

Since 1953

LABOR LAWS

FEDERAL

4. KEEP WITHIN THE TIME LIMITS. Generally,

claims must be filed within three years of the

injury or disablement from an occupational

disease, or within two years of the last workers' compensation payment, whichever is later. Claims for

or similar diseases have special requirements.

within 30 months after an award is made if the

approved by the Commission are binding.

pneumoconiosis, radiological exposure, asbestosis,

Injured workers have the right to reopen their case

disability increases, but cases that are resolved by

a lump-sum settlement contract approved by the

Commission cannot be reopened. Only settlements

BY LAW, EMPLOYERS MUST DISPLAY THIS NOTICE

IN A PROMINENT PLACE

IN EACH WORKPLACE AND COMPLETE THE

INFORMATION BELOW.

Peoria: 309/671-3019

REV. 10/2011

REV. 09/2022



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 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 non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment.

TIP CREDIT

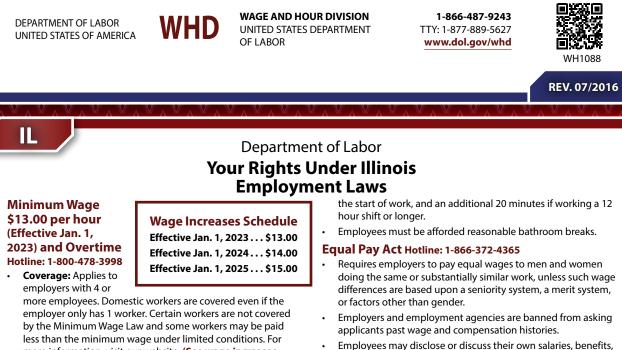
Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.

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 employee 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. ENFORCEMENT

The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage,

DEPARTMENT OF LABOR	
UNITED STATES OF AMERICA	



WAGE AND HOUR DIVISION

UNITED STATES DEPARTMENT

overtime, and other violations. The Department may litigate and/ or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding

under the FLSA. ADDITIONAL INFORMATION

Certain occupations and establish the minimum wage, and/or overtin Special provisions apply to worker Commonwealth of the Northern M Commonwealth of Puerto Rico. Some state laws provide greater e

employers must comply with bot 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.

1-866-487-9243

TTY: 1-877-889-5627

Workers' Compensation is a system of benefits provided by law to most workers who have job-related injuries or illnesses. Benefits are paid for injuries that are caused, in whole or in part, by an employee's work. This may include the aggravation of a pre-existing condition, injuries brought on by the repetitive use of a part of the body, heart attacks, or any other physical problem caused by work. Benefits are paid regardless of fault.

IF YOU HAVE A WORK-RELATED INJURY OR **ILLNESS, TAKE THE FOLLOWING STEPS:**

GET MEDICAL ASSISTANCE. By law, your employer must pay for all necessary medical services required to cure or relieve the effects of the injury or illness. Where necessary, the employer must also pay for physical, mental, or vocational rehabilitation, within prescribed limits. The employee may choose two Is. If the employer ved Preferred ompensation, the PPP es of providers.

- must notify your y or illness within 45 days, either orally or in writing. To avoid possible delays, it is recommended the notice also include your name, address, telephone number, Social Security number, and a brief description of the injury or illness.
- by law to report accidents that result in more than three lost work days to the Workers' Compensation Commission. Once the accident is reported, you should receive a handbook that explains the law, benefits, and procedures. If you need a handbook, please call the Commission or go to the Web site. If you must lose time from work to recover from the injury or illness, you may be entitled to receive

you are able to return to work that is reasonably available to you. It is against the law for an employer to harass, discharge, refuse to rehire or in any way discriminate against an employee for exercising his or her rights

It is also unlawful for employers to treat people

1. Contact your employer's human resources or

2. Contact the Illinois Department of Human Rights

To report discrimination, you may:

personnel department.

(IDHR) to file a charge.

FOR EMPLOYEES OF:

PLACE AND TIME OF PAYMENT:

REGULAR PAYDAYS SHALL BE AS FOLLOWS:

EMPLOYER'S FEIN



PARTY HANDLING WORKERS

COMPENSATION CLAIMS

BUSINESS ADDRESS

EFFECTIVE DATE

DEPARTMENT OF HUMAN RIGHTS — IDHR YOU HAVE THE RIGHT TO BE FREE FROM

JOB DISCRIMINATION AND SEXUAL HARASSMENT.

