FED **EMPLOYEE RIGHTS UNDER THE**

FAIR LABOR STANDARDS ACT **FEDERAL MINIMUM WAGE** \$7.25 PER HOUR

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

BEGINNING JULY 24, 2009

At least 1½ times the regular rate of pay for all hours worked over 40 in a workweek. An employee must be at least 16 years old to work in most

non-farm jobs and at least 18 to work in 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.

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

DEPARTMENT OF LABOR UNITED STATES OF

RI

employee to express breast milk.

Minimum

Wage)

\$9.75

(75% of

Minimum

Wage)

\$3.89

WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT

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



Rhode Island Department of Labor and Training (DLT)

Effective JANUARY 1, 2023 - THIS LAW PROVIDES HOURLY MINIMUM WAGE FOR \$13.00 **ALL EMPLOYEES** EXCEPT: Full-time students under 19 years \$11.70 of age working in a non-profit (90% of

religious, educational, librarial or community services organization. Minors **14** and **15** years of age working not more than 24 hours

Employees receiving gratuities

Overtime Pay - At least 11/2 times the regular rate of pay for all hours worked over 40 in any one workweek. The law contains exemptions from minimum wage and/or overtime pay requirements for certain occupations or establishments. Mandatory Nurse Overtime - a hospital may not require certain nurses and certified nurse assistants to work overtime except in

an unforeseeable emergency. Minimum Shift Hours - Employees requested or permitted to with 3 hours work or 3 hours wages. Retail establishment employees must be provided with 4 hours work on Sundays and

report for duty at the beginning of a work shift must be provided

Attention Employees - MINIMUM WAGE - Rhode Island Child Labor - Employees must be at least 16 years old to work in most nonfarm jobs and 18 to work in nonfarm jobs declared hazardous by the U.S. Secretary of Labor. Youths 14 and 15 may work, with a special permit issued by local school officials, in various jobs outside school hours under certain conditions. Different rules apply to agriculture employment

> **Enforcement** - DLT may bring criminal action against any employer who pays substandard wages to an employee, and may seek, upon conviction, a penalty up to \$500 and/or imprisonment of up to 90 days. Each week an employer fails to pay the applicable minimum wage constitutes a separate

Any employer who hinders or delays the DLT Director or authorized representative in the performance of duties in the enforcement of the law: refuses to admit the Director or said representative to any place of employment; fails to make, keep, and preserve, any records as required; falsifies any such record; refuses to make such record accessible to the Director or said representative upon demand; or refuses to furnish a sworn statement of such record or any other information needed for the proper enforcement of this law, shall be deemed in violation and subject to a fine of up to \$500. Each day such violation Visit www.dlt.ri.gov/ls or call (401) 462-WAGE (9243) for more

DLT-L-58

You provide the department with the required medical

relationship for bonding claims and

evidence of the seriously ill family member and your need

to care for him/her or the required proof of parent child

You earned enough in qualifying wages to be monetarily

To Apply - Complete a TDI/TCI application. TDI claims must be

iled within 90 days of the first week out of work due to illness.

The DLT Director may extend this period up to 26 weeks if the

filing. TCI claims must be filed within 30 days after the first day

of leave is taken for reasons of bonding or caregiving. TDI/TCI

application may be obtained online at www.dlt.ri.gov/tdi. or call

(401) 462-8420, Option #1 to request an application be mailed

to you. For more information, visit www.dlt.ri.gov/tdi or call

NOTE: You may be entitled to a refund of a portion of your

contributions if during the calendar year TDI contributions

were deducted from your pay by more than one employer.

Information may be obtained regarding a refund by calling

(401) 574-8700 or writing to the RI Division of Taxation, Employer

Tax Section, One Capitol Hill, Suite 36, Providence, RI 02908-5829.

EMPLOYMENT AND TRAINING SERVICES

Resource rooms with a wide range of employment and

Career counseling and testing to help assess aptitudes

Internet access for employment and training information

Job Search workshops to help you develop interviewing

Résumé writing seminars to help you create an effective

Visit dlt.ri.gov for a location near you. You can access many

If you need help finding a job, DLT offers free employment and

individual can show a good medical reason for the delay in

REV. 01/2019

NOTICE: This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under the Fair Labor

Labor dictates that the employee is entitled to the higher minimum wage rate THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY. Department of Labor and Training (DLT)

You Are Protected under Provisions of the RI EMPLOYMENT SECURITY ACT

and the TEMPORARY DISABILITY INSURANCE ACT

(401) 462-8420.

training related services including:

training resources.

résumé and cover letter

services online at <u>www.employri.org</u>.

and interests.

