

### Important Information:

1. All posters need to be current; check the web sites for updates for the listed posters.
2. When posters are not readable because of fading or weather, they must be replaced.
3. Poster's requirement comes from Federal Highway Administration, ADOT Civil Rights, Federal Laws or State Law.
4. Posters can change without much notice.

Weights - Minor, Major and Stop work or a high risk to public safety.

Location:	Address or Station:	Off Set: Right or Left of Centerline
Mobile Operation: Yes or No	Federal: Yes or No	Non Federal Project: Yes or No

0. Bulletin boards are accessible to all employees and applicants for employment at each location where construction work is performed. Bulletin boards are upright and at a height convenient for viewing.

- Standard Specifications 107.01
- OSHA 29 CFR 1903.2

YES

NO

NA

1. Bulletin Boards on the job site are in a safe location approved by the Engineer before any work was allowed to begin. The Bulletin Board(s) are large enough to legibly display all posters and other information required.

- Standard Specifications 107.01
- OSHA 29 CFR 1903.2

YES

NO

NA

2. Equal Employment Opportunity Is “The Law” poster and the Supplement poster to EEOC P/E-1 posters.

EEOC-P/E-1 and Mandatory Supplement to EEOC P/E-1. Posters must be current and may change without prior notice.

Standard Specifications 107.01

Executive Order 11246, as amended; Section 503 of the Rehabilitation Act of 1973, as amended; 38 U.S.C. 4212 of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended; 41 CFR Chapter 60-1 .42; 41 CFR 60-250.4(k);41 CFR 60-74 1.5(a); and FHWA-1273, §II(3)(d)

<https://www.fhwa.dot.gov/programadmin/contracts/poster.cfm>

YES

NO

NA

# Equal Employment Opportunity is **THE LAW**

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

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

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

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

### **DISABILITY**

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

### **AGE**

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

### **SEX (WAGES)**

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

### **GENETICS**

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

### **RETALIATION**

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

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

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

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

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## Employers Holding Federal Contracts or Subcontracts

Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases:

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

Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

### **INDIVIDUALS WITH DISABILITIES**

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship. 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.

### **DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS**

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination and requires affirmative action to employ and advance in employment disabled veterans, recently separated veterans (within

three years of discharge or release from active duty), other protected veterans (veterans who served during a war or in a campaign or expedition for which a campaign badge has been authorized), and Armed Forces service medal veterans (veterans who, while on active duty, participated in a U.S. military operation for which an Armed Forces service medal was awarded).

### **RETALIATION**

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these Federal laws.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at [OFCCP-Public@dol.gov](mailto:OFCCP-Public@dol.gov), or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor.

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## Programs or Activities Receiving Federal Financial Assistance

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

In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive 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.

# “EEO is the Law” Poster Supplement

## Employers Holding Federal Contracts or Subcontracts Section Revisions

*The Executive Order 11246 section is revised as follows:*

### **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.

### **PAY SECRECY**

Executive Order 11246, as amended, protects applicants and employees from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees.

*The Individuals with Disabilities section is revised as follows:*

### **INDIVIDUALS WITH DISABILITIES**

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, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship 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.

*The Vietnam Era, Special Disabled Veterans section is revised as follows:*

### **PROTECTED VETERANS**

The Vietnam Era Veterans’ Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.

*Mandatory Supplement to EEOC P/E-1(Revised 11/09) “EEO is the Law” Poster.*

If you believe that you have experienced discrimination contact OFCCP: 1-800-397-6251 | TTY 1-877-889-5627 | [www.dol.gov](http://www.dol.gov).

### 3. Employee Rights Under The National Labor Relations Act

U.S. Department of Labor

Posters must be current and may change without prior notice

Standard Specifications 107.01

Executive Order 13496

<https://www.dol.gov/general/topics/posters>

YES

NO

NA

# EMPLOYEE RIGHTS

## UNDER THE NATIONAL LABOR RELATIONS ACT

The NLRA guarantees the right of employees to organize and bargain collectively with their employers, and to engage in other protected concerted activity. Employees covered by the NLRA are protected from certain types of employer and union misconduct. This Notice gives you general information about your rights, and about the obligations of employers and unions under the NLRA. Contact the National Labor Relations Board, the Federal agency that investigates and resolves complaints under the NLRA, using the contact information supplied below, if you have any questions about specific rights that may apply in your particular workplace.

### **Under the NLRA, you have the right to:**

- Organize a union to negotiate with your employer concerning your wages, hours, and other terms and conditions of employment.
- Form, join or assist a union.
- Bargain collectively through representatives of employees' own choosing for a contract with your employer setting your wages, benefits, hours, and other working conditions.
- Discuss your terms and conditions of employment or union organizing with your co-workers or a union.
- Take action with one or more co-workers to improve your working conditions by, among other means, raising work-related complaints directly with your employer or with a government agency, and seeking help from a union.
- Strike and picket, depending on the purpose or means of the strike or the picketing.
- Choose not to do any of these activities, including joining or remaining a member of a union.

### **Under the NLRA, it is illegal for your employer to:**

- Prohibit you from soliciting for a union during non-work time, such as before or after work or during break times; or from distributing union literature during non-work time, in non-work areas, such as parking lots or break rooms.
- Question you about your union support or activities in a manner that discourages you from engaging in that activity.
- Fire, demote, or transfer you, or reduce your hours or change your shift, or otherwise take adverse action against you, or threaten to take any of these actions, because you join or support a union, or because you engage in concerted activity for mutual aid and protection, or because you choose not to engage in any such activity.

### **Under the NLRA, it is illegal for a union or for the union that represents you in bargaining with your employer to:**

- Threaten you that you will lose your job unless you support the union.
- Refuse to process a grievance because you have criticized union officials or because you are not a member of the union.
- Use or maintain discriminatory standards or procedures in making job referrals from a hiring hall.
- Cause or attempt to cause an employer to discriminate against you because of your union-related activity.

- Threaten to close your workplace if workers choose a union to represent them.
- Promise or grant promotions, pay raises, or other benefits to discourage or encourage union support.
- Prohibit you from wearing union hats, buttons, t-shirts, and pins in the workplace except under special circumstances.
- Spy on or videotape peaceful union activities and gatherings or pretend to do so.

- Take other adverse action against you based on whether you have joined or support the union

If you and your coworkers select a union to act as your collective bargaining representative, your employer and the union are required to bargain in good faith in a genuine effort to reach a written, binding agreement setting your terms and conditions of employment. The union is required to fairly represent you in bargaining and enforcing the agreement.

**Illegal conduct will not be permitted.** If you believe your rights or the rights of others have been violated, you should contact the NLRB promptly to protect your rights, generally within six months of the unlawful activity. You may inquire about possible violations without your employer or anyone else being informed of the inquiry. Charges may be filed by any person and need not be filed by the employee directly affected by the violation. The NLRB may order an employer to rehire a worker fired in violation of the law and to pay lost wages and benefits, and may order an employer or union to cease violating the law. Employees should seek assistance from the nearest regional NLRB office, which can be found on the Agency's website: [www.nlrb.gov](http://www.nlrb.gov).

You can also contact the NLRB by calling toll-free: **1-844-762-NLRB (6572)**. Hearing impaired callers who wish to speak to an NLRB representative should contact the Federal Relay Service by visiting its website at <https://www.federalrelay.us/tty>, calling one of its toll free numbers, and asking its Communications Assistant to call the NLRB toll free number at **1-844-762-NLRB (6572)**.

**\*The National Labor Relations Act covers most private-sector employers.** Excluded from coverage under the NLRA are public-sector employees, agricultural and domestic workers, independent contractors, workers employed by a parent or spouse, employees of air and rail carriers covered by the Railway Labor Act, and supervisors (although supervisors that have been discriminated against for refusing to violate the NLRA may be covered).



**U.S. Department of Labor**

This is an official Government Notice and must not be defaced by anyone.



#### 4. Derechos De Los Empleados Según La Ley Nacional De Relaciones Del Trabajo

U.S. Department of Labor

Posters must be current and may change without prior notice

Standard Specifications 107.01

Executive Order 13496

<https://www.dol.gov/general/topics/posters>

YES

NO

NA

# DERECHOS DE LOS EMPLEADOS

## SEGÚN LA LEY NACIONAL DE RELACIONES DEL TRABAJO

La Ley Nacional de Relaciones del Trabajo (LNRT) garantiza el derecho de los empleados a organizarse y negociar colectivamente con sus empleadores, y a participar en otras actividades concertadas protegidas. Los empleados cubiertos por la LNRT\* están protegidos contra ciertos tipos de conductas inapropiadas por parte de los empleadores y sindicatos. En este Aviso encontrará información general sobre sus derechos y las obligaciones de los empleadores y los sindicatos según la LNRT. Si tiene alguna pregunta sobre derechos específicos que puedan ser aplicables a su lugar de trabajo, utilice la información de contacto que se proporciona más adelante para contactarse con la Junta Nacional de Relaciones Laborales, la agencia federal que investiga y resuelve las quejas basadas en la LNRT.

### Según la LNRT, usted tiene derecho a:

- Organizar un sindicato para negociar con su empleador respecto de su salario, sus horarios de trabajo y otros términos y condiciones de empleo.
- Fundar, unirse o ayudar a un sindicato.
- Negociar colectivamente con su empleador, a través de representantes elegidos por los empleados, los contratos que fijen su salario, beneficios, horarios y otras condiciones laborales.
- Discutir sus términos y condiciones de empleo, o la organización de su sindicato, con sus compañeros de trabajo o un sindicato.
- Actuar con uno o más compañeros de trabajo para mejorar sus condiciones laborales ocupándose, entre otras cosas, de hacer llegar directamente a su empleador o a un organismo gubernamental las quejas relacionadas con su trabajo, y buscar ayuda de un sindicato.
- Realizar huelgas y piquetes, según el propósito o los medios de esas huelgas o piquetes.
- Decidir no participar en cualquiera de esas actividades, incluso la de unirse o continuar como miembro de un sindicato.

