REV. 02/2022

(theft, embezzlement, etc.) that resulted in economic loss to

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

have test results disclosed to unauthorized persons.

rights, including the right to a written notice before testing,

the right to refuse or discontinue a test, and the right not to

FED

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

**ENFORCEMENT** 

under the FLSA.

**ADDITIONAL INFORMATION** 

Puerto Rico.

The Department has authority to recover back

violations. The Department may litigate and/or

wages and an equal amount in liquidated damages

in instances of minimum wage, overtime, and other

recommend criminal prosecution. Employers may

be assessed civil money penalties for each willful or

pay provisions of the law. Civil money penalties may

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

who file a complaint or participate in any proceeding

prohibits retaliating against or discharging workers

Certain occupations and establishments

and/or overtime pay provisions. Certain narrow

Special provisions apply to workers in American

protections; employers must comply with both.

exemptions also apply to the pump at work

Samoa, the Commonwealth of the Northern

Mariana Islands, and the Commonwealth of

Some state laws provide greater employee

Some employers incorrectly classify workers

are actually employees under the FLSA. It is

important to know the difference between

the two because employees (unless exempt)

Certain full-time students, student learners,

be paid less than the minimum wage under

apprentices, and workers with disabilities may

special certificates issued by the Department of

1-866-487-9243

are entitled to the FLSA's minimum wage and

overtime pay protections and correctly classified

as "independent contractors" when they

independent contractors are not.

are exempt from the minimum wage,

repeated violation of the minimum wage or overtime

also be assessed for violations of the FLSA's child labor

#### **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.

**CHILD LABOR** 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

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.

OF LABOR UNITED STATES OF AMERICA

OH





**WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT** 

**2024 MINIMUM WAGE** 

www.dol.gov/agencies/whd



REV. 04/2023

**OHIO DEPARTMENT OF COMMERCE** Mike DeWine Jon Husted Governor Lt. Governor

**Sherry Maxfield** Director www.com.ohio.gov **NON-TIPPED EMPLOYEES** 

A Minimum Wage of \$10.45 per hour "Non-Tipped Employees" includes any employee who does not engage in an occupation in which he/she customarily and

regularly receives more than thirty dollars (\$30.00) per month in tips. "**Employers"** who gross less than \$385,000 shall pay their employees no less than the current federal minimum wage rate.

**"Employees"** under the age of 16 shall be paid no less than the current federal minimum wage rate. "Current Federal Minimum Wage" is \$7.25 per hour.

# TIPPED EMPLOYEES

A Minimum Wage of \$5.25 per hour PLUS TIPS 'Tipped Employees" includes any employee who engages in an occupation in which he/she customarily and regularly receives more than thirty dollars (\$30.00) per month in tips. Employers electing to use the tip credit provision must be able to show that tipped employees receive at least the minimum wage when direct or cash wages and the tip credit

An employer shall pay an employee for overtime at a wage rate of one and one-half times the employee's wage

amount are combined

## rate for hours in excess of 40 hours in one work week, except for employers grossing less than \$150,000 per

RECORDS TO BE KEPT BY THE EMPLOYER Each employer shall keep records for at least three years, available for copying and inspection by the Director of

- the Ohio Department of Commerce, showing the following information concerning each employee:

OVERTIME

- Address
- Occupation Rate of Pay
- Amount paid each pay period
- Hours worked each day and each work week The records may be opened for inspection or copying at any reasonable time and no employer shall hinder or
- delay the Director of the Ohio Department of Commerce in the performance of these duties.

#### To prevent the curtailment of opportunities for employment and avoid undue hardship to individuals whose earning capacity is affected or impaired by physical or mental deficiencies or injuries, a sub-minimum wage may be paid, as

## INDIVIDUALS EXEMPT FROM MINIMUM WAGE

provided in the rules and regulations set forth by the Director of the Ohio Department of Commerce. Any individual employed by the United States;

