

LABOR

LAWS

Since 1953

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 11/2 times the regular rate of pay for all hours worked over 40 in a workweek.

CHILD LABOR

FED

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 nours 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

PUMP AT WORK

The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for their nursing child for one year after the child's birth each time the employee needs to express breast milk. Employers must provide a place, other than a bathroom, that is shielded

DEPARTMENT OF LABOR UNITED STATES OF AMFRICA	WHD
AMERICA	

WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR

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. Certain narrow exemptions also apply to the pump at work requirements. 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.



WH1088

REV. 04/2023

WAGE AND HOUR LAWS

NOTICE TO EMPLOYEES

Minimum Wage - You have the right to receive a minimum wage of at least \$10.10 per hour through September 30, 2022; at least \$12.00 per hour beginning October 1, 2022; at least \$14.00 per hour beginning January 1, 2024; at least \$16.00 per hour beginning January 1, 2026; and at least \$18.00 per hour beginning January 1, 2028. Under certain conditions, "tipped employees" may be paid less per houi

Overtime - You have the right to be paid overtime at least one and one-half times your regular rate for all hours worked in excess of 40 in a workweek. The law also requires employers to maintain payroll records for at least 6 years.

The Hawaii Wage and Hour Law exempts certain types of employment from minimum wage and overtime, such as outside salespersons and employees in an executive, administrative, supervisory, or professional capacity.

Payment of Wages - You have the right to be paid at least twice monthly on regular paydays designated in advance in cash, by checks convertible into cash, or within certain requirements, by osit into the employee's account at a federally insured

long as those losses are not due to your willful or intentional disregard of the employer's interest.

Your employer or prospective employer cannot require you to pay a job application processing fee. Your employer may deduct state and federal withholding taxes, amounts specified by court orders and amounts you authorized in writing.

Collection of Unpaid Wages - You have the right to file a complaint for unpaid wages with the Wage Standards Division within one year from the time the wages became due. Certain executives, administrators, professionals and outside salespersons may need to file a claim in a court of competent jurisdiction. Hawaii Family Leave Law - You have the right to receive up to 4 weeks of unpaid, job-protected leave for the birth or adoption of your child, or to care for your child, parent, sibling, spouse, grandchild, or reciprocal beneficiary with a serious health condition. You are eligible only if you have at least 6 consecutive months of service, and your employer has 100 or more employees. Accrued paid leaves may be substituted for any part of the 4-week period. If your employer provides for paid sick leave, you may use up to 10 days of your accrued and available sick leave per year unless a collective bargaining agreement provides for more than 10 days. **Prevailing Wages and Overtime on State and County Government Construction Projects - You have the right to** be paid the prevailing wages on government construction projects. Lie Detector Tests - You have the right to refuse a lie detector test. Work Injury - You have the right to file a complaint if you feel that vou have been suspended, discharged, or discriminated against solely because of a work injury that is compensable under the Workers' Compensation Laws, except under certain circumstances.

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

FED

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.

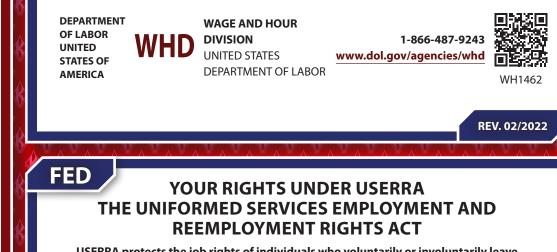
EXAMINEE RIGHTS

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.**



USERRA protects the job rights of individuals who voluntarily or involuntarily leave

FEDERAL

Your Employee Rights Under the Family and Medical Leave Act

HAWAII

What is FMLA leave?

FED

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with job-protected leave for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month period for:

- The birth, adoption or foster placement of a child with you,
- Your serious mental or physical health condition that makes you unable to work,
- To care for your spouse, child or parent with a serious mental or physical health condition, and
- Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

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

You have the right to use FMLA leave in one block of time. When it is medically necessary or otherwise permitted, you may take FMLA leave intermittently in separate blocks of time, or on a reduced schedule by working less hours each day or week. Read Fact Sheet #28M(c) for more information.