### Según la LNRT, es ilegal que su empleador:

- Le prohíba solicitar para un sindicato durante horarios no laborables –como antes o después del trabajo, o durante los recreos–, o distribuir materiales sobre el sindicato fuera de los horarios laborables y fuera de las zonas de trabajo, como en estacionamientos o salas de descanso.
- Lo cuestione sobre su apoyo al sindicato o sus actividades relacionadas en forma tal que desaliente su participación en ello.
- Lo despida, lo baje de categoría o lo transfiera, reduzca la cantidad de horas que trabaja o cambie su turno, tome cualquier otro tipo de acción en su contra, o amenace con hacerlo, porque usted se ha unido o apoya a un sindicato, o porque ha participado en actividades concertadas de asistencia y protección mutua, o haya decidido no participar en ese tipo de actividades.

### Según la LNRT, es ilegal que un sindicato, o el sindicato que lo representa en las negociaciones con su empleador:

- Lo amenace con la pérdida de su trabajo a menos que apoye al sindicato.
- Rechace procesar una queja porque usted ha criticado a los representantes sindicales o porque no es miembro del sindicato.
- Use o mantenga estándares o procedimientos discriminatorios al realizar recomendaciones desde una oficina de contratación.
- *Cause o intente causar que un empleador discrimine en contra suya por sus actividades relacionadas con el sindicato.*

- Amenace cerrar su lugar de trabajo si los trabajadores eligen un sindicato para que los represente.
- Prometa u otorgue promociones, o pague aumentos u otros beneficios para desalentar o alentar el apoyo a un sindicato.
- Le prohíba usar gorras, botones, camisetas y prendedores del sindicato en el lugar de trabajo, excepto bajo circunstancias especiales.
- Espíe o filme actividades y reuniones sindicales pacíficas, o simule hacerlo.
- Emprenda acciones en su contra que dependan de si usted se unió a un sindicato o no.

Si usted y sus compañeros de trabajo eligen un sindicato para que los represente en forma colectiva, su empleador y el sindicato deben negociar en buena fe con genuino esfuerzo para lograr un acuerdo vinculante y por escrito que fije los términos y condiciones de su empleo. El sindicato está obligado a representarlo justamente en las negociaciones y el cumplimiento del acuerdo.

**Los comportamientos ilegales no serán permitidos.** Si usted cree que sus derechos, o los de otros, han sido violados, debe contactarse con la NLRB rápidamente para protegerlos, por lo general dentro de los seis meses de la actividad ilegal. Puede preguntar sobre posibles infracciones sin que se informe a su empleador, o a cualquier otra persona, sobre su consulta. Los cargos pueden ser presentados por cualquier persona, no es necesario que lo haga el empleado directamente afectado por la infracción. La NLRB puede obligar a un empleador a recontractar a un empleado y pagarle por los salarios y beneficios no percibidos cuando haya sido despedido en contra de la ley; también puede obligar a un empleador o a un sindicato a dejar de infringir la ley. Los empleados deben buscar asistencia en la oficina regional más cercana de la NLRB; podrán encontrarla en el sitio web de la agencia: [www.nlr.gov](http://www.nlr.gov).

También puede contactar al NLRB al teléfono gratuito: **1-844-762-NLRB (6572)**. Las personas con discapacidades auditivas que deseen hablar con un representante del NLRB deberán contactar al “Federal Relay Service”, llamando a uno de los teléfonos gratuitos proporcionados en el sitio web <https://www.federalrelay.us/tty>, y solicitando que uno de los asistentes de comunicaciones del “Federal Relay Service” llame al teléfono gratuito del NLRB: **1-844-762-NLRB (6572)**.

**\*La Ley Nacional de Relaciones del Trabajo afecta a la mayoría de los empleadores del sector privado.** Entre quienes están excluidos de la NLRA se encuentran los empleados del sector público, los trabajadores agrícolas y domésticos, los contratistas independientes, los trabajadores empleados por sus padres o sus cónyuges, los empleados de los transportes aéreos y ferroviarios cubiertos por la Ley Laboral de Ferrocarriles, y los supervisores (aunque los supervisores que hayan sido discriminados por rehusarse a infringir la NLRA pueden estar cubiertos por ella).

Este es un Aviso Oficial del Gobierno y no debe ser dañado por nadie.



**Departamento de Trabajo de los EE. UU.**



5. Nondiscrimination (**EEO policy statement**) from Prime Contractor.

Standard Specifications 107.01

41 CFR 60-741.44 through FHWA-1273, §II(1)(b)

YES

NO

NA

6. Name and telephone number of the Contractor's EEO policy Enforcement Officer (Letter appointing contractor's EEO officer for project).

{**Project Specific document**}

Standard Specifications 107.01

41 CFR 60-741.44 through FHWA-1273, §II(1)(b)

YES

NO

NA



### EQUAL EMPLOYMENT OPPORTUNITY POLICY

FNF Construction, Inc. (FNF) is committed to an Equal Employment Opportunity (EEO) Policy. FNF will take affirmative action to ensure that all qualified applicants and employees are treated without regard to their race, color, age, religion, sex, sexual orientation, gender identity or national origin, disability or veteran status. FNF will post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

“It is the policy of FNF to assure that applicants are employed and that employees are treated during employment without regard to their race, religion, sex, sexual orientation, gender identity, color, national origin, age or disability. Such action shall include: employment, upgrading, demotion, or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training including apprenticeship, pre-apprenticeship, and/or on the job training.”

FNF will, in all solicitations and/or advancement in employment opportunities placed on behalf of FNF, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, veteran status or individuals with disabilities.

Active employees are encouraged by FNF to refer minority candidates, women, protected veterans and qualified disabled persons for possible employment, On-the-Job Training, Pre-Apprenticeship and Apprenticeship opportunities by referring them to the FNF Website. FNF will make every effort to provide reasonable accommodations for individuals with disabilities.

It is the policy of FNF to create and maintain a working environment free of harassment, intimidation and coercion on all project sites and in all facilities at which our employees are assigned to work. All FNF employees will adhere to this policy at all times. Any perceived violations of this policy should be reported immediately to your supervisor, the designated Project EEO Officer and/or the Company EEO Officer, and/or to the Director of Human Resources.

It is the policy of FNF to conduct non-segregated company activities and to establish non-segregated facilities with the exception of single-user toilets and necessary changing facilities provided to assure privacy between genders.

Any occurrence of alleged discrimination by this company, its supervisors or employees, or any persons or organizations acting on behalf of the company, should immediately be reported to the designated Project EEO Officer. **Debra Germann is the designated Company EEO Officer, and is located in the FNF corporate office at 115 S. 48<sup>th</sup> Street, Tempe, Arizona 85281 and can be reached by phone at 480-784-2910, 480-929-6770, or 602-619-2020.** Current and potential employees may contact Debra with any complaints, concerns or questions regarding the FNF EEO Policy. If Debra is not available, please contact Renee Estes, Director of Human Resources at 480-929-6761.

Robert Bottcher, President

January 3, 2019  
Date

7. Nondiscrimination (EEO policy statement) of the subcontractors.

Standard Specifications 107.01

41 CFR 60-741.44 through FHWA-1273, §II(1)(b)

YES

NO

NA

# HOWE PRECAST

Concrete Barriers, Inc.

P. O. box 1249  
Queen Creek, AZ 85242  
Phone 480-988-2073  
Fax 480-988-0647

To Whom It May Concern:

## Equal Employment Opportunity Policy

The policy of this company is to assure that applicants are employed, and employees are treated while employed without regard to their color, race, religion, sex, or national origin. Such action shall include: employment, upgrading, demotion, recruitment, transfer, layoff, or termination, rates of pay or forms of compensation.

Equal Employment Opportunity officer

Candice Camacho has been assigned as our company EEO Officer. Employees may contact Candice Camacho at (480)988-2073 or (480)907-8324 to answer any questions or address any concerns regarding our EEO Policy.

Sincerely,



Justin Franks, President  
Howe Precast Concrete Barrier, Inc.

## 8. "Pay Transparency Nondiscrimination Provision"

Revised December 2016

Required by Executive Order 11246, as amended by Executive Order 13665 (April 8, 2014); Required by 41 CFR 60-1.35; and FHWA-1273, §II(1)(b).

Posters must be current and may change without prior notice.

<https://www.fhwa.dot.gov/programadmin/contracts/poster.cfm>

YES

NO

NA

# PAY TRANSPARENCY NONDISCRIMINATION PROVISION

The contractor will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with the contractor's legal duty to furnish information. 41 CFR 60-1.35(c)

If you believe that you have experienced discrimination contact OFCCP  
1.800.397.6251 | TTY 1.877.889.5627 | [www.dol.gov/ofccp](http://www.dol.gov/ofccp)



9. "Notice" Federal-Aid Projects with all contact information completed.

FHWA Form-1022 Revised May 2015

Blank fields are filled in under State Transportation Agency:

Arizona Department of Transportation Deputy  
State Engineer 206 S. 17th Ave. Phoenix, AZ 85007  
Phone: 602.712.8274

Under Federal Highway Administration:  
4000 N. Central Ave. Suite 1500 Phoenix, AZ  
85012.

