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.

you have five years or less of cumulative service in the uniformed services while with that particular employer;

You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed

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

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

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

pre-existing condition exclusions) except for service-connected illnesses or injuries.

the Department of Justice or the Office of Special Counsel, as applicable, for representation.

displaying the text of this notice where they customarily place notices for employees.

If you leave your job to perform military service, you have the right to elect to continue your existing employer-

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.,

The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and

For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL

If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to

You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

may be viewed on the internet at this address: https://www.dol.gov/agencies/vets/programs/userra/poster Federal law

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

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and

requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by

or visit its website at https://www.dol.gov/agencies/vets/. An interactive online USERRA Advisor can be viewed at

promotion; or

any benefit of employmen

are obligated to serve in the uniformed service;

**REV. 05/2022** 

you ensure that your employer receives advance written or verbal notice of your service;

not been absent due to military service or, in some cases, a comparable job.

are a past or present member of the uniformed service;

have applied for membership in the uniformed service; or

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

FED

**REEMPLOYMENT RIGHTS** 

then an employer may not deny you:

**HEALTH INSURANCE PROTECTION** 

https://webapps.dol.gov/elaws/vets/userra

initial employment;

retention in employment

reemployment;

because of this status

### **EMPLOYEE RIGHTS** UNDER THE FAIR LABOR STANDARDS ACT

**ENFORCEMENT** 

### **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.

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

### employment. **TIP CREDIT**

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

OF LABOR **UNITED STATES** OF AMERICA

TN

**WAGE AND HOUR DIVISION** 



WH1088



During those hours when the minor is required to

Between the hours of 10:00 pm and 6:00 am, Sunday

through Thursday evenings preceding a school day,

except with valid parental consent form kept in the

until midnight no more than 3 of the Sunday through

"School days" means any day when normal classes are in

session during regular school year in the school district.

minor's personnel file. Then, the minor may work

attend classes;

Thursday nights.

ship-breaking operations;

slide or motion picture

20. Occupations involved in youth peddling.

sold in the place of employment.

16. Occupations involved in roofing operations;

18. Occupations that the commissioner shall by regulation,

pursuant to this part, declare to be hazardous or

injurious to the life, health, safety and welfare of

19. Occupations involving posing or modeling, alone or

with others, while engaged in sexual conduct for the

minor must not be employed in a place of employment

where the average monthly gross receipts from the

percent (25%) of the total gross receipts of the place

of employment or where a minor will be permitted

regardless of the amount of intoxicating beverages

If a minor is sixteen (16) or seventeen (17) years of age,

where the average monthly gross receipts from the

percent (25%) of the total gross receipts of the place

of employment if the minor is not permitted to take

orders for or serve intoxicating beverages.

sale of intoxicating beverages exceed twenty-five

the minor may be employed in a place of employment

to take orders for or serve intoxicating beverages.

sale of intoxicating beverages exceed twenty-five

purpose of preparing a film, photograph, negative,

17. Occupations in excavation operations:

### TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT WAGE REGULATIONS ACT It is unlawful for any employer to employ, permit or suffer to work any person without first informing the employee of the amount of

wages to be paid (T.C.A. §50-2-101). All wages or compensation of employees in private employment shall be due and payable not less frequently than once per month. Notice of regular paydays shall be posted by each employer in at least two conspicuous places. **REGULAR PAYDAY IS POSTED AS FOLLOWS:** (T.C.A. §50-2-103) Each employee must have a 30-minute unpaid rest break or meal period if scheduled to work 6 hours consecutively, except adult

employees in workplace environments that by the nature of business provide for ample opportunity to rest or take an appropriate break. Such break shall not be scheduled during or before the first hour of scheduled work activity (T.C.A. §50-2-103). No employer shall discriminate between employees in the same establishment on the basis of sex by paying any employee salary or wage rates less than the employer pays to any employee of opposite sex for comparable skill, effort, and responsibility, and which are performed under similar working conditions (T.C.A. §50-2-202).

