### 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 11/2 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, nonhazardous 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

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

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

from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

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

Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions. Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Some state laws provide greater employee protections; employers must comply with both.

Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not.

Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor. 1-866-487-9243

WAGE AND HOUR DIVISION

www.dol.gov/whd

REV. 07/2016

WH1088

TTY: 1-877-889-5627

NE

minimum hourly wage, the employer must make up the difference.

Department of Labor

DEPARTMENT OF LABOR

## Minimum Wage

Effective January 1, 2016

## **\$9.00 per Hour**

### **Notice to Employees**

Except as provided below, every employer of four or more persons at any one time shall pay its employees a minimum wage of nine dollars per hour.

- If the employee is compensated by way of gratuities, the employer shall pay wages at the minimum rate of two dollars and thirteen cents per hour, plus all gratuities given to them for services rendered. The sum of wages and gratuities received by each person compensated by way of gratuities shall equal or exceed nine per hour.
- Any employer employing student-learners as part of a bona fide vocational training program shall pay such student-learners' wages at a rate of at least seventy-five percent of the minimum wage rate.
- An employer may pay a new employee younger than 20 who is not a seasonal or migrant worker, a training wage of at least seventyfive percent of the federal minimum wage for ninety days from the date the new employee was hired, subject to the terms and conditions described in Neb. Rev. Stat. §48-1203.01.

**48-1202.** For purposes of the Wage and Hour Act, unless the context otherwise requires:

- **1.** Employ shall include to permit to work;
- 2. Employer shall include any individual, partnership, limited liability company, association, corporation, business trust, legal representative, or organized group of persons employing four or more employees at any one time except for seasonal employment of not more than twenty weeks in any calendar year, acting directly or indirectly in the interest of an employer in relation to an employee, but shall not include the United States, the state, or any political subdivision thereof;
- **3.** Employee shall include any individual employed by any employer but shall not include:
  - **a.** Any individual employed in agriculture;
  - **b.** Any individual employed as a baby-sitter in or about a private home;
  - **c.** Any individual employed in a bona fide executive, administrative, or professional capacity or as a superintendent or supervisor;
  - **d.** Any individual employed by the United States or by the state or any political subdivision thereof;
  - e. Any individual engaged in the activities of an educational, charitable, religious, or nonprofit organization when the employeremployee relationship does not in fact exist or when the services rendered to such organization are on a voluntary basis;
  - Apprentices and learners otherwise provided by law;
  - **g.** Veterans in training under supervision of the United States Department of Veterans Affairs;
  - **h.** A child in the employment of his or her parent or a parent in the employment of his or her child; or
  - Any person who, directly or indirectly, is receiving any form of federal, state, county, or local aid or welfare and who is physically or mentally disabled and employed in a program of rehabilitation, who shall receive a wage at a level consistent with his or her health, efficiency, and general well-being;
- 4. Occupational classification shall mean a classification established by the Dictionary of Occupational Titles prepared by the United States Department of Labor; and
- 5. Wages shall mean all remuneration for personal services, including commissions and bonuses and the cash value of all remunerations in any medium other than cash.

## **NEBRASKA**

**DEPARTMENT OF LABOR** 

Good Life. Great Connections.

For further information regarding the Nebraska Wage and Hour Act, contact the Nebraska Department of Labor

FED

**PHONE** 402-471-2239

### **EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT**

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

LEAVE ENTITLEMENTS

- Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons: The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement): To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job; For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent. An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.
- 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

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

FMLA leave, the employee must comply with the employer's normal paid leave policies.

DEPARTMENT OF LABOR

LINITED STATES OF AMERICA

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

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

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave

Have worked for the employer for at least 12 months;

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

\*Special "hours of service" requirements apply to airline flight crew employees **REQUESTING LEAVE** 

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 inform the emp<mark>loye</mark>r if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the

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.

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 FMLA leave.

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer. The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that

provides greater family or medical leave rights. For additional information or to file a complaint:

www.dol.gov/whd

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

1-866-4-USWAGE

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

in the military

enforcement of USERRA rights, including testifying or making a statement

in connection with a proceeding under USERRA, even if that person has no

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

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

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

http://www.dol.gov/vets. An interactive online USERRA Advisor

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

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

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

requires employers to notify employees of their rights under USERRA, and

employers may meet this requirement by displaying the text of this notice

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

Where polygraph tests are permitted, they are subject to numerous strict

standards concerning the conduct and length of the test. Examinees have

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

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

assess civil penalties against violators. Employees or job applicants may also

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE

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

against an employer for violations of USERRA.

where they customarily place notices for employees

REV. 04/2016

FED YOUR RIGHTS UNDER USERRA THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT USERRA protects the job rights of individuals who voluntarily In addition, an employer may not retaliate against anyone assisting in the

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 have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:

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

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

RIGHT TO BE FREE FROM DISCRIMINATION AND RETAILIATION

- are a past or present member of the uniformed
- have applied for membership in the uniformed service; o
- ien an employer may not deny you initial employment;
- reemployment;
- retention in employment; because of this status.

