

**Since 1953** 

# LABOR LAWS

# **FEDERAL**

## **POSTER COMPLIANCE DATE 02/2022**

# WASHINGTON

## **EMPLOYEE RIGHTS UNDER THE** FAIR LABOR STANDARDS ACT

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

money penalties may also be assessed for violations of

are determined to be willful or repeated. The law also

ADDITIONAL INFORMATION

provisions

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

prohibits retaliating against or discharging workers who file a

Certain occupations and establishments are exempt

from the minimum wage, and/or overtime pay

Special provisions apply to workers in American

Islands, and the Commonwealth of Puerto Rico.

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.

apprentices, and workers with disabilities may be paid

less than the minimum wage under special certificates

REV. 07/2016

FY22-084

REV. 09/2021

(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,

1-866-487-9243

TTY: 1-877-889-5627

www.dol.gov/whd

issued by the Department of Labor.

Some state laws provide greater employee

Samoa, the Commonwealth of the Northern Mariana

complaint or participate in any proceeding under the FLSA.

minimum wage or overtime pay provisions of the law. Civil

## **ENFORCEMENT**

**BEGINNING JULY 24, 2009** 

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

FEDERAL MINIMUM WAGE

**\$7.25 PER HOUR** 

## **OVERTIME PAY**

FED

At least 1½ times the regular rate of pay for all hours worked over 40 in a workweek.

## **CHILD LABOR**

An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various nonmanufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment.

## **TIP CREDIT**

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

## **NURSING MOTHERS**

The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA's overtime requirements in order for the employee to express breast milk for her nursing child for one year after the child's birth each time such employee has a need to express breast milk. Employers are also required to provide a place, other than a bathroom, that is shielded from view and free



OF AMERICA

WA **Department of Labor & Industries** Announcement

OF LABOR

WAGE AND HOUR DIVISION

UNITED STATES DEPARTMENT

## 2022 minimum wage:

## \$14.49 per hour

Washington's minimum wage will be \$14.49 per hour beginning Jan. 1, 2022. Workers who are 14 or 15 years old may be paid 85% of the adult minimum wage, or \$12.32 per hour. For more information about Washington's minimum wage law, see the required workplace poster Your Rights as a Worker or visit www.Lni.wa.gov/workers-rights.

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

#### RACE, COLOR, RELIGION, SEX, NATIONAL GENETICS

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. DISABILITY

## Title I and Title V of the Americans with Disabilities Act of 1990,

FED

as amended, protect gualified 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.

## AGE

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 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.

## **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:

Executive Order 11246, as amended, prohibits job discrimination

## INDIVIDUALS WITH DISABILITIES

#### awarded) 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

of discrimination, participates in an OFCCP proceeding, or Disability discrimination includes not making reasonable 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 should contact immediately: The Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W.,

# DISABLED, RECENTLY SEPARATED, OTHER

**MEDAL VETERANS** 

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 suspected:

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 www.eeoc.gov

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

## RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

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

## RETALIATION Retaliation is prohibited against a person who files a complaint training, classification, referral, and other aspects of employment.

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 gualified individuals with disabilities at all levels of employment, including the executive Washington, D.C. 20210, 1-800-397-6251 (toll-free) or

# PROTECTED, AND ARMED FORCES SERVICE

## The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.

### PROHIBITIONS

FED

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

## **EXEMPTIONS**

FED

schedule.

and conditions.

LEAVE ENTITLEMENTS

placement);

health condition;

**BENEFITS & PROTECTIONS** 

Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities.

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

To care for the employee's spouse, child, or parent who has a qualifying serious

For the employee's own qualifying serious health condition that makes the

For qualifying exigencies related to the foreign deployment of a military

An eligible employee who is a covered servicemember's spouse, child, parent, or next

An employee does not need to use leave in one block. When it is medically necessary

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

While employees are on FMLA leave, employers must continue health insurance

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

An employer may not interfere with an individual's FMLA rights or retaliate against

or otherwise permitted, employees may take leave intermittently or on a reduced

employee unable to perform the employee's job;

for the servicemember with a serious injury or illness.

member who is the employee's spouse, child, or parent.

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

## **EMPLOYEE RIGHTS EMPLOYEE POLYGRAPH PROTECTION ACT**

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer. The law does not preempt any provision of any State or local law or any collective

bargaining agreement which is more restrictive with respect to lie detector tests.

## **EXAMINEE RIGHTS**

Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

## **ENFORCEMENT**

The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions.