### **CHILD LABOR ACT** Minors 16 and 17 years of age may not be employed (T.C.A.

## Minors 14 and 15 years of age may not be employed (T.C.A.

- During school hours; Between 7:00 pm and 7:00 am if the next day is a school day; Between 9:00 pm and 6:00 am if the next day is not a school
- More than 3 hours a day on school days;
- More than 18 hours a week during school weeks: More than 8 hours a day on non-school days:
- More than 40 hours a week during non-school weeks.
- "School hours" means that period of time during a school day when school is in session and students are required to
- BREAK OR MEAL PERIOD (T.C.A. §50-5-115)

### A minor must have a 30-minute **unpaid** break or meal period if scheduled to work 6 hours consecutively. Such break shall not be scheduled during or before the first hour of scheduled work activity.

OCCUPATIONS PROHIBITED FOR MINORS UNDER THE AGE OF 18 (T.C.A. §50-5-106)

## (a) A minor may not be employed in connection with the following: 15. Occupations involved in wrecking, demolition and

- Occupations in or about plants or establishments manufacturing or storing explosives or articles containing
- explosive components Motor vehicle driving occupations;
- Logging occupations and occupations in the operation of any
- sawmill, lath mill, shingle mill or cooperage-stock mill; Occupations involved in the operation of power-driven woodworking machines;
- and to ionizing radiations; Occupations involved in the operation of elevator and other power-driven hoisting apparatus;

Occupations involving exposure to radioactive substances

- Occupations involved in the operation of power-driven metal- 1. If a minor is fifteen (15) years of age or younger, the forming, punching and shearing machines; Occupations in connection with mining elements other than
- 10. Occupations involving slaughtering, meat-packing,
- processing or rendering; 11. Occupations involved in the operation of hazardous power-
- 12. Occupations involved in the operation of hazardous powerdriven paper products machines; 13. Occupations involved in the manufacture of brick, tile and kindred products;
- 14. Occupations involved in the operation of circular saws, band saws and guillotine shears;

# DUTIES OF EMPLOYERS (T.C.A. §50-5-111)

- Maintain a separate file record for each minor employed which shall be kept at the minor's place of employment and shall include the following: a. Employment application
- Copy of minor's birth certificate, driver's license, state issued ID or passport; Accurate daily time record for all minors:
- Any records qualifying a minor for exemption under T.C.A. §50-5-107 (8)-(13). Allow the department to inspect all premises where minors are or could be employed and the contents of the individual file
- Post in a conspicuous place on the business premises a printed notice of the provisions of the Child Labor Act furnished by the Furnish the department with records relative to the employment of minors
- If a minor is 16 or 17 years of age and is home schooled, the file must include documentation from the Director of the LEA, the home school, or church-related school that confirms the minor's enrollment and authorization to work (T.C.A. §50-5-105).
- For information on state laws, contact the Tennessee Department of Labor and Workforce Development Labor Standards Unit Toll Free (844) 224-5818 (REGULATIONS) www.tn.gov/workforce
- The TN Department of Labor and Workforce Development is committed to principals of equal opportunity, equal

access, and affirmative action. Auxiliary aids and services are available upon request to individuals with disabilities. llers with hearing impairments may use TTY/TDD 711.

Tennessee Department of Labor & Workforce Development; Authorization #337477; 1000 copies; This public document was promulgated at a cost of \$0.44 per copy.

# REV. 05/2024

## Department of Labor and Workforce Development **WORKERS' COMPENSATION INSURANCE POSTING NOTICE**

### **How to Report Work-Related Injuries** What should be done if injured at work?

# **Employee**

TN

- representative named below Select a treating physician from a panel provided
- If you have questions or problems, contact the employer representative or the Bureau of Workers'
- "Workplace Injury form" and notify your workers' even if you have concerns about the validity of the

**Employer** 

- In cases of emergency, call an ambulance
- via Form C-42 available on the Bureau's website
- and provide this form as soon as the injured

Printed **name and title** of the employer representative to be notified in the event of a work-related injury

Printed name of an **alternative employer representative** to be notified in the event of a work-related

**Telephone number** of employer representative to notify in event of a work-related injury **Address** of employer representative to notify in event of a work-related injury

The Tennessee Bureau of **BWC** Workers' Compensation **Bureau of WORKERS'** is available to help both employees and employers. **COMPENSATION** 

220 French Landing Dr. 1-B Nashville, TN 37243-2667 800-332-2667 615-532-4810 TTD: 800-332-2257

tn.gov/workerscomp Workers' Compensation law requires this notice to be posted in a conspicuous place at the work site at all times.

# Department of Labor & Workforce Development

Your employer provides insurance to help protect you when you become unemployed through no fault of your own. Tennessee employers pay the full cost of unemployment insurance for their employees. Nothing is deducted from your pay to cover the cost of this insurance nor does any money come from State of Tennessee funds.

