

FED Employee Rights Under the Fair Labor Standards Act

FEDERAL MINIMUM WAGE \$7.25 PER HOUR BEGINNING JULY 24, 2009

The law requires employers to display this poster where employees can readily see it.

OVERTIME PAY
At least 1.5 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 non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in non-hazardous jobs. Different rules apply in agricultural employment.

TIP CREDIT
"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. If the employer'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.

NURSING MOTHERS
The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA's overtime requirements in order for the employer to express breast milk for her nursing child for one year after the child's birth each time such employee has a need to express breast milk. Employers are also required to 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.

ADDITIONAL INFORMATION

- Certain covered employers and establishments are exempt from the minimum wage, and/or overtime pay provisions.
- 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 in agriculture may be paid less than the minimum wage under special certificates issued by the Department of Labor.

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

1-866-487-9243 TTY: 1-877-889-5627 www.dol.gov/whd WH1088

REV. 07/2016

FED EMPLOYEE RIGHTS EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.

ENFORCEMENT
The Department has authority to recover back wages and an equal amount of 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 covered employers and establishments are exempt from the minimum wage, and/or overtime pay provisions.
- 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 in agriculture may be paid less than the minimum wage under special certificates issued by the Department of Labor.

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

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.

The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.

EXAMINEE RIGHTS
Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

ENFORCEMENT
The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions.

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

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

1-866-487-9243 TTY: 1-877-889-5627 www.dol.gov/whd WH1462

REV. 07/2016

FED EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

The United States Department of Labor Wage and Hour Division

LEAVE ENTITLEMENTS
Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

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

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

BENEFITS & PROTECTIONS
While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave. Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

ELIGIBILITY REQUIREMENTS
An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave; and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

*Special "hours of service" requirements apply to airline flight crew employees.

REQUESTING LEAVE
Generally, employees must give 30-days advance notice of the need for FMLA leave. If it is not possible to give 30-days notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to see a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer of the need for leave if a reason for which FMLA leave was previously taken or certified.

Employers may require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

EMPLOYER RESPONSIBILITIES
Once an employee becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

ENFORCEMENT
Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer. 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.

For additional information or to file a complaint:
1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627 www.dol.gov/whd

DEPARTMENT OF LABOR UNITED STATES OF AMERICA **WHD**

U.S. Department of Labor - Wage and Hour Division - WH1420

REV. 04/2016

HI WAGE AND HOUR LAWS NOTICE TO EMPLOYEES

Minimum Wage - You have the right to receive a minimum wage of at least \$10.10 per hour through September 30, 2012; at least \$12.00 per hour beginning October 1, 2012; at least \$14.00 per hour beginning January 1, 2014; at least \$16.00 per hour beginning January 1, 2016; and at least \$18.00 per hour beginning January 1, 2018. Under certain conditions, "tipped employees" may be paid less than the minimum wage.

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

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

Payment of Wages - You have the right to be paid at least twice monthly on regular paydays designated in advance in cash, by check convertible into cash, or within certain requirements, by direct deposit into the employee's account at a federally insured depository institution or pay card; within 7 days after the end of each pay period; paid wages in full at the time of discharge or no later than the next working day; or paid no later than the next regular payday if you quit or resign. However, if you give your employer one pay period's notice of your intention to quit, you must be paid on your last day of employment.

Notification Requirements - You have the right to be notified in writing of the time of your pay and the amount of your pay. Any changes in pay arrangements prior to the time of such changes, and of any policies with regard to vacation, sick, or holiday pay must be made in writing or through a posted notice. You must also be notified in writing of any change in your pay rate, such as a raise, or any change in your pay schedule, such as a change in your pay period.

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

- Fines (for example - an amount you must pay to your employer for being tardy)
- Cash shortages in a common cash register or cash box used by two or more people, or in a cash register or cash box under your sole control unless given an opportunity to account for all monies received at the start of a shift and all monies turned in at the end of a shift.
- Penalties or replacement costs for breakage.
- Losses due to your acceptance of checks which are later dishonored if the employer has authorized you to accept checks.
- Losses due to faulty workmanship, lost or stolen property, damage to property, or default of customer credit or nonpayment for goods or services received by customers, as well as other losses not due to your willful or intentional disregard of the employer's interest.