Job referral and placement services

Standards Act posting, which indicates the federal minimum wage. Where federal and state rates both apply to an employee, the U.S. Department of

UNEMPLOYMENT INSURANCE BENEFITS

If you become totally/partially unemployed: File your claim for benefits with the DLT the same week you are unemployed or working reduced hours.

File your claim online at www.dlt.ri.gov/ui or by telephone at (401) 243-9100. Visit www.dlt.ri.gov/ui for hours of operation. For more information, visit www.dlt.ri.gov/ui or call (401) 243-9100 Monday is a high-volume telephone day; you may prefer

to file your claim later in the week. You will need your Social Security number and name, address and telephone numbers of your employers for the last two years. If you are not a U.S. citizen, your alien registration number is

To collect unemployment benefits, the law requires that you must: a. Be unemployed through no fault of your own,

b. Have earned minimum qualifying wages while you c. Be physically able to work, available for work, and

actively seeking work, and d. Register for work with DLT.

TEMPORARY DISABILITY INSURANCE BENEFITS

Eligible for TDI Benefits - If you have become ill or injured and meet all of the requirements, you may be entitled to receive

You are unemployed due to illness, surgery, or injury for a minimum of seven consecutive days or more, and

You are under the care of an approved Qualified Health

You have a timely exam: an in-office physical exam the week within the calendar week in which the first day of unemployment due to sickness occurs or within the calendar week prior or subsequent thereto.

You earned enough qualifying wages during the base period to be monetarily eligible. Eligible for Temporary Caregiver Insurance Benefits - If you are caring for a seriously ill: child, spouse, parent, parent in-law, grandparent, domestic partner or you are bonding with a

newborn child, adopted child or foster child within the first 12

months of parenting; you may be eligible to receive benefits if

You are unemployed because you are caring for a

seriously ill family member or bonding with a child and

you meet the following requirements

The Department has authority to recover back wages and an

equal amount in liquidated damages in instances of minimum

be assessed civil money penalties for each willful or repeated

violation of the minimum wage or overtime pay provisions of

of the FLSA's child labor provisions. Heightened civil money

penalties may be assessed for each child labor violation that

and such assessments may be doubled when the violations

participate in any proceeding under the FLSA.

the Commonwealth of Puerto Rico.

employers must comply with both.

independent contractors are not.

Department of Labor.

ADDITIONAL INFORMATION

results in the death or serious injury of any minor employee,

are determined to be willful or repeated. The law also prohibits

retaliating against or discharging workers who file a complaint or

Certain occupations and establishments are exempt from

the minimum wage, and/or overtime pay provisions.

Special provisions apply to workers in American Samoa,

Some state laws provide greater employee protections;

employees under the FLSA. It is important to know the

difference between the two because employees (unless

Some employers incorrectly classify workers as

"independent contractors" when they are actually

exempt) are entitled to the FLSA's minimum wage

and overtime pay protections and correctly classified

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

the Commonwealth of the Northern Mariana Islands, and

the law. Civil money penalties may also be assessed for violations

litigate and/or recommend criminal prosecution. Employers may

wage, overtime, and other violations. The Department may

ENFORCEMENT

LABOR

LAWS

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

LEAVE ENTITLEMENTS Eligible employees who work for a covered employer can take up before taking leave;* and

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.