The Illinois Human Rights Act states that you have **the** right to be free from unlawful discrimination and sexual harassment. This means that employers may not treat people differently based on race, age, gender, disability, sexual orientation of

3. Call the Illinois Sexual Harassment and Discrimination Helpline at 1-877-236-7703 to talk to someone about your concerns. CHICAGO:

Website: dhr.illinois.gov

Email: IDHR.Intake@illinois.gov

Employers shall make this poster available and display it

where employees can readily see it.

This notice is available for download at:

www.illinois.gov/dhr

version . IDHR 9/2022

Es ilegal que su empleador la despida, se niegue

a contratarla o a proporcionarle una adaptación

información sobre el embarazo y sus derechos

en el lugar de trabajo en español, visite:

www.illinois.gov/dhr

CHICAGO OFFICE

555 W MONROE ST

Ste. 700

INTAKE UNIT

CHICAGO, IL 60661

(312) 814-6200

razonable a causa de su embarazo. Para obtener

ILLINOIS DEPARTMENT OF

Human Rights

For immediate help or if you have questions

regarding your rights.

Call (312) 814-6200 or (217) 785-5100 or

(866) 740-3953 (TTY)

The charge process may be initiated by

completing the form at:

http://www.illinois.gov/dhr

SPRINGFIELD OFFICE

524 S 2ND STEET,

3rd Floor

INTAKE UNIT

Springfield, IL 62701

(217) 785-5100

REV. 07/2022

555 W MONROE STREET, 7TH FLOOR

CHICAGO, IL 60661

(866) 740-3953 (TTY)

(312) 814-6251 (Fax)

524 S. 2ND ST., SUITE 300

Springfield, IL 62701

(866) 740-3953 (TTY)

(217) 785-5106 (Fax)

(217) 785-5100

(312) 814-6200

SPRINGFIELD:

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE

to workers about Unemployment Insurance Benefits

THE POSTING OF THIS NOTICE IS REQUIRED BY THE ILLINOIS UNEMPLOYMENT INSURANCE ACT.

FILING A CLAIM

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The Illinois Unemployment Insurance Act provides for the payment of benefits to eligible unemployed workers and for the collection of employer contributions from liable employers. It is designed to provide living expenses while new employment is sought. Claims should be filed as soon as possible after separation from employment. Claims can be filed online at **www.ides.illinois.gov** or at the nearest Illinois Department of Employment Security office to the worker's home. To be eligible for benefits, an unemployed individual must be available for work, able to work and actively seeking work and, in addition, must not be disqualified under any provisions of the Illinois Unemployment Insurance Act.

Each employer shall deliver the pamphlet "What Every Worker Should Know About Unemployment Insurance" to each worker separated from employment for an expected duration of seven or more days. The pamphlet shall be delivered to the worker at the time of separation or, if delivery is impracticable, mailed within five days after the date of the separation to the worker's last known address. Pamphlets shall be supplied by the Illinois Department of Employment Security to each employer without cost.

A claimant may also be entitled to receive, in addition to the weekly benefit amount, an allowance for a non-working spouse or a dependent child or children. The allowance is a percentage of the average weekly wage of the claimant in his or her base period. The weekly benefit amount plus any allowance for a dependent make up the total amount payable

If, during a calendar week an employee does not work full-time because of lack of work, he or she may be eligible for partial benefits if the wages earned in such calendar week are less than his or her weekly benefit amount. For any such week, employers should provide employees with a statement of "low earnings" which should be taken to their Illinois Department of Employment Security office.

NOTE: Illinois unemployment insurance benefits are paid from a trust fund to which only employers contribute. No deductions may be made from the wages of workers for this purpose.

Unemployment insurance information is available from any Illinois Department of Employment Security office. To locate the office nearest you, call 1-800-244-5631 or access the locations though our website at www.ides.illinois.gov

BENEFITS

Every claimant who files a new claim for unemployment insurance benefits must serve an unpaid waiting week for which he has filed and is otherwise eligible. The claimant's weekly benefit amount is usually a percentage of the worker's average weekly wage. The worker's average weekly wage is computed by dividing the wages paid during the two highest quarters of the base period by 26. The maximum weekly benefit amount is a percentage of the statewide average weekly wage. The minimum weekly benefit amount is \$51. The statewide average weekly wage is calculated each vear.

