RHODE ISLAND

FED

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

ENFORCEMENT

The Department has authority to recover back wages and an

equal amount in liquidated damages in instances of minimum

litigate and/or recommend criminal prosecution. Employers may

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

wage, overtime, and other violations. The Department may

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

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

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.

ADDITIONAL INFORMATION

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

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

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

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

the Commonwealth of the Northern Mariana Islands, and

the minimum wage, and/or overtime pay provisions.

FEDERAL MINIMUM WAGE \$7.25 PER HOUR

BEGINNING JULY 24, 2009 The law requires employers to display this poster

where employees can readily see it. **OVERTIME PAY**

At least 1½ times the regular rate of pay for all hours worked over

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



UNITED STATES DEPARTMENT

1-866-487-9243 **WAGE AND HOUR DIVISION** TTY: 1-877-889-5627 www.dol.gov/whd



REV. 07/2016

Department of Labor and Training (DLT) Attention Employees - MINIMUM WAGE - Rhode Island

Minimum

Effective JANUARY 1, 2022 - THIS LAW **PROVIDES HOURLY MINIMUM WAGE FOR ALL EMPLOYEES** EXCEPT: Full-time students under 19 \$11.03 years of age working in a non (90% of

librarial or community services Wage) organization. Minors **14** and **15** years of age \$9.19 working not more than 24 (75% of hours in a week. Minimum

profit religious, educational,

Employees receiving gratuities (as of Jan. 1, 2017):

Overtime Pay - At least 1½ 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. Learners and handicapped workers may be paid less than the applicable minimum but only under certificates issued at the discretion of the DLT Director.

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 report for duty at the beginning of a work shift must be provided with 3 hours work or 3 hours wages. Retail establishment employees must be provided with 4 hours \$12.25 work on Sundays and Holidays. **Child Labor** - Employees must be at least 16 years old to

> 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 nment of up to 90 days. Each week an employer fails to pay the applicable minimum wage constitutes a separate

work in most nonfarm jobs and 18 to work in nonfarm jobs

declared hazardous by the U.S. Secretary of Labor. Youths 14

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 occurs constitutes a separate offense.

Visit www.dlt.ri.gov/ls or call (401) 462-WAGE (9243) for more information. DLT-L-58

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 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. THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

If you become totally/partially unemployed: File your claim for benefits with the DLT the same week

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

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 required. To collect unemployment benefits, the law requires that

a. Be unemployed through no fault of your own, b. Have earned minimum qualifying wages while you

- were working, 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 Care Provider and

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 meet the following requirements:

Department of Labor and Training (DLT)

You Are Protected under Provisions of the RI EMPLOYMENT SECURITY ACT and the TEMPORARY DISABILITY INSURANCE ACT **UNEMPLOYMENT INSURANCE BENEFITS** You are unemployed because you are caring for a

you are unemployed or working reduced hours.

You provide the department with the required medical evidence of the seriously ill family member and your need to care for him/her or the required proof of parent child relationship for bonding claims and www.dlt.ri.gov/ui or call (401) 243-9100. You earned enough in qualifying wages to be monetarily eligible

To Apply - Complete a TDI/TCI application. TDI claims must be ed 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 individual can show a good medical reason for the delay in 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 (401) 462-8420.

seriously ill family member or bonding with a child and

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,

EMPLOYMENT AND TRAINING SERVICES If you need help finding a job, DLT offers free employment and

training related services including: Job referral and placement 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 résumé and cover letter.
- Visit dlt.ri.gov for a location near you. You can access many services online at www.employri.org.

DLT-TX-6

REV. 01/2019

Commission for Human Rights

Report incidents of harassment to:

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

Sexual harassment is a form of discrimination that occurs

RI

an agent of the employer the same sex as the a supervisor in another area

Sexual harassment occurs when submission to or rejection of this conduct explicitly or implicitly affects an individual's work performance or creates an intimidating, hostile, or offensive work environment

employment, unreasonably interferes with an individual's Sexual harassment is a violation of state and federal laws. The prohibition against sexual harassment does not only apply to employers. It also applies to labor organizations,

employment agencies, and to individuals who aid and abet

an unlawful employment practice.