# Any individual employed as a baby-sitter in the employer's home, or a live-in companion to a sick, convalescing,

perform the services for which the individual volunteered; and

- or elderly person whose principal duties do not include housekeeping; Any individual employed as an outside salesman compensated by commissions or in a bona fide executive, administrative, or professional capacity, or computer professionals;
- Any individual who volunteers to perform services for a public agency which is a State, a political subdivision of a State, or an interstate government agency, if (i) the individual receives no compensation or is paid expenses, reasonable benefits, or a nominal fee to
- (ii) such services are not the same type of services which the individual is employed to perform for such public Any individual who works or provides personal services of a charitable nature in a hospital or health institution
- for which compensation is not sought or contemplated;
- Any individual in the employ of a camp or recreational area for children under eighteen years of age and owned and operated by a non-profit organization or group of organizations. Employees of a solely family owned and operated business who are family members of an owner.
- For information about additional exemptions, please visit the Ohio Division of Industrial Compliance or U.S. Department of Labor websites.
- For further information about minimum wage issues, please contact: The Ohio Department of Commerce, Division of

. Industrial Compliance, 6606 Tussing Road, Reynoldsburg, Ohio 43068. Phone: 614-644-2239. TTY/TDD: 1-800-750-0750 An Equal Opportunity Employer and Service Provider

# **POST IN A CONSPICUOUS PLACE**

REV. 09/30/2023

**NOTICE:** This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under ne Fair Labor Standards Act posting, which indicates the federal minimum wage. Where federal and state rates both apply to an pployee, 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.

**NOTICE:** This state requires an employer to display a Workers' Compensation posting furnished by the employer's insurance arrier or a state agency. Employers should contact their insurance carrier or the appropriate state agency to obtain a copy of this tate's Workers' Compensation posting or notice of compliance/certificate of insurance. Employees should refer to the Workers' Compensation posting or notice of compliance/certificate of insurance furnished by the state or the employer's insurance carrier for nformation about Workers' Compensation.

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT FULFILL THIS STATE'S WORKERS **COMPENSATION POSTING REQUIREMENT.** 

# OH

**Civil Rights Commission Know Your Rights** 

Governor Mike DeWine

**EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW The Ohio Civil Rights Act** protects applicants and employees of private employers, state, county and local governments,

educational institutions, labor organizations, employment agencies and personnel placement services from unlawful discriminatory employment practices.

Ohio law prohibits discrimination on the basis of race or color in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, terms, conditions and privileges of employment, or any other matter directly or indirectly related to employment.

In addition, any facially neutral employment policy or practice that results in a discriminatory impact on the basis of race or color is a prohibited form of discrimination unless such policy or practice is job-related and based upon business necessitv.

National Origin and Ancestry Ohio law prohibits discrimination on the basis of national origin or ancestry in hiring, promotion, tenure, discharge,

pay, fringe benefits, job training, classification, referral, terms, conditions and privileges of employment, or any other matter directly or indirectly related to employment.

In addition, any policy or practice limiting or prohibiting the use of any language in the workplace is a prohibited form of discrimination unless such limitation or prohibition is job-related and based upon business necessity.

Sex, Including Pregnancy, Sexual Orientation, and Gender Identity

Ohio law prohibits discrimination on the basis of **sex or pregnancy** in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, terms, conditions and privileges of employment, or any other matter directly or indirectly related to employment

Women affected by pregnancy, childbirth or related medical condition must be afforded leave for a reasonable period of time and may not be discharged under a policy providing insufficient or no leave.

The U.S. Supreme Court, in the case of Bostock v. Clayton Cty., Georgia. U.S. 140 S. Ct. 1731 (2020), as well as other federal

court cases, have extended sex discrimination to include prohibition of employment discrimination on the basis of sexual orientation and gender identity.

Ohio law prohibits discrimination on the basis of *religion* in hiring, promotion, tenure, discharge, pay, fringe benefits,

job training, classification, referral, terms, conditions and privileges of employment, or any other matter directly or

In addition, applicants and employees must be provided with a reasonable accommodation for religious beliefs and practices, except when the accommodation imposes an undue hardship.

Ohio law prohibits discrimination on the basis of *military status* in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, terms, conditions and privileges of employment, or any other matter

directly or indirectly related to employment. In addition, employees who leave employment to perform military service, which includes the performance of duty, on a voluntary or involuntary basis, in a uniformed service, under competent authority, must be reemployed upon

Ohio law prohibits discrimination on the basis of disability in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, terms, conditions and privileges of employment, or any other matter directly or indirectly related to employment.

In addition, applicants and employees must be provided with a reasonable accommodation for their disabilities, except when the accommodation imposes an undue hardship.