FMLA leave is not paid leave, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave.

Am I eligible to take FMLA leave?

You are an **eligible employee** if **all** of the following apply:

- You work for a covered employer,
 - You have worked for your employer at least 12 months,
- You have at least 1,250 hours of service for your employer during the 12 months before your leave, and
- Your employer has at least 50 employees within 75 miles of your work location.
- Airline flight crew employees have different "hours of service" requirements.
- You work for a **covered employer** if **one** of the following applies:
- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,
- You work for an elementary or public or private secondary school, or
- You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Managemen

How do I request FMLA leave?

- Generally, to request FMLA leave you must:
- Follow your employer's normal policies for requesting leave,
- Give notice at least 30 days before your need for FMLA leave, or
- If advance notice is not possible, give notice as soon as possible.

You do not have to share a medical diagnosis but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You must also inform your employer if FMLA leave was previously taken or approved for the same reason when requesting additional leave.

Your employer may request certification from a health care provider to verify medical leave and may request certification of a qualifying exigency.

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.

State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress.

What does my employer need to do?

- If you are eligible for FMLA leave, your **employer must**:
- Allow you to take job-protected time off work for a qualifying reason,
- Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and
- Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your

Your employer cannot interfere with your FMLA rights or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation.

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your employer must confirm whether you are eligible or not eligible for FMLA leave. If your employer determines that you are eligible, your employer must notify you in writing:

- About your FMLA rights and responsibilities, and
- How much of your requested leave, if any, will be FMLA-protected leave.

Where can I find more information?

Call 1-866-487-9243 or visit dol.gov/fmla to learn more.

If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. Scan the QR code to learn about our WHD complaint process.

DEPARTMENT OF LABOR UNITED STATES OF AMERICA WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR





REV. 04/2023

depository institution or pay card; within 7 days after the end of each pay period; paid wages in full at the time of discharge or no later than the next working day; or paid no later than the next regular payday if you quit or resign. However, if you give your employer one pay period's notice of your intention to quit, you must be paid on your last day of employment. Notification Requirements - You have the right to be notified in

writing at the time of hire of your rate of pay and the paydays. Any changes in pay arrangements prior to the time of such changes, and of any policies with regard to vacation, sick, or holiday pay must be made in writing or through a posted notice. You must also be furnished with a pay statement on payday showing gross wages, amount and purpose of each deduction, net pay, date of payment, and pay period covered. If your employer requires that you give advance notice of quitting and you are terminated after giving that notice, your employer is liable for the wages you would have earned up to the last day you intended to work unless you were terminated for cause.

Withholding of Wages - You have the right to ensure that there are no wrongful withholdings of your wages. Your employer may not collect, deduct or obtain authorization to deduct for:

- Fines (For example an amount you must pay to your employer for being tardy.)
- Cash shortages in a common cash register or cash box used by two or more people, or in a cash register or cash box under your sole control unless given an opportunity to account for all moneys received at the start of a shift and all monies turned in at the end of a shift.
- Penalties or replacement costs for breakage. Losses due to your acceptance of checks which are later dishonored if the employer has authorized you to accept
- checks. Losses due to faulty workmanship, lost or stolen property, damage to property, or default of customer credit or nonpayment for goods or services received by customers, as

NOTICE: This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under the Fair Labor Standards Act posting, which indicates the federal minimum wage. Where federal and state rates both apply to an employee, the U.S. Department of Labor dictates hat the employee is entitled to the higher minimum wage rate

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

LAWS PROHIBITING EMPLOYMENT DISCRIMINATION

NOTICE TO EMPLOYEES

discrimination

Oahu: 586-8636

Hawaii: 974-4000, ext.68636

Maui: 984-2400, ext.68636

Kauai: 274 - 3141, ext.68636

Anne E. Eustaquio, Director

our official labor law poster

TDD/TTY 586-8692

attorney

opposing a discriminatory practice.