RI

Sexual Harassment is Against the Law

The Rhode Island Whistleblowers' Protection Act § 28-50-1. Short title. – This chapter may be cited as the "Rhode (2)

§ 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, and independent contractors.

"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

A county, city, town, or regional governing body, a council, school district, or a board, department 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 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 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, or the United States, unless the employee knows or has

reason to know that the report is false; or

disabilities. TTY via RI Relay 711

CHAPTER 28-50

Because an employee is requested by a public body to 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

If you believe you are or have been the victim of

sexual harassment, contact:

RHODE ISLAND COMMISSION

FOR HUMAN RIGHTS

180 WESTMINSTER STREET, THIRD FLOOR

Providence, RI 02903

401-222-2661

TDD: 401-222-2664

Fax: 401-222-2616

www.richr.ri.gov

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. the employee must establish by clear and convincing evidence that the report was made

§ 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 (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 construed to diminish or impair the rights of a person under any collective bargaining agreemen

§ 28-50-7. Exemption. – This chapter shall not be construed to require an employer to compensate an employee for 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

§ 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 declared to be severable.

FED

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION **LEAVE ENTITLEMENTS**

12-month period for the following reasons:

The birth of a child or placement of a child for adoption or foster care;

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

For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse,

of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness. An <mark>employee doe</mark>s not <mark>need to use</mark> leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule. Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee

substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies. **BENEFITS & PROTECTIONS** While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on

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

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.

notice, 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 <mark>daily activ<mark>ities</mark>, or</mark> 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 certified.

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

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

DEPARTMENT OF LABOR UNITED STATES OF AMERICA

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

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 full-

time, 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 more of the following reasons: Birth of a child of an employee Placement of a child 16 years of age or less with an

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

employee in connection with the adoption of such child

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

employee is the parent, foster parent, or guardian. A notice of

or other school-related activities for a child of whom the

leave during any 12-month period to attend school conferences

allows sick time or sick leave of an employee to be used after the birth of a child shall allow the same time to be used for the placement of a child 16 years of age or less with an employee in connection with the adoption of the child by the employee. Continuation of Health Benefits - Prior to the commencement of leave, the employee must pay his employer a sum equal to the 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

leave commenced, or to a position with equivalent seniority, **Prohibited Acts** - It is unlawful for any employer to interface

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 **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 violations of the Act or any order issued by the Director of Labor

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.

Department of Labor and Training (DLT)

Workers' Compensation Insurance Company: ____ ADJUSTING COMPANY: POLICY EFFECTIVE DATE: In accordance 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

WORKERS' COMPENSATION ACT of the State of Rhode Island within 10 days of the injury.

An injured employee shall have freedom to choose medical 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. For more information, call the Education Unit at (401) 462-8100, press #1. If you suspect fraud, contact the Fraud Prevention Unit at (401) 462-8100, press #7.

DWC-8

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 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 law may be fined between \$100-\$500 per offense. Visit

www.dlt.ri.gov/ls or call (401) 462-WAGE (9243) for more information.

RHODE ISLAND RIGHT-TO-KNOW Ignoring This Poster Can Be Hazardous To Your Health

Under the RI Right-To-Know Law, your employer 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, the level at which exposure to the substance is hazardous, the effects and symptoms of exposure at hazardous

the potential for flammability, explosion, and reactivity of the substance; appropriate emergency treatment;

proper procedures for the safe use of and exposure to the substance: proper protective equipment for safe use; and

The Right-To-Know Law was created to protect you. Visit

http://www.dlt.ri.gov/occusafe or call (401)462-8570, option #4 "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

REV. 01/2018

NOTICE OF RIGHT TO BE FREE FROM DISCRIMINATION

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 employer's enterprise, require you to take a leave if another reasonable accommodation can be granted; or deny you employment opportunities based on a

If you want to request a reasonable accommodation,

pregnancy, childbirth or related condition, please contact

or if you have been discriminated against based on

one of the following staff members:

refusal to provide a reasonable accommodation.

of a reasonable accommodation, contact: RHODE ISLAND COMMISSION FOR HUMAN RIGHTS

(401) 222-2661 TTY: 401-222-2664 www.richr.ri.gov RICHR

Commission for Human Rights

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).