If Your Benefit Year Begins: Your Base Period Will Be: This year between: Last year between: Jan. 1 and March 31 Jan. 1 and Sept. 30 and the year before between Oct. 1 and Dec. 31 This year between: Last year between: April 1 and June 30 Jan. 1 and Dec. 31 This year between: Last year between: July 1 and Sept. 30 April 1 and Dec. 31 and this year between Jan. 1 and March 31 Last year between: This year between: Oct. 1 and Dec. 31 July 1 and Dec. 31 and this year between Jan. 1 and June 30

In order to be monetarily eligible, a claimant must be paid a minimum of \$1,600 during the base period with at least \$440 of that amount being paid outside the highest calendar guarter

If you have been awarded temporary total disability benefits under a workers' compensation act or other similar acts, or if you only have worked within the last few months, your base period may be determined differently. Contact your local IDES office for more information.

REPORTING TIPS

Each employee who receives tips must report these tips to employers on a written statement or on Form UC-51, "Employee's Report of Tips," in duplicate. Employers can furnish this form on request. The report shall be submitted on the day the wages are paid, or not later than the next payday, and shall include the amount of tips received during the pay period.

TAXATION OF BENEFITS

Unemployment insurance benefits are taxable if you are required to file a state or federal income tax return. You may choose to have federal and/or Illinois state income tax withheld from your weekly benefits. Since benefits are not subject to mandatory income tax withholding, if you do not choose to withhold, you may be required to make estimated tax payments using Internal Revenue Service Form 1040 ES and Illinois Department of Revenue Form IL 1040 ES. For additional information, call these toll-free numbers:

Internal Revenue Service 1-800-829-1040.

Illinois Department of Revenue 1-800-732-8866

This poster fulfills all posting requirements for the Illinois Department of Employment Security. EMPLOYERS ARE REQUIRED TO POST THIS NOTICE IN A CONSPICUOUS PLACE FOR ALL EMPLOYEES.



or visit the website: https://www2.illinois.gov/idol/Laws-Rules/CONMED/Pages/vessa.aspx

ments are exempt from me pay provisions.	Ŕ	physicians, surgeons, or hospital notifies you that it has an approv
rs in American Samoa, the Nariana Islands, and the		Provider Program for workers' co counts as one of your two choice
mployee protections; n.	8	2. NOTIFY YOUR EMPLOYER. You employer of the accidental injury

3. LEARN YOUR RIGHTS. Your employer is required

weekly payments and necessary medical care until

under the Workers' Compensation or Occupational Diseases Acts. If you file a fraudulent claim, you may be penalized under the law.

For more information, go to the Illinois Workers' Compensation Commission's Web site or call any office: Toll-free: 866/352-3033 Web site: www.iwcc.il.gov Rockford: 815/987-7292 Chicago: 312/814-6611 Springfield: 217/785-7087 Collinsville: 618/346-3450 TDD (Deaf): 312/814-2959

Workers' Compensation

with the wages from the employer do not equal the minimum wage, the employer must make up the difference. **Overtime:** Most hourly employees and some salaried Violent Crime Victims' Leave Hotline: 1-866-372-4365

employees are covered by the overtime law and must be compensated at time and one-half of their regular pay for hours worked over 40 in a workweek

more information, visit our website. (See wage increases

applicable minimum wage. If an employee's tips combined

Tipped Employees: Must be paid at least 60% of the

Unpaid Wages Hotline: 1-312-793-2808 Wage Payment and Collection Act

schedule above.)

Employees must receive their final compensation, including earned wages, vacation pay, commissions and bonuses on their next regularly scheduled payday

Unauthorized deductions from paychecks are not allowed except as specified by law. Employers must reimburse employees for all necessary

expenditures or losses incurred by an employee during the scope of employment and related to services performed for the employer. Employee must submit reimbursement request within 30 calendar days unless an employer policy allows for additional time to submit.