Hawaii Civil Rights Commission:

Molokai/Lanai: 1-800-468-4644, ext.68636

Department of Labor and Industrial Relations

You have the right to be free from unlawful discrimination in your employment. All applicants and employees of private and public employers (except the federal government), union members, and job seekers in employment agencies are protected by Hawaii law against employment discrimination

You cannot be denied a job, fired, or subjected to unequal terms and conditions of employment because of your race, sex, including gender identity or expression, reproductive choices, refusing to enter into a nondisclosure agreement that prevents you from discussing workplace sexual harassment or assault sexual orientation, age, religion, color, ancestry/national origin, disability, marital status, civil union status, credit history, credit report, arrest and court record (except in limited circumstances), or domestic or sexual violence victim status. Sexual harassment by a supervisor or coworker is a form of sex discrimination. Employers are prohibited from retaliating against you for disclosing sexual harassment or sexual assault.

Examples of Unlawful Employment Discrimination:

- If you are a pregnant employee and are denied leave recommended by a doctor or are denied reinstatement to the same or comparable position after giving birth.
- If you are subjected to unwanted sexual advances or demands, offered benefits in exchange for sexual favors, threatened with demotion, firing, or loss of benefits for refusing sexual advances, or subjected to unwelcome sexual conduct.
- If you are denied a job or a promotion because of your race, sex, including gender identity or expression, sexual orientation, age, religion, color, ancestry, disability, marital status, civil union status, credit history, credit report, arrest and court record (except in limited circumstances), or domestic or sexual violence victim status.

Filing a Complaint:

HI

You have the right to file a complaint if you have been subjected to discrimination because of your race, sex, including gender identity or expression, reproductive choices, refusing to enter into a nondisclosure

Wage Standards Division: 586-877

awaii Wage and Hour laws			
his notice provides gener	a		
auai: 274-3351			
ona: 322-4808			
aui: 243-5322			
ilo: 974-6464			
diiu: 500-0777			

I background information on and is not intended to serve as a substitute for legal counsel. For specific legal advice on individual situations, please consult an attorney

Anne E. Perreira-Eustaguio, Director **Department of Labor and Industrial Relations**

* You may satisfy Hawaii Labor Laws' posting requirements by posting our official labor law poster.

For more information: http://labor.hawaii.gov/labor-law-poster Equal Opportunity Employer/Program Auxiliary aids and services are available upon request to individuals with disabilities.

TDD/TTY Dial 711 then ask for (808) 586-8866

You can file a complaint by calling the Hawaii Civil Rights Commission.

Under state law, you must file your complaint within 180 days of the act of

You have the right to be free from discriminatory or retaliatory action from

your employer for filing a complaint, participating in an investigation, or

This notice provides general background information on labor

laws administered and enforced by DLIR's Disability Compensation

For specific legal advice on individual situations, please consult an

Division and is not intended to serve as a substitute for legal counsel.

*You may satisfy Hawaii Labor Laws' posting requirements by posting

Equal Opportunity Employer/Program

Auxiliary aids and services are available upon request to individuals

with disabilities

TDD/TTY Dial 711 then ask for (808) 586-8866.

For more information: http://labor.hawaii.gov/labor-law-poster/

REV. 06/22/2022

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.

employment positions to undertake military service or certain types of service in the

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;

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:

then a

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;	
n employer may not deny you:			
initial employment;	•	promotion; or	
reemployment.		any benefit of employment	

any benefit of employment reemployment; retention in 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 serviceconnected 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 https://www.dol.gov/agencies/vets/. An interactive online USERRA Advisor can be viewed at https://webapps.dol.gov/elaws/vets/userra

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: https://www.dol.gov/agencies/vets/programs/userra/poster 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 Employer Support of the Guard and Reserve • 1-800-336-4590

HI Whistleblower Protection Law **NOTICE TO EMPLOYEES** occurrence of the alleged violation You may satisfy Hawaii Labor Laws' posting requirements by posting our official labor law poster. Equal Opportunity Employer/Program TDD/TTY Dial 711 then ask for (808) 586-8866 **NUTICE TO EMPLOYEES** Under the HAWAII EMPLOYMENT PRACTICES LAW (Act 249, 2013 Regular Session) **BREASTFEEDING IN THE WORKPLACE** effective July 1, 2013 attornevs' fees consult your attorney. would impose an undue hardship by causing the he employer's business shall not be subject to the practice HI **REQUIRED NOTICE TO DISLOCATED**

Auxiliary aids and services are available upon request to individuals with disabilities. a conspicuous place accessible to employees

FED

U.S. Equal Employment Opportunity Commission

Know Your Rights: Workplace Discrimination is Illegal

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help.

