**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.

At least 1% times the regular rate of pay for all hours worked over 40 in a workweek.

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

FED

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.

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 from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

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 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.

DEPARTMEN<sup>\*</sup> UNITED STATES OF AMERICA

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

1-866-487-9243 www.dol.gov/agencies/whd



\$7.25 per hour effective July 24, 2009 Indiana law requires this poster to be displayed in a Tipped Employees

Most Indiana employers and employees are covered by the minimum wage and overtime provisions of the federal Fair Labor Standards Act (FLSA); however those not covered under federal law may still be

covered by the Indiana Minimum Wage Law. Both the federal and Indiana state minimum wage increased from \$6.55 per hour to \$7.25 per hour, effective July 24, 2009.

The Indiana Minimum Wage Law generally requires employers to pay employees at least the minimum wage for all hours worked and to pay employees 1½ times their regular rate of pay ("Overtime compensation") when employees work more than forty (40) hours during a work week. However, there are many exceptions to the overtime pay requirement. Most of those exceptions can be found at Indiana Code § 22-2-2-3 (a) – (p).

Indiana law requires every employer subject to the Indiana Minimum Wage Law to furnish each employee a statement of the hours worked by the employee, the wages paid to the employee, and a listing of the deductions made. The Indiana Minimum Wage Law also prohibits pay discrimination on the basis of sex.

Department of Labor **Minimum Wage Law** 

conspicuous place in the area where employees are Generally, employers must pay tipped employees at least \$2.13 per hour if the employer claims a tip credit. If the employee's tips combined with the hourly wage do not equal the minimum wage, the employer must make up the difference.

**Training Wage** 

Indiana employers may pay \$4.25 per hour to employees under 20 years of age for the first 90 consecutive calendar days after the employee is initially employed by the employer.

**Violations** Indiana law provides for both civil and criminal

penalties for violation of the Indiana Minimum

(317) 232-2655.

**For Additional Information** For additional information, please contact the Indiana Department of Labor's Wage and Hour Division by email at wagehour@dol.in.gov or phone

INDIANA DEPARTMENT OF LABOR 402 West Washington Street, Room W195 Indianapolis, Indiana 46204 (317) 232-2655 • www.in.gov/dol

REV. 07/2009

FED

**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 that the employee is entitled to the higher minimum wage rate.

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

IN

Department of Labor **Teen Work Hour Restrictions** 

Employers of minors who are 14, 15, 16 or 17 years of age are required by law to post the maximum number of hours minors may be permitted to work each day of the week. The information must be posted in a conspicuous place or in places where notices are customarily posted. For additional copies please visit www.in.gov/dol/youthemployment.htm

> 14 and 15 year old minors 3 hours per school day

8 hours per non-school day

18 hours per school week 40 hours per non-school weeks

May not work before 7:00 a.m. or after 7:00 p.m. but may work until 9:00 p.m. from June 1 through Labor Day, except on a night

followed by a school day

May only work outside of school hours, (Not during normal school hours)

16 and 17 year old minors 9 hours per day

40 hours per school week

48 hours per non-school week

No more than 6 consecutive workdays No start time between 12:00 a.m. & 6:00 a.m.

Until 10:00 p.m. on nights followed by a school day

With written parental permission 16 and 17 year old minors may work until 11:00 p.m. on nights followed by a school day

No restricted end time on nights not followed by a school day May not work in an establishment open to the public between 10:00 p.m. & 6:00 a.m.

unless another employee at least 18 years of age also works during the same hours as the minor.