# To be eligible for benefits you must

- Be separated from employment through no fault of your own.
- Have qualifying wages in the base period. Be able and available for work.
- Search for work by making a minimum of three tangible job contacts and documenting during weekly certification process. You may log in to www.Jobs4tn.gov to search for work online.
- Failure to make three weekly work searches will result in a loss of benefits unless you are job attached, a member of a hiring union, or attending training approved by the Commissioner.

If you become unemployed you may file for benefits at www.Jobs4tn.gov.

- Before beginning the claim filing process, you should have your
- Social Security Number **Telephone Number**
- Address

TN

Name of county of residence

- 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

The Department has authority to recover back

wages and an equal amount in liquidated damages

in instances of minimum wage, overtime, and other

### **ADDITIONAL INFORMATION**

under the FLSA.

- 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.

**REV. 04/2023** 

# FED

### YOUR EMPLOYEE RIGHTS UNDER THE 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 jobprotected 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

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 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
- 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
- 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.

Where can I find more information?

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

**WAGE AND HOUR DIVISION** 

- 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
- 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 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.

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.

**SCAN ME DEPARTMENT OF LABOR UNITED STATES OF AMERICA** 



UNITED STATES DEPARTMENT OF LABOR WH1420 **REV. 04/2023** 

**Human Rights Commission** 

TENNESSEE LAW PROHIBITS DISCRIMINATION IN EMPLOYMENT IT IS ILLEGAL TO DISCRIMINATE AGAINST ANY PERSON BECAUSE OF RACE, COLOR, CREED, RELIGION, SEX, AGE DISABILITY, OR NATIONAL ORIGIN IN RECRUITMENT, TRAINING, HIRING, DISCHARGE, PROMOTION, OR ANY CONDITION, If you feel that you have been discriminated against, contact the

Tennessee Human Rights Commission

LA LEY DE TENNESSEE PROHIBE LA DISCRIMINACIÓN EN EL EMPLEO

ES EN CONTRA DE LA LEY DISCRIMINAR EN CONTRA DE CUALQUIER PERSONA DEBIDO EN BASE A LA RAZA, COLOR, CREDO, RELIGIÓN, SEXO, EDAD, INCAPACIDAD U ORÍGEN EN EL SELECCIÓN, ENTRENAMIENTO, EMPLEO, AL DESPEDIR, PROMOVER O CUALQUIER CONDICIÓN, TÉRMINO O PRIVILEGIO DE EMPLEO.

Si usted cree que ha sido víctima de discriminación, comuníquese con la Comisión de Derechos Humanos de CONTACT US/PARA MAS INFORMACIÓN: **TENNESSEE HUMAN RIGHTS COMMISSION** WILLIAM R. SNODGRASS TENNESSEE TOWER

> 312 ROSA L. PARKS AVENUE 23RD FLOOR NASHVILLE, TENNESSEE 37243-1102 PHONE: (615) 741-5825 OR 1-800-251-3589 ESPAÑOL: 1-866-856-1252 WWW.TN.GOV/HUMANRIGHTS

### **UNEMPLOYMENT INSURANCE POSTER FOR EMPLOYEES** Employment data for the last 18 months including employer name and address, and

### You must keep your address current with the Department of Labor and Workforce **Development.** Go to www.Jobs4tn.gov to apply for unemployment benefits, to file a wage protest, to file an appeal of an agency decision, to view/update information, and to view and update your choice of type of

Bank routing number and bank account number if you elect to receive benefits by direct

deposit; otherwise, you will receive benefits on the Way2Go MasterCard.

You may go to the Department's website at

unemployment benefit payment. You may log in to www.Jobs4tn.gov to register and search for work by using services offered by our Tennessee American Job Centers. The Tennessee Department of Labor and Workforce Development has staff available to help you find a job or pursue training opportunities.

www.tn.gov/workforce/jobs-and-education/job-search1/find-local-american-job-center.html to find the location of the most convenient Tennessee American Job Center.

The TN Department of Labor and Workforce Development is committed to principles of equal opportunity, equal access, and affirmative action. Auxiliary aids and services are available upon request to individuals with disabilities. Tennessee Relay Service is 711. Authorization No. 337386 REV. 02/2023

Please post in a conspicuous place.