Meal and Rest Periods Hotline: 1-312-793-2804 One Day Rest in Seven Act

Provides employees with 24 consecutive hours of rest within every seven (7) consecutive day period.

- Employers may obtain permits from the Department allowing employees to voluntarily work seven consecutive days.
- Employees working 7 1/2 continuous hours must be allowed a meal period of at least 20 minutes no later than 5 hours after

This is a summary of laws that satisfies Illinois Department of Labor posting requirements. For a complete text of the laws, visit our website at:

524 South 2nd St, Suite 400, Springfield, IL 62701 • Springfield 217-782-6206 160 N. LASALLE, ST, SUITE C-1300, CHICAGO, IL 60601 CHICAGO 312-793-2800 • MARION 618-993-7090

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

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

OFFICE OF THE ATTORNEY GENERAL

YOUR RIGHTS UNDER THE ILLINOIS SERVICE MEMBER **EMPLOYMENT & REEMPLOYMENT RIGHTS ACT (330 ILCS 61)**

ISERRA (Illinois version of USERRA) protects the employment and benefits of service members who leave their civilian employment to serve our Nation or State.

In order to protect the common public interest in military service, it is the role of the Illinois Attorney General to promote awareness and ensure compliance with ISERRA by providing information, training, advocacy, and enforcement.

WHO IS PROTECTED?

- All members of the Armed Forces of the United States whether active duty or reserve, including the National Guard when performing State duty.
- All members of Military Auxiliary Radio System, United States Coast Guard Reserve, Civil Air Patrol, and the Merchant Marines when performing official duties in support of an emergency.
- Members who are released from military duty with follow-on care by the Department of Defense.

WHAT ARE THE RIGHTS, BENEFITS AND OBLIGATIONS UNDER ISERRA?

ISERRA provides the same protections as USERRA (i.e., reemployment, benefits and discrimination) but expands protections to persons identified above and incorporates existing benefits to service members who are public employees. Because ISERRA represents the minimum employer requirements, employers maintain the right to provide greater benefits at their discretion.

WHO ENFORCES ISERRA?

The ISERRA Advocate is an Assistant Attorney General appointed by the Illinois Attorney General to provide both advocacy and enforcement under ISERRA

WHERE TO FIND MORE INFORMATION?

Both service members and employers can find more information on the Attorney General's ISERRA Advocate webpage at www.illinoisattorneygeneral.gov/rights/veterans.html or call the Military & Veterans Rights Helpline at 1-800-382-3000 to ask questions or

This notice is available for download on the Attorney General's website by going to www.illinoisattorneygeneral.gov/rights/veterans.html. Employers are required to provide employees entitled to rights and benefits under ISERRA a notice of the rights, benefits, and obligations of service member employees. This requirement may be met by the posting of this notice where employers customarily place notices for employees. ISERRA is codified as Public Act 100-1101 and can be found at www.ilga.gov/legislation/publicacts/100/PDF/100-1101.pdf.

This material is available in alternate format upon request.

 Certain employees at large businesses may request wage/ protected class named in the Act. This applies to all salary history for their job title from IDOL. employer actions, including hiring, promotion, discipline and discharge **REASONABLE ACCOMMODATIONS** Provides employees who are victims of domestic, gender, or You also have the right to reasonable accommodations sexual violence, or other crimes of violence, or who have family based on pregnancy and disability. This means you members who are victims with up to 12 weeks of unpaid leave can ask for reasonable changes to your job if needed because you are pregnant or disabled. RETALIATION

Child Labor Hotline: 1-800-645-5784 Workers under Age 16

and other compensation with their co-workers and colleagues.

• Employers are not allowed to pay less to African American

employees versus a non-African American employees.

during a 12-month period

are met:

• Children under the age of 14 may not work in most jobs, differently because they have reported discrimination, except under limited conditions participated in an investigation, or helped others 14 and 15-year-olds may work if the following requirements exercise their right to complain about discrimination. **REPORT DISCRIMINATION**

• Employment certificates have been issued by the school district and filed with the Department of Labor confirming that a minor is old enough to work, physically capable to perform the job, and that the job will not interfere with the minor's education;

• The work is not deemed a hazardous occupation (a full listing can be found on our website); • Work is limited to 3 hours per day on school days, 8 hours

per day on non-school days and no more than 6 days or 48 hours per week • Work is performed only between the hours of 7 a.m.

to 7 p.m. during the school year (7 a.m. to 9 p.m. June through September); and • A 30-minute meal period is provided no later than the fifth

hour of work

www.labor.illinois.gov

For more information or to file a complaint, contact us at:

THIS POSTER MUST BE DISPLAYED WHERE EMPLOYEES CAN EASILY SEE IT.

