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.

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

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

DEPARTMENT OF LABOR **UNITED STATES**

WHO IS AN EMPLOYEE?

breast milk.

OF AMERICA

OK

WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT

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

ENFORCEMENT

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

ADDITIONAL INFORMATION

any proceeding under the FLSA.

- Certain occupations and establishments are exempt from the minimum wage, and/or overtime
- Special provisions apply to workers in American Samoa, the Commonwealth of the Northern
- Mariana Islands, and the Commonwealth of Puerto
- 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

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.

protections and correctly classified independent

1-866-487-9243

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

Act of 1938, as amended, and who are paying the minimum wage

under the provisions of said act, nor to employers whose employees

Oklahoma Department of Labor

Leslie Osborn

Commissioner of Labor

State Minimum Wage

\$7.25 per hour Effective July 24, 2009

40 O.S. § 197.17 — Business establishments that furnish uniforms

to their employees may take credit against the minimum wage in

an amount equal to the reasonable cost of furnishing the uniforms.

40 O.S. § 197.8 — The Commissioner, after investigation, shall

additional wages are due the employee. If the Commissioner

finds that additional wages are due, ten percent (10%) of such

amount due shall be added as penalty for such wage deficiency.

to the employee by certified mail. Payment by the employer and

acceptance by the employee of the amount so determined by the

Commissioner shall absolve the employer of any further liability to

the employee with respect to wages claimed by the employee for

competent jurisdiction to have paid an employee wages less than

those to which such employee is entitled, under or by virtue of this

act, shall be liable to such employee for double the full amount of

such wages, less any amount actually paid to such employee by

the employer, and for court costs, and such reasonable attorney

fees as may be allowed by the court, which in no case shall be less

employee and the employer to work for less than such wage rate

40 O.S. § 197.13 — Any employer, or the officer or agent of any

the rate of compensation required by this act, upon conviction,

corporation, who pays or agrees to pay to any employee less than

shall be guilty of a misdemeanor and shall be punished by a fine of

not more than Five Hundred Dollars (\$500.00), or by imprisonment

in the county jail for not more than six (6) months, or by both such

OK

WHAT IS THE CRIMINAL PENALTY FOR VIOLATIONS?

than One Hundred Dollars (\$100.00). Any agreement between such

40 O.S. § 197.9 — Any employer who is found by a court of

The Commissioner shall mail said findings to the employer and

promptly make his finding in writing as to whether or not

HOW DO UNIFORMS AFFECT MINIMUM WAGE?

WHAT IS THE CIVIL PENALTY FOR VIOLATIONS?

the period he was employed by the employer.

shall be no defense to such action.

fine and imprisonment.

FED

LABOR

LAWS

YOUR RIGHTS UNDER USERRA THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

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

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 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.

promotion; or

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

- If you: are a past or present member of the uniformed service;
 are obligated to serve in the uniformed service; have applied for membership in the uniformed service;
- then an employer may not deny you: initial employment;
 - · any benefit of employment reemployment; retention in employment: because of this status.

testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service

 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.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including

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

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

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

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

REV. 05/2022

REV. 08/17/2021

REV. 07/2016

Your Rights Under the Oklahoma Minimum Wage Act 40 O.S. § 197.1 et seq.

by an employer but shall not include: An individual employed on a farm, in the employ of an person, in connection with the cultivation of the soil, or in connection with raising or harvesting any agricultural commodity, including raising, shearing, feeding, caring for,

40 O.S. § **197.4 (e)** — "Employee" includes any individual employed

- training, and management of livestock, bees, poultry, and fur bearing animals and wildlife, or in the employ of the owner or tenant or other operator of a farm in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment; Any individual employed in domestic service in or about a
- Any individual employed by the United States government; Any individual working as a volunteer in a charitable, religious or other nonprofit organization;
- Any newspaper vendor or carrier; Any employee of any carrier subject to regulation by Part I of the Interstate Commerce Act; Any employee of any employer who is subject to the provisions
- and Hour Law now in effect or enacted hereafter; and who is paying the minimum wage under the provisions of this act; Any employee employed in a bona fide executive, administrative or professional capacity, or in the capacity of outside salesman;

of any Federal Fair Labor Standards Act or to any Federal Wage

- Any person employed as part-time employee not on permanent status. A part-time employee is defined as an employee who is employed less than twenty-five (25) hours a week:
- Any person who is less than eighteen (18) years of age and is not a high school graduate or a graduate of a vocational training program, and any person who is less than twenty-two (22) years of age and who is a student regularly enrolled in a high school, college, university or vocational training program; Any individual employed in a feedstore operated primarily for
- the benefit and use of farmers and ranchers; or Any individual working as a reserve force deputy sheriff.