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

WHD DEPARTMENT OF LABOR UNITED STATES OF AMERICA

## WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR

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



REV. 07/2016

REV. 04/2016

REV. 04/2017

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

## The United States Department of Labor Wage and Hour Division

- 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**

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 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 employer if the need for leave is
- of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care 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 FMLA leave.

## ENFORCEMENT

greater family or medical leave rights.

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour

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

Government, Department of Labor.

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. RETALIATION in a discrimination proceeding, or otherwise opposes an

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

All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates

# unlawful employment practice.

WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED

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.

**Department of Labor & Industries** 

Your Rights as a Worker

# WA

## It's the law!

Employers must post this notice where employees can read it.

## Wage and Overtime Laws Workers must be paid the Washington minimum wage

- Most workers who are 16 years of age or older must be paid at least the minimum wage for all hours worked. See www.Lni.wa.gov/MinWage. Workers who are 14 or 15 may be paid 85% of the
- minimum wage Tips cannot be counted as part of the minimum
- wage. Employers must pay all tips to employees.

## Overtime pay is due when working more than 40 hours

Most workers must be paid one and one-half times their regular rate of pay for all hours worked over 40 in a fixed seven-day workweek.

# Workers Need Meal and Rest Breaks

## Meal period

Most workers are entitled to a 30-minute unpaid meal period if working more than five hours in a day. If you must remain on duty during your meal period, you must be paid for the 30 minutes. Agricultural workers are entitled to a second 30-minute unpaid meal period if they work more than 11 hours in a day. Learn more at www.Lni.wa.gov/workers-rights/workplace-policies/ rest-breaks-meal-periods-and-schedules.

## **Breaks**

- Most workers are entitled to a 10-minute paid rest break for each four hours worked and must not work more than three hours without a break. Agricultural workers must have a 10-minute paid
- rest break within each four-hour period of work. If you are under 18, see "Teen Corner" at right.

## **Pay Requirements**

## **Regular Payday**

Workers must be paid at least once a month on a regularly scheduled payday. Your employer must give you a pay statement showing the number of hours worked, rate of pay, number of piece work units (if piece work), gross pay, the pay period and all deductions taken.

### For more information regarding authorized deductions, go to www.Lni.wa.gov/workers-rights/wages/ getting-paid and click on "Paycheck deductions."

## **Equal Pay and Opportunities Act**

Under this law, your employer is prohibited from providing unequal pay or career advancement opportunities based on gender. You also have the right to disclose, compare, or discuss your wages or the wages of other employees. Your employer cannot take any

## Leave Laws Paid sick leave

Most workers earn a minimum of one hour of paid sick leave for every 40 hours worked. This leave may be used beginning on the 90th calendar day of employment.

### a complaint, or exercising other protected rights under the Equal Pay and Opportunities Act. Employers also are prohibited from requesting a job applicant's wage or salary history, except under certain circumstances,

and cannot require an applicant's wage or salary history meet certain criteria. Job applicants also have the right to certain salary information if the employer has 15 or more employees. For more information or to file a complaint, go to www.Lni.wa.gov/EqualPay.

adverse action against you for discussing wages, filing

## Teen Corner — Information for Workers Ages 14-17

The minimum age for work is generally 14, with different rules for ages 14–15 and ages 16–17. Employers must have a minor work permit

to employ teens. This requirement applies to family members except on family farms. Teens do not need a work permit Teens are required to have authorization forms

signed before they begin working. For summer employment, parents must sign the Parent Authorization for Summer Work form. If you work during the school year, a parent and a school official must sign the Parent/School Authorization form

Many jobs are not allowed for anyone under 18 because they are not safe.

Work hours are limited for teens, with more restrictions on work hours during school weeks.

## Meal and rest breaks for teens

In agricultural work, teens of any age get a meal period of 30 minutes if working more than five hours, and a 10-minute paid break for each four hours worked.

In all other industries, teens who are 16 or 17 must have a 30-minute meal period if working more than five hours, and a 10-minute paid break for each four hours worked. They must have the rest break at least every three hours.

Teens who are 14 or 15 must have a 30-minute meal period no later than the end of the fourth hour, and a 10-minute paid break for every two hours worked.