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** 

loss to the employer

**EXAMINEE RIGHTS** 

FED

any benefit of employment

**EMPLOYEE POLYGRAPH PROTECTION ACT** The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment

Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging,

creening or during the course of employment.

disciplining, or discriminating against an employee or prospective employee or refusing to take a test or for exercising other rights under the Act. Federal. State and local governments are not affected by the law. Also, the aw does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities.

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

employees of private firms who are reasonably suspected of involvement in

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

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

test results disclosed to unauthorized persons.

## **REV. 07/2016**

**Unemployment Insurance: Advisement of Benefit Rights** 

TITLE 219 — DEPARTMENT OF LABOR: CHAPTER 2 — CLAIMS FOR BENEFITS To file an a claim for unemployment benefits, go to dol.nebraska.gov

This chapter is adopted pursuant to Neb. Rev. Stat. §§48-626, 48-627, 48-629, and 48-607

- A. For benefit years beginning prior to October 1, 2015, an individual who wants to make a claim for unemployment benefits shall file his or her application for benefits through the Nebraska Department of Labor Claims Center's online web application available at www.dol.nebraska.gov. The individual shall provide such information as required on the application. Each application shall be signed by electronic signature or handwritten on a form prescribed by the Commissioner. For benefit years beginning on or after October 1, 2015, all claims for unemployment benefits, except claims involving either wages paid by the military or federal government or combined with wages from state(s) other than Nebraska, shall be filed online through the Nebraska Department of Labor Claims Center's online web application available at www.dol.nebraska.gov unless a special accommodation is required or no reasonable access to an office maintained by the Department of Labor is available. Conditions requiring a special accommodation shall include, but not be limited to, language barriers and physical and mental handicaps. If a special accommodation is required, claimants may file an application for benefits through the Nebraska Department of Labor Claims Center. The individual shall provide such information as required on the application. Each application shall be signed or attested to. An application may be signed by electronic signature or handwritten on a form
- B. When filing a new initial claim, re-opening an existing claim, or filing a subsequent claim for unemployment benefits a claimant shall be required to register for work and create an active, online and searchable resume in the Nebraska Department of Labor's web application for Reemployment and Benefit services in accordance with 219 NAC 4. C. The initial application for benefits shall be effective Sunday of the week in which the applicant files an application with the Department. The Commissioner, for good cause, may establish a different effective date.
- **D.** A week shall be deemed to be in, within, or during that benefit year which includes the greater part of such week. **A.** A separate claim for benefits shall be made for each week of unemployment by a method of claiming prescribed by the

  - B. An individual shall be ineligible for benefits for any week for which the individual fails to demonstrate that the individual engaged in an active and earnest search for work as required under 219 NAC 4. **C.** If prescribed by the Commissioner, a claim form will be mailed by the Department and shall be completed by the claimant and returned to and received by the Department within ten days of the later of the date mailed or the week ending
  - date which will be stated on the form. A claimant who fails to timely return the claim form shall be ineligible for that week's benefits unless good cause for the late return can be shown. If found ineligible, such applicant shall also be ineligible for benefits for any intervening weeks until the week in which the claim form is returned, regardless of cause. **D.** An electronic media claim transaction shall be completed by the claimant and received by the Department by the Friday following the most recent week ending date. The failure of a claimant to timely complete an electronic media transaction shall be the basis for a denial of that week's benefits unless good cause for the late transaction can be shown. Any intervening weeks until the week in which the transaction was completed and received by the Department shall also be denied,
  - **E.** A claim for benefits shall be filed for waiting week credit even though benefits are not payable for that week. F. A claim for benefits shall be filed for each week of eligibility during the time an applicant is awaiting the results of an appeal hearing if the applicant intends to claim benefits during that time period.
- The Department may direct a claimant to contact one of its offices to meet eligibility or other reporting requirements, or to provide other information as needed in the administration of Nebraska Employment Security Law. Unless good cause is shown, failure to contact the office as directed may result in the denial of benefits beginning with the week the claimant was scheduled to report and ending the Saturday prior to the week in which he/she reports to the Department.