Equal Opportunity Employer/Program
Auxiliary aids and services are available upon request to individuals with disabilities.
TDD/TTY Dial 711 then ask for (808) 586-8866

REV. 06/22/2022

FED 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 service and:

- you ensure that your employer receives advance written or verbal notice of your service;
- you have five years or less of cumulative service in the uniformed services while with that particular employer;
- you return to work or apply for reemployment in a timely manner after conclusion of service; and
- you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION
If you:

- are a past or present member of the uniformed service;
- have applied for membership in the uniformed service; or
- then an employer may not deny you:

- initial employment;
- reemployment;
- retention in employment;
- promotion; or
- any benefit of employment

because of this status.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

HEALTH INSURANCE PROTECTION

- If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military.
- Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for 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-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/>.
- If you file a complaint with VETS and it 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

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 Organizations are Covered?

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

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 basis of:

- Race
- Color
- Religion
- National origin
- Sex (including pregnancy and related 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.

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:

Submit an inquiry through the EEOC's public portal: <https://eplad.eeoc.gov/portal/login.aspx>

Call 1-800-669-4000 (toll free) 1-800-669-6820 (TTY) 1-844-234-5122 (ASL, video phone)

Visit an EEOC field office (information at www.eeoc.gov/office-ofc)

E-Mail info@eeoc.gov

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 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 employees.

Disability
Section 503 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination by Federal contractors with disabilities 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.

Individuals with Disabilities
Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination by Federal contractors 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.

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.

Who is Deaf, Hard of Hearing, or has a Speech Disability?
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://ocfhelpdesk.dol.gov/>, or by calling an OFCCP field office. A list of 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>.

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

REV. 04/2016

HI LAWS PROHIBITING EMPLOYMENT DISCRIMINATION NOTICE TO EMPLOYEES

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

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

Examples of Unlawful Employment Discrimination:

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

Filing a Complaint:
You have the right to file a complaint if you have been subjected to discrimination because of your race, sex, including gender identity or expression, reproductive choices, referring to enter into a non-disclosure agreement that prevents you from disclosing workplace sexual harassment or assault, sexual orientation, age, religion, color, ancestry, disability, marital status, credit history, credit report, arrest and court record, or domestic or sexual violence victim status.

You can file a complaint by calling the Hawaii Civil Rights Commission. Under state law, you must file your complaint within 180 days of the act of discrimination.

You have the right to be free from discriminatory or retaliatory action by your employer for filing a complaint, participating in an investigation, or opposing a discriminatory practice.

Hawaii Civil Rights Commission:
Oahu: 586-8630
Hawaii: 974-4000, ext.68636
Maui: 964-2400, ext.68636
Kona: 322-4608
Kauai: 274-3341, ext.68636
Molokai/Lanai: 1-800-468-4644, ext.68636
TDD/TTY: 586-8692

This notice provides general background information on labor laws administered and enforced by DLR's Disability Compensation Division and is not intended to serve as a substitute for legal counsel. For specific legal advice on individual situations, please consult an attorney.

Anne E. Eastaqui, Director
Department of Labor and Industrial Relations

***You may satisfy Hawaii Labor Laws' posting requirements by posting our official labor law poster.**
For more information: <http://labor.hawaii.gov/labor-law-poster/>

Equal Opportunity Employer/Program
Auxiliary aids and services are available upon request to individuals with disabilities.
TDD/TTY Dial 711 then ask for (808) 586-8866

REV. 09/21/2020

HI Whistleblower Protection Law NOTICE TO EMPLOYEES

You have the right to not suffer from any adverse employment action, such as termination or discrimination, regarding your employment conditions because you reported or were about to report to a government agency or your employer, verbally or in writing, a violation or a suspected violation of a law or a contract executed by the government.