Report incidents of harassment and discrimination to the Commission for Human Rights and the company representative named below: RHODE ISLAND

WE ARE AN EQUAL OPPORTUNITY EMPLOYER

reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee,

FED

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 aspects of employment. **SEX (WAGES)** In addition to sex discrimination prohibited by Title VII

of the Civil Rights Act, as amended, the Equal Pay Act

the payment of wages to women and men performing

of 1963, as amended, prohibits sex discrimination in

substantially equal work, in jobs that require equal

skill, effort, and responsibility, under similar working

conditions, in the same establishment.

Employment Agencies and

Labor Organizations

protected under Federal law from discrimination on the

employment agencies and labor organizations are

RACE, COLOR, RELIGION, SEX, NATIONAL

Title VII of the Civil Rights Act of 1964, as amended,

in hiring, promotion, discharge, pay, fringe benefits,

job training, classification, referral, and other aspects

Religious discrimination includes failing to reasonably

accommodate an employee's religious practices where

the accommodation does not impose undue hardship.

Title I and Title V of the Americans with Disabilities

Disability discrimination includes not making

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 employment.

of employment, on the basis of race, color, religion,

sex (including pregnancy), or national origin

protects applicants and employees from discrimination

following bases:

ORIGIN

DISABILITY

barring undue hardship.

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);

Equal Employment Opportunity is THE LAW

and requests for or receipt of genetic services by **Private Employers, State and Local** applicants, employees, or their family members. Governments, Educational Institutions,

RETALIATION All of these Federal laws prohibit covered entities from retaliating against a person who files a charge Applicants to and employees of most private employers, of discrimination, participates in a discrimination state and local governments, educational institutions, 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 is

The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at www.eeoc.gov or in most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at

Employers Holding Federal Contracts or Subcontracts

Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the

following bases: RACE, COLOR, RELIGION, SEX, NATIONAL

ORIGIN Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment. **INDIVIDUALS WITH DISABILITIES**

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 levels of employment, including the

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

service medal was awarded). RETALIATION

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under

under the authorities above 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) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at

under U.S. Government, Department of Labor. **Programs or Activities Receiving Federal**

Financial Assistance

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

assistance.

INDIVIDUALS WITH DISABILITIES Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable

If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance. EEOC 9/02 and OFCCP 8/08 Versions Useable With 11/09 Supplement

REV. 11/2009

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. connection with a proceeding under USERRA, even if that person has no service USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the **HEALTH INSURANCE PROTECTION** • If you leave your job to perform military service, you have the right to elect to

perform service in the uniformed service and: you ensure that your employer receives advance written or verbal notice of your

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.

cases, a comparable job. RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

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

discriminating against an employee or prospective employee for refusing to take a

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

uniformed service: uniformed service: have applied for membership in the uniformed service; or then an employer may not deny you:

initial employment;

retention in employment;

reemployment;

course of employment.

EXEMPTIONS

FED

promotion; or

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:

In addition, an employer may not retaliate against anyone assisting in the

dependents for up to 24 months while in the military.

at http://www.dol.gov/elaws/userra.htm.

enforcement of USERRA rights, including testifying or making a statement in

continue your existing employer-based health plan coverage for you and your

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

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

(VETS) is authorized to investigate and resolve complaints of USERRA violations.

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

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

reemployed, generally without any waiting periods or exclusions (e.g., pre-

The U.S. Department of Labor, Veterans Employment and Training Service

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

Office of Special Counsel Employer Support of the Guard and Reserve • 1-800-336-4590

for employees.

U.S. Department of Labor • 1-866-487-2365 U.S. Department of Justice

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.

> 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

> > WH1462

The Act permits polygraph (a kind of lie detector) tests to be administered in the The Secretary of Labor may bring court actions to restrain violations and assess civil private sector, subject to restrictions, to certain prospective employees of security penalties against violators. Employees or job applicants may also bring their own service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers,

TTY: 1-877-889-5627

www.dol.gov/whd

DEPARTMENT OF LABOR UNITED STATES OF AMERICA

distributors and dispensers.

test or for exercising other rights under the Act.

engaged in national security-related activities.



WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243

REV. 07/2016



All workers have the right to:

retaliated against.

OSHA on your behalf.

employer.

 A safe workplace. Raise a safety or health concern with your employer or OSHA, or report a workrelated injury or illness, without being

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
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.

the right to have a representative contact

• 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

that measure hazards in the workplace, and

This poster is available free from OSHA.

the workplace injury and illness log.

TWO ways to verify poster compliance!

QR CODE Scan with phone camera:

Go to: JJKeller.com/LLPverify

Enter this code: 62902-012022

Contact OSHA. We can help.

a U.S. military operation for which an Armed Forces

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations

OFCCP-Public@dol.gov, or by calling an OFCCP regional or district office, listed in most telephone directories

RACE, COLOR, NATIONAL ORIGIN, SEX

accommodation, can perform the essential functions of

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

executive level.

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

you have five years or less of cumulative service in the uniformed services while with that particular employer;

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

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

are a past or present member of the • are obligated to serve in the

any benefit of employment

http://www.dol.gov/vets/programs/userra/poster.htm. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices

REV. 04/2017 **EMPLOYEE RIGHTS**

> 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. Where polygraph tests are permitted, they are subject to numerous strict standards

ENFORCEMENT

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



Job Safety and Health IT'S THE LAW!

Employers must:

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

Provide employees a workplace free from

recognized hazards. It is illegal to retaliate

against an employee for using any of their

inpatient hospitalization, amputation, or loss Provide required training to all workers in a

fatality or within 24 hours of any work-related

 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.

language and vocabulary they can understand.

Prominently display this poster in the workplace.



To update your labor law posters contact J. J. Keller & Associates, Inc. JJKeller.com/laborlaw 800-327-6868

62902

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conspicuous places where workers are employed. Fines may be imposed for noncompliance.

RI General Laws §28-29-13, §28-44-38 and §28-41-15 state that these notices must be posted and maintained in

DLT is an equal opportunity employer/program, auxiliary aids and services are available on request to individuals with

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a

To bond with a child (leave must be taken within 1 year of the child's birth or placement);

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks

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

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

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.

of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for 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

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

> U.S. Department of Labor • Wage and Hour Division • WH1420 REV. 04/2016

RHODE ISLAND PARENTAL AND FAMILY MEDICAL LEAVE ACT 24 hours prior to the leave must be given to the employer by Employers with 50 or more employees must grant an unpaid the employee. The leave is not required to be paid; however, an employee may substitute any accrued paid vacation leave or other appropriate paid leave. Use of Sick Leave by Adoptive Parent - Any employer who

> **Return from Leave** - Employees who are granted leave under that the employee had been entitled to at the commencement

REV. 01/2018

filed within 48 hours. If not fatal, the report shall be made

REV. 01/2018

REV. 01/2018

procedures for clean-up of leaks and spills. Your employer must provide you with the above information. If he or she has not, make sure you ask about it. Your company

EMAIL ADDRESS **EMAIL ADDRESS**

REV. 07/2015

COMMISSION FOR HUMAN RIGHTS

Department of Labor and Training (DLT)

the Act are entitled to be restored to the position held when the status, employment benefits, pay and other terms and conditions of employment, including all fringe benefits and service credits

Department of Labor and Training (DLT)

If you have been the victim of discrimination based on pregnancy, childbirth or related conditions and/or denial

Discrimination is Illegal

THIRD FLOOR PROVIDENCE, RI 02903 401-222-2661 TDD: 401-222-2664 www.richr.ri.gov

BECAUSE OF PREGNANCY, CHILDBIRTH AND RELATED CONDITIONS PHONE NUMBER PHONE NUMBER

> 180 WESTMINSTER STREET, 3RD FLOOR PROVIDENCE, RI 02903

You have the right to a workplace free of harassment and discrimination.

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

JAN2022

ONLINE

REV. 01/2018