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

Employees may choose, or an employer may require, use of

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

DFPARTMENT

OF AMERICA

UNITED STATES

OF LABOR

Have worked for the employer for at least 12 months;

For additional information or to file a complaint:

ENFORCEMENT

1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627

www.dol.gov/whd

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

RHODE ISLAND DEPARTMENT OF LABOR AND TRAINING (DLT)

Pav Differentials for Comparable Work Pursuant to Rhode Island General Law § 28-6-18, it is unlawful for an employer to pay a differential wage based on race,

comparable work. A differential wage is permissible where one or more of the following factors is found to apply: "A seniority system; provided, however, that time spent on leave due to a pregnancy related condition or parental, family

"A system that measures earnings by quantity or quality of production. "Geographic location when the locations correspond with different costs of living, provided, that no location within the state of Rhode Island will be considered to have a sufficiently

"Reasonable shift differential, which is not based upon or derived from a differential in compensation based on [a protected] characteristic[]: "Education, training, or experience to the extent such factors are job-related and consistent with a business necessity." "Work-related travel, if the travel is regular and a business

"A bona fide factor other than [a protected] characteristic[] which is not based upon or derived from a differential in compensation based on [a protected] characteristic[] ... which is job-related with respect to the position in question; and which is consistent with business necessity."

Pursuant to Rhode Island General Law § 28-6-22, the disclosure of a job applicant's wage history, from relying upon a job applicant's wage history when

as a condition of employment. An employer may, for the limited purpose of "support[ing] a wage higher than the wage [initially] offered by the employer," consider and seek to confirm a job applicant's wage history if such wage history was voluntarily provided. At the time of hire or internal transfer to a new position

must disclose to the hired, transferred, or inquiring **Wage Discussion among Employees** Pursuant to Rhode Island General Law § 28-6-18, it is unlawful

for an employer to prohibit employees from discussing wages or asking other employees about their wages. Employers may not request or require that employees or applicants waive the right **Retaliation Prohibited**

Any discriminatory or disciplinary action taken against an employee for exercising these rights under the Act, or for

employed. Fines may be imposed for noncompliance. DLT is an equal opportunity employer/program, auxiliary aids and services are available on request to individuals with disabilities. TTY

Employers with 50 or more employees must grant an unpaid leave of absence upon the request of an eligible employee, for

13 consecutive weeks in any two calendar years, under certain Employees are Eligible to apply for leave if they work fulltime, an average of 30 hours or more per week and have been employed continuously for at least 12 months.

Purpose of Leave - Under the Act, the leave must be for one or

Birth of a child of an employee Placement of a child 16 years of age or less with an

employee in connection with the adoption of such child by the employee "Serious illness" of the employee or the employee's parent, spouse, child, mother-in-law, or father-in-law. (Serious Illness is defined to mean a disabling physical or mental illness, injury, impairment or condition that

involves in-patient care in a hospital, nursing home,

hospice or out-patient care requiring continuing

treatment or supervision by a health care provider). Requests for Leave - To be entitled to the leave, the employee must give at least 30 days notice of the intended date upon which the requested leave is to begin and end, unless prevented by medical emergency from doing so. Employees may be requested to provide written certification from the physician of the person who is the reason for the leave request, which certification shall specify the probable duration of the requested

School Involvement Leave - An employee who has been employed for 12 consecutive months is entitled to 10 hours of leave during any 12-month period to attend school conferences or other school-related activities for a child of whom the employee is the parent, foster parent, or quardian. A notice of

employee may substitute any accrued paid vacation leave or Use of Sick Leave by Adoptive Parent - Any employer who

the birth of a child shall allow the same time to be used for the connection with the adoption of the child by the employee. **Continuation of Health Benefits** - Prior to the commencement premium required to maintain the employee's health benefits in force during the period of leave, which sum is required to be returned to the employee within 10 days following return to

with, restrain or deny employees the rights provided under the Act. Any discrimination or disciplinary action taken against an employee for exercising these rights under the Act. or for opposing any practice made unlawful by the Act, is also

violations of the Act or any order issued by the Director of Labor REV. 01/2018

Commission for Human Rights

Sexual Harassment is Against the Law Sexual harassment is a form of discrimination that occurs when

an individual makes unwelcome sexual advances, requests for sexual favors and/or other verbal or physical conduct of a sexual nature against his or her wishes. The harasser can be a supervisor a co-worker

emplover a supervisor in another

The prohibition against sexual harassment does not only apply agencies, and to individuals who aid and abet an unlawful

RI

Report incidents of harassment to:

If you believe you are or have been the victim of sexual harassment, contact: RHODE ISLAND COMMISSION