You have the right to not suffer from any adverse employment action because you participated in an investigation, hearing or inquiry conducted by a government agency or court of law.

If you believe your employer has violated this law, you may file a lawsuit in state court within 2 years after the occurrence of the alleged violation.

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REV. 01/09/2018

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

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

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

REGIONAL ADMINISTRATOR
U.S. DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
90 7TH STREET, SUITE 18100
SAN FRANCISCO, CALIFORNIA 94103

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

HIOSH
830 PUNCHBOWL ST
RM 423
HONOLULU, HI 96813
TEL. (808) 586-9100
<http://labor.hawaii.gov/hiosh/>

REV. 09/21/2020

HI DISABILITY COMPENSATION LAW NOTICE TO EMPLOYEES

Workers' Compensation - You have the right to receive workers' compensation benefits and medical care if you suffer a work-related injury. You must report the date, time, and place of your injury immediately to your employer or supervisor. Give the name of the insurer to your doctor so that your doctor will know where to send the physician's report. If your employer does not file a report of the injury, you may file a written claim with the Disability Compensation Division. You do not pay for the premium cost; your employer pays the entire amount.

You are entitled to all required medical, surgical and hospital services. You are also entitled to weekly disability benefits for the first 104 days of disability to replace wage loss, representing 66 2/3% of your average weekly wage but not more than the maximum weekly benefit amount annually set by the Department; additional benefits if the injury results in death, disability or disfigurement; vocational rehabilitation, if appropriate; funeral and burial expenses if the work injury results in death; and additional weekly benefits to the surviving spouse and other dependents.

Temporary Disability Insurance - You have the right to file a claim for temporary disability insurance benefits within 90 days from the date of disability if you suffer a disabling non-work-related injury/illness or inability to work because of your pregnancy. Your employer or insurance carrier should furnish you with a TD-45 claim form or some other authorized claim form. You may receive TDI benefits if a physician properly certifies your inability to work. Generally, you must have worked for an employer in Hawaii at least two weeks before your injury. You may file your claim with the Disability Compensation Division. You do not pay for the premium cost; your employer pays the entire amount.

Prepaid Health Care - You have the right to enroll in your employer's prepaid health care insurance plan during 4 consecutive weeks of employment when you have worked at least 20 hours per week. The Department of Labor & Industrial Relations must approve the health care plan and include insurance coverage for hospital, surgical, medical, diagnostic and maternity medical care.

You should claim benefits under this program if a non-work-related injury or illness requires medical care. Give your doctor or hospital the name of your employer's health care contractor and the plan name.

If you are required to share in the premium cost for your coverage, your share cannot be more than 1.5% of your monthly wages or one-half the premium cost (whichever is less). Your employer pays the balance.

Disability Compensation Division:
Oahu 586-9161 (Workers' Compensation)
586-9188 (Temporary Disability Insurance and Prepaid Health Care)
Hilo 974-4664
Kona 322-4808
Maui 243-5322
Kauai 274-3351

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Anne E. Eastaqui, Director
Department of Labor and Industrial Relations

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REV. 09/21/2020

HI NOTICE TO EMPLOYEES Under the HAWAII EMPLOYMENT PRACTICES LAW (Act 249, 2013 Regular Session) BREASTFEEDING IN THE WORKPLACE effective July 1, 2013

You have the right to reasonable break time to express milk for your nursing child at the workplace in a location, other than the restroom, that is shielded from view and free from intrusion from coworkers and the public for one year after your child's birth.

Employers with fewer than twenty employees who can show that providing the time and place to express breast milk as required under Act 249 (SLH, 2013) would impose an undue hardship by causing the employer significant difficulty or expense in relation to the size, financial resources, nature, or structure of the employer's business shall not be subject to the time and place requirements of Act 249.

Employers who fail to comply with the requirements of Act 249 shall be fined \$500 per violation and may be liable for damages suffered by the employee.