WHO IS AN EMPLOYER?

to the higher minimum wage rate.

provided in the Act.

OK

40 O.S. § **197.4(d)** — "Employer" means any individual, partnership, association, corporation, business trust, or any person or group of persons, hiring more than ten full-time employees or equivalent at any one location or place of business; provided, however, if an employer has less than ten full-time employees or equivalent at any one location or place of business but does a gross business of more than One Hundred Thousand Dollars (\$100,000.00) annually, said employer shall not be exempt under the provisions of this act. This act shall not apply to employers subject to the Fair Labor Standards

NOTICE:

State law requires employers to display this poster in such a manner so as to be accessible to all employees in each establishment under the control of the employer. It shall be unlawful to employ workers in any industry or occupation within the State of Oklahoma under conditions of labor detrimental to their health or morals and it shall be unlawful to employ workers in any industry within the State of Oklahoma at wages which are not adequate for their maintenance. Except as otherwise provided in the Oklahoma Minimum Wage Act, no employer within the State of Oklahoma shall pay any employee a wage of less than the current federal minimum wage for all hours worked.

3017 N. Stiles, Suite 100, Oklahoma City, OK 73105 • Telephone 405-521-6100 • Toll-free 1-888-269-5353 • Fax 405-521-6018 • www.ok.gov/odol

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

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

Instruction to Employers and Employees All employees of this employer who are entitled to benefits of the Administrative Workers' Compensation Act are hereby notified that this employer has complied with all rules of the Workers' Compensation Commission and that this employer has secured payment of compensation for all employees and their dependents in accordance with the Act. All employees are further notified this employer will furnish first aid, medical, surgical, hospital, optometric, podiatric, chiropractic and nursing services, medicine, crutches and other apparatus as may be reasonably necessary in connection with the injury received by the employee, as well as payments of compensation to any injured employee or the employee's dependents as

Workers' Compensation Notice and

Any employee who has suffered a compensable injury covered by the Administrative Workers' Compensation Act is entitled to vocational rehabilitation services, including retraining and job placement, if, as a result of the injury, the employee is unable to perform work for which the person has previous training or experience.

The Oklahoma Workers' Compensation **Commission has a Counselor Division to** provide information to injured workers, employers, and other interested persons.

Mediation is available to help resolve certain workers' compensation disputes. For information, call the Counselor Division at 405-522-5308 or In-State Toll Free 855-291-3612.

Insurer Name and Address

Date of Expiration of Insurance Policy (Not applicable to employers authorized to self-insure.

Signature of Employer

Employee's Responsibilities In Case of Work Related Injury

If accidentally injured or affected by cumulative trauma or an occupational disease arising out of and in the course of employment, however slight, the employee should notify the employer immediately. If this employer is a partnership, notice shall be given to any partner. If this employer is a corporation, notice shall be given to any agent or officer of the corporation upon whom legal process may be served. Notice shall also be given to the person in charge of business at the location of operations where the injury occurred. Unless oral or written notice is given to the employer within thirty (30) days, the claim for compensation

The employee may file a claim for compensation with the WORKERS' COMPENSATION COMMISSION for an accidental injury, death, cumulative trauma or occupational disease or illness occurring **ON OR AFTER** February 1, 2014. Forms to file a compensation claim should be furnished by this employer and also are available from the Workers' Compensation Commission. The forms are posted on the Commission's website,

A claim for compensation must be filed with the Commission within the time specified by law, or be forever barred. Based on law effective May 28, 2019, a claim for compensation for any accidental injury must be filed with the Commission within one (1) year of the date of injury or, if the employee has received benefits under Title 85A for the injury, six (6) months from the date of the last issuance of such benefits; a death claim must be filed within two (2) years of the date of death; a claim for compensation for occupational disease or illness must be filed within two (2) years of the last injurious exposure; and a claim for compensation for cumulative trauma must be filed within one (1) year of the date of injury.