Posters must be current and may change without prior notice.

Required by Executive Order 11246, as amended by Executive Order 13665 (April 8, 2014); Required by 41 CFR 60-1.35; and FHWA-1273, §II(1)(b).

<https://www.fhwa.dot.gov/programadmin/contracts/poster.cfm>

YES

NO

NA



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# NOTICE

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The highway construction underway at this location is a Federal or Federal-aid project and is subject to applicable State and Federal laws, including Title 18, United States Code, Section 1020, which reads as follows:

“Whoever, being an officer, agent, or employee of the United States, or any State or Territory, or whoever, whether a person, association, firm or corporation, knowingly makes any false statement, false representation or false report as to the character, quality, quantity, or cost of the material used or to be used, or the quantity or quality of the work performed or to be performed, or the costs thereof in connection with the submission of plans, maps, specifications, contracts, or costs of construction of any highway or related project submitted for approval to the Secretary of Transportation; or

Whoever, knowingly makes any false statement, false representation, false report, or false claim with respect to the character, quality, quantity or cost of any work performed or to be performed, or materials furnished or to be furnished, in connection with the construction of any highway or related project approved by the Secretary of Transportation; or

Whoever knowingly makes any false statement or false representation as to a material fact in any statement, certificate, or report submitted pursuant to the provision of the Federal Aid Road Act approved July 11, 1916 (39 Stat. 355) as amended and supplemented,

Shall be fined under this title or imprisoned not more than five years, or both.”

Any person having reason to believe this statute is being violated should report the same to the agency representative(s) named below.

State Transportation Agency	U.S. Department of Transportation  Hotline for Fraud, Waste, & Abuse <b>1-800-424-9071</b>	Federal Highway Administration Division Administrator
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10. Employee Rights under the Davis-Bacon Act.  
(Only on Davis Bacon Projects. Check Project  
Specials).

WH 1321 (Revised October 2017)

Resident Engineering Field Office administrating  
the contract in the blank block.

Posters must be current and may change without  
prior notice.

Standard Specifications 107.01

Required by 29 CFR 5.5(a)(1) and FHWA-1273,  
§IV(1)(a).

Enforcement by STA and/or USDOL.

<https://www.fhwa.dot.gov/programadmin/contracts/poster.cfm>

YES

NO

NA

# EMPLOYEE RIGHTS

## UNDER THE DAVIS-BACON ACT

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

#### 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:

Resident Engineering "Field Office" administrating the contract.

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



WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR

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



11. Schedule of the Davis Bacon Wage Rates listed in the project's special provisions (**Located in the back of the Special Provisions or Addendum**). - "General Decision AZ"

Located in the Project Special Provisions or the Addenda to the Special Provisions

Special Provisions 107.01

USDOL Davis-Bacon wage determinations available at: [www.wdol.gov](http://www.wdol.gov). Required by WH1321.

USC 40, Section I, Chapter 31 - General, Subchapter IV - Wage Rate Requirements, Section 3142

YES

NO

NA

General Decision Number: AZ180008 05/11/2018 AZ8

Superseded General Decision Number: AZ20170008

State: Arizona

Construction Type: Highway

Counties: Coconino, Maricopa, Mohave, Pima, Pinal, Yavapai and Yuma Counties in Arizona.

HIGHWAY CONSTRUCTION PROJECTS

Note: Under Executive Order (EO) 13658, an hourly minimum wage of \$10.35 for calendar year 2018 applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2015. If this contract is covered by the EO, the contractor must pay all workers in any classification listed on this wage determination at least \$10.35 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in calendar year 2018. The EO minimum wage rate will be adjusted annually. Please note that this EO applies to the above-mentioned types of contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but it does not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(2)-(60). Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

Modification Number	Publication Date
0	01/05/2018
1	05/11/2018

CARP0408-005 07/01/2016

	Rates	Fringes
CARPENTER (Including Cement Form Work).....	\$ 25.48	11.54

ENGI0428-001 06/01/2017

	Rates	Fringes
POWER EQUIPMENT OPERATOR		
Group 1.....	\$ 24.09	10.52
Group 2.....	\$ 27.36	10.52
Group 3.....	\$ 28.44	10.52
Group 4.....	\$ 29.47	10.52

POWER EQUIPMENT OPERATORS CLASSIFICATIONS:

GROUP 1: A-frame boom truck, air compressor, Beltcrete, boring bridge and texture, brakeman, concrete mixer (skip type), conductor, conveyor, cross timing and pipe float,

12. OSHA "Job Safety and Health It's the Law!"  
Poster.

OSHA 3165 Revised 2019

Posters must be current and may change without  
prior notice.

Standard Specifications 107.01

29 U.S.C. 657(c)

29 CFR 1903.2 through FHWA-1273, §VII(1).

Enforcement through OSHA.

<https://www.fhwa.dot.gov/programadmin/contracts/poster.cfm>

YES

NO

NA



U.S. Department of Labor



# Job Safety and Health IT'S THE LAW!

## All workers have the right to:

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

*This poster is available free from OSHA.*

**Contact OSHA. We can help.**

## Employers must:

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

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.



13. Emergency contact telephone numbers. In areas where 911 are not available, the telephone numbers of the physicians, hospitals, or ambulances shall be conspicuously posted.

{Project Specific document}

Standard Specifications 107.01

29 CFR 1926.50(f) through FHWA-1273, §VII(1)  
except on areas with 911 for emergencies.

YES

NO

NA



# FNF CONSTRUCTION, INC.

## EMERGENCY RESPONSE

01879 – ADOT PROJECT H823201C - US 93 – MOHAVE COUNTY

In the event of a severe job site injury or fatality to an FNF employee, subcontractor, or member of the public, contact emergency response immediately, then notify one of the contacts listed below.

JEREMY SHEETS	480-250-4385	PROJECT MANAGER
JOSH WELP	480-341-3643	DIRECTOR OR SAFETY & HEALTH
DEBRA GERMANN	602-619-2020	DIRECTOR OF RISK MANAGEMENT

### EMERGENCY – 911

### AMBULANCE – 911

### FIRE DEPARTMENT – 911

### POLICE/SECURITY – 911

HOSPITAL	CLINIC
KINGMAN REGIONAL MEDICAL CENTER 3269 STOCKTON HILL ROAD KINGMAN, AZ 86409 928-757-2101	AIM CLINIC 515 NORTH 18 <sup>TH</sup> STREET PHOENIX, ARIZONA 85006 602-470-0021

### PROJECT MANAGEMENT

MARTIN RAMIREZ	PROJECT SPONSOR
JEREMY SHEETS	PROJECT MANAGER

### PROJECT INFORMATION

--

OSHA	MSHA
602-542-5795	303-231-5468

**SAFETY DATA SHEETS**  
**3E COMPANY 800-451-8346 24 HOURS/7 DAYS/WEEK**  
**CHEMICAL SPILLS ■ EXPOSURES ■ POISONING**  
 WHEN CALLING PLEASE HAVE PRODUCT NAME & NUMBER, MANUFACTURER NAME  
 AND UPS CODE (IF AVAILABLE).  
**IT IS YOUR RESPONSIBILITY TO KEEP THIS FORM UPDATED WHEN**  
**TRANSFERRING FROM PROJECT-TO-PROJECT.**



# EMERGENCY PHONE NUMBERS

PHYSICIAN      911      or      \_\_\_\_\_

HOSPITAL      911      or      \_\_\_\_\_

AMBULANCE      911      or      \_\_\_\_\_

FIRE DEPT      911      or      \_\_\_\_\_

POLICE DEPT      911      or      \_\_\_\_\_

Post in a conspicuous location in accordance with OSHA Regulation 1926.50(f).



## 14. "Your Rights Under USERRA"

Posters must be current and may change without prior notice.

Standard Specifications 107.01

Required by 38 U.S.C. 4334(a) and 20 CFR 1002.

<https://www.fhwa.dot.gov/programadmin/contracts/poster.cfm>

YES

NO

NA



# 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 while with that particular employer;
- ☆ you return to work or apply for reemployment in a timely manner after conclusion of service; and
- ☆ you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

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

### RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

If you:

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

then an employer may not deny you:

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

because of this status.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

### HEALTH INSURANCE PROTECTION

- ☆ If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military.
- ☆ Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

### ENFORCEMENT

- ☆ The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.
- ☆ For assistance in filing a complaint, or for any other information on USERRA, contact VETS at **1-866-4-USA-DOL** or visit its website at <http://www.dol.gov/vets>. An interactive online USERRA Advisor can be viewed at <http://www.dol.gov/elaws/userra.htm>.
- ☆ If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation.
- ☆ You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: <http://www.dol.gov/vets/programs/userra/poster.htm>. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.



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



U.S. Department of Justice



Office of Special Counsel



1-800-336-4590

Publication Date — April 2017

15. "Employee Rights Under the Fair Labor Standards Act" (FLSA).

Needed on projects where Davis-Bacon rates do not apply and rates must be current.

WHD Publication 1088 (Revised July 2016)

Posters must be current and may change without prior notice.

- Standard Specifications 107.01
- 29 USC 211
- 29 CFR 516.4

<https://www.fhwa.dot.gov/programadmin/contracts/poster.cfm>

YES

NO

NA

# EMPLOYEE RIGHTS

## UNDER THE FAIR LABOR STANDARDS ACT

### FEDERAL MINIMUM WAGE

# \$7.25

 PER HOUR

BEGINNING JULY 24, 2009

The law requires employers to display this poster where employees can readily see it.