IL452-01/23 23-0625

REV. 01/2023

notices indicating the regular paydays and the place and time for payment.

Department of Human Rights — IDHR

WAGE PAYMENT AND COLLECTION ACT

Payday Notice

The Illinois Wage Payment and Collection Act, 820 ILCS 115/10 (from Ch. 48, par. 39m-10), requires employers to

post and keep posted at each regular place of business in a position easily accessible to all employees one or more

(Company Name)

Pregnancy and your RIGHTS in the WORKPLACE

Are you pregnant, recovering from childbirth, or do you have a medical or common condition related to pregnancy?

If so, you have the right to: Ask your employer for a reasonable accommodation for your pregnancy, such as more frequent bathroom breaks, assistance with heavy

- work, a private space for expressing milk, or time off to recover from your pregnancy. Reject an unsolicited accommodation offered by
- your employer for your pregnancy. Continue working during your pregnancy if a reasonable accommodation is available which
- would allow you to continue performing your job. Your employer cannot:
- Discriminate against you because of your
- pregnancy. Retaliate against you because you requested a

reasonable accommodation It is illegal for your employer to fire you, refuse to hire you or to refuse to provide you with a reasonable accommodation because of your pregnancy. For more

information regarding your rights, download the Illinois Department of Human Rights' fact sheet from our website at <u>www.illinois.gov/dhr</u>

IDHR ENG . web . IOCI17-0405

Disability

Retaliation

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

his time may be used if the employee or the employee's family or household member is experiencing an incident of domestic violence, sexual violence, gender violence, or any other

- crime of violence
- is recovering from the violence:
- is seeking or receiving medical help, legal assistance (including participation in legal proceedings), counseling, safety planning, or other assistance;

such violence, with unpaid, job-guaranteed leave; reasonable accommodations; and protections from

temporarily or permanently relocating; or

discrimination and retaliation

to take other actions to increase the safety of the victim from future domestic, sexual, or gender violence, or any other crime of violence, or to ensure economic security.

NOTICE — Employees must provide the employer with at least 48 hours prior notice, unless providing advance notice is not practicable. If an employee is unable to provide advance notice, an employee must provide notice when an employee is able to do so, within a reasonable period of time after the absence.

CERTIFICATION — An employer may require the employee to provide certification of the domestic, sexual, or gender violence, or any other crime of violence, and that leave is to address the violence. Certification may include a sworn statement of the employee and other documentation such as a letter from a victims' services organization, a court record, or any other corroborating evidence, but only if that documentation is in the possession of the employee. The employee may choose which documentation to submit. The employer may not require more than one document related to the same incident or perpetrator of violence in one year. All information related to domestic, sexual, or gender violence, or any other crime of violence, is to be kept in the strictest confidence by the employer.

DURATION OF LEAVE — VESSA provides that employees working for an employer with at least 1 employee, but no more than 14 employees, are entitled to a total of 4 workweeks of unpaid leave during any 12-month period. Employees working for an employer with at least 15, but no more than 49 employees, are entitled to a total of 8 workweeks of unpaid leave during any 12-month period. And employees working for an employer with at least 50 employees are entitled to a total of 12 workweeks of unpaid leave during any 12-month period. Leave permitted during a 12-month period under the act based on number of employees:

Leave permitted during a 12 month period duder the det based on number of employ					
Number of employees	Leave permitted				
1-14 employees	4 weeks				
15-49 employees	8 weeks				
50 or more employees	12 weeks				
Leave may be taken consecutively, intermit	tently, or on a reduced work schedule basis				

ides that employe address the needs of the victim(s). Accommodations include, but are not limited to, an adjustment to the job structure, workplace facility, work requirements, or telephone number, seating assignment, or physical security of the work area.