Conduct that coerces, intimidates, threatens, or

interferes with someone exercising their rights, or

someone assisting or encouraging someone else to

exercise rights, regarding disability discrimination

(including accommodation) or pregnancy

What can You Do if You Believe

Discrimination has Occurred?

an inquiry through the EEOC's public portal:

1-800-669-4000 (toll free)

www.eeoc.gov/field-office)

info@eeoc.gov

including information about filing a

charge of discrimination, is available at

Additional information about the EEOC,

1-844-234-5122 (ASL video phone)

an EEOC field office (information at

EMPLOYERS HOLDING FEDERAL

CONTRACTS OR SUBCONTRACTS

nondiscrimination and affirmative action commitments of

companies doing business with the Federal Government.

If you are applying for a job with, or are an employee of, a

company with a Federal contract or subcontract, you are

protected under Federal law from discrimination on the

Race, Color, Religion, Sex, Sexual Orientation,

Executive Order 11246, as amended, prohibits employment

discrimination by Federal contractors based on race, color,

religion, sex, sexual orientation, gender identity, or national

origin, and requires affirmative action to ensure equality of

Asking About, Disclosing, or Discussing Pay

Executive Order 11246, as amended, protects applicants

and employees of Federal contractors from discrimination

based on inquiring about, disclosing, or discussing their

compensation or the compensation of other applicants or

Section 503 of the Rehabilitation Act of 1973, as amended,

protects qualified individuals with disabilities from

discrimination in hiring, promotion, discharge, pay,

accommodation to the known physical or mental

fringe benefits, job training, classification, referral, and

Disability discrimination includes not making reasonable

disability who is an applicant or employee, barring undue

nardship to the employer. Section 503 also requires that

other aspects of employment by Federal contractors.

limitations of an otherwise qualified individual with a

Federal contractors take affirmative action to employ

and advance in employment qualified individuals with

The Department of Labor's Office of Federal Contract

Compliance Programs (OFCCP) enforces the

Gender Identity, National Origin

opportunity in all aspects of employment.

1-800-669-6820 (TTY)

https://publicportal.eeoc.gov/Portal/Login.aspx

accommodation

Who is Protected?

- Employees (current and former), including managers and temporary employees
- Job applicants Union members and applicants for membership in
- a union

What Types of Employment Discrimination are Illegal?

Contact the EEOC promptly if you suspect discrimination. Under the EEOC's laws, an employer may not discriminate Do not delay, because there are strict time limits for filing against you, regardless of your immigration status, on the a charge of discrimination (180 or 300 days, depending or where you live/work). You can reach the EEOC in any of the following ways

Submit

Call

Visit

E-Mail

www.eeoc.gov.

following bases:

employees.

Disability

Color

Race

Religion

bases of

- National origin
- Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender
- identity)
- Age (40 and older)
- Disability
- Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)
- Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding
- Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation

What Organizations are Covered?

- Most private employers
- State and local governments (as employers)
- Educational institutions (as employers)
- Unions Staffing agencies

What Employment Practices can be **Challenged as Discriminatory?**

- All aspects of employment, including:
- Discharge, firing, or lay-off Harassment (including unwelcome verbal or physical
- conduct)
- Hiring or promotion
 - Assignment Pay (unequal wages or compensation)
- Failure to provide reasonable accommodation for a disability; pregnancy, childbirth, or related medical
- condition; or a sincerely-held religious belief, observance or practice Benefits
- Job training
- Classification

REV. 05/2022

- Referral
- Obtaining or disclosing genetic information of employees
- Requesting or disclosing medical information of employees
- Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or proceeding

disabilities at all levels of employment, including the executive level.

Protected Veteran Status

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.

Retaliation

Programs (OFCCP)

financial assistance.