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

**CHILD LABOR** An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment.

**TIP CREDIT** Employers of “tipped employees” who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee’s tips combined with the employer’s cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.

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

**ENFORCEMENT** The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA’s child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA.

**ADDITIONAL INFORMATION**

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



WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR

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



16. Employee Rights and Responsibilities Under The Family And Medical Leave Act.

WHD Publication 1420 (Revised April 2016)

Posters must be current and may change without prior notice.

Standard Specifications 107.01

29 CFR 825.300

29 CFR 825.400 (employers with more than 50 people)

<https://www.fhwa.dot.gov/programadmin/contracts/poster.cfm>

YES

NO

NA

# EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

## LEAVE ENTITLEMENTS

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

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

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

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

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

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

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

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

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

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

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

## BENEFITS & PROTECTIONS

## ELIGIBILITY REQUIREMENTS

## REQUESTING LEAVE

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

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

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

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

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

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

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

## EMPLOYER RESPONSIBILITIES

## ENFORCEMENT

For additional information or to file a complaint:

**1-866-4-USWAGE**

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



**WWW.WAGEHOUR.DOL.GOV**

17. Derechos Del Empleado Segun La Ley De Ausencia Familiar Y Medica.

Posters must be current and may change without prior notice.

WHD 1420SP (Revised April 2016)

Posters must be current and may change without prior notice.

Standard Specifications 107.01

29 CFR 825.300

29 CFR 825.400 (employers with more than 50 people)

<https://www.fhwa.dot.gov/programadmin/contracts/poster.cfm>

YES

NO

NA

# DERECHOS DEL EMPLEADO SEGÚN LA LEY DE AUSENCIA FAMILIAR Y MÉDICA

DIVISIÓN DE HORAS Y SALARIOS DEL DEPARTAMENTO DE EE. UU.

## DE LOS DERECHOS DE LA LICENCIA

Los empleados elegibles que trabajan para un empleador sujeto a esta ley pueden tomarse hasta 12 semanas de licencia sin sueldo sin perder su empleo por las siguientes razones:

- El nacimiento de un hijo o la colocación de un hijo en adopción o en hogar de crianza;
- Para establecer lazos afectivos con un niño (la licencia debe ser tomada dentro del primer año del nacimiento o la colocación del niño);
- Para cuidar al cónyuge del empleado, al hijo, o al padre que tenga un problema de salud serio que califique;
- Debido a un problema de salud serio del mismo empleado que califique y que resulte en que el empleado no pueda realizar su trabajo;
- Por exigencias que califiquen relacionadas con el despliegue de un miembro de las fuerzas armadas que sea cónyuge del empleado, hijo o padre.

Un empleado elegible que es cónyuge, hijo, padre o familiar más cercano del miembro de las fuerzas armadas que está cubierto, puede tomarse hasta 26 semanas de licencia bajo la Ley de Ausencia Familiar y Médica (FMLA, por sus siglas en inglés) en un periodo de 12 meses para cuidar al miembro de las fuerzas armadas que tenga una lesión o enfermedad seria.

Un empleado no tiene que tomarse la licencia de una sola vez. Cuando es médicamente necesario o de otra manera permitido, los empleados pueden tomarse la licencia de forma intermitente o en una jornada reducida.

Los empleados pueden elegir, o un empleador puede exigir, el uso de licencias pagadas acumuladas mientras se toman la licencia bajo la FMLA. Si un empleado sustituye la licencia pagada acumulada por la licencia bajo la FMLA, el empleado tiene que respetar las políticas de pago de licencias normales del empleador.

## BENEFICIOS Y PROTECCIONES

Mientras los empleados estén de licencia bajo la FMLA, los empleadores tienen que continuar con la cobertura del seguro de salud como si los empleados no estuvieran de licencia.

Después de regresar de la licencia bajo la FMLA, a la mayoría de los empleados se les tiene que restablecer el mismo trabajo o uno casi idéntico, con el pago, los beneficios y otros términos y otras condiciones de empleo equivalentes.

Un empleador no puede interferir con los derechos de la FMLA de un individuo o tomar represalias contra alguien por usar o tratar de usar la licencia bajo la FMLA, oponerse a cualquier práctica ilegal hecha por la FMLA, o estar involucrado en un procedimiento según o relacionado con la FMLA.

## REQUISITOS DE ELEGIBILIDAD

Un empleado que trabaja para un empleador cubierto tiene que cumplir con tres criterios para poder ser elegible para una licencia bajo la FMLA. El empleado tiene que:

- Haber trabajado para el empleador por lo menos 12 meses;
- Tener por lo menos 1,250 horas de servicio en los 12 meses previos a tomar la licencia\*; y
- Trabajar en el lugar donde el empleador tiene al menos 50 empleados dentro de 75 millas del lugar de trabajo del empleado.

\*Requisitos especiales de "horas de servicio" se aplican a empleados de una tripulación de una aerolínea.

## PEDIDO DE LA LICENCIA

En general, los empleados tienen que pedir la licencia necesaria bajo la FMLA con 30 días de anticipación. Si no es posible avisar con 30 días de anticipación, un empleado tiene que notificar al empleador lo más pronto posible y, generalmente, seguir los procedimientos usuales del empleador.

Los empleados no tienen que informar un diagnóstico médico, pero tienen que proporcionar información suficiente para que el empleador pueda determinar si la ausencia califica bajo la protección de la FMLA. La información suficiente podría incluir informarle al empleador que el empleado está o estará incapacitado para realizar sus funciones laborales, que un miembro de la familia no puede realizar las actividades diarias, o que una hospitalización o un tratamiento médico es necesario. Los empleados tienen que informar al empleador si la necesidad de la ausencia es por una razón por la cual la licencia bajo la FMLA fue previamente tomada o certificada.

Los empleadores pueden exigir un certificado o una recertificación periódica que respalde la necesidad de la licencia. Si el empleado determina que la certificación está incompleta, tiene que proporcionar un aviso por escrito indicando qué información adicional se requiere.

## RESPONSABILIDADES DEL EMPLEADOR

Una vez que el empleador tome conocimiento que la necesidad de la ausencia del empleado es por una razón que puede calificar bajo la FMLA, el empleador tiene que notificar al empleado si él o ella es elegible para una licencia bajo FMLA y, si es elegible, también tiene que proporcionar un aviso de los derechos y las responsabilidades según la FMLA. Si el empleado no es elegible, el empleador tiene que brindar una razón por la cual no es elegible.

Los empleadores tienen que notificar a sus empleados si la ausencia será designada como licencia bajo la FMLA, y de ser así, cuánta ausencia será designada como licencia bajo la FMLA.

## CUMPLIMIENTO

Los empleados pueden presentar un reclamo ante el Departamento de Trabajo de EE. UU., la División de Horas y Salarios, o pueden presentar una demanda privada contra un empleador.

La FMLA no afecta a ninguna ley federal o estatal que prohíba la discriminación ni sustituye a ninguna ley estatal o local o convenio colectivo de negociación que proporcione mayores derechos de ausencias familiares o médicas.

Para información adicional o para presentar un reclamo:

# 1-866-4-USWAGE

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

## www.dol.gov/whd



Departamento de Trabajo de los EE.UU. | División de Horas y Salarios DIVISIÓN DE HORAS Y SALARIOS

18. Employee Rights Employee Polygraph Protection Act. (EPPA)

WH Publication 1462 (Revised July 2016)

Posters must be current and may change without prior notice.

Standard Specifications 107.01  
29 CFR 801.6

<https://www.fhwa.dot.gov/programadmin/contracts/poster.cfm>

YES

NO

NA

# EMPLOYEE RIGHTS

## EMPLOYEE POLYGRAPH PROTECTION ACT

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

### PROHIBITIONS

Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

### EXEMPTIONS

Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities.

The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers.

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.

The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.

### EXAMINEE RIGHTS

Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

### ENFORCEMENT

The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions.

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



WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR

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



19. Contractor Notice of Intent (NOI) for storm water discharge. The approval date and ADEQ authorization number must be posted. Current Construction General Permit (Both EPA or ADEQ).

{Project Specific document}

Special Provisions 104.09 (C)

YES

NO

NA



# ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY



1110 West Washington Street Phoenix, Arizona 85007  
(602) 771-2300 [www.azdeq.gov](http://www.azdeq.gov)

## Notice of Intent (NOI) Certificate

**LTF#: 80189**

**ID#: AZCN80189**

Type: **AZPDES Stormwater Construction General Permit (CGP)**

Issue Date: **01/28/2020**

Please note, that pursuant to Arizona Administrative Code, Title 18, Chapter 14, Article 109(C), you will be billed an annual permit fee equal to the initial fee until such time as you submit a Notice of Termination to close out your permit coverage.