- DISCRIMINATION AND RETALIATION VESSA prohibits employers from discriminating, retaliating, or otherwise treating an employee or job applicant unfavorably if the individual involved:
- Is or is perceived to be a victim of domestic, sexual, or gender violence, or any other crime of
- Attended, participated in, prepared for, or requested leave to attend, participate in, or prepare for a criminal or civil court or administrative proceeding relating to domestic, sexual, or gender violence, or any other crime of violence;
- Requested or took VESSA leave for any reason;

Requested an accommodation, regardless of whether the accommodation was granted; The workplace is disrupted or threatened by the action of a person whom the individual states has committed or threatened to commit domestic, sexual, or gender violence, or any other crime of violence, against the individual or the individual's family or household member; or Exercised any other rights under VESSA.

labor.illinois.gov • DOL.Questions@Illinois.gov

LINCOLN TOWER PLAZA	MICHAEL A BILANDIC BUILDING	REGIONAL OFFICE BUILDING
524 South 2nd Street, Suite 400	160 North LaSalle, Suite C-1300	2309 West Main Street, Suite 115
Springfield, Illinois 62701	CHICAGO, ILLINOIS 60601-3150	MARION, ILLINOIS 62959
(217) 782-6206	(312) 793-2800	(618) 993-7090
Fax: (217) 782-0596	Fax: (312) 793-5257	Fax: (618) 993-7258

REV. 12/2021

REV. 05/2022

12/21 IOCI 22-0569

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

FED

- 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 • are obligated to serve in the uniformed service; uniformed service; have applied for membership in the uniformed service; or

then an employer may not deny you:

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

retention in employment;

because of this status.

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

dependents for up to 24 months while in the military.

HEALTH INSURANCE PROTECTION

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., preexisting condition exclusions) except for service-connected illnesses or injuries.

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

ENFORCEMENT

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

https://www.dol.gov/agencies/vets/. An interactive online USERRA Advisor can

request that your case be referred to the Department of Justice or the Office of

If you file a complaint with VETS and VETS is unable to resolve it, you may

You may also bypass the VETS process and bring a civil action against an

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

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

be viewed at https://webapps.dol.gov/elaws/vets/userra.

Special Counsel, as applicable, for representation.

employer for violations of USERRA.