Sexual harassment is a violation of state and federal laws. to employers. It also applies to labor organizations, employment

FOR HUMAN RIGHTS 180 WESTMINSTER STREET, THIRD FLOOR

Providence, RI 02903 401-222-2661 TDD: 401-222-2664 Fax: 401-222-2616

Department of Labor and Training (DLT)

HEALTHY AND SAFE FAMILIES and WORKPLACES ACT

Pursuant to RI General Law §28-57, you are entitled to sick and safe leave to address your own health and safety needs as well as those of your family. This leave may or may not be paid depending on the size of your employer and other factors as detailed in the law. Visit www.dlt.ri.gov/wrs or call (401) 462-WAGE (9243) for more information.

§ 28-50-1. Short title. – This chapter may be cited as the "Rhode § 28-50-2. Definitions. – As used in this chapter "Employee" means a person employed by any employer. and shall include, but not be limited to: at-will employees contract employees, applicants, prospective employees,

"Employer" means any person, partnership, association, sole proprietorship, corporation or other business entity, including any department, agency, commission, committee, board, council, bureau, or authority or any subdivision thereof in state or municipal government One shall employ another if services are performed for wages or under any contract of hire, written or oral, express or implied.

"Person" means an individual, sole proprietorship, partnership, corporation, association, or any other legal "Public body" means all of the following:

A state officer, employee, agency, department, division, bureau, board, commission, council, authority, or other body in the executive branch of An agency, board, commission, council, member, or employee of the legislative branch of state

commission, agency, or any member or employee of the entity: Any other body that is created by state or local authority or that is primarily funded by or through state or local authority, or any member or employee of that body

A county, city, town, or regional governing body,

a council, school district, or a board, department,

A law enforcement agency or any member or employee of a law enforcement agency; The judiciary and any member or employee of the (vii) Any federal agency

"Supervisor" means any individual to whom an employer has given the authority to direct and control the work performance of the affected employee or any individual who has the authority to take corrective action regarding the violation of a law, rule, or regulation about which the employee complains. § 28-50-3. Protection. – An employer shall not discharge,

threaten, or otherwise discriminate against an employee

regarding the employee's compensation, terms, conditions. location, or privileges of employment nor shall an employer report or threaten to report an employee's immigration status to Immigration and Customs Enforcement (ICE) or any other immigration agency or law enforcement agency including local and state police (1) Because the employee, or a person acting on behalf of the employee, reports or is about to report to a public

body, verbally or in writing, a violation that the employee knows or reasonably believes has occurred or is about to occur, of a law or regulation or rule promulgated under the law of this state, a political subdivision of this state,

Sexual harassment occurs when submission to or rejection of this conduct explicitly or implicitly affects an individual's

performance or creates an intimidating, hostile, or offensive work

employment, unreasonably interferes with an individual's work

REV. 01/2019

DLT-TX-6

www.richr.ri.gov

CHAPTER 28-50 The Rhode Island Whistleblowers' Protection Act

> participate in an investigation, hearing, or inquiry held by that public body, or a court action; or Because an employee refuses to violate or assist in violating federal, state, or local law, rule, or regulation; or Because the employee reports verbally or in writing to the employer or to the employee's supervisor a violation which the employee knows or reasonably believes has occurred or is about to occur, of a law or regulation or rule promulgated under the laws of this state, a political subdivision of this state, or the United States, unless the employee knows or has reason to know that the report is false. Provided, that if the report is verbally made,

or the United States, unless the employee knows or has

Because an employee is requested by a public body to

reason to know that the report is false; or

§ 28-50-4. Relief and damages. – (a) A person who alleges a violation of this act may bring a civil action for appropriate injunctive relief, or treble damages, or both within three (3) years after the occurrence of the alleged violation of this chapter. (b) An action commenced pursuant to subsection (a) may be brought in the superior court for the county where the alleged violation occurred, the county where the complainant resides, or the county where the person against whom the civil complaint is filed resides or has their principal place of business.