### Coverage Issued to:

Name: **FISHER SAND & GRAVEL CO.**

Address Line 1: **1302 W DRIVERS WAY**

City: **TEMPE**

State: **AZ** zip : **85284**

### Construction Site Information:

Name: **State Highway, Phoenix - Cordes Jct. Hwy, I-17 / 017 MA 208 F0155 01C**

Latitude/Longitude: **33.571655 / -112.117697**

Acres Disturbed: **13**

Outfall Location(s):

#### Main Office

1110 W. Washington Street . Phoenix, AZ 85007  
(602)771-2300

#### Southern Regional Office

400 W. Congress Street . Suite 433 . Tucson, AZ 85701  
(520)628-6733

[www.azdeq.gov](http://www.azdeq.gov)

**ACDC CANAL | 33.571655 | -112.117697 | Cortez Park Lake-Phoenix metro area**

Discharge Monitoring Report (DMR) Required:**No**

**SWPPP Contact Information:**

First Name:**Chris**

Last Name:**Smith**

Phone:**4802265731**

Work Email :**csmith@fisherind.com**

**Main Office**

1110 W.Washington Street . Phoenix, AZ 85007  
(602)771-2300

**Southern Regional Office**

400 W.Congress Street . Suite 433 . Tucson, AZ 85701  
(520)628-6733

[www.azdeq.gov](http://www.azdeq.gov)



Submission of this Notice of Intent (NOI) constitutes notice that the operator identified in Section III of this form requests authorization to discharge pursuant to the NPDES Construction General Permit (CGP) permit number identified in Section II of this form. Submission of this NOI also constitutes notice that the operator identified in Section III of this form meets the eligibility requirements of Part 1.1 CGP for the project identified in Section IV of this form. Permit coverage is required prior to commencement of construction activity until you are eligible to terminate coverage as detailed in Part 8 of the CGP. To obtain authorization, you must submit a complete and accurate NOI form. Discharges are not authorized if your NOI is incomplete or inaccurate or if you were never eligible for permit coverage. Refer to the instructions at the end of this form.

Permit Information

NPDES ID: AZR1010EG

State where your construction site is located: AZ

Is your construction site located on Indian Country Lands?  YES  NO

Indian Country Lands: NAVAJO RESERVATION

Are you requesting coverage under this NOI as a "Federal Operator" as defined in Appendix A ([https://www.epa.gov/sites/production/files/2017-02/documents/2017\\_cgp\\_final\\_appendix\\_a\\_-\\_definitions\\_508.pdf](https://www.epa.gov/sites/production/files/2017-02/documents/2017_cgp_final_appendix_a_-_definitions_508.pdf))?

YES  NO

Have stormwater discharges from your current construction site been covered previously under an NPDES permit?  YES  NO

Will you use polymers, flocculants, or other treatment chemicals at your construction site?  YES  NO

Has a Stormwater Pollution Prevention Plan (SWPPP) been prepared in advance of filling this NOI, as required?  YES  NO

Are you able to demonstrate that you meet one of the criteria listed in Appendix D ([https://www.epa.gov/sites/production/files/2017-02/documents/2017\\_cgp\\_final\\_appendix\\_d\\_-\\_endangered\\_species\\_reqs\\_508.pdf](https://www.epa.gov/sites/production/files/2017-02/documents/2017_cgp_final_appendix_d_-_endangered_species_reqs_508.pdf)) with respect to protection of threatened or endangered species listed under the Endangered Species Act (ESA) and federally designated critical habitat?

YES  NO

Have you completed the screening process in Appendix E ([https://www.epa.gov/sites/production/files/2017-02/documents/2017\\_cgp\\_final\\_appendix\\_e\\_-\\_historic\\_properties\\_reqs\\_508.pdf](https://www.epa.gov/sites/production/files/2017-02/documents/2017_cgp_final_appendix_e_-_historic_properties_reqs_508.pdf)) relating to the protection of historic properties?

YES  NO

Indicating "Yes" below, I confirm that I understand that CGP only authorized the allowable stormwater discharges in Part 1.2.1 and the allowable non-stormwater discharges listed in Part 1.2.2. Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under CWA section 402(k) by disclosure to EPA, state or local authorities after issuance of this permit via any means, including the Notice of Intent (NOI) to be covered by the permit, the Stormwater Pollution Prevention Plan (SWPPP), during an inspection, etc. If any discharges requiring NPDES permit coverage other than the allowable stormwater and non-stormwater discharges listed in Parts 1.2.1 and 1.2.2 will be discharged, they must be covered under another NPDES permit.

YES  NO

Operator Information

Operator Information

Operator Name: FNF Construction, Inc.

Mailing Address:

Street/Location: 115 S. 48th St.

City: Tempe

State: AZ

Zip Code: 85281

County or Similar Government Subdivision: MARICOPA

Operator Point of Contact Information

First Name, Middle Initial, LastName: Tressia Contreras

Title: Environmental Manager

Phone: 480-929-6733 Ext.

Email: tressia@fnfinc.com

Project/Site Information

Project/Site Name: Laguna Creek Bridge US 193 H845501C

Project/Site Address

Street/Location: US 193 at MP 395.83 to 396.45

City: Kayenta

State: AZ

Zip Code: 86033

County or Similar Government Subdivision: NAVAJO

Latitude/Longitude: 36.7373°N, 110.2378°W

Latitude/Longitude Data Source: Mgp

Horizontal Reference Datum: NAD 83

Project Start Date: 2019-03-30

Project End Date: 2020-08-30

Estimated Area to be Disturbed: 11

Types of Construction Sites:

- Highway or Road

Will there be demolition of any structure built or renovated before January 1, 1980?  YES  NO

Do any of the structures being demolished have at least 10,000 square feet of floor space?  YES  NO

Was the pre-development land use used for agriculture?  YES  NO

Have earth-disturbing activities commenced on your project/site?  YES  NO

Is your project located on a property of religious or cultural significance to an Indian tribe?  YES  NO

Discharge Information

Does your project/site discharge stormwater into a Municipal Separate Storm Sewer System (MS4)?  YES  NO

Are there any waters of the U.S. within 50 feet of your project's earth disturbances?  YES  NO

Are any of the waters of the U.S. to which you discharge designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water) or as a Tier 3 water (Outstanding National Resource Water)? See Appendix F ([https://www.epa.gov/sites/production/files/2017-02/documents/2017\\_cgp\\_final\\_appendix\\_f\\_-\\_tier\\_3\\_tier\\_2\\_and\\_tier\\_2.5\\_waters\\_508.pdf](https://www.epa.gov/sites/production/files/2017-02/documents/2017_cgp_final_appendix_f_-_tier_3_tier_2_and_tier_2.5_waters_508.pdf))

YES  NO

001: Laguna Creek

Latitude/Longitude: 36.7374°N, 110.2377°W

Tier Designation: N/A

Is this receiving water impaired (on the CWA303(d) list)?  YES  NO

Has a TMDL been completed for this receiving waterbody?  YES  NO

Stormwater Pollution Prevention Plan (SWPPP)

First Name, Middle Initial, LastName: Tressia Contreras

Title: Environmental Manager

Phone: 480-929-6733 Ext.

Email: tressia@nfinc.com

Endangered Species Protection

Using the Instructions in Appendix D of the CGP, under which criterion listed in Appendix D are you eligible for coverage under this permit? Criterion A

Provide a brief summary of the basis for criterion selection listed above (the necessary content for a supportive basis statement is provided under the criterion you selected.):

Information was provided by the Arizona Department of Transportation

Historic Preservation

Are you installing any stormwater controls as described in Appendix E ([https://www.epa.gov/sites/production/files/2017-02/documents/2017\\_cgp\\_final\\_appendix\\_e\\_-\\_historic\\_properties\\_reqs\\_508.pdf](https://www.epa.gov/sites/production/files/2017-02/documents/2017_cgp_final_appendix_e_-_historic_properties_reqs_508.pdf)) that require subsurface earth disturbances? (Appendix E ([https://www.epa.gov/sites/production/files/2017-02/documents/2017\\_cgp\\_final\\_appendix\\_e\\_-\\_historic\\_properties\\_reqs\\_508.pdf](https://www.epa.gov/sites/production/files/2017-02/documents/2017_cgp_final_appendix_e_-_historic_properties_reqs_508.pdf)), Step 1)

YES  NO

Have prior surveys or evaluations conducted on the site already determined historic properties do not exist, or that prior disturbances have precluded the existence of historic properties? (Appendix ([https://www.epa.gov/sites/production/files/2017-02/documents/2017\\_cgp\\_final\\_appendix\\_e\\_-\\_historic\\_properties\\_reqs\\_508.pdf](https://www.epa.gov/sites/production/files/2017-02/documents/2017_cgp_final_appendix_e_-_historic_properties_reqs_508.pdf)), Step 2):

YES  NO

Certification Information

**Certified By:** Tressia Contreras (TRESSIA1)

**Certified On:** 03/08/2019 2:30 PM

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I have no personal knowledge that the information submitted is other than true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. Signing an electronic document on behalf of another person is subject to criminal, civil, administrative, or other lawful action.