Indiana Department of Labor/Bureau of Child Labor 402 West Washington Street, Room W195, Indianapolis, Indiana 46204 Phone: (317) 232-2655 • Fax: (317) 233-3790 • TT Voice: 1-800-743-3333 E-Mail: youthemployment@dol.in.gov • Web: www.in.gov/dol/youthemployment.htm

IN

**WORKER'S COMPENSATION NOTICE** Your employer is required to provide for payment of benefits

Any employee who is injured while at work should report the injury immediately to their supervisor, employer, or designated representative.

under the Worker's Compensation Act of the State of Indiana

The worker's compensation insurance carrier or the administrator for

(name of company)

(name of insurance carrier or administrator)

(name of carrier/administrator)

For more information about rights or procedures under the Indiana Worker's Compensation system, call or write:

> OMBUDSMAN DIVISION 402 W. Washington St., Rm W196 Indianapolis, IN 46204 (317) 232-3808 1-800-824-2667

Worker's Compensation Board of Indiana

Indiana Worker's Compensation Board

REV. 04/21/2005

FED

LABOR

**FAMILY AND MEDICAL LEAVE ACT** 

What is FMLA leave? 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,
- To care for your spouse, child or parent with a serious mental or physical health condition, and

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

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

provided paid leave if your employer's paid leave policy covers the reason for which you need 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 Management.

How do I request FMLA leave? Generally, to request FMLA leave you must:

certification of a qualifying exigency.

- 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

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
- 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 leave.

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 you'r 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



YOUR RIGHTS UNDER USERRA

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

THE UNIFORMED SERVICES EMPLOYMENT

AND REEMPLOYMENT RIGHTS ACT

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

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 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 are obligated to serve in the uniformed service;

have applied for membership in the uniformed then an employer may not deny you:

> promotion; or any benefit of employment

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 employerbased health plan coverage for you and your dependents for up to 24 months while in the military.

initial employment;

reemployment;

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 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  $may\ be\ viewed\ on\ the\ internet\ at\ this\ address: \underline{https://www.dol.gov/agencies/vets/programs/userra/poster}\ Federal\ law$ 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 REV. 05/2022

IN

DEPARTMENT OF WORKFORCE DEVELOPMENT

**Unemployment Insurance Laws** If you lose your job or work less than full time, you may be eligible for unemployment insurance benefits.

Information is available on-line at www.in.gov/dwd. Computers are available at any Indiana WorkOne Center. No deductions are made from employees' pay for unemployment insurance. This employer pays this tax.

> www.in.gov/dwd 1-800-891-6499

**Equal Employment** 

CIVIL RIGHTS COMMISSION —EQUAL OPPORTUNITY

Opportunity is the Law Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations with six or more persons are protected under State and Federal law

Race Ancestry Color Religion Sex National Origin Disability **Veteran Status** 

This includes: Discriminatory hiring, firing, training, discipline, compensation, promotion

Denying a reasonable accommodation to a qualified individual with a disability or an employee with deeply held

religious beliefs

**Conducting medical examinations** 

membership in a protected class Retaliating against a person for filing a complaint, testifying at a hearing or

assisting in an investigation Failing to hire an applicant based on their status as a veteran

Indiana Civil Rights Commission

**ROOM N103** Indianapolis, IN 46204 **OFFICE: (317)232-2600** 

E-mail: <a href="mailto:icrc@crc.in.gov">icrc@crc.in.gov</a> Website: <a href="https://www.in.gov/icrc">www.in.gov/icrc</a> 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.

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? Under the EEOC's laws, an employer may not discriminate against you, regardless of

your immigration status, on the bases of: Color

Religion 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?** 

All aspects of employment, including:

Most private employers State and local governments (as employers) Educational institutions (as employers)

Staffing agencies

Discharge, firing, or lay-off Harassment (including unwelcome verbal or physical conduct) Hiring or promotion

What Employment Practices can be Challenged as Discriminatory?

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,

Assignment

observance or practice Benefits

FED

rights under the Act.

**EXEMPTIONS** 

dispensers.

DEPARTMENT OF LABOR

UNITED STATES OF AMERICA

REV. 04/2023

Job training

Classification 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 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 accommodation What can You Do if You Believe Discrimination has Occurred? Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:

https://publicportal.eeoc.gov/Portal/Login.aspx 1-800-669-4000 (toll free) 1-800-669-6820 (TTY) 1-844-234-5122 (ASL video phone) an EEOC field office (information at www.eeoc.gov/field-office)

an inquiry through the EEOC's public portal:

Additional information about the EEOC, including information about filing a charge of discrimination, is available at www.eeoc.gov.