(c) As used in subsection (a) of this section, "damages" means

damages for injury or loss caused by each violation of this

the employee must establish by clear and convincing

evidence that the report was made

(d) [Deleted by P.L. 2012, ch. 306, § 5 and P.L. 2012, ch. 344, § 28-50-5. Reinstatement. – A court, in rendering a judgment in an action brought under this act, shall order, as the court considers appropriate, reinstatement of the employee, the payment of back wages, full reinstatement of fringe benefits and seniority rights, actual damages, or any combination of these remedies. A court may also award the complainant all or a portion of the costs of litigation, including attorneys' fees if the court determines that the award is appropriate.

§ 28-50-6. Collective bargaining. – This chapter shall not be

§ 28-50-7. Exemption. – This chapter shall not be construed

to require an employer to compensate an employee for

collective bargaining agreement

declared to be severable.

construed to diminish or impair the rights of a person under any

participation in an investigation, hearing or inquiry held by a public body in accordance with § 28-50-3. § 28-50-8. Notices posted. – An employer shall post notices and use other appropriate means to keep his or her employees informed of their protections and obligations under this chapter including posting in prominent locations in all languages known to be spoken by employees. § 28-50-9. Severability. – If any provision of this chapter or its application to any person or circumstances is held invalid or

unconstitutional, the invalidity or unconstitutionality shall not

affect other provisions or applications of this act which can be

given effect without the invalid or unconstitutional provision

or application, and to this end the provisions of this chapter are

RI General Laws §28-29-13, §28-44-38 and §28-41-15 state that these notices must be posted and maintained in conspicuous places where workers are employed. Fines may be imposed for noncompliance. DLT is an equal opportunity employer/program, auxiliary aids and services are available on request to individuals with disabilities. TTY via RI

FED

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

Have at least 1,250 hours of service in the 12 months 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

an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures. Employees do not have to share 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

need for FMLA leave. If it is not possible to give 30-days' notice,

inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified. Employers can 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 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 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

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

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

STATE OF

RHODE ISLAND

Notice to All Employees - Information Employers Must Post Pay Equity Act

color, religion, sexual orientation, gender, gender identity or expression, disability, age, and country of ancestral origin for

and medical leave shall not reduce seniority." "A merit system."

Alleged violations of the Act may be complained of (1) in a civil action brought by an employee, or (2) by a complaint filed with the DLT Director.

> Department of Labor and Training (DLT) RHODE ISLAND PARENTAL AND FAMILY MEDICAL LEAVE ACT 24 hours prior to the leave must be given to the employer by the employee. The leave is not required to be paid; however, an

> > allows sick time or sick leave of an employee to be used after placement of a child 16 years of age or less with an employee in of leave, the employee must pay his employer a sum equal to the

leave commenced, or to a position with equivalent seniority, status, employment benefits, pay and other terms and conditions of employment, including all fringe benefits and service credits that the employee had been entitled to at the commencement **Prohibited Acts** - It is unlawful for any employer to interface

Enforcement - Alleged violations of the Act may be complained of (1) in a civil action brought by an employee, (2) by a complaint filed with the DLT Director. Civil penalties are provided for

Department of Labor and Training (DLT)

Workers' Compensation Insurance Company:

POLICY EFFECTIVE DATE:

ance with RI General Law §28-32-1, employers must

report to the DLT Director every personal injury sustained by an

employee if the injury incapacitates the employee from earning

full wages for at least 3 days or requires medical treatment, regardless of the period of incapacity. If the injury proves fatal,

the report must be filed within 48 hours. If not fatal, the report shall be made within 10 days of the injury. treatment initially. The employee's first visit to any facility under contract or agreement with the employer or insurer to provide priority care shall not be considered the employee's initial choice. press #1. If you suspect fraud, contact the Fraud Prevention Unit at (401) 462-8100, press #7.

DWC-8 REV. 01/2018

RI

questions regarding whether an applicant has ever been arrested, charged with or convicted of any crime. Limited exceptions exist for law enforcement agencies and related positions. Employers in violation of this

Department of Labor and Training (DLT)

BAN-THE-BOX

Pursuant to RI General Law §28-6.14-1, it is unlawful for an employer to include on a job application any

RI

must tell you about the dangers of any hazardous substances in your workplace. You have a right to the common name or trade names of the substance, including the chemical name; the level at which exposure to the substance is hazardous,

the potential for flammability, explosion, and reactivity of

proper procedures for the safe use of and exposure to the

Under the RI Right-To-Know Law, your employer

appropriate emergency treatment

RI

Your employer must provide you with the above information. If he or she has not, make sure you ask about it. Your company The Right-To-Know Law was created to protect you. Visit the effects and symptoms of exposure at hazardous

http://www.dlt.ri.gov/occusafe or call (401)462-8570, option #4 for more informatior "Because not knowing about the hazardous substances you work with is the greatest hazard of all." DLT-L-47 The RI Right-To-Know Law

proper protective equipment for safe use; and

procedures for clean-up of leaks and spills.