20. ADOT Notice of Intent (NOI) for storm water Discharge. The approval date and ADEQ authorization number must be posted. Current Construction General Permit (Both EPA or ADEQ).  
{Project Specific document}

Special Provisions 104.09 (C)

YES

NO

NA



# ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY



1110 West Washington Street Phoenix, Arizona 85007  
(602) 771-2300 [www.azdeq.gov](http://www.azdeq.gov)

## Notice of Intent (NOI) Certificate

**LTF#: 80977**

**ID#: AZCN80977**

Type: **AZPDES Stormwater Construction General Permit (CGP)**

Issue Date: **02/24/2020**

### Coverage Issued to:

Name: **ARIZONA DEPARTMENT OF TRANSPORTATION - CENTRAL DISTRICT**

Address Line 1: **2140 W HILTON AVE**

City: **PHOENIX**

State: **AZ** zip : **85009**

### Construction Site Information:

Name: **I-17: Peoria to Greenway**

Latitude/Longitude: **33.571669 / -112.117679**

Acres Disturbed: **13**

Outfall Location(s):

**ARIZONA CANAL DIVERSION CHANNEL | 33.571651 | -112.117706 | UNKNOWN EPHEMERAL WATER**

Discharge Monitoring Report (DMR) Required: **No**

#### Main Office

1110 W. Washington Street . Phoenix, AZ 85007  
(602)771-2300

#### Southern Regional Office

400 W. Congress Street . Suite 433 . Tucson, AZ 85701  
(520)628-6733

[www.azdeq.gov](http://www.azdeq.gov)

## **SWPPP Contact Information:**

First Name:**James**

Last Name:**Naujokaitis**

Phone:**6027126470**

Work Email :**jnaujokaitis@azdot.gov**

### **Main Office**

1110 W.Washington Street . Phoenix, AZ 85007  
(602)771-2300

### **Southern Regional Office**

400 W.Congress Street . Suite 433 . Tucson, AZ 85701  
(520)628-6733

[www.azdeq.gov](http://www.azdeq.gov)



# ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY



1110 West Washington Street Phoenix, Arizona 85007  
(602) 771-2300 [www.azdeq.gov](http://www.azdeq.gov)

## NOI for Arizona Pollutant Discharge Elimination System (AZPDES) Construction General Permit (CGP) Coverage for stormwater

**LTF #: 80977**

**ID #: AZCN80977**

**e-DMR Required: No**

### Main Office

1110 W. Washington Street . Phoenix, AZ 85007  
(602)771-2300

### Southern Regional Office

400 W. Congress Street . Suite 433 . Tucson, AZ 85701  
(520)628-6733

[www.azdeq.gov](http://www.azdeq.gov)

# NOI Summary

**Place** : I-17: Peoria to Greenway

Lat: 33.571669 / Long: -112.117679

**Question: Which of your companies/agencies is this for?**

Answer: ARIZONA DEPARTMENT OF TRANSPORTATION - CENTRAL DISTRICT

**Question: Are you an Arizona government agency?**

Answer: Yes

**Question: Is this a request for new permit coverage?**

Answer: Yes, this is for new coverage. I don't have CGP coverage for this location.

**Question: Will your facility's discharge reach waters of the U.S. ?**

Answer: Yes, it might/will reach waters of the U.S.

**Question: Will your project involve construction activity?**

Answer: Yes

**Question: What are the dates of your project ?**

Answer: Start Date: 02/10/2020

End Date: 10/02/2021

**Question: Is your construction activity part of a greater common plan of development or sale ?**

Answer: No

**Question: What is the total acreage that will be disturbed by your construction activities?**

Answer: Your Section's Total Disturbed Acreage: 13

**Question: Your facility name is:**

Answer: I-17: Peoria to Greenway

**Question: For what type of project will you need this coverage under the CGP?**

Answer: ADOT

**Question: At your site: Does stormwater runoff discharge to a regulated municipal separate storm sewer system (MS4) ?**

Answer: Yes

MS4 do you discharge to : MARICOPA COUNTY MS4

**Main Office**

1110 W.Washington Street . Phoenix, AZ 85007  
(602)771-2300

**Southern Regional Office**

400 W.Congress Street . Suite 433 . Tucson, AZ 85701  
(520)628-6733

[www.azdeq.gov](http://www.azdeq.gov)

**Question: What are the current location(s) for point(s) of discharge at your construction site?**

Answer:

Point Of Discharge Name	Latitude	Longitude
ARIZONA CANAL DIVERSION CHANNEL	33.571651	-112.117706

**Question: Which receiving water does each outfall discharge to?**

Answer:

Point Of Discharge Name	Receiving Waters
ARIZONA CANAL DIVERSION CHANNEL	UNKNOWN EPHEMERAL WATER

**Question: Would you like ADEQ to review your SWPPP**

Answer: No, I don't need it reviewed at this time

**Question: Who is the contact person for your SWPPP ?**

Answer:

First Name : James

Last Name : Naujokaitis

Phone : 6027126470

Work Email : jnaujokaitis@azdot.gov

**Main Office**

1110 W.Washington Street . Phoenix, AZ 85007  
(602)771-2300

**Southern Regional Office**

400 W.Congress Street . Suite 433 . Tucson, AZ 85701  
(520)628-6733

[www.azdeq.gov](http://www.azdeq.gov)

# CERTIFICATION OF SUBMISSION

**DYLAN CARDIE**

You validated your identity by answering your personal security question and password on myDEQ at **02:27 PM** on **02/24/2020**. At this time, you certified the summary information above by checking that you agreed to the following statement:

## **Pursuant to A.R.S. § 41-1030:**

(1) ADEQ shall not base a licensing decision, in whole or in part, on a requirement or condition not specifically authorized by statute or rule. General authority in a statute does not authorize a requirement or condition unless a rule is made pursuant to it that specifically authorizes the requirement or condition.

(2) Prohibited licensing decisions may be challenged in a private civil action. Relief may be awarded to the prevailing party against ADEQ, including reasonable attorney fees, damages, and all fees associated with the license application.

(3) ADEQ employees may not intentionally or knowingly violate the requirement for specific licensing authority. Violation is cause for disciplinary action or dismissal, pursuant to ADEQ's adopted personnel policy. ADEQ employees are still afforded the immunity in A.R.S. §§ 12-821.01 and 12-820.02.

## **Certify your submission:**

By checking this box I certify under penalty of law that this submittal was prepared by me, or under my direction or supervision of personnel appropriately qualified to properly gather and evaluate the information submitted. The information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I understand that all information submitted to ADEQ is public record unless otherwise identified by law as confidential. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

### **Main Office**

1110 W.Washington Street . Phoenix, AZ 85007  
(602)771-2300

### **Southern Regional Office**

400 W.Congress Street . Suite 433 . Tucson, AZ 85701  
(520)628-6733

[www.azdeq.gov](http://www.azdeq.gov)



Submission of this Notice of Intent (NOI) constitutes notice that the operator identified in Section III of this form requests authorization to discharge pursuant to the NPDES Construction General Permit (CGP) permit number identified in Section II of this form. Submission of this NOI also constitutes notice that the operator identified in Section III of this form meets the eligibility requirements of Part 1.1 CGP for the project identified in Section IV of this form. Permit coverage is required prior to commencement of construction activity until you are eligible to terminate coverage as detailed in Part 8 of the CGP. To obtain authorization, you must submit a complete and accurate NOI form. Discharges are not authorized if your NOI is incomplete or inaccurate or if you were never eligible for permit coverage. Refer to the instructions at the end of this form.

Permit Information

NPDES ID: AZR1010EI

State where your construction site is located: AZ

Is your construction site located on Indian Country Lands?  YES  NO

Indian Country Lands: NAVAJO RESERVATION

Are you requesting coverage under this NOI as a "Federal Operator" as defined in Appendix A ([https://www.epa.gov/sites/production/files/2017-02/documents/2017\\_cgp\\_final\\_appendix\\_a\\_-\\_definitions\\_508.pdf](https://www.epa.gov/sites/production/files/2017-02/documents/2017_cgp_final_appendix_a_-_definitions_508.pdf))?

YES  NO

Have stormwater discharges from your current construction site been covered previously under an NPDES permit?  YES  NO

Will you use polymers, flocculants, or other treatment chemicals at your construction site?  YES  NO

Has a Stormwater Pollution Prevention Plan (SWPPP) been prepared in advance of filling this NOI, as required?  YES  NO

Are you able to demonstrate that you meet one of the criteria listed in Appendix D ([https://www.epa.gov/sites/production/files/2017-02/documents/2017\\_cgp\\_final\\_appendix\\_d\\_-\\_endangered\\_species\\_reqs\\_508.pdf](https://www.epa.gov/sites/production/files/2017-02/documents/2017_cgp_final_appendix_d_-_endangered_species_reqs_508.pdf)) with respect to protection of threatened or endangered species listed under the Endangered Species Act (ESA) and federally designated critical habitat?

YES  NO

Have you completed the screening process in Appendix E ([https://www.epa.gov/sites/production/files/2017-02/documents/2017\\_cgp\\_final\\_appendix\\_e\\_-\\_historic\\_properties\\_reqs\\_508.pdf](https://www.epa.gov/sites/production/files/2017-02/documents/2017_cgp_final_appendix_e_-_historic_properties_reqs_508.pdf)) relating to the protection of historic properties?

YES  NO

Indicating "Yes" below, I confirm that I understand that CGP only authorized the allowable stormwater discharges in Part 1.2.1 and the allowable non-stormwater discharges listed in Part 1.2.2. Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under CWA section 402(k) by disclosure to EPA, state or local authorities after issuance of this permit via any means, including the Notice of Intent (NOI) to be covered by the permit, the Stormwater Pollution Prevention Plan (SWPPP), during an inspection, etc. If any discharges requiring NPDES permit coverage other than the allowable stormwater and non-stormwater discharges listed in Parts 1.2.1 and 1.2.2 will be discharged, they must be covered under another NPDES permit.

YES  NO

Operator Information

Operator Information

Operator Name: Arizona Department of Transportation

Mailing Address:

Street/Location: 2407 E. Navajo Blvd

City: Holbrook

State: AZ

Zip Code: 86025

County or Similar Government Subdivision: NAVAJO

Operator Point of Contact Information

First Name, Middle Initial, LastName: Karlis Yazzie

Title: Resident Engineer

Phone: 928-524-5423 Ext.