In the event that wage information cannot be obtained from an employer, the Department may request that such information

election of an employer, shall procure a federal social security account number and furnish that number to every employer for

- be provided by the claimant. The claimant may be required to provide payroll check stubs, W-2s, or other reliable information corroborating the amount of wages stated by the claimant. A failure by the claimant to comply with such a request by the due date on the form shall cause the claim to be processed without the requested wages and may result in a denial of benefits until the week in which the information regarding requested wages is received by the Department. In the event of a major disaster declared by both the Governor of the State of Nebraska and the President, the Commissioner
- may permit backdating of the effective date of unemployment insurance claims to agree with the effective date of the federal Each worker engaged in employment covered by the Nebraska Employment Security Law, including service covered by
- whom that worker performs covered employment Weeks of disqualification assessed pursuant to Neb. Rev. Stat. §48-628 and reductions in benefits determined pursuant to Neb. Rev. Stat. §48-626 shall be determined in accordance with the number of weeks of disqualification in effect on the applicable date of the most recently filed initial, transitional or additional claim.

# **NEBRASKA**

**Good Life. Great Connections** 

NE

**DEPARTMENT OF LABOR** 

regardless of cause.

REV. 09/21/2016

**EQUAL OPPORTUNITY COMMISSION** NOTICE TO Job Applicants, Employees, Employers, Labor Unions,

**Employment Agencies, Landlords, Tenants, Proprietors, Public: DISCRIMINATION IN** ★ EMPLOYMENT ★ ★ HOUSING ★ PUBLIC ACCOMMODATIONS ★

IS PROHIBITED BY STATE LAW **Unlawful Employment Practices** It is illegal for an employer to discriminate against you because of your Race, Color, Sex, Pregnancy, National Origin, Marital Status,

Disability, Religion and/or Age (40-years-old and over). Discrimination may occur in such areas as Hiring, Promotions, Transfers, Lay-offs, Discipline and Termination, Compensation and Benefits, Training, Other Terms or Conditions of Employment, or Sexual Harassment. The Nebraska Equal Opportunity Commission is authorized to investigate allegations of discrimination under the Fair Employment Practices Act and the Equal Pay Act of Nebraska, both of which covers employers with 15 or more employees; and the Nebraska Age Discrimination in Employment Act, which covers employers with 20 or more employees. Labor Organizations, Employment Agencies, Apprenticeship and Training Programs are all covered by the law. Authority: Sections 48-1001 through 48-1009; Sections 48-1101 through 48-1125; Sections 48-1219 through 1227, R.R.S. Nebraska, 1943.

**Public Accommodations and Housing Discrimination** The Nebraska Fair Housing Act prohibits unlawful housing practices which includes discrimination because of Race, Color, Religion, National Origin, Sex, Disability and Familial Status in Purchases, Sales, Rentals, Loans, Publishing, Representation, Inquiry, Listings, Discharge, or Demotion of Agents or Employees in obedience to the law, blockbusting and other such actions.

Authority: Sections 20-301 through 20-344, R.R.S. Nebraska, 1943. The Nebraska Civil Rights Act of 1969—Public Accommodation prohibits discrimination because of Race, Color, Religion, Sex, National **Origin**, or **Ancestry** in *Services, Privileges, Facilities, Advantages and Accommodations by all Public Places* and *Businesses* offering the same.

Private establishments, etc. must meet the exceptions as set out in the law. Authority: Sections 20-132 through 20-143, R.R.S. Nebraska, 1943. **Protection From Retaliation** 

The Laws enforced by the Nebraska Equal Opportunity Commission prohibit an employer, landlord, or others subject to the laws from engaging in any form of retaliation because you have filed a charge of discrimination, opposed a practice made illegal by these laws, or acted as a witness in any investigation or hearing conducted by the Commission. In addition, the Fair Employment Practices Act makes it illegal for an employer to engage in any retaliation because a person has opposed any illegal practice or refused to carry out any action that is illegal under the laws of the State of Nebraska or the United States.

COMPLAINTS: The Nebraska EOC will investigate every complaint in an impartial manner, without cost to you and without

In case of failure to settle or resolve a charge by conference, mediation, conciliation, arbitration or persuasion, a public hearing of EMPLOYERS, EMPLOYMENT AGENCIES, UNIONS, LANDLORDS, LENDERS, REAL ESTATE OFFICES, PROPRIETORS, PUBLIC, ETC: You may

publicity. If there is reasonable cause to believe that the law was violated, the Nebraska EOC will hold a conciliation conference

call on the Nebraska EOC for information on procedures, advice on policy problems, literature, reading lists, films, speakers service, and aid in educational programming. For Information or Assistance, Please Write, Call, or Come to:

Main Office **Branch Office Branch Office** 

**EQUAL OPPORTUNITY COMMISSION** PANHANDLE OFFICE COMPLEX 1313 FARNAM ON-THE-MALL 301 CENTENNIAL MALL SOUTH, 5TH FLOOR 4500 Avenue 'I' Omaha, Nebraska 68102-1836 P.O. Box 1500 P.O. Box 94934 Telephone (402) 595-2028 LINCOLN, NEBRASKA 68509-4934 SCOTTSBLUFF, NEBRASKA 69363-1500 1-800-382-7820 TELEPHONE (402) 471-2024 TELEPHONE (308) 632-1340 1-800-642-6112 1-800-830-8633

agency waiting rooms, union hall — which are frequented by employees, job seekers, or applicants for union membership. Firms and organizations that have more than one such office, plant or posting place, should request extra copies of this notice. For information on exceptions, write to Nebraska EOC. This document satisfies the requirements for posting pursuant to the laws

THIS NOTICE MUST BE POSTED in conspicuous, well-lighted places — e.g., hiring offices, employee bulletin boards, employment

This Commission Investigates Unlawful Discrimination Complaints Filed Anywhere In The State Of Nebraska: At No Cost To The Person Making The Complaint

**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 to the higher minimum wage rate.

# NE

# **NOTICE**

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

# HOURS OF EMPLOYMENT FOR CHILDREN UNDER

In conformity with the provisions of section 48-310, compiled statutes of Nebraska, notice is hereby given that the number of hours which employees under the age of sixteen years employed in this room are required to work each day, the hours of commencing and stopping work and the time allowed for meals are as follows:

SIXTEEN YEARS OF AGE

| Name of Employee | Hours Required<br>Each Day | Time<br>Commencing | Time Of<br>Stopping | Time Allowed<br>For Meals |
|------------------|----------------------------|--------------------|---------------------|---------------------------|
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Employer or Employer's Agent

- 5404 Cedar St, 3rd Floor, Omaha, NE, 68106, (402) 595-3095. FORM NO. 110

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Form developed by Nebraska Workforce Development, Department of Labor, Safety and Labor Standards

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

EEOC-P/E-1

Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of

SEX (WAGES)

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship.

agencies and labor organizations are protected under Federal law from discrimination on the following bases:

**Equal Employment Opportunity** 

is THE LAW

Private Employers, State and Local Governments, Educational Institutions,

**Employment Agencies and Labor Organizations** Applicants to and employees of most private employers, state and local governments, educational institutions, employment

employment. 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. The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment. Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of

employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information.

Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice. WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination

directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at www.eeoc.gov. **Employers Holding Federal Contracts or Subcontracts** 

for individuals with hearing impairments). EEOC field office information is available at www.eeoc.gov or in most telephone

The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number

Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

requires affirmative action to ensure equality of opportunity in all aspects of employment. Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. 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. Section 503 also requires

that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all

Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national origin, and

levels of employment, including the executive level. DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination and requires affirmative action to employ and advance in employment disabled veterans, recently separated veterans (within three years of discharge or release from active duty), other protected veterans (veterans who served during a war or in a campaign or expedition for which a campaign badge has been authorized), and Armed Forces service medal veterans (veterans who, while on active duty,

participated in a U.S. military operation for which an Armed Forces service medal was awarded).

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these Federal laws. Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above The Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington,

by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor. **Programs or Activities Receiving Federal Financial Assistance** RACE, COLOR, NATIONAL ORIGIN, SEX

In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or

D.C. 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at OFCCP-Public@dol.gov, or

activities which receive Federal financial assistance. NDIVIDUALS WITH DISABILITIES Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job. f you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you

should immediately contact the Federal agency providing such assistance. EEOC 9/02 and OFCCP 8/08 Versions Useable With 11/09 Supplement

AUG2016

**REV. 11/2009** 

## 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

Reguest copies of your medical records, tests

that measure hazards in the workplace, and

retaliated against for using your rights. See any OSHA citations issued to your employer.

the workplace injury and illness log. This poster is available free from OSHA.

Contact OSHA. We can help.

**TWO** ways to verify poster compliance!

**ONLINE** 

# **Job Safety and Health** IT'S THE LAW!

**Employers must:** 

recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness. Comply with all applicable OSHA standards.

Notify OSHA within 8 hours of a workplace

fatality or within 24 hours of any work-related

Provide employees a workplace free from

- inpatient hospitalization, amputation, or loss of an eye.
- language and vocabulary they can understand. Prominently display this poster in the workplace.

Provide required training to all workers in a

 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



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