Individuals with Disabilities

U.S. Department of Labor

Washington, D.C. 20210

1-800-397-6251 (toll-free)

200 Constitution Avenue, N.W.

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors under these Federal laws. Any person who believes a contractor has violated its

nondiscrimination or affirmative action obligations under OFCCP's authorities should contact immediately: The Office of Federal Contract Compliance

If you are deaf, hard of hearing, or have a speech

relay services. OFCCP may also be contacted by

regional or district office, listed in most telephone

of Labor and on OFCCP's "Contact Us" webpage at

directories under U.S. Government, Department

https://www.dol.gov/agencies/ofccp/contact.

Race, Color, National Origin, Sex

disability, please dial 7-1-1 to access telecommunications

PROGRAMS OR ACTIVITIES RECEIVING

FEDERAL FINANCIAL ASSISTANCE

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

discrimination is covered by Title VI if the primary objective

of race, color or national origin in programs or activities

receiving Federal financial assistance. Employment

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

Section 504 of the Rehabilitation Act of 1973, as amended,

disability in any program or activity which receives Federal

prohibits employment discrimination on the basis of

financial assistance. Discrimination is prohibited in all

aspects of employment against persons with disabilities

who, with or without reasonable accommodation, can

If you believe you have been discriminated against in a

assistance, you should immediately contact the Federal

program of any institution which receives Federal financial

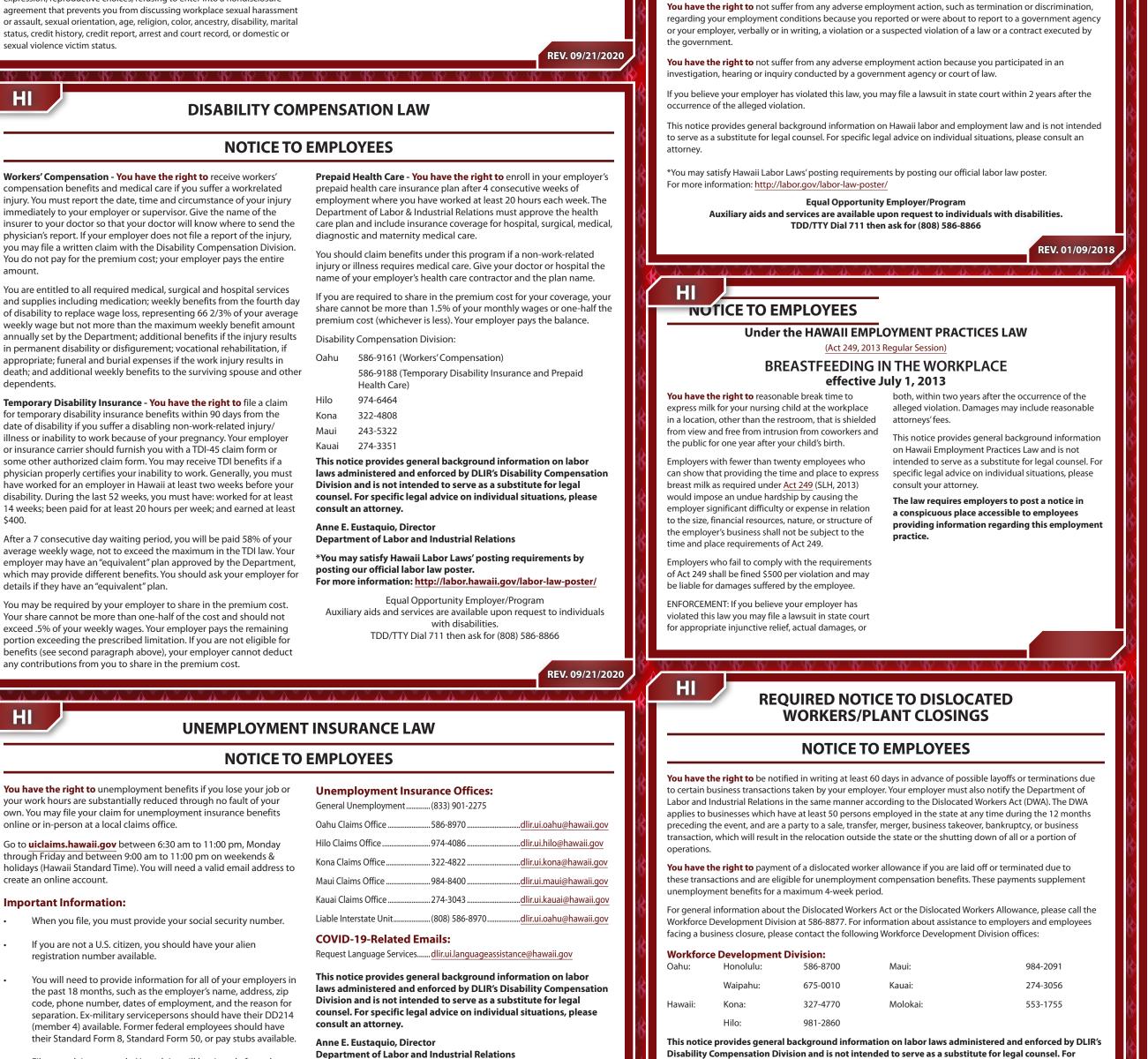
REV. 06/27/2023

perform the essential functions of the job.

agency providing such assistance.

submitting a question online to OFCCP's Help Desk at

https://ofccphelpdesk.dol.gov/s/, or by calling an OFCCP



File your claim promptly. Your claim will begin only from the

Disability Compensation Division and is not intended to serve as a substitute for legal counsel. For cific legal advice on individual situations, please consult an attorney.

Healthful Workplace IT'S THE LAW!

You Have a Right to a Safe and

- You have the right to notify your employer or HIOSH (808-586-9092) about workplace hazards. HIOSH will keep your name and identity confidential.
- You have the right to request a HIOSH inspection if you believe that there are unsafe and/or unhealthful conditions at your workplace. You or your representative may participate in the inspection.