Claims for compensation for accidental injury, death, cumulative trauma or occupational disease or illness occurring BEFORE February 1, 2014 may be filed with the WORKERS' COMPENSATION COURT OF EXISTING CLAIMS and are subject to different notice of injury requirements and claims filing deadlines than those for accidental injury, death, cumulative trauma or occupational disease or illness occurring on or after February 1, 2014. Failure to comply with applicable notice requirements and deadlines may operate to forever bar the claim. Contact the WORKERS' COMPENSATION COURT OF EXISTING CLAIMS for additional information.

Employer's Responsibilities

The employer must provide employees with immediate first aid, medical, surgical, hospital, optometric, podiatric, chiropractic, and nursing services, medicine, crutches and other apparatus as may be reasonably necessary in connection with the injury received by the employee. This applies to care for all injuries and illnesses arising out of and in the course of employment, regardless of their character. Within ten (10) days after the date of receipt of notice or knowledge of death or injury that results in the loss of time beyond the shift or medical attention away from the work site, the employer or the employer's representative MUST send a report thereof to the Workers' Compensation Commission via Electronic Data Interchange as

No agreement by any employee to pay any portion of the premium paid by the employer to a carrier or a benefit fund or department maintained by the employer for the purpose of providing compensation or medical services and supplies as required by the workers' compensation laws, shall be valid. Any employer who makes a deduction for such purposes from the pay of any employee entitled to benefits under the workers' compensation laws shall be guilty of a misdemeanor.

No agreement by any employee to waive workers' compensation rights and benefits shall be valid. Any person who commits workers' compensation fraud, upon conviction, shall be guilty of a felony punishable by imprisonment, a fine or both.

Workers' Compensation Commission

1915 North Stiles Avenue

OKLAHOMA CITY, OKLAHOMA 73105-4918 Tele. 405-522-5308 (OKC) • 918-295-3732 (TU) • In-State Toll Free 855-291-3612 Web Site · www.wcc.ok.gov

This notice must be posted and maintained by the employer in one or more conspicuous places

on the work premises.

REV. 01/01/2021

CC-Form-1 A

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

UNEMPLOYMENT INSURANCE BENEFITS

Employment Security Commission

NOTICE TO WORKERS

If you lose your job or if you work less than full time and get less than Insurance (UI) benefits. You can obtain a free copy of "Reemployment Assistance for the Unemployed – Informational Booklet for Workers Who are Unemployed" by visiting the Oklahoma Employment Security Commission's website at www.oklahoma.gov/oesc/individuals. This document explains your rights and how to file an Unemployment Insurance (UI) claim.

www.ui.ok.gov. If you have questions or need assistance, you may contact the Oklahoma Employment Security Commission's Service Center at (405) 525-1500 or visit an Oklahoma Works office. To find your nearest office, go to https://oklahoma.gov/oesc/locations.html

The unemployment claim filing process can all be done online at

EMPLOYERS: It is required by Sec. 2-502 of the Oklahoma Employment Security Act that you shall post and maintain this notice in places readily accessible to individuals in your employ. Copies may be obtained from the Oklahoma Employment Security Commission online at www.oklahoma.gov/oesc/employers/employer-resources-and-forms

OES-044

OK **OKLAHOMA LAW PROHIBITS**

DISCRIMINATION IN EMPLOYMENT BECAUSE OF RACE, COLOR, RELIGION, NATIONAL ORIGIN, DISABILITY, AGE, SEX OR GENETIC INFORMATION¹

If you are an employee, or an applicant for employment, and feel that because of race, color, religion, national origin, disability, age, sex or genetic information you have been discriminated against with

Qualifications, hire, discharge, recall, layoff, promotion, transfer, compensation, conditions, terms, privileges or responsibilities of employment, or sexual harassment, and wish to file or discuss the filing of a complaint contact:

OFFICE OF THE OKLAHOMA ATTORNEY GENERAL OFFICE OF CIVIL RIGHTS ENFORCEMENT **313 N.E. 21**st **S**TREET OKLAHOMA CITY, OKLAHOMA 73105

OKLAHOMA CITY OFFICE: (405) 521-3921 Tulsa Office: (918) 581-2342 Website: www.oag.ok.gov EMAIL: ocre.complaints@oag.ok.gov

Contacting the Office of Civil Rights Enforcement does not conflict with or affect any other rights you may have, including any appeal procedures you may have through the Oklahoma Merit Protection or any internal grievance procedures you may have through your employer. However, an Employment Discrimination Complaint must be filed with the Office of Civil Rights Enforcement within 180 days after the alleged discriminatory act(s).