## 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

### Who is Protected? Employees (current and former), including managers and temporary

FED

- 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? Most private employers
- State and local governments (as employers) Educational institutions (as employers)
- 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;
- religious belief, observance or practice
- pregnancy, childbirth, or related medical condition; or a sincerely-held **Benefits**
- Job training Classification Obtaining or disclosing genetic information of employees Requesting or disclosing medical information of employees

Conduct that might reasonably discourage someone from opposing

What can You Do if You Believe Discrimination has Occurred?

discrimination, filing a charge, or participating in an investigation or 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

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: **Submit** an inquiry through the EEOC's public portal:

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

1-800-669-6820 (TTY) 1-844-234-5122 (ASL video phone) an EEOC field office (information at www.eeoc.gov/field-office)

1-800-669-4000 (toll free)

Additional information about the EEOC,

including information about filing a

charge of discrimination, is available at

**E-Mail** *info@eeoc.gov* 

FED

## 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

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.

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

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

to certain private individuals engaged in national security-related

administered in the private sector, subject to restrictions, to certain

The Act permits polygraph (a kind of lie detector) tests to be

prospective employee for refusing to take a test or for exercising other

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 Origin** 

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 aspects of employment.

**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, 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 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 The Office of Federal Contract Compliance Programs (OFCCP)

U.S. Department of Labor

200 Constitution Avenue, N.W.

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

**Individuals with Disabilities** 

Washington, D.C. 20210 1-800-397-6251 (toll-free) If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access 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

### 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.

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.

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.

Where polygraph tests are permitted, they are subject to numerous

The Secretary of Labor may bring court actions to restrain violations

strict standards concerning the conduct and length of the test.

The Act also permits polygraph testing, subject to restrictions, of

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

prospective employees of security service firms (armored car, alarm, 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.

**EMPLOYEE RIGHTS** 

**EMPLOYEE POLYGRAPH PROTECTION ACT** 

**EXAMINEE RIGHTS** 

DEPARTMENT OF LABOR

UNITED STATES OF AMERICA

rights under the Act.

**EXEMPTIONS** 

activities.



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

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

# You Have a Right to a Safe and Healthful Workplace. IT'S THE LAW!

- You have the right to notify your employer or TOSHA about workplace hazards. You may ask TOSHA to keep your name confidential.
- You have the right to request a TOSHA inspection if you believe that there are unsafe and unhealthful conditions in your workplace. You or your representative may participate in the inspection.

employer for making safety and health complaints or for exercising your rights under

the TOSHA Act or the Tennessee Hazardous Chemical Right-to-Know Act. You have a right to see TOSHA citations issued to your employer. Your employer must

· Your employer must correct workplace hazards by the date indicated on the citation

• You can file a complaint with TOSHA within 30 days of discrimination by your

post the citations at or near the place of the alleged violation.

- and must certify that these hazards have been reduced or eliminated. You have rights under the Tennessee Right to Know Law concerning hazardous chemicals in your work area. Your employer must provide training about health effects, protective measures, safe handling procedures, as well as information on interpreting labels and safety data sheets (SDS). You must be provided access to the
- safety data sheets and the workplace chemical list. You have the right to copies of your medical records or records of your exposure to toxic and harmful substances or conditions.

The **Tennessee Occupational Safety and Health Act of 1972**, T.C.A. §§ 50-3-101

Your employer must post this notice in your workplace.

www.http://tn.gov/workforce/section/tosha.

**TWO** ways to verify poster compliance!

ONLINE

et seq., assures safe and healthful working conditions for working men and women throughout the state. The Department of Labor and Workforce Development, Division of Occupational Safety and Health (TOSHA) has the primary responsibility for administering the TOSHA Act. The rights listed here may vary depending on the particular circumstances. To file a complaint, report an emergency or seek TOSHA advice, assistance or information, call 800-249-8510 or your nearest TOSHA office. • Chattanooga (423) 634-6424 • Jackson (731) 423-5640 • Kingsport (423) 224-2042 • Knoxville (865) 594-6180 • Memphis (901) 543-7259 • Nashville (615) 741-2793. To file

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a complaint online or obtain information on Federal OSHA and other state programs,

visit OSHA's website at <a href="https://www.osha.gov">www.osha.gov</a>. For additional information on TOSHA visit

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800-327-6868 65874F

To update your labor law posters contact

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