ENFORCEMENT: If you believe your employer has violated this law you may file a lawsuit in state court for appropriate injunctive relief, actual damages, or both, within two years after the occurrence of the alleged violation. Damages may include reasonable attorney's fees.

This notice provides general background information on Hawaii Employment Practices Law and is not intended to serve as a substitute for legal counsel. For specific legal advice on individual situations, please consult your attorney.

The law requires employers to post a notice in a conspicuous place accessible to employees providing information regarding this employment practice.

Department of Labor and Industrial Relations Equal Opportunity Employer/Program
Auxiliary aids and services are available upon request to individuals with disabilities.
TDD/TTY Dial 711 then ask for (808) 586-8866.

Workforce Development Division:
Oahu: Honolulu: 586-8700 Maui: 984-2091
Waipahu: 675-0010 Kailua: 274-3056
Hawaii: Kona: 327-4477 Molokai: 553-1755
Hilo: 981-2860

This notice provides general background information on labor laws administered and enforced by DLR's Disability Compensation Division and is not intended to serve as a substitute for legal counsel. For specific legal advice on individual situations, please consult an attorney.

Anne E. Eastaqui, Director
Department of Labor and Industrial Relations

***You may satisfy Hawaii Labor Laws' posting requirements by posting our official labor law poster.**
For more information: <http://labor.hawaii.gov/labor-law-poster/>

Equal Opportunity Employer/Program
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REV. 11/10/2015

HI REQUIRED NOTICE TO DISLOCATED WORKERS/PLANT CLOSINGS NOTICE TO EMPLOYEES

You have the right to be notified in writing at least 60 days in advance of possible layoffs or terminations due to certain business transactions taken by your employer. Your employer must also notify the Department of Labor and Industrial Relations in the same manner according to the Dislocated Workers Act (DWA). The DWA applies to businesses which have at least 50 persons employed in the state at any time during the 12 months preceding the event, and will result in a paye, transfer, merger, business takeover, bankruptcy, or business transaction, which will result to the relocation outside the state or the shutting down of all or a portion of operations.

You have the right to payment of a dislocated worker allowance if you are laid off or terminated due to these transactions and are eligible for unemployment compensation benefits. These payments supplement unemployment benefits for a maximum 4-week period.

For general information about the Dislocated Workers Act or the Dislocated Workers Allowance, please call the Workforce Development Division at 586-8877. For information about assistance to employees and employers facing a business closure, please contact the following Workforce Development Division offices:

Workforce Development Division:
Oahu: Honolulu: 586-8700 Maui: 984-2091
Waipahu: 675-0010 Kailua: 274-3056
Hawaii: Kona: 327-4477 Molokai: 553-1755
Hilo: 981-2860

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Anne E. Eastaqui, Director
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REV. 09/21/2020

HI UNEMPLOYMENT INSURANCE LAW NOTICE TO EMPLOYEES

You have the right to unemployment benefits if you lose your job or your work hours are substantially reduced through no fault of your own. You may file your claim for unemployment insurance benefits online or in-person at a local claims office.

Go to claimants.hawaii.gov between 6:30 am to 11:00 pm, Monday through Friday and between 9:00 am to 11:00 pm on weekends & holidays (Hawaii Standard Time). You will need a valid email address to create an online account.

Important Information:

- When you file, you must provide your social security number.
- If you are not a U.S. citizen, you should have your alien registration number available.

You will need to provide information for all of your employers in the past 18 months, such as the employer's name, address, zip code, phone number, dates of employment, and the reason for separation. For military service members, you should have their DD214 (member 4) available. Former federal employees should have their Standard Form 8, Standard Form 50, or pay stubs available.

File your claim promptly. Your claim will begin only on the week that you file with the Unemployment Insurance Office.

If benefits are payable, you must receive your payments by direct deposit. You must provide your account type (savings or checking), financial institution routing number, and your account number.

Equal Opportunity Employer/Program
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TDD/TTY Dial 711 then ask for (808) 586-8866

REV. 09/21/2020