REV. 01/2018

REV. 07/2015

NOTICE OF RIGHT TO BE FREE FROM DISCRIMINATION BECAUSE OF PREGNANCY, CHILDBIRTH AND RELATED CONDITIONS

State law protects employees and applicants from discrimination based on pregnancy, childbirth and related conditions. Federal law provides similar protections. Employees and applicants have the right under state law to request a reasonable accommodation for conditions related to pregnancy, childbirth and related conditions such as the need to express breast milk for a nursing child. This workplace may not:

refuse to grant you the reasonable accommodation

unless it would create an undue hardship on this

require you to take a leave if another reasonable

deny you employment opportunities based on a

refusal to provide a reasonable accommodation.

If you want to request a reasonable accommodation, or if you

have been discriminated against based on pregnancy, childbirth

or related condition, please contact one of the following staff

employer's enterprise, business or program;

accommodation can be granted; or

PHONE NUMBER PHONE NUMBER **E**MAIL ADDRESS EMAIL ADDRESS

> Providence, RI 02903 (401) 222-2661 TTY: 401-222-2664 www.richr.ri.gov

Commission for Human Rights **Discrimination is Illegal**

COMMISSION FOR HUMAN RIGHTS TITLE: 180 Westminster Street THIRD FLOOR Providence, RI 02903

Report incidents of harassment and discrimination to the Commission for Human Rights and the company representative named

JAN2023

FED

U.S. Equal Employment Opportunity Commission

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

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 bases

Religion

National origin Sex (including pregnancy and related conditions, sexual orientation, or gender identity)

Age (40 and older)

Disability

services, or family medical history) Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding.

Discharge, firing, or lay-off

What Employment Practices can be Challenged as **Discriminatory?** All aspects of employment, including:

Harassment (including unwelcome verbal or physical

Failure to provide reasonable accommodation for a

disability or a sincerely-held religious belief, observance

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

you return to work or apply for reemployment in a timely manner after

you have not been separated from service with a disqualifying discharge or

If you are eligible to be reemployed, you must be restored to the job and benefits you

are obligated to serve in the

any benefit of employment

uniformed service;

promotion; or

would have attained if you had not been absent due to military service or, in some

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

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

The Employee Polygraph Protection Act prohibits most private employers from

using lie detector tests either for pre-employment screening or during the

Employers are generally prohibited from requiring or requesting any employee

or job applicant to take a lie detector test, and from discharging, disciplining, or

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

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,

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

you have five years or less of cumulative service in the uniformed services while

Genetic information (including employer requests for,

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

Hiring or promotion Assianment Pay (unequal wages or compensation)

Benefits Job training Classification

FED

Obtaining or disclosing genetic information of emplovees

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REEMPLOYMENT RIGHTS

perform service in the uniformed service and:

with that particular employer:

under other than honorable conditions.

are a past or present member of the •

have applied for membership in the

conclusion of service: and

cases, a comparable job.

uniformed service;

uniformed service; or

initial employment;

reemployment;

because of this status.

connection.

FED

course of employment.

EXEMPTIONS

test or for exercising other rights under the Act.

engaged in national security-related activities.

All workers have the right to:

Raise a safety or health concern with

related injury or illness, without being

Receive information and training on job

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

Participate (or have your representative

participate) in an OSHA inspection and

• File a complaint with OSHA within 30 days

retaliated against for using your rights.

See any OSHA citations issued to your

the workplace injury and illness log.

Contact OSHA. We can help.

QR CODE Scan with phone camera:

ONLINE

Go to: JJKeller.com/LLPverify

Enter this code: 62902-012023

This poster is available free from OSHA.

