

Texas Workforce Commission Alert

FOR IMMEDIATE RELEASE

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Harris County Court Grants TWC's Injunction Against Suspected Poster Scammer

Agency warns against inappropriate vending

AUSTIN – Harris County Court Judge Kyle Carter granted an injunction requested by the Texas Workforce Commission (TWC) against Rebecca Dauler, accused of illegally posing as a TWC compliance enforcement contractor and attempting to charge employers for workforce compliance posters. The posters are available at no cost through TWC. The injunction requires Dauler to immediately cease calling on Texas employers for this purpose.

Dauler is accused of violations of the Deceptive Trade Practices-Consumer Protection Act (DTPA) and the case is scheduled to go to trial September 10, 2012. If the Court finds that she violated the DTPA, the state demands that Dauler pay \$20,000 in civil penalties per violation, court costs, attorney fees and interest, and restitution of the money she allegedly received from selling compliance posters.

“The Texas Workforce Commission will take appropriate legal action against individuals or companies that seek financial gain by masquerading as representatives of TWC,” said TWC Chairman Tom Pauken.

TWC filed the injunction request after receiving tips from Houston-area employers. TWC continues to investigate reports of vendors claiming to be state contractors. These vendors tell the employers that their companies are not in compliance because certain posters are not displayed or are displayed incorrectly. The vendors then offer to sell the posters to the employers or face regulatory action from TWC for noncompliance. TWC advises employers to disregard these vendors and consult with TWC directly to determine which posters are required.

All workplace compliance posters required by law can be obtained free of charge from the TWC website at www.twc.state.tx.us/ui/lablaw/posters.html. Employers do not need to purchase these posters from private vendors. Furthermore, government-issued compliance posters do not have to be laminated to satisfy an employer's regulatory obligation. Employers should never pay for a government service that is free.

The number of workplace compliance posters required to be displayed may vary from one employer to another. Posters can be printed directly from TWC's website or by following links to the U.S. Department of Labor, where they can also be printed free of charge. Employers who need information about which posters they are required to display should call TWC's Labor Law Department at 512-475-2670.

All Texas employers must display posters containing information on the Texas Payday Law, the Workers' Compensation Program, the Uniformed Services Employment and Reemployment Rights Act, the Fair Labor Standards Act, the Employee Polygraph Protection Act and the Occupational Safety and Health Act. Also, every employer with 15 or more employees, and smaller employers with federal grants and contracts, must post the notice entitled “Equal Employment Opportunity Is The Law,” which contains information about the Equal Employment Opportunity and Americans with Disabilities Act laws.

To report inappropriate vending of posters, call the TWC Fraud and Program Abuse Hotline at 800-252-3642.

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The Texas Workforce Commission is a state agency dedicated to helping Texas employers, workers and communities prosper economically. For details on TWC and the services it offers in coordination with its network of local workforce development boards, call (512) 463-8942 or visit www.texasworkforce.org.