may lose benefits. You should seek medical care as soon as possible. In Colorado, your employer has the right to select the physician who will examine you. If the employer makes no selection, the employee has a right to select the doctor. If the employer fails or refuses to file an Employer's First Report of Injury, you must file a Worker's Claim for Compensation with the Division of Workers' Compensation, (303) 318-8700, within two years of the injury. Consult with an attorney familiar with worker's compensation law before you sign anything or attempt to bring any action against the employer as a result of an on-the-job injury.