- You have a right to see HIOSH citations issued to your employer. Your employer must post the citations at or near the place of the alleged violation.
- Your employer must correct workplace hazards by the date indicated on the citation and must certify that these hazards have been reduced or eliminated.
- You have the right to copies of your medical records or records of your exposure to toxic and harmful substances or conditions.
- Your employer may not discriminate against you for making a safety and health complaint or for exercising your rights under the law, some of which are detailed above. You can file a discrimination complaint with HIOSH within 60 days of the discriminatory act. *Private sector employees must also file a discrimination* complaint with the OSHA Regional Office below within 30 days of the discriminatory act or they will lose their rights to pursue a federal claim under section 11(c) of the federal Occupational Safety and Health Act of 1970 after the conclusion of the HIOSH investigation.
- Report to OSHA all work-related fatalities within 8 hours, and all inpatient hospitalizations, amputations, and losses of an eye within 24 hours.
- Provide required training to all workers in a language and vocabulary they can understand.
- Your employer must post this notice in the workplace in a prominent location or where such notices are customarily located.

The Hawaii Occupational Safety and Health Law of 1972, Chapter 396, Hawaii Revised Statutes, assures safe and healthful working conditions for every worker in the State. The Hawaii Occupational Safety and Health Division (HIOSH) of the state Department of Labor & Industrial Relations, has the primary responsibility for administering the HIOSH Law. HIOSH does not cover those hired for domestic service in or about a private home, maritime or shipbuilding employees, employees covered by a federal agency, and employees working on military installations. The Occupational Safety and Health Administration (OSHA) monitors the HIOSH program to ensure its effectiveness. If you believe HIOSH is not meeting its responsibilities, you may file a Complaint About State Program Administration (CASPA) directly to the OSHA Regional Office:

REGIONAL **A**DMINISTRATOR

U.S. DEPARTMENT OF LABOR OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION **90 7th Street, Suite 18100** SAN FRANCISCO, CALIFORNIA 94103

Copies of the State law, the HIOSH rules and Standards or other program information may be obtained at:

HIOSH 830 PUNCHBOWL ST **R**м **423** HONOLULU, HI 96813 Tel. (808) 586-9100

http://labor.hawaii.gov/hiosh/

