



## KNOW YOUR RIGHTS: APPLYING FOR WORK

### Applying for Work

#### What types of things might an employer want me to sign before starting work?

It is becoming common for employers to ask workers to sign all sorts of agreements before starting work. Read carefully and ask questions before signing anything.

#### Non-compete, non-solicitation, and non-recruit agreements

These agreements restrict the ways workers can work for other employers (either during or after leaving a job), work with the customers or clients from the employer, or recruit the employer's other workers to work somewhere else. Look to see what exactly you will be prevented from doing if you sign such an agreement, where, and for how long. Try to negotiate with your boss to have the agreement be as

narrow as possible.

#### Arbitration agreements

If you sign an arbitration agreement that will make it difficult or impossible to sue your employer in court if you have a problem. Consider whether you can cross out the arbitration language in your contract.

#### Authorization for deductions

Your employer may ask you to sign something giving them the right to make certain deductions from your paycheck. Deductions for things the employer should pay for, like tools or safety equipment, are unlawful. If you would prefer to pay for other things such as meals without having the cost deducted from your pay, ask the employer if that's an option.

### E-Verify

Did you know?

Most employers use a computer system called E-Verify to check your documents when you apply for work. An employer should only do this after he or she has offered you a job. If the employer says your documents are not good, and this is wrong, tell the employer you want to appeal. She or he will give you a paper to sign. You have eight (8) business days to start to fix the problem by talking to the Social Security office or another office. While you are trying to fix the problem, your employer cannot fire you or take other action against you.

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**What protections do I have if I don't want to sign my employer's agreement?** Unfortunately, your employer could refuse to hire you if you decide not to sign. If any of the agreements sound unreasonable, ask for time to think it over before signing. Consult with an attorney. Talk with other employees to see if they were able to avoid signing. You could talk with your employer about your concerns – you might ask if signing is mandatory, or whether you can change any of the agreements to make them better for you – and your employer could refuse or decide not to hire you after all.

This fact sheet is intended to provide accurate, general information regarding legal rights relating to employment in North Carolina. However, this fact sheet does not address exemptions and does not go into detail regarding legal rights. In addition, laws and legal procedures are subject to frequent change and differing interpretations, and the North Carolina Justice Center cannot ensure the information in this sheet is current nor be responsible for any use to which it is put. Do not rely on this information without consulting an attorney or the appropriate agency about your rights in your particular situation.

# YOUR RIGHTS applying for work

## What if I sign an agreement and I have a problem later?

If you have signed an agreement that is causing you problems, you should consult with an attorney to see if it can be challenged, or if you have another type of legal claim. If you have started work and you want to complain to your employer about the agreement, talk to your co-workers and complain as a group. You will have additional protections from retaliation this way.

## TAKE ACTION!

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**Your story can help us make the case for stronger worker protections. If you have ever not what you were owed by your employer, please contact us to tell your story.**

**Contact:** \_\_\_\_\_

## RESOURCES

- For help finding a lawyer, call:
- North Carolina Advocates for Justice ..... 1-(800) 688-1413
  - North Carolina Bar Association Lawyer Referral Service ..... 1-(800) 662-7660
  - Legal Aid of North Carolina ..... 1-(866) 219-5262

*To file a claim with a government agency or to seek information on the following issues, contact:*

<b>DISCRIMINATION</b>	<ul style="list-style-type: none"> <li>▪ US Equal Employment Opportunity Commission</li> <li>▪ Office of Special Counsel for Unfair Immigration-Related Employment Practices</li> </ul>	<b>1-800-669-4000 - or - <a href="http://www.eeoc.gov">www.eeoc.gov</a></b> <b>1-800-255-7688 - or - <a href="http://www.justice.gov/crt/about/osc/">www.justice.gov/crt/about/osc/</a></b>
<b>E-VERIFY</b>	<ul style="list-style-type: none"> <li>▪ Department of Homeland Security / E-Verify</li> </ul>	<b>1-888-897-7781 - or - <a href="http://www.dhs.gov/e-verify">www.dhs.gov/e-verify</a></b>
<b>FAMILY AND MEDICAL LEAVE</b>	<ul style="list-style-type: none"> <li>▪ US Department of Labor</li> </ul>	<b>1-866-487-9243 - or - <a href="http://www.dol.gov/whd">www.dol.gov/whd</a></b>
<b>HEALTH &amp; SAFETY</b>	<ul style="list-style-type: none"> <li>▪ NC Department of Labor</li> </ul>	<b>1-800-NC-LABOR (625-2267) - or - <a href="http://www.nclabor.com/osha/osh.htm">www.nclabor.com/osha/osh.htm</a></b>
<b>MISCLASSIFICATION</b>	<ul style="list-style-type: none"> <li>▪ Internal Revenue Service</li> <li>▪ NC Industrial Commission, Employee Classification Section</li> </ul>	<b><a href="http://www.irs.gov/pub/irs-pdf/fss8.pdf">http://www.irs.gov/pub/irs-pdf/fss8.pdf</a></b> <b>(919) 807-2582 - or - <a href="http://www.ic.nc.gov/EmployeeClassificationSection.html">www.ic.nc.gov/EmployeeClassificationSection.html</a></b>
<b>RETALIATION</b>	<ul style="list-style-type: none"> <li>▪ NC Department of Labor, Employment Discrimination Bureau</li> </ul>	<b>1-800-625-2267 - or - <a href="http://www.nclabor.com/edb/edb.htm">www.nclabor.com/edb/edb.htm</a></b>
<b>UNEMPLOYMENT INSURANCE</b>	<ul style="list-style-type: none"> <li>▪ NC Department of Commerce, Division of Employment Security</li> </ul>	<b>1-877-841-9617 - or - <a href="https://www.ncesc.com/">https://www.ncesc.com/</a></b>
<b>UNIONS &amp; COLLECTIVE ACTION</b>	<ul style="list-style-type: none"> <li>▪ National Labor Relations Board</li> </ul>	<b>1-866-667-6572 - or - <a href="http://www.nlrb.gov">www.nlrb.gov</a></b>
<b>WAGE THEFT</b>	<ul style="list-style-type: none"> <li>▪ NC Department of Labor, Wage and Hour Bureau</li> <li>▪ US Department of Labor</li> </ul>	<b>1-800-625-2267 - or - <a href="http://www.nclabor.com/wh/wh.htm">www.nclabor.com/wh/wh.htm</a></b> <b>1-866-487-9243 - or - <a href="http://www.dol.gov/whd/">http://www.dol.gov/whd/</a></b>
<b>WORKERS' COMPENSATION</b>	<ul style="list-style-type: none"> <li>▪ NC Industrial Commission</li> </ul>	<b>1-800-688-8349 - or - <a href="http://www.ic.nc.gov/">http://www.ic.nc.gov/</a></b>