## EMPLOYERS HOLDING FEDERAL CONTRACTS OR

**SUBCONTRACTS** The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the 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 following bases: Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National 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 opportunity in all **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 employees. Disability Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified ndividuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. 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. **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 is prohibited against a person who files a complaint of discrimination,

participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal

If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL

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 Programs (OFCCP) U.S. Department of Labor 200 Constitution Avenue, N.W. Washington, D.C. 20210 1-800-397-6251 (toll-free)

telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at https://ofccphelpdesk.dol.gov/s/, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at https://www.dol.gov/agencies/ofccp/contact

FINANCIAL ASSISTANCE Race, Color, National Origin, Sex

**Individuals with Disabilities** 

Federal agency providing such assistance.

resulted in economic loss to the employer.

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 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

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

involvement in a workplace incident (theft, embezzlement, etc.) that

The law does not preempt any provision of any State or local law or

Examinees have a number of specific rights, including the right to

a written notice before testing, the right to refuse or discontinue a

The Secretary of Labor may bring court actions to restrain violations

REV. 06/27/2023

The Employee Polygraph Protection Act prohibits most The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of private employers from using lie detector tests either for

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

pre-employment screening or during the course of employment.

to certain private individuals engaged in national security-related 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,

the law does not apply to tests given by the Federal Government

Federal, State and local governments are not affected by the law. Also

and assess civil penalties against violators. Employees or job and guard), and of pharmaceutical manufacturers, distributors and

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.



## **IOSHA** SAFETY AND HEALTH PROTECTION

**INTRODUCTION:** 

The intent of the Indiana Occupational Safety and Health Act of 1974, Indiana Code 22-8-1.1, is to assure, so far as possible, safe and healthful working conditions for the workers in the State. The Indiana Department of Labor has primary responsibility for

administering and enforcing the Act and the safety and health

Requirements of the Act include the following: **EMPLOYERS:** 

standards promulgated under its provisions.

or serious physical harm to employees. The Act further requires that employers comply with the Occupational Safety and Health

Standards, Rules, and Regulations. All employees shall comply with Occupational Safety and Health Standards and all rules, regulations, and orders issued under the

violations to the attention of the Department of Labor be fulfilled by allowing a representative of the employees and a representative of the employer to accompany the inspector during inspection. Where there is no employee representative,

the inspector shall consult with a reasonable number of

employees. **COMPLAINT:** 

Employees have the right to file a complaint with the Department of Labor. There shall be an inspection where reasonable grounds exist for the Department of Labor to believe there may be a hazard. Unless permission is given by the employees complaining to release their names, they will be

acting to exercise their rights under the Act. Employees who believe they have been discriminated against may file a complaint with the Department of Labor within 30 days of the alleged discrimination. Please note that extensions of the 30-day filing requirement may be granted under certain special circumstances, such as where the employer

complaint with the U.S. Secretary of Labor within 30 days of the alleged discrimination. **VIOLATION NOTICE:** 

written order to the employer, who shall be required to post it

ON THE JOB prominently at or near the place where the alleged violation occurred until it is made safe and required safeguards are

> **PROPOSED PENALTIES:** The Act provides for CIVIL penalties of not more than \$7,000 for each serious violation and CIVIL penalties of up to \$7,000 for each non-serious violation. Any employer who fails to correct a violation within the prescribed abatement period may be assessed a CIVIL penalty of not more than \$7,000 for each day beyond the abatement date during which such violation continues. Except as otherwise provided below involving a worker fatality, any employer who knowingly or repeatedly violates the Act may be assessed CIVIL penalties of not more

of posting requirements can bring a penalty of up to \$7,000. Proposed Penalties in Conjunction with a Worker Fatality An employer who knowingly violates the Act and where

assessed a civil penalty of up to \$132,598 for each violation. **VOLUNTARY ACTIVITY:** The Act encourages efforts by labor and management, before the Department of Labor inspections, to reduce injuries and

The Act encourages employers and employees to reduce

workplace hazards voluntarily and to develop and improve

illnesses arising out of employment.

any such violation can reasonably be determined to have

contributed to an employee fatality, shall be assessed a civil

penalty of not less than \$9,472 for each violation and may be

safety and health programs in all workplaces and industries. Such cooperative action would initially focus on the identification and elimination of hazards that could cause death, injury, or illness to employees and supervisors.