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

FED Who is Protected? **EMPLOYEE RIGHTS EMPLOYEE POLYGRAPH PROTECTION ACT** Employees (current and former), including managers The Employee Polygraph Protection Act prohibits most The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected private employers from using lie detector tests either for Job applicants pre-employment screening or during the course of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer a union The law does not preempt any provision of any State or local law or PROHIBITIONS any collective bargaining agreement which is more restrictive with Employers are generally prohibited from requiring or requesting respect to lie detector tests. any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or **EXAMINEE RIGHTS** prospective employee for refusing to take a test or for exercising Where polygraph tests are permitted, they are subject to other rights under the Act. Unions numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including **EXEMPTIONS** the right to a written notice before testing, the right to refuse or Federal, State and local governments are not affected by the discontinue a test, and the right not to have test results disclosed law. Also, the law does not apply to tests given by the Federal illegal? to unauthorized persons Government to certain private individuals engaged in national security-related activities. **ENFORCEMENT** The Act permits polygraph (a kind of lie detector) tests to be The Secretary of Labor may bring court actions to restrain bases of violations and assess civil penalties against violators. Employees administered in the private sector, subject to restrictions, to Race certain prospective employees of security service firms (armored or job applicants may also bring their own court actions. Color car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers Religion National origi THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT. WAGE AND HOUR DIVISION 1-866-487-9243 Disability **WHD** DEPARTMENT OF LABOR UNITED STATES DEPARTMENT TTY: 1-877-889-5627 UNITED STATES OF AMERICA OF LABOR www.dol.gov/whd WH1462 REV. 07/2016 FED EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT as Discriminatory? THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION LEAVE ENTITLEMENTS Have at least 1,250 hours of service in the 12 months before taking leave;* and Eligible employees who work for a covered employer can take up conduct) Work at a location where the employer has at least 50 to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reaso employees within 75 miles of the employee's worksite. Assignment The birth of a child or placement of a child for adoption or *Special "hours of service" requirements apply to airline flight foster care: crew employees To bond with a child (leave must be taken within 1 year of **REQUESTING LEAVE** the child's birth or placement); Generally, employees must give 30-days' advance notice of the To care for the employee's spouse, child, or parent who has need for FMLA leave. If it is not possible to give 30-days' notice, **Benefits** a qualifying serious health condition; an employee must notify the employer as soon as possible and, Job training For the employee's own qualifying serious health generally, follow the employer's usual procedures Classification condition that makes the employee unable to perform the Employees do not have to share a medical diagnosis, but must Referral employee's job; provide enough information to the employer so it can determine For qualifying exigencies related to the foreign deployment if the leave gualifies for FMLA protection. Sufficient information employees of a military member who is the employee's spouse, child, 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 employees An eligible employee who is a covered servicemember's spouse, or continuing medical treatment is necessary. Employees must child, parent, or next of kin may also take up to 26 weeks of FMLA inform the employer if the need for leave is for a reason for which leave in a single 12-month period to care for the servicemember FMLA leave was previously taken or certified. vith a serious injury or illness. Employers can require a certification or periodic recertification An employee does not need to use leave in one block. When it is supporting the need for leave. If the employer determines that medically necessary or otherwise permitted, employees may take has Occurred? the certification is incomplete, it must provide a written notice eave intermittently or on a reduced schedule. indicating what additional information is required. Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee **EMPLOYER RESPONSIBILITIES** substitutes accrued paid leave for FMLA leave, the employee must Once an employer becomes aware that an employee's need comply with the employer's normal paid leave policies. for leave is for a reason that may qualify under the FMLA, the following ways employer must notify the employee if he or she is eligible for **BENEFITS & PROTECTIONS** FMLA leave and, if eligible, must also provide a notice of rights and While employees are on FMLA leave, employers must continue responsibilities under the FMLA. If the employee is not eligible, the health insurance coverage as if the employees were not on leave. employer must provide a reason for ineligibility Upon return from FMLA leave, most employees must be restored Employers must notify its employees if leave will be designated to the same job or one nearly identical to it with equivalent pay, as FMLA leave, and if so, how much leave will be designated as benefits, and other employment terms and conditions FMLA leave An employer may not interfere with an individual's FMLA rights or E-Mail info@eeoc.gov ENFORCEMENT retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being Employees may file a complaint with the U.S. Department of Labor, nvolved in any proceeding under or related to the FMLA. Wage and Hour Division, or may bring a private lawsuit against an employer ELIGIBILITY REQUIREMENTS The FMLA does not affect any federal or state law prohibiting available at *www.eeoc.gov*. An employee who works for a covered employer must meet three discrimination or supersede any state or local law or collective criteria in order to be eligible for FMLA leave. The employee must: bargaining agreement that provides greater family or medical **EMPLOYERS HOLDING CONTRACTS OR** Have worked for the employer for at least 12 months; leave rights

discriminated against at work or in applying for a job, the EEOC may be able to help.

FED

REV. 11/2020

and temporary employees

Union members and applicants for membership in

What Organizations are Covered?

Most private employers State and local governments (as employers)

Educational institutions (as employers)

Staffing agencies What Types of Employment Discrimination are

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

against you, regardless of your immigration status, on the

- Sex (including pregnancy and related conditions, sexual orientation, or gender identity) Age (40 and older)
- 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 Employment Practices can be Challenged

All aspects of employment, including: Discharge, firing, or lay-off Harassment (including unwelcome verbal or physical

- Hiring or promotion
- Pay (unequal wages or compensation) Failure to provide reasonable accommodation for a disability or a sincerely-held religious belief, observance or practice

- Obtaining or disclosing genetic information of
- Requesting or disclosing medical information of Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or
- participating in an investigation or proceeding. What can You Do if You Believe Discrimination

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

- **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)

Additional information about the EEOC, including information about filing a charge of discrimination, is

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.

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 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

directories under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at https://www.dol.gov/agencies/ofccp/contact

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.

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



Job Safety and Health IT'S THE LAW!

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 vour 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 employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

This poster is available free from OSHA.

Contact OSHA. We can help.

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 reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.
- 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.



1-800-321-OSHA (6742) • TTY 1-877-889-5627 • www.osha.gov