## To find out more about teens in the workplace: www.Lni.wa.gov/TeenWorkers, 1-866-219-7321,

TeenSafety@Lni.wa.gov

## Administered by other agencies Paid Family and Medical Leave: Administered by

Washington Employment Security Department. Washington offers paid family and medical leave benefits to workers. This insurance program is

'he Vietnam Era Veterans' Rea nent Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination

prohibits employment discrimination on the basis of sex in

educational programs or activities which receive Federal financial

## **Programs or Activities Receiving Federal Financial Assistance**

#### RACE, COLOR, NATIONAL ORIGIN, SEX **INDIVIDUALS WITH DISABILITIES**

In addition to the protections of Title VII of the Civil Rights Act Section 504 of the Rehabilitation Act of 1973, as amended, of 1964, as amended, Title VI of the Civil Rights Act of 1964, as prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is without reasonable accommodation, can perform the essential provision of employment, or where employment discrimination functions of the iob. causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972

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.

(202) 693-1337 (TTY). OFCCP may also be contacted by e-mail

at OFCCP-Public@dol.gov, or by calling an OFCCP regional or

district office, listed in most telephone directories under U.S.

EEOC 9/02 and OFCCP 8/08 Versions Useable With 11/09 Supplement

WA

assistance.

## Paid time off.

## Peace of mind.

Paid Family and Medical Leave provides paid time off when a serious health condition prevents you from working, when you need to care for a family member or a new child, or for certain military-related events. It's here for you when you need it most, so you can focus on what matters.

#### Nearly every Washington worker—whether you work full time or part time in a small to large business—is How it works

eligible for up to 12 weeks of Paid Family and Medical Leave. You need to work 820 hours in Washington, or about 16 hours per week, over the course of about a year. You can get up to 16 weeks if you have family and medical events in the same year, or up to 18 weeks in some cases. Leave doesn't have to be taken all at once. You can use these weeks within your "claim year," which starts when you apply and then runs for the next 52 weeks. When that claim year expires you can then be eligible for leave again.

You apply for leave with the Employment Security Department and will get partial wage replacement, up to 90 percent of your typical pay, capped at \$1,327 per week.

#### Your rights If you meet the requirements, you have the right to take paid time off using Paid Family and Medical Leave.

If you qualify for Paid Family and Medical Leave, your employer cannot prevent you from taking it. Your employer also cannot require you to use other types of leave, such as sick or vacation days, before or after taking Paid Family and Medical Leave. The program is funded by premiums shared between workers and many employers. The premium is 0.6% of your wage. You may pay about 73% of that total, and your employer (if they have 50 or more employees) pays the rest. A calculator to estimate premiums is available on our website

To file a complaint against your employer about Paid Family and Medical Leave, email or call our Customer Care Team at paidleave@esd.wa.gov or (833) 717-2273.

You may also contact the Office of the Paid Family and Medical Leave Ombuds. The Ombuds is appointed by the governor and serves as a neutral, independent third party to help workers and employers in their dealings with the Department. The Office of the Ombuds investigates, reports on and helps settle complaints about service deficiencies and concerns with the Paid Family and Medical Leave program. Learn more at www.paidleaveombuds.wa.gov or call the Ombuds' office at 844-395-6697

Learn more and apply at Washington **Paid Family & Medical Leave** paidleave.wa.gov

Employmen Security Departmen WASHINGTON STATE

REV. 12/2021

EEOC-P/E-1

REV. 11/2009

**Department of Labor & Industries** 

## **Notice to Employees**

## It's the law!

## Employers must post this notice where employees can read it.

Every worker is entitled to workers' compensation benefits. You cannot be penalized or discriminated against for filing a claim. For more information, call toll-free 1-800-547-8367.

## If a job injury occurs

WA

Your employer is insured through the Department of Labor & Industries' workers' compensation program. If you are injured on the job or develop an occupational disease, you are entitled to workers' compensation benefits.

Vocational assistance. Under certain conditions, you may

**Pensions.** Injuries that permanently keep you from returning

Partial disability benefits. You may be eligible for a

monetary award to compensate for the loss of body

to work may qualify you for a disability pension

rking, you may be eligible for benefit

## **Benefits include:** Medical care. Medical expenses resulting from your

to partially replace your wages.

be eligible for help in returning to work.

workplace injury or disease are covered by the workers' compensation program. **Disability income.** If your work-related medical condition

functions

Tell your health-care provider and your employer about your work-related injury or condition. The first step in filing a workers' compensation (industrial insurance) claim is to fill out a Report of Accident (ROA). You can do this online with FileFast (**www.Lni.wa.gov/FileFast**), by phone at 1-877-561-FILE, or on paper in your doctor's office. Filing

online or by phone speeds the claim and reduces hassle. File your claim as soon as possible. For an on-the-job injury, you must file a claim and the Department of Labor & Industries (L&I) must receive it within one year after the day the injury occurred. For an occupational disease, you must file a claim and L&I must receive it within two years following the date you are advised by a health-care provider in writing that your condition is work related.