Email: kyazzie2@azdot.gov

Project/Site Information

Project/Site Name: Laguna Creek Bridge US 163 H845501C

Project/Site Address

Street/Location: US 163 at MP 395.83 to 396.45

City: Kayenta

State: AZ

Zip Code: 86033

County or Similar Government Subdivision: NAVAJO

Latitude/Longitude: 36.7373°N, 110.2379°W

Latitude/Longitude Data Source: Mgp

Horizontal Reference Datum: NAD 83

Project Start Date: 2019-03-30

Project End Date: 2020-08-30

Estimated Area to be Disturbed: 11

Types of Construction Sites:

- Highway or Road

Will there be demolition of any structure built or renovated before January 1, 1980?  YES  NO

Do any of the structures being demolished have at least 10,000 square feet of floor space?  YES  NO

Was the pre-development land use used for agriculture?  YES  NO

Have earth-disturbing activities commenced on your project/site?  YES  NO

Is your project located on a property of religious or cultural significance to an Indian tribe?  YES  NO

Discharge Information

Does your project/site discharge stormwater into a Municipal Separate Storm Sewer System (MS4)?  YES  NO

Are there any waters of the U.S. within 50 feet of your project's earth disturbances?  YES  NO

Are any of the waters of the U.S. to which you discharge designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water) or as a Tier 3 water (Outstanding National Resource Water)? See Appendix F ([https://www.epa.gov/sites/production/files/2017-02/documents/2017\\_cgp\\_final\\_appendix\\_f\\_-\\_tier\\_3\\_tier\\_2\\_and\\_tier\\_2.5\\_waters\\_508.pdf](https://www.epa.gov/sites/production/files/2017-02/documents/2017_cgp_final_appendix_f_-_tier_3_tier_2_and_tier_2.5_waters_508.pdf))

YES  NO

001: Laguna Creek

Latitude/Longitude: 36.7371°N, 110.2381°W

Tier Designation: N/A

Is this receiving water impaired (on the CWA303(d) list)?  YES  NO

Has a TMDL been completed for this receiving waterbody?  YES  NO

Stormwater Pollution Prevention Plan (SWPPP)

First Name, Middle Initial, LastName: Karlis Yazzie

Title: Resident Engineer

Phone: 928-524-3339 Ext.

Email: kyazzie2@azdot.gov

Endangered Species Protection

Using the Instructions in Appendix D of the CGP, under which criterion listed in Appendix D are you eligible for coverage under this permit? Criterion A

Provide a brief summary of the basis for criterion selection listed above (the necessary content for a supportive basis statement is provided under the criterion you selected.):

The Arizona Department of Transportation has determined that no endangered species will be impacted by this project.

Historic Preservation

Are you installing any stormwater controls as described in Appendix E ([https://www.epa.gov/sites/production/files/2017-02/documents/2017\\_cgp\\_final\\_appendix\\_e\\_-\\_historic\\_properties\\_reqs\\_508.pdf](https://www.epa.gov/sites/production/files/2017-02/documents/2017_cgp_final_appendix_e_-_historic_properties_reqs_508.pdf)) that require subsurface earth disturbances? (Appendix E ([https://www.epa.gov/sites/production/files/2017-02/documents/2017\\_cgp\\_final\\_appendix\\_e\\_-\\_historic\\_properties\\_reqs\\_508.pdf](https://www.epa.gov/sites/production/files/2017-02/documents/2017_cgp_final_appendix_e_-_historic_properties_reqs_508.pdf)), Step 1)

YES  NO

Have prior surveys or evaluations conducted on the site already determined historic properties do not exist, or that prior disturbances have precluded the existence of historic properties? (Appendix ([https://www.epa.gov/sites/production/files/2017-02/documents/2017\\_cgp\\_final\\_appendix\\_e\\_-\\_historic\\_properties\\_reqs\\_508.pdf](https://www.epa.gov/sites/production/files/2017-02/documents/2017_cgp_final_appendix_e_-_historic_properties_reqs_508.pdf)), Step 2):

YES  NO

Certification Information

**Certified By:** Karis Yazzie (KYAZZIE2@AZDOT.GOV)

**Certified On:** 03/08/2019 4:15 PM

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I have no personal knowledge that the information submitted is other than true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. Signing an electronic document on behalf of another person is subject to criminal, civil, administrative, or other lawful action.

21. Name and contact information of the contractor's safety supervisor.

{Project Specific document}

Standard Specifications 107.01

Standard Specifications 107.08

YES

NO

NA



1302 W Drivers Way | Tempe, AZ 85284-1048  
(877) 796-9238 | (480) 730-1033 | Fax: (480) 730-1264 | www.fisherind.com

**Fisher Sand & Gravel Co.**  
Arizona Drilling & Blasting  
Fisher Grading & Excavation  
Fisher Ready Mix  
Southwest Asphalt  
Southwest Asphalt Paving  
**Fisher Sand & Gravel - New Mexico, Inc.**  
**General Steel and Supply Company**

November 8, 2018

Arizona Department of Transportation  
3664 E. Andy Devine Ave  
Kingman, AZ 86401

Attn: Joshua Wentzlof, P.E.  
Resident Engineer

Re: Project No. HSIP-093-A(205)T  
TRACS No. H865701C  
Hoover Dam - Kingman Highway  
White Hills Road - Eleventh Street.  
SWAP Project No. 18534

Subject: Safety Plan

Gentlemen:

Please find attached our Safety Plan for the above referenced project.

Site specific safety rules and procedures will be submitted on an as needed basis and prior to that portion of the work starting. Calculations for temporary shoring will be furnished for areas needing temporary shoring prior to installation.

Chris Bryant is our designated on-site Safety Director and our Corporate Safety Director is Russ Wahl. The telephone numbers that they can be reached on are 602-510-7224 and 800-932-8740 respectively.

If you have any questions regarding this letter, please do not hesitate to call me at 480-730-1033.

Sincerely,  
FISHER SAND & GRAVEL CO. DBA SOUTHWEST ASPHALT PAVING

A handwritten signature in blue ink that reads 'Emily Young'.

Emily Young  
Contract Administrator



115 SOUTH 48TH STREET • TEMPE, ARIZONA 85281

PHONE: 480 784 2910  
FAX: 480 829 8607

1/10/19

Arizona Department of Transportation  
3660 E. Andy Devine Avenue  
Kingman, AZ 86401

Attn: Mr. Darin Dryden  
Resident Engineer

Ref: 093 MO 116 H8232 01C  
NH-093-B(205)S  
Carrow - Stephens  
Wickenburg – Kingman Highway – US 93

Mr. Dryden:

In accordance with Standard Specification Section 108, the following is our list of emergency contacts for this project:

Jeremy Sheets	Project Manager	480-250-4385
Amy Rosar	Assistant Project Manager	602-318-9332
James Gillespie	Field Superintendent	928-369-6670
Martin Ramirez	Project Sponsor	602-619-5181

If you have any questions or comments, please do not hesitate to contact me.

Sincerely,

**FNF Construction, Inc.**

Jeremy Sheets  
Project Manager



22. List of subcontractor's safety supervisors.  
{Project Specific document}

Standard Specifications 107.01  
Standard Specifications 107.08

YES

NO

NA



115 SOUTH 48TH STREET • TEMPE, ARIZONA 85281

PHONE: 480 784 2910  
FAX: 480 829 8607

US 93 – Wickenburg-Kingman Highway  
Carrow – Stephens  
Project No. 093 MO 116 H823201C  
Federal Aid No. NH-093-B(205)S

**FNF Emergency Contacts:**

Martin Ramirez:	(602) 619-5181
Jeremy Sheets (SAFETY):	(480) 250-4385
James Gillespie:	(928) 369-6670
Amy Rosar	(602) 318-9332

**Subcontractor Safety Contacts:**

Arizona Highway Safety Specialists:	Rob Forshey – (928) 925-8192
Evergreen Spray Systems:	Paula Gross – (928) 925-1966
Gallagher:	Dan Gallagher – (480) 248-5574
Howe Precast:	Bill Lewis – (480) 748-5391
NBC Barricades:	Ramon Lopez – (602) 810-4853
Paradise Rebar:	Alec Bell – (602) 447-0839
Revegetation Services:	Mike Hayes – (480) 516-4805
Rummel:	George Cabral – (480) 222-9922
Stodghill:	Tracy DeCosta (480) 476-3554
Western Fence:	Marcus Reid (602-244-0368
Western States Profiling:	Brian Gallimore (623) 434-5050
Western Tech:	Jose Cordova (602) 437-8979

23. Notice to Employees: You are covered by Unemployment Insurance.

POU-003 (Revised August 2019)

Posters must be current and may change without prior notice.

Standard Specifications 107.01

ARS § 23-772.C

<https://des.az.gov/digital-library/notice-employees-you-are-covered-unemployment-insurance-ui>

YES

NO

NA



## DEPARTMENT OF ECONOMIC SECURITY

*Your Partner For A Stronger Arizona*

# NOTICE TO EMPLOYEES

## YOU ARE COVERED BY UNEMPLOYMENT INSURANCE (UI)

For an explanation of what this insurance means to you, visit our website at [www.azui.com](http://www.azui.com) for a copy of the pamphlet A Guide to Arizona Benefits. You may obtain additional information from the Unemployment Insurance office by calling (602) 364-2722 in the Phoenix area, (520) 791-2722 in the Tucson area, or toll free at 1-877-600-2722.

### IF YOU BECOME UNEMPLOYED, YOU MAY BE ELIGIBLE FOR UNEMPLOYMENT BENEFITS IF YOU:

- Open or reopen a claim by going on line at [www.azui.com](http://www.azui.com). If you do not have internet access, go to your nearest Arizona Department of Economic Security (ADES) Employment Service (ES) office for assistance.
- Were separated from your last job for a non-disqualifying reason.
- Meet the wage requirements established by law.
- Are registered for work with Arizona Job Connection – DES will attempt to register you based on the information you provide when your claim is filed.
- Actively seek work and remain available and able to accept suitable employment.
- Meet all other eligibility requirements.