¹Title 25, Oklahoma Statutes, Section 1302

Department of Labor

YOUR RIGHTS UNDER OKLAHOMA'S USERRA THE OKLAHOMA UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

Oklahoma's USERRA, 44 O.S. § 4300 et seq., protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service in the Oklahoma state military forces. USERRA also prohibits employers from discriminating against past and present members of the Oklahoma state military forces, and applicants to the Oklahoma state military

Oklahoma state military forces include the National Guard of the State of Oklahoma, which includes an army component and an air force component; the Oklahoma State Guard; and any other military force organized under the Constitution and laws of the State of Oklahoma when not in a status placing them under exclusive federal jurisdiction. Unless otherwise established by Oklahoma law, the unorganized militia or any other state military force that does not meet this definition shall not be considered part of the "state military forces."

REEMPLOYMENT RIGHTS

You have the right to be reemployed in your civilian job if you leave that job to perform service in the Oklahoma state military forces 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;
- 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

are a past or present member of the Oklahoma state military forces; have applied for membership in the Oklahoma state military forces; or

- are obligated to serve in the Oklahoma state military forces; Then an employer, including a state agency, 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 in the Oklahoma state military forces, 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 service of the Oklahoma state military

Even if you don't elect to continue coverage during your service in the Oklahoma state military forces, 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 Oklahoma Commissioner of Labor is authorized to investigate and resolve complaints of

For assistance in filing a complaint, or for any other information on USERRA, contact the Oklahoma Department of Labor's Wage & Hour Division at 1-405-521-6100 or visit its website at http://www.ok.gov/Labor. If you file a complaint with the Oklahoma Department of Labor ("ODOL") against a state

referred to the District Attorney with relevant jurisdiction for representation. You may also bypass the ODOL complaint process and bring a civil action against an employer for violations of Oklahoma's USERRA.

government employer and ODOL is unable to resolve it, you may request that your case be

The rights listed here may vary depending on the circumstances. 44 O.S. § 4334 requires employers to notify employees of their rights under Oklahoma's USERRA, and employers may meet this requirement by

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

OKLAHOMA Department of Labor

The Employee Polygraph Protection Act prohibits

course of employment.

most private employers from using lie detector tests either for pre-employment screening or during the **PROHIBITIONS** Employers are generally prohibited from requiring or

requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act. **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.

DEPARTMENT OF LABOR

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UNITED STATES OF AMERICA

The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and

EMPLOYEE RIGHTS

EMPLOYEE POLYGRAPH PROTECTION ACT

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

1-866-487-9243

TTY: 1-877-889-5627

www.dol.gov/whd

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

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

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS

REV. 07/2016

POSTER WHERE EMPLOYEES AND JOB APPLICANTS **CAN READILY SEE IT.**

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 if the need for leave is for a

reason for which FMLA leave was previously taken or

Employers can require a certification or periodic

it must provide a written notice indicating what

additional information is required.

reason for ineligibility.

ENFORCEMENT

be designated as FMLA leave.

lawsuit against an employer.

greater family or medical leave rights.

EMPLOYER RESPONSIBILITIES

recertification supporting the need for leave. If the

employer determines that the certification is incomplete,

Once an employer 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

the employee is not eligible, the employer must provide a

a notice of rights and responsibilities under the FMLA. If

Employers must notify its employees if leave will be

designated as FMLA leave, and if so, how much leave will

Employees may file a complaint with the U.S. Department

of Labor, Wage and Hour Division, or may bring a private

ronibiting discrimination or supersede any state or loca

law or collective bargaining agreement that provides

The FMLA does not affect any federal or state law

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

rights or retaliate against someone for using or trying to

50 employees within 75 miles of the employee's

*Special "hours of service" requirements apply to airline

Generally, employees must give 30-days' advance notice

of the need for FMLA leave. If it is not possible to give

Employees do not have to share a medical diagnosis,

but must provide enough information to the employer

30-days' notice, an employee must notify the employer

as soon as possible and, generally, follow the employer's

LEAVE ENTITLEMENTS Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with Eligible employees who work for a covered employer can equivalent pay, benefits, and other employment terms take up to 12 weeks of unpaid, job-protected leave in a and conditions. 12-month period for the following reasons: An employer may not interfere with an individual's FMLA The birth of a child or placement of a child for