## **Report your injury to:**

(Your employer fills in this space.)

someone for using or trying to use FMLA leave, opposing any practice made unlawfu Division, or may bring a private lawsuit against an employer by the FMLA, or being involved in any proceeding under or related to the FMLA. 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

## **ELIGIBILITY REQUIREMENTS**

coverage as if the employees were not on leave.

- An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:
  - Have worked for the employer for at least 12 months;

For additional information or to file a complaint:

DEPARTMENT OF LABOR WHD UNITED STATES OF AMERICA

1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627 www.dol.gov/whd



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

your dependents for up to 24 months while 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 service

• If you leave your job to perform military service, you have the right to elect

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

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

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

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

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

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

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

The rights listed here may vary depending on the circumstances. The text of this

notice was prepared by VETS, and may be viewed on the internet at this address:

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

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, as applicable, for representation.

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

employer for violations of USERRA.

customarily place notices for employees.

(e.g., pre-existing condition exclusions) except for service-connected

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

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

connection.

**HEALTH INSURANCE PROTECTION** 

illnesses or injuries.

**ENFORCEMENT** 

violations

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

**REEMPLOYMENT RIGHTS** 

FED

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

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

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

## **RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION** If you:

are a past or present member of are obligated to serve in the the uniformed service; uniformed service;

promotion; or

- have applied for membership in the uniformed service; or
- then an employer may not deny you:
- initial employment;
- reemployment; any benefit of employment
- retention in employment;

because of this status.

Employers must provide employees with a statement that includes their accrued, used and available hours of this leave at least once per month. This information may be provided on your regular pay statement or as a separate notification. Workers must be allowed to carry over a minimum of 40 hours of any unused paid sick leave to the following year. For details on authorized use, accrual details, and eligibility, see www.Lni.wa.gov/SickLeave.

## Washington Family Care Act: Use of paid leave to care for sick family

Employees are entitled to use their choice of any employer provided paid leave (sick, vacation, certain short-term disability plans, or other paid time off) to care for:

- A child with a health condition requiring treatment or supervision;
- A spouse, parent, parent-in-law, or grandparent with a serious health condition or an emergency health condition: and
- Children 18 years and older with disabilities that make them incapable of self-care. For more information, see www.Lni.wa.gov/

# workers-rights/leave/family-care-act.

## Leave for victims of domestic violence, sexual assault or stalking

Victims and their family members are allowed to take reasonable leave from work for legal or law enforcement assistance, medical treatment, counseling, relocation, meetings with their crime victim advocate, or to protect their safety. Employers are also required to provide reasonable safety accommodations to victims. For more information, see www.Lni.wa.gov/DVLeave.

Leave for military spouses during deployment Spouses or registered domestic partners of military personnel who receive notice to deploy or who are on leave from deployment during times of military conflict may take a total of 15 days unpaid leave per deployment. Your employer may not fire or retaliate against you for exercising your rights or filing a complaint related to minimum wage, overtime, paid sick leave or protected leave.

PUBLICATION F700-074-000

WA

funded by premiums paid by both employees and nany employers. Workers are allowed to take up to 12 weeks, as needed, when they welcome a new child into their family, are struck by a serious illness or injury, need to take care of an ill or ailing relative, and for certain military connected events. As directed by the Legislature, premium assessment started on Jan. 1, 2019. For more information, see www.paidleave.wa.gov. **Pregnancy disability leave:** Enforced by the Washington State Human Rights Commission under the Washington State Law Against Discrimination (WLAD). www.hum.wa.gov or 1-800-233-3247 Family and Medical Leave Act: Administered by the U.S. Department of Labor. Eligible employees

can enforce their right to protected family and nedical leave under the FMLA by contacting the Department of Labor at www.dol.gov/whd/fmla or 1-866-487-9243.