(by phone, online or by mail) if you have been

speak in private to the inspector.

hazards, including all hazardous substances

your employer or OSHA, or report a work-

A safe workplace.

retaliated against.

in your workplace.

OSHA on your behalf.

employer.

UNITED STATES OF AMERICA

then an employer may not deny you:

retention in employment;

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.

or practice

Employer Wage Inguir[,] employers are prohibited from inquiring into or requiring considering the individual's candidacy, and from setting a minimum or maximum threshold of prior wage earnings

and whenever requested by an employee, an employer individual, the wage range for the position the individual's

opposing any practice made unlawful by the Act, is prohibited. RI General Laws § 28-6-18 states that this notice must be posted and maintained in conspicuous places where workers are

via RI Relay 7111

Return from Leave - Employees who are granted leave under the Act are entitled to be restored to the position held when the

WORKERS' COMPENSATION ACT of the State of Rhode Island



law may be fined between \$100-\$500 per offense. Visit www.dlt.ri.gov/ls or call (401) 462-WAGE (9243) for

Department of Labor and Training (DLT) RHODE ISLAND RIGHT-TO-KNOW Ignoring This Poster Can Be Hazardous To Your Health

RHODE ISLAND COMMISSION FOR HUMAN RIGHTS 180 WESTMINSTER STREET, 3RD FLOOR

Address

If you have been the victim of discrimination based on

pregnancy, childbirth or related conditions and/or denial of a

reasonable accommodation, contact

State and Federal laws prohibit harassment and discrimination in hiring, terms and conditions, promotion, discharge, salary, benefits, and other aspects of employment based on race, color, religion, ancestral origin, sex, sexual orientation*, gender identity or expression*, physical or mental disability or age (over 40). State law also prohibits employers from asking applicants about arrest records, and makes it unlawful to ask about convictions until at or after a first interview (with certain exceptions) You have the right to a workplace free of harassment and discrimination

> 401-222-2661 TDD: 401-222-2664 www.richr.ri.gov WE ARE AN EQUAL OPPORTUNITY EMPLOYER

Know Your Rights: Workplace Discrimination is Illegal

What can You Do if You Believe Discrimination has

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)

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:

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

Race, Color, Religion, Sex, Sexual Orientation,

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, 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

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

employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive **Protected Veteran Status**

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 Retaliation Retaliation is prohibited against a person who files a complaint

of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors under these Federal laws Any person who believes a contractor has violated its

nondiscrimination or affirmative action obligations under OFCCP's authorities should contact immediately: The Office of Federal Contract Compliance Programs (OFCCP) U.S. Department of Labor 200 Constitution Avenue, N.W.

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.

If you are deaf, hard of hearing, or have a speech disability,

please dial 7-1-1 to access telecommunications relay services

Washington, D.C. 20210

1-800-397-6251 (toll-free)

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

providing such assistance.

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 financial

causes or may cause discrimination in providing services

assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or vithout 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

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.

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. 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

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.

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

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

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

The law does not preempt any provision of any State or local law or any collective

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

The Secretary of Labor may bring court actions to restrain violations and assess civil

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penalties against violators. Employees or job applicants may also bring their own

of private firms who are reasonably suspected of involvement in a workplace incident

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

EMPLOYEE RIGHTS

EMPLOYEE POLYGRAPH PROTECTION ACT

bargaining agreement which is more restrictive with respect to lie detector tests. **EXAMINEE RIGHTS** discriminating against an employee or prospective employee for refusing to take a 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

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

distributors and dispensers. THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT. 1-866-487-9243

UNITED STATES DEPARTMENT OF LABOR

WAGE AND HOUR DIVISION

Job Safety and Health

TTY: 1-877-889-5627

www.dol.gov/whd

IT'S THE LAW!

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

Provide required training to all workers in a

Post OSHA citations at or near the place of

language and vocabulary they can understand.

Prominently display this poster in the workplace.

Provide employees a workplace free from

recognized hazards. It is illegal to retaliate

Employers must:

of an eye.

the alleged violations. On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.



To update your labor law posters contact **TWO** ways to verify poster compliance!

J. J. Keller & Associates, Inc. JJKeller.com/laborlaw 800-327-6868 65862F FED-RI-ENG

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