WAGE AND HOUR DIVISION

UNITED STATES DEPARTMENT OF LABOR

adoption or foster care; use FMLA leave, opposing any practice made unlawful by To bond with a child (leave must be taken within 1 the FMLA, or being involved in any proceeding under or year of the child's birth or placement); related to the FMLA. To care for the employee's spouse, child, or parent **ELIGIBILITY REQUIREMENTS** who has a qualifying serious health condition; An employee who works for a covered employer must For the employee's own qualifying serious health meet three criteria in order to be eligible for FMLA leave. condition that makes the employee unable to

The employee must: perform the employee's job; Have worked for the employer for at least 12 For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent. Have at least 1,250 hours of service in the 12 months before taking leave;* and An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 Work at a location where the employer has at least 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 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

BENEFITS & PROTECTIONS

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

DEPARTMENT OF LABOR

and temporary employees

What Organizations are Covered?

Most private employers

Staffing agencies

Religion

Discriminatory?

conduct)

or practice

Job training

employees

Classification

Benefits

National origin

Age (40 and older)

All aspects of employment, including:

Hiring or promotion

Discharge, firing, or lay-off

Union members and applicants for membership in a

State and local governments (as employers)

Educational institutions (as employers)

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

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

Retaliation for filing a charge, reasonably opposing

Harassment (including unwelcome verbal or physical

Failure to provide reasonable accommodation for a

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 might reasonably discourage someone

discrimination, or participating in a discrimination

What Employment Practices can be Challenged as

orientation, or gender identity)

services, or family medical history)

lawsuit, investigation, or proceeding

Pay (unequal wages or compensation)

FED

so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing

worksite.

flight crew employees.

usual procedures.

REQUESTING LEAVE

For additional information or to file a complaint: 1-866-4-USWAGE

www.dol.gov/whd U.S. Department of Labor • Wage and Hour Division • WH1420

(1-866-487-9243) TTY: 1-877-889-5627

REV. 04/2016

U.S. Equal Employment Opportunity Commission **Know Your Rights: Workplace Discrimination is Illegal**

What can You Do if You Believe Discrimination has Employees (current and former), including managers 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://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 filing a charge of discrimination, is available at www.eeoc.gov.

EMPLOYERS HOLDING FEDERAL CONTRACTS OR Sex (including pregnancy and related conditions, sexua **SUBCONTRACTS** The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action commitments of companies doing Genetic information (including employer requests for,

from discrimination on the following bases:

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

ndividual 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

employees of Federal contractors from discrimination based on

inquiring about, disclosing, or discussing their compensation or

Race, Color, Religion, Sex, Sexual Orientation,

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

the compensation of other applicants or employees. disability or a sincerely-held religious belief, observance 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 limitations of an otherwise qualified

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. The Vietnam Era Veterans' Readiustment 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 unde these Federal laws Any person who believes a contractor has violated its

nondiscrimination or affirmative action obligations unde

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)

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

If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at https://ofccphelpdesk.dol.gov/s or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government Department of Labor and on OFCCP's "Contact Us" webpage at

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL

FINANCIAL ASSISTANCE Race, Color, National Origin, Sex In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments

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 financial assistance. Discrimination is prohibited in all aspects of

of 1972 prohibits employment discrimination on the basis 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

REV. 10/20/2022



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 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

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

the workplace injury and illness log.

Contact OSHA. We can help.

TWO ways to verify poster compliance!

QR CODE Scan with phone camera:

ONLINE

OCT2022

Go to: JJKeller.com/LLPverify

Enter this code: 62886-102022

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 reporting a work-related injury or illness.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss

Comply with all applicable OSHA standards.

- 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



JJKeller.com/laborlaw 800-327-6868

FED-OK-ENG

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This poster is in compliance with federal and state posting requirements.