Ohio law prohibits discrimination against persons 40 years of age or older on the basis of age in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, terms, conditions and privileges of employment, or any other matter directly or indirectly related to employment

Ohio law prohibits harassment in the workplace on any basis set forth herein, which includes the creation of a racially

advances as a condition of employment, continued employment or promotion. In addition, all reasonable steps should be taken to prevent and promptly correct harassment in the workplace, which

or sexually hostile work environment, verbally or physically abusive treatment, and requiring submission to sexual

includes the establishment of a policy against harassment and a procedure for receiving, investigating and remedying complaints of workplace harassment.

indirectly related to employment.

practice, or because that person has made a charge, testified, assisted or participated in any manner in any investigation, proceeding or hearing. **ENFORCEMENT** 

Ohio law prohibits retaliation against any person because that person has opposed any unlawful discriminatory

#### The Ohio Civil Rights Commission (OCRC) investigates complaints of discrimination and harassment in employment. Complaints must be filed with the OCRC within two years of the last act of discrimination or harassment.

For more information or assistance in filing a complaint, please call toll free: 1-888-278-7101, TTY (614) 752-2391 or

visit our website at: www.civ.ohio.gov **REV. 08/2022**  FED

LABOR

LAWS

**EMPLOYEE RIGHTS** 

**EMPLOYEE POLYGRAPH PROTECTION ACT** The Employee Polygraph Protection Act prohibits most The Act also permits polygraph testing, subject to private employers from using lie detector tests either restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident for pre-employment screening or during the course of

the employer. **PROHIBITIONS** The law does not preempt any provision of any State or local Employers are generally prohibited from requiring or law or any collective bargaining agreement which is more requesting any employee or job applicant to take a lie restrictive with respect to lie detector tests. detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee **EXAMINEE RIGHTS** 

for refusing to take a test or for exercising other rights under **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

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 (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN

**WAGE AND HOUR DIVISION** 1-866-487-9243 UNITED STATES DEPARTMENT www.dol.gov/agencies/whd

**ENFORCEMENT** 

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then an employer may not deny you:

DEPARTMENT

UNITED STATES

OF LABOR

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.

**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 eliqible 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

are a past or present member of the uniformed are obligated to serve in the uniformed service; have applied for membership in the uniformed

initial employment; promotion; or 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 **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 service-connected illnesses or injuries.

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 REV. 05/2022

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Chapter 4109.

STATE OF OHIO **MINOR LABOR LAWS** 

**OHIO DEPARTMENT OF COMMERCE** 

**DIVISION OF INDUSTRIAL COMPLIANCE & LABOR** www.com.ohio.gov

Mike Dewine Jon Husted Lt. Governor

**OHIO REVISED CODE CHAPTER 4109\*** "MINOR" MEANS ANY PERSON LESS THAN 18 YEARS OF AGE WORKING PERMITS: Every minor 14 through 17 years of age must have a working permit unless otherwise stated in

Sheryl Maxfield

Director

WAGE AGREEMENT: No employer shall give employment to a minor without agreeing with him/her as to the wages or compensation he/she shall receive for each day, week, month, year or per piece for work performed. REST PERIOD: No employer shall employ a minor more than 5 consecutive hours without a rest period of at least 30

LIST OF MINORS EMPLOYED: Employer shall keep a list of minors employed at each establishment and a list must be posted in a conspicuous place to which all minor employees have access. TIME RECORDS: Every employer shall keep a time book or other written record showing actual starting and stopping time of each work and rest period. These records must be kept for two (2) years.

**RESTRICTIONS ON WORKING HOURS FOR MINORS 14 and 15 YEARS OF AGE** 

- No person under 16 shall be employed: During school hours except where specifically permitted by Chapter 4109
- Before 7 a.m. or after 9 p.m. from June 1st to September 1st or during any school holiday of 5 school days or more; or after 7 p.m. at any other time

For more than 3 hours a day in any school day For more than 18 hours in any school week For more than 8 hours in any day when school is not in session

For more than 40 hours in any week that school is not in session nor during school hours, unless employment is incidental to bona fide programs of vocational cooperative training, work-study, or other work-oriented programs with the purpose of educating students, and the program meets standards established by the state board of education.

**RESTRICTIONS ON WORKING HOURS FOR MINORS 16 and 17 YEARS OF AGE** 

After 11 p.m. on any night preceding a day that school is in session.