## Contact L&I **Need more information?** Questions about filing a worker rights complaint? Online: www.Lni.wa.gov/workers-rights

Call: 1-866-219-7321, toll-free Visit: www.Lni.wa.gov/Offices Email: ESgeneral@Lni.wa.gov

## About required workplace posters

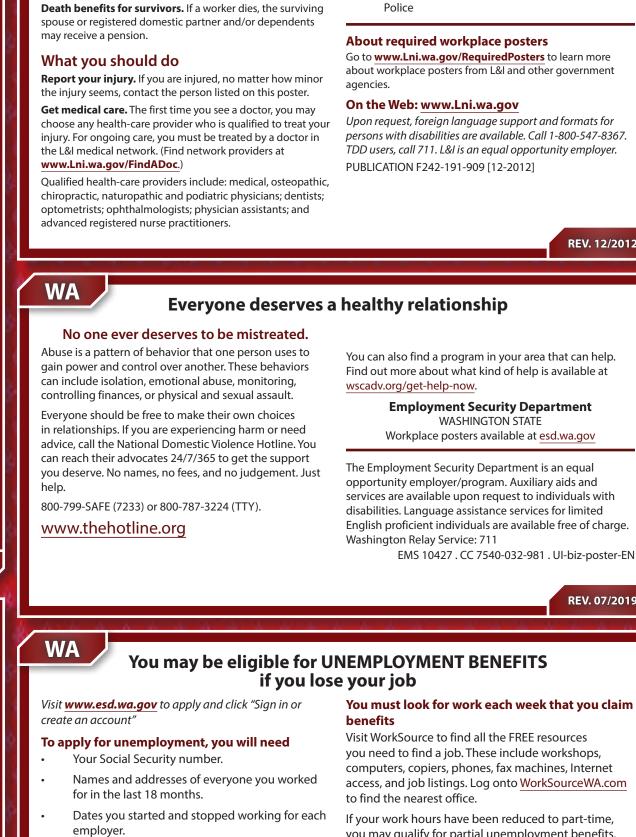
Go to www.Lni.wa.gov/RequiredPosters to learn more about workplace posters from L&I and other government agencies.

## Human trafficking is against the law For victim assistance, call the National Human Trafficking

Resource Center at 1-888-373-7888, or the Washington State Office of Crime Victims Advocacy at 1-800-822-1067. Upon request, foreign language support and formats for persons with disabilities are available. Call 1-800-547-8367. TDD users, call 711. L&I is an equal opportunity employer.

with prospective employment.

REV. 10/2021



# Helpful phone numbers: Ambulance Fire Police

Go to www.Lni.wa.gov/RequiredPosters to learn more about workplace posters from L&I and other government

Upon request, foreign language support and formats for persons with disabilities are available. Call 1-800-547-8367. TDD users, call 711. L&I is an equal opportunity employer.

REV. 12/2012

REV. 07/2019

Reasons you left each job.

Your SF8 and SF50 (if you worked for the Federal

Government in the last 18 months).

Your Washington State ID or License, if

If you were in the military within the last 18 months

we will also ask you to fax or mail us a copy of your

discharge papers (Form DD214 member 4 or higher).

The fastest way to apply is online at esd.wa.gov

If you don't have a home computer, you can access

U.S. citizen.

applicable.

You can also find a program in your area that can help. Find out more about what kind of help is available at

> **Employment Security Department** Workplace posters available at esd.wa.gov

The Employment Security Department is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Language assistance services for limited English proficient individuals are available free of charge.

## **fou have the right to:**

provide training.

- Notify your employer or L&I about workplace hazards. You may ask L&I to keep your name confidential.
- Request an L&I inspection of the place you work if you believe unsafe or unhealthy conditions exist. You or your employee representative may participate in an inspection, without loss of wages or benefits.

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

Department of Labor & Industries, Division of Occupational Safety and Health

**Job Safety and Health Law** 

It's the law! Employers must post this notice where employees can read it.

(Chapter 49.17 RCW)

All workers have the right to a safe and healthy workplace.

Employees — Your employer must protect you from hazards you encounter on the job, tell you about them and

- Get copies of your medical records, including records of exposures to toxic and harmful substances or conditions.
- File a complaint with L&I within 30 days if you believe your employer fired you, or retaliated or discriminated against you because you filed a safety complaint, participated in an inspection or other safety-related activity.
- Appeal a violation correction date if you believe the time allowed on the citation is not reasonable.

The law requires you to follow workplace safety and health rules that apply to your own actions and conduct on the job. **Employers** — You have a legal obligation to protect employees on the job.