The Act provides a consultation service to assist in voluntary

from the employer to INSafe. Telephone Number (317) 232-2688.

The Act does not cover those hired for domestic service in or about a private home and those covered by a federal agency. Those exempted from the Act's coverage include employees in maritime services, who are covered by the U.S. Department of Labor, and employees in atomic energy activities who are covered by the Atomic Energy Commission.

protection for workers throughout the State. OSHA will monitor the operation of this plan to assure that continued approval is merited. Any person may make a complaint regarding the State administration of this plan directly to the OSHA Regional Office, Occupational Safety and Health Administration, 230 South Dearborn Street, Chicago, Illinois 60604, Telephone Number (312) 353-2220. **MORE INFORMATION:** 

INDIANA DEPARTMENT OF LABOR

402 West Washington Street, Room W195 Indianapolis, Indiana 46204 Telephone: (317) 232-2655 TT/Voice: (800) 743-3333 Fax: (317) 233-3790 INTERNET: HTTP://WWW.IN.GOV/LABOR

JJKeller.com/laborlaw 800-327-6868 FED-IN-ENG 62804 JUN2023 65762F

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(mailing address) (city, state, zip) (telephone number) (contact person)

YOUR EMPLOYEE RIGHTS UNDER THE

Your serious mental or physical health condition that makes you unable to work,

Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a

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-

Am I eligible to take FMLA leave?

from discrimination on the following bases

and other terms or conditions of employment Denial of equal benefits or privileges 100 North Senate Avenue,

This Business is Subject to Indiana's

(except in limited circumstances) Harassing employees because of their

**Contact Us** 

Toll Free: (800) 628-2909 HEARING IMPAIRED: (800) 743-3333 Fax: (317) 232-6580

info@eeoc.gov

**EMPLOYEE RIGHTS EMPLOYEE POLYGRAPH PROTECTION ACT** 

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.

persons.

**ENFORCEMENT** 

WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR

Each employer shall establish and maintain conditions of work which are reasonably safe and healthful for employees and free from recognized hazards that are causing or likely to cause death

Act, which are applicable to their own actions and conduct. **INSPECTION:** The Act requires that an opportunity be provided for employees and their representatives to bring possible safety and health inspector in order to aid the inspection. This requirement may

withheld from the employer. Telephone Number (317) 232-2693. The Act provides that no employer shall discharge, suspend, or otherwise discriminate in terms of conditions of employment against any employees for their failure or refusal to engage in unsafe practices or for filing a complaint, testifying, or otherwise

has concealed or misled the employee regarding the grounds for discharge. However, a grievance-arbitration proceeding, which is pending, would not be considered justification for an extension of the 30-day filing period. The Commissioner of Labor shall investigate said complaint and upon finding discrimination in violation of the Act, shall order the employer to provide necessary relief to the employees. This relief may include rehiring, reinstatement to the job with back pay, and restoration of seniority. All employees are also afforded protection from discrimination under Federal Occupational Safety and Health Act and may file a

When an alleged violation of any provision of the Act has occurred, the Department of Labor shall promptly issue a

test, and the right not to have test results disclosed to unauthorized

provided or 3 days, whichever is longer.

than \$70,000 for each violation and a penalty of not less than \$5,000 shall be imposed for each knowing violation. A violation

compliance and give recommendations for the abatement of cited violations. This service is available upon a written request

**NOTE:** Under a plan approved March 6, 1974, by the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA), the State of Indiana is providing job safety and health Regional Administrator, Region V, U.S. Department of Labor,

EMPLOYERS: This poster must be displayed prominently in the workplace.

To update your labor law posters contact **TWO** ways to verify poster compliance! J. J. Keller & Associates, Inc.

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