No person 16 or 17 who is required to attend school shall be employed: Before 7 a.m. on any day that school is in session or 6 a.m. if the person was not employed after 8 p.m. the

PROHIBITED OCCUPATIONS FOR MINORS UNDER 16 YEARS OF AGE

All manufacturing; mining; processing; public messenger service Work in freezers and meat coolers and all preparation of meats for sale (except wrapping, sealing, labeling,

weighing, pricing and stocking) Transportation; storage; communications; public utilities; construction; repair Work in boiler or engine rooms; maintenance or repair of machinery

Outside window washing from window sills or scaffolding and/or ladders

Cooking and baking; operating, setting up, adjusting, cleaning, oiling or repairing power-driven food slicers, grinders, food choppers, cutters, bakery type mixers

Loading or unloading goods to and from trucks All warehouse work except office and clerical

Work in connection with cars and trucks involving the use of pits, racks or lifting apparatus or involving the inflation of any tire mounted on a rim equipped with a removable retaining ring. PROHIBITED OCCUPATIONS FOR MINORS 14 through 17 YEARS OF AGE

Power-driven bakery machines Occupations involved in the manufacture of brick, tile and kindred products

Occupations involved in the manufacture of chemicals Manufacturing or storage occupations involving explosives

Occupations involving slaughtering, meat-packing, processing or rendering

Occupations involving exposure to radioactive substances and to ionizing radiations Power-driven paper products machines

Power-driven metal forming, punching and shearing machines Occupations involved in the operation of power-driven circular saws, band saws and guillotine shears

Power-driven woodworking machines 12. Occupations in connection with mining, other than coal

13. Logging and sawmilling Motor vehicle occupations Maritime and longshoreman occupations

Railroads

17. Excavation operations 18. Power-driven and hoisting apparatus 19. Roofing operations

20. Wrecking, demolition, and shipbreaking.

MINORS UNDER 16 YEARS OF AGE MAY NOT ENGAGE IN DOOR-TO-DOOR EMPLOYMENT UNLESS The for-profit employer is REGISTERED with the Ohio Department of Commerce. DOOR-TO-DOOR SALES EMPLOYERS

Be in compliance with all applicable Ohio and Federal laws relating to the employment of minors

Provide at least one supervisor who is over the age of eighteen, for each six minor employees Have been and be in compliance with Ohio's Motor Vehicle Financial Responsibility, Workers' Compensation, Unemployment Compensation, and all other applicable laws

Not employ any minor in any door-to-door sales activity during school hours except where specifically permitted

Require all minors to work at least in pairs Not employ any minor who does not have an appropriate Age and Schooling Certificate Provide each minor employee with a photo identification card

Not employ minors under 16 in door-to-door sales activity before 7 a.m. or after 7 p.m.

Not employ minors 16 and 17 years of age in door-to-door sales activity before 7 a.m. or after 8 p.m. \*For Exceptions to Coverage See Chapter 4109.06

This is a summary of ORC 4109. This summary does not include all of the requirements for minor labor laws. Persons should refer to 4109 for specific requirements applicable to them. This information can be accessed through the Ohio Department of Commerce website at www.com.ohio.gov. **POST IN A CONSPICUOUS PLACE** 

Division of Industrial Compliance & Labor, 6606 Tussing Road, Reynoldsburg, OH 43068 Phone: 614-644-2239. TTY/TDD: 800-750-0750. An Equal Opportunity Employer and Service Provider REV. 09/13/2016

For further information about Minor Labor issues, please contact: The Ohio Department of Commerce,

**DEPARTMENT OF JOB & FAMILY SERVICES** 

**NOTICE TO EMPLOYEES** THIS EMPLOYER PROVIDES UNEMPLOYMENT INSURANCE COVERAGE FOR EMPLOYEES Employees who become unemployed (or are working less than full-time) may be eligible for unemployment insurance benefits. Apply by phone at 1-877-644-6562 (OHIOJOB) or online at http://unemployment.ohio.gov Be prepared to provide the following information when applying: Social Security number

Names, Social Security numbers, and dates of birth of all dependent children Employer's identification notice (pay stubs or W2 form) Name and address of all other employers for whom work was performed during the past 18 months

Driver's license or State ID number

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APPLY FOR WORK AT YOUR NEAREST OHIOMEANSJOBS CENTER Mike DeWine, Matt Damschroder, Governor Director JFS 55341 This institution is an equal opportunity provider and employer. A proud partner of the American Job Center network.