You may receive partial unemployment insurance payments if your hours and wages are reduced.

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Equal Opportunity Employer / Program • Auxiliary aids and services are available upon request to individuals with disabilities • To request this document in alternative format or for further information about this policy, contact the UI Tax Office at 602-771-6606; TTY/TDD Services: 7-1-1 • Disponible en español en línea o en la oficina local.

POU-003 (8-19)

24. Arizona Workers' Compensation Law. Policy number and insurance company are noted in both English and Spanish sections.

Standard Specifications 107.01

Title 23, Chapter 6, Arizona Revised Statutes

<https://www.azica.gov/posters-employers-must-display>

YES

NO

NA

TO BE POSTED BY EMPLOYER

POLICY NUMBER \_\_\_\_\_

## NOTICE TO EMPLOYEES

RE: ARIZONA WORKERS' COMPENSATION LAW

All employees are hereby notified that this employer has complied with the provisions of the Arizona Workers' Compensation Law (Title 23, Chapter 6, Arizona Revised Statutes) as amended, and all the rules and regulations of The Industrial Commission of Arizona made in pursuance thereof, and has secured the payment of compensation to employees by insuring the payment of such compensation with: \_\_\_\_\_

All employees are hereby further notified that in the event they do not specifically reject the provisions of the said compulsory law, they are deemed by the laws of Arizona to have accepted the provisions of said law and to have elected to accept compensation under the terms thereof; and that under the terms thereof employees have the right to reject the same by written notice thereof prior to any injury sustained, and that the blanks and forms for such notice are available to all employees at the office of this employer.

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

PARA SER COLOCADO POR EL PATRON

NUMERO DE POLIZA \_\_\_\_\_

## AVISO A LOS EMPLEADOS

RE: LEY DE COMPENSACION PARA LOS TRABAJADORES DE ARIZONA

A todos los empleados se les notifica por este medio que este patron ha cumplido con las provisiones de la Ley de Compensacion para los Trabajadores de Arizona (Titulo 23, Capitulo 6, Estatutos Enmendados de Arizona) tal como han sido enmendados, y con todas las regias y ordenanzas de La Comision Industrial de Arizona hechas en cumplimiento de esta, y ha asegurado el pago de compensacion a los empleados garantizando el pago de dicha compensacion por medio de: \_\_\_\_\_

Ademas, a todos los empleados se les notifica por este medio que en caso de que especificadamente ellos no rechazen las disposiciones de dicha ley obligatoria, se les considerara bajo las leyes de Arizona de haber aceptado las provisiones de dicha ley y de haber escogido aceptar la compensacion bajo estos terminos; tambien bajo estos terminos los empleados tienen el derecho de rechazar la misma por medio de una notificacion por escrito antes de que sufran alguna lesion, todos los formularios o formas en blanco para tal notificacion por escrito estaran disponibles para todos los empleados en la oficina de este patron.

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

**KEEP POSTED IN A CONSPICUOUS PLACE.**

**COLOQUESE EN LUGAR VISIBLE.**

25. Constructive Discharge Notice.

Standard Specifications 107.01

ARS § 23-1502

<https://www.azleg.gov/ars/23/01502.htm>

YES

NO

NA

**- - - Notification of A.R.S. §23-1502 - - -**  
**CONSTRUCTIVE DISCHARGE**

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**NOTICE**

An employee is encouraged to communicate to the employer whenever the employee believes working conditions may become intolerable to the employee and may cause the employee to resign. Under section 23-1502, Arizona Revised Statutes, an employee may be required to notify an appropriate representative of the employer in writing that a working condition exists that the employee believes is intolerable, that will compel the employee to resign or that constitutes a constructive discharge, if the employee wants to preserve the right to bring a claim against the employer alleging that the working condition forced the employee to resign.

Under the law, an employee may be required to wait for fifteen calendar days after providing written notice before the employee may resign if the employee desires to preserve the right to bring a constructive discharge claim against the employer. An employee may be entitled to paid or unpaid leave of absence of up to fifteen calendar days while waiting for the employer to respond to the employee's written communication about the employee's working condition.

26. Arizona Minimum Wage Act. The Fair Wages and Healthy Families Act. Poster.

Posters must be current and may change without prior notice.

Standard Specifications 107.01

Title 20, Chapter 5, Article 12

<https://www.azica.gov/posters-employers-must-display>

YES

NO

NA



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## THE FAIR WAGES AND HEALTHY FAMILIES ACT

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**Effective January 1, 2020, Arizona's Minimum Wage Is:**  
**\$12.00** per hour

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- EXEMPTIONS:** The Fair Wages and Healthy Families Act (the "Act") does not apply to any person who is employed by a parent or a sibling; any person who is employed performing babysitting services in the employer's home on a casual basis; any person employed by the State of Arizona or the United States government; *or* any person employed in a small business that grosses less than \$500,000 in annual revenue, if that small business is exempt from having to pay a minimum wage under section 206(a) of title 29 of the United States Code.
- TIPS AND GRATUITIES:** For any employee who customarily and regularly receives tips or gratuities, an employer may pay tipped employees a maximum of \$3.00 per hour less than the minimum wage if the employer can establish by its records that for each week, when adding tips received to wages paid, the employee received not less than the minimum wage for all hours worked. Certain other conditions must be met.
- RETALIATION & DISCRIMINATION PROHIBITED:** Employers are prohibited from discriminating against or subjecting any person to retaliation for: (1) asserting any claim or right under the Act; (2) assisting any person in doing so; or (3) informing any person of their rights under the Act.
- ENFORCEMENT:** Any person or organization may file a complaint with the Industrial Commission's Labor Department alleging that an employer has violated the Act. Certain time limits apply. A civil action may also be filed as provided in the Act. Violations of the Act may result in penalties.
- INFORMATION:** For additional information regarding the Act, you may refer to the Industrial Commission's website at [www.azica.gov](http://www.azica.gov) or contact the Industrial Commission's Labor Department: 800 W. Washington, Phoenix, Arizona 85007-2022; (602) 542-4515.

**THIS POSTER MUST BE CONSPICUOUSLY POSTED IN A PLACE  
THAT IS ACCESSIBLE TO EMPLOYEES**

27. ADOT'S Title VI Notice to the Public poster  
(English/Spanish).

Posters must be current and may change without  
prior notice.

Standard Specifications 107.01

Title VI of the Civil Rights Act of 1964

Civil Rights Restoration Act of 1987

<https://azdot.gov/business/civil-rights/title-vi-nondiscrimination-program/title-vi-implementation>

YES

NO

NA



## ADOT'S NONDISCRIMINATION NOTICE TO THE PUBLIC

The Arizona Department of Transportation (ADOT) hereby gives public notice that it is the Agency's policy to assure full compliance with Title VI of the Civil Rights Act of 1964, Title II of the Americans with Disabilities Act of 1990 (ADA), and other related authorities in all of its programs and activities.

ADOT's Title VI and ADA Programs require that no person shall, on the grounds of race, color, national origin, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity.

Any person, who believes his/her Title VI or ADA rights have been violated, may file a complaint. Any such complaint must be in writing and filed with the ADOT Civil Rights Office within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. For additional information about ADOT's Civil Rights programs and the procedures to file a complaint contact ADOT Civil Rights Office via the information listed below:

## AVISO PÚBLICO DE LA LEY DE NO-DISCRIMINACIÓN DE ADOT

El Departamento de Transporte del Estado de Arizona (ADOT) informa al público que esta agencia tiene como regla asegurar el cumplimiento total del Título VI de la Ley de los Derechos Civiles de 1964, del Título II de la Ley de ciudadanos Americanos con Discapacidades de 1990 (ADA) y otras normas relacionadas con todos sus programas y actividades.

Los programas del Título VI y ADA de ADOT exigen que a ninguna persona se le excluya de participar, se le nieguen beneficios o de ninguna otra manera sea sujeta a discriminación en ningún programa o actividad de ADOT por motivo de raza, color, país de origen, o discapacidad.

Cualquier persona que crea que se han violado sus derechos bajo el Título VI o el ADA, puede presentar una queja. Esta queja debe presentarse por escrito a la Oficina de Derechos Civiles de ADOT dentro de ciento ochenta (180) días a partir de la fecha en que se alega que ocurrió la discriminación. Para recibir más información sobre los programas de Derechos Civiles de ADOT y los procedimientos para presentar una queja, por favor póngase en contacto con la Oficina de Derechos Civiles de ADOT a través la información que aparece abajo:

**FELICIA BELTRAN**  
TITLE VI NONDISCRIMINATION  
PROGRAM COORDINATOR  
[FBELTRAN@AZDOT.GOV](mailto:FBELTRAN@AZDOT.GOV)

**KRYSTAL SMITH**  
ADA/NONDISCRIMINATION  
PROGRAM COORDINATOR  
[KSMITH2@AZDOT.GOV](mailto:KSMITH2@AZDOT.GOV)

**ADOT Civil Rights Office**  
206 S. 17th Avenue, Mail Drop 155-A  
Phoenix, AZ 85007  
602.712.8946  
602.239.6257 FAX  
[azdot.gov](http://azdot.gov)

28. Quantlist Minimum Frequency is being followed, once every six months.  
Construction Bulletin 07-01

<http://www.azdot.gov/business/engineering-and-construction/construction/quantlists>

YES

NO

NA