## Employers must provide workplaces free from recognized hazards that could cause employees serious harm or death. Actions you must take:

- Comply with all workplace safety and health rules that apply to your business, including developing and implementing a written accident prevention plan (also called an APP or safety program).
- Post this notice to inform your employees of their rights and responsibilities.
- Prior to job assignments, train employees how to prevent hazardous exposures and provide required personal protective equipment at no cost.
- Allow an employee representative to participate in an L&I safety/health inspection, without loss of wages or benefits. The L&I inspector may talk confidentially with a number of employees.
- If you are cited for safety and/or health violations, you must prominently display the citation at or near the place of the violation for a minimum of three days. You cannot remove it until you correct the violation.

Firing or discriminating against any employee for filing a complaint or participating in an inspection, investigation, or opening or closing conference is illegal.

## Employers must report all deaths, in-patient hospitalizations, amputations or loss of an eye.

Report any work-related death or in-patient hospitalization to L&I's Division of Occupational Safety and Health (DOSH) within 8 hours.

Report any work-related non-hospitalized amputation or loss of an eye to DOSH within 24 hours.

For any work-related death, in-patient hospitalization, amputation or loss of an eye, you must report the following information to DOSH:

- Employer contact person and phone number.
- Name of business.
- Address and location where the work-related incident occurred.
- Date and time of the incident.
- Number of employees and their names.
- Brief description of what happened.

Where to report:

- Any local L&I office or
- 1-800-423-7233, press 1 (available 24/7)

## This poster is available free from L&I at www.Lni.wa.gov/RequiredPosters.

Free assistance from the Division of Occupational Safety and Health (DOSH)

- Training and resources to promote safe workplaces.
- On-site consultations to help employers identify and fix hazards, and risk management help to lower your workers' compensation costs.



**Division of Occupational Safety and Health** www.Lni.wa.gov/safety-health 1-800-423-7233

Upon request, foreign language support and formats for persons with disabilities are available. Call 1-800-547-8367. TDD users, call 711. L&I is an equal opportunity employer.

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you may qualify for partial unemployment benefits. If you have been unemployed due to a work-related injury or non-work-related illness or injury and are now Your alien registration number if you are not a

able to work again, you may be eligible for Temporary Total Disability (TTD) unemployment benefits. For more information, please refer to the Handbook for

Unemployed Workers at ESD.WA.GOV. **Employment Security Department** 

WASHINGTON STATE

Employers are legally required to post this notice in a place convenient for employees to read (see RCW 50.20.140).

The Employment Security Department is an equal opportunity employer/program. Auxiliary aids and

**State Law Prohibits Discrimination in Employment** Make any discriminatory inquiries in connection **Protected Classes** 

<ul> <li>Race</li> <li>Color</li> <li>National Origin</li> <li>Sex</li> <li>Creed</li> <li>Disability—Sensory, Mental or Physical</li> <li>HIV, AIDS, and Hepatitis C</li> <li>Age (40 yrs old and older)</li> <li>Marital status</li> <li>Pregnancy or maternity</li> <li>Sexual Orientation or Gender Identity</li> </ul>	<ul> <li>Use of a service animal by a person with a disability</li> <li>Honorably discharged Veteran or Military status</li> <li>Retaliation for filing a whistleblower complaint with the state auditor</li> <li>Retaliation for filing a nursing home abuse complaint</li> <li>Retaliation for opposing an unfair practice</li> </ul>	<ul> <li>With prospective employment.</li> <li>LABOR UNIONS MAY NOT DISCRIMINATE ON THE BASIS OF A PROTECTED CLASS. FOR EXAMPLE, A LABOR UNION CANNOT:</li> <li>Deny membership or membership rights and privileges</li> <li>Expel from membership</li> <li>Fail to represent a person in the collective bargaining unit.</li> <li>EMPLOYMENT AGENCIES MAY NOT DISCRIMINATE ON THE BASIS OF A PROTECTED CLASS. FOR EXAMPLE, AN EMPLOYMENT AGENCY MAY NOT:</li> <li>Discriminate in classification or referrals for employment</li> <li>Print or circulate any discriminatory statement,</li> </ul>
PROHIBITED UNFAIR EMPLOYMENT		advertisement, or publication
AN EMPLOYER OF EIGHT (8) OR MORE EMPLOYEES MAY		<ul> <li>Use discriminatory employment application forms, or make discriminatory inquiries in connection with prospective employment.</li> </ul>
NOT DISCRIMINATE ON THE BASIS OF A PROTECTED CLASS: FOR EXAMPLE, AN EMPLOYER CANNOT:		If you have been discriminated against, please call or go to:

## FOR EXAMPLE, AN EMPLOYER CANNOT: Refuse to hire you or discharge you from