REV. 01/2024

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Under the EEOC's laws, an employer may not discriminate

against you, regardless of your immigration status, on the

Sex (including pregnancy, childbirth, and related

medical conditions, sexual orientation, or gender

Genetic information (including employer requests

for, or purchase, use, or disclosure of genetic tests,

Retaliation for filing a charge, reasonably opposing

discrimination, or participating in a discrimination

genetic services, or family medical history)

Interference, coercion, or threats related to

State and local governments (as employers)

Educational institutions (as employers)

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,

Obtaining or disclosing genetic information of

Requesting or disclosing medical information of

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

lawsuit, investigation, or proceeding

or pregnancy accommodation

What Organizations are Covered?

Most private employers

All aspects of employment, including:

Hiring or promotion

observance or practice

Discharge, firing, or lay-off

Staffing agencies

as Discriminatory?

conduct)

Benefits

Job training

Classification

Assignment

Color

Religion

identity)

Disability

National origin

Age (40 and older)

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.

(including accommodation) or pregnancy Who is Protected? accommodation Employees (current and former), including managers

and temporary employees Job applicants

What can You Do if You Believe **Discrimination has Occurred?** Union members and applicants for membership in Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing What Types of Employment Discrimination are

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

1-800-669-4000 (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)

info@eeoc.gov Additional information about the EEOC, including information about

iling a charge of discrimination, is **EMPLOYERS HOLDING FEDERAL CONTRACTS** 

OR SUBCONTRACTS exercising rights regarding disability discrimination 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: **What Employment Practices can be Challenged** 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, Harassment (including unwelcome verbal or physical 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

> based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants of employees. Disability 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 Conduct that might reasonably discourage someone 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 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 Programs (OFCCP) U.S. Department of Labor

200 Constitution Avenue, N.W. 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

https://www.dol.gov/agencies/ofccp/contact. **PROGRAMS OR ACTIVITIES RECEIVING** FEDERAL FINANCIAL ASSISTANCE

directories under U.S. Government, Department

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

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 and employees of Federal contractors from discrimination in educational programs or activities which receive Federal financial assistance. **Individuals with Disabilities** 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

f you believe you have been discriminated against in a

assistance, you should immediately contact the Federal

program of any institution which receives Federal financial

perform the essential functions of the job.

agency providing such assistance.

REV. 06/27/2023

## 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 **job-protected leave** for qualifying family and medical reasons. The U.S.

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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.

You have at least 1,250 hours of service for your employer during the 12 months before your leave, 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 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 work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,

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

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 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.

You have worked for your employer at least 12 months,

**How do I request FMLA leave?** Generally, to request FMLA leave you must Follow your employer's normal policies for requesting leave,

If you are eligible for FMLA leave, your **employer must**:

Where can I find more information?

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

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.

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?

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

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.

Allow you to take job-protected time off work for a qualifying reason,

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





# **Job Safety and Health**

# All workers have the right to:

 A safe workplace. Raise a safety or health concern with your employer or OSHA, or report a workrelated injury or illness, without being

retaliated against. Receive information and training on job hazards, including all hazardous substances in your workplace.

Request a confidential OSHA inspection

of your workplace if you believe there are

unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf. Participate (or have your representative participate) in an OSHA inspection and

speak in private to the inspector. • File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been

retaliated against for using your rights.

See any OSHA citations issued to your

the workplace injury and illness log.

Contact OSHA. We can help.

**TWO** ways to verify poster compliance!

**QR CODE** Scan with phone camera:

ONLINE

Go to: JJKeller.com/LLPverify

Enter this code: 69450-012024

employer. Request copies of your medical records, tests that measure hazards in the workplace, and

This poster is available free from OSHA.

- **Employers must:**  Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or
- fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss

reporting a work-related injury or illness.

Comply with all applicable OSHA standards.

Notify OSHA within 8 hours of a workplace

 Provide required training to all workers in a language and vocabulary they can understand.

Prominently display this poster in the workplace.

 Post OSHA citations at or near the place of the alleged violations.

On-Site Consultation services are available to

small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.





To update your labor law posters contact

J. J. Keller & Associates, Inc.

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