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

**ENFORCEMENT** 

under the FLSA.

ADDITIONAL INFORMATION

Puerto Rico.

The Department has authority to recover back

violations. The Department may litigate and/or

wages and an equal amount in liquidated damages

in instances of minimum wage, overtime, and other

recommend criminal prosecution. Employers may

be assessed civil money penalties for each willful or

pay provisions of the law. Civil money penalties may

repeated violation of the minimum wage or overtime

also be assessed for violations of the FLSA's child labor

the death or serious injury of any minor employee, and

such assessments may be doubled when the violations

are determined to be willful or repeated. The law also

who file a complaint or participate in any proceeding

prohibits retaliating against or discharging workers

Certain occupations and establishments

and/or overtime pay provisions. Certain narrow

Special provisions apply to workers in American

protections; employers must comply with both.

exemptions also apply to the pump at work

Samoa, the Commonwealth of the Northern

Mariana Islands, and the Commonwealth of

Some state laws provide greater employee

Some employers incorrectly classify workers

are actually employees under the FLSA. It is

important to know the difference between

the two because employees (unless exempt)

Certain full-time students, student learners,

be paid less than the minimum wage under

apprentices, and workers with disabilities may

special certificates issued by the Department of

are entitled to the FLSA's minimum wage and

overtime pay protections and correctly classified

as "independent contractors" when they

independent contractors are not.

are exempt from the minimum wage,

provisions. Heightened civil money penalties may be

assessed for each child labor violation that results in

### **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 40 in a workweek.

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

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. **PUMP AT WORK** The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for their nursing child for one year after the child's birth each time the employee needs to express breast milk. Employers must provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may

be used by the employee to express breast milk.

OF LABOR UNITED STATES OF AMERICA

OH





**WAGE AND HOUR DIVISION** UNITED STATES DEPARTMENT







REV. 04/2023

**Mike DeWine** 

Governor

Jon Husted

Lt. Governor

**Sherry Maxfield** 

Director

Department of Commerce

STATE OF OHIO **Department of Commerce 2025 MINIMUM WAGE** www.com.ohio.gov

NON-TIPPED EMPLOYEES

A Minimum Wage of \$10.70 per hour

"Non-Tipped Employees" includes any employee who does not engage in an occupation in which he/she customarily and regularly receives more than thirty dollars (\$30.00) per month in tips. 'Employers" who gross less than \$394,000 shall pay their employees no less than the current federal minimum wage rate. "Employees" under the age of 16 shall be paid no less than the current federal minimum wage rate.

**"Current Federal Minimum Wage"** is \$7.25 per hour.

## TIPPED EMPLOYEES

### A Minimum Wage of \$5.35 per hour PLUS TIPS

'Tipped Employees" includes any employee who engages in an occupation in which he/she customarily and regularly receives more than thirty dollars (\$30.00) per month in tips. Employers electing to use the tip credit provision must be able to show that tipped employees receive at least the minimum wage when direct or cash wages and the tip credit **OVERTIME** 

## rate for hours in excess of 40 hours in one work week, except for employers grossing less than \$150,000 per

RECORDS TO BE KEPT BY THE EMPLOYER Each employer shall keep records for at least three years, available for copying and inspection by the Director of the Ohio Department of Commerce, showing the following information concerning each employee

An employer shall pay an employee for overtime at a wage rate of one and one-half times the employee's wage

- Address Occupation
- Rate of Pay Amount paid each pay period
- Hours worked each day and each work week The records may be opened for inspection or copying at any reasonable time and no employer shall hinder or
- delay the Director of the Ohio Department of Commerce in the performance of these duties. **SUB-MINIMUM WAGE RATE** To prevent the curtailment of opportunities for employment and avoid undue hardship to individuals whose earning

capacity is affected or impaired by physical or mental deficiencies or injuries, a sub-minimum wage may be paid, as provided in the rules and regulations set forth by the Director of the Ohio Department of Commerce. INDIVIDUALS EXEMPT FROM MINIMUM WAGE

#### Any individual employed by the United States; Any individual employed as a baby-sitter in the employer's home, or a live-in companion to a sick, convalescing,

- or elderly person whose principal duties do not include housekeeping; Any individual employed as an outside salesman compensated by commissions or in a bona fide executive, administrative, or professional capacity, or computer professionals;
- Any individual who volunteers to perform services for a public agency which is a State, a political subdivision of a State, or an interstate government agency, if (i) the individual receives no compensation or is paid expenses, reasonable benefits, or a nominal fee to
- perform the services for which the individual volunteered; and (ii) such services are not the same type of services which the individual is employed to perform for such public

Any individual who works or provides personal services of a charitable nature in a hospital or health institution

- for which compensation is not sought or contemplated; Any individual in the employ of a camp or recreational area for children under eighteen years of age and owned and operated by a non-profit organization or group of organizations.
- Employees of a solely family owned and operated business who are family members of an owner. \* For information about additional exemptions, please visit the Ohio Division of Industrial Compliance or U.S.
- Department of Labor websites.

For further information about minimum wage issues, please contact: The Ohio Department of Commerce, Division of . Industrial Compliance, 6606 Tussing Road, Reynoldsburg, Ohio 43068. Phone: 614-644-2239. TTY/TDD: 1-800-750 An Equal Opportunity Employer and Service Provider

# **POST IN A CONSPICUOUS PLACE**

# REV. 09/30/2024

**NOTICE:** This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under e Fair Labor Standards Act posting, which indicates the federal minimum wage. Where federal and state rates both apply to an ployee, 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.

**NOTICE:** This state requires an employer to display a Workers' Compensation posting furnished by the employer's insurance rrier or a state agency. Employers should contact their insurance carrier or the appropriate state agency to obtain a copy of this ate's Workers' Compensation posting or notice of compliance/certificate of insurance. Employees should refer to the Workers' ompensation posting or notice of compliance/certificate of insurance furnished by the state or the employer's insurance carrier for formation about Workers' Compensation.

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT FULFILL THIS STATE'S WORKERS' **COMPENSATION POSTING REQUIREMENT.** 

# OH

### **Civil Rights Commission Know Your Rights**

Governor Mike DeWine

discriminatory employment practices.

**EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW The Ohio Civil Rights Act** protects applicants and employees of private employers, state, county and local governments, educational institutions, labor organizations, employment agencies and personnel placement services from unlawful

Ohio law prohibits discrimination on the basis of race or color in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, terms, conditions and privileges of employment, or any other matter

directly or indirectly related to employment. In addition, any facially neutral employment policy or practice that results in a discriminatory impact on the basis

of race or color is a prohibited form of discrimination unless such policy or practice is job-related and based upon business necessitv.

National Origin and Ancestry Ohio law prohibits discrimination on the basis of national origin or ancestry in hiring, promotion, tenure, discharge,

pay, fringe benefits, job training, classification, referral, terms, conditions and privileges of employment, or any other matter directly or indirectly related to employment. In addition, any policy or practice limiting or prohibiting the use of any language in the workplace is a prohibited form

of discrimination unless such limitation or prohibition is job-related and based upon business necessity.

Sex, Including Pregnancy, Sexual Orientation, and Gender Identity

Ohio law prohibits discrimination on the basis of **sex or pregnancy** in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, terms, conditions and privileges of employment, or any other matter directly or indirectly related to employment

Women affected by pregnancy, childbirth or related medical condition must be afforded leave for a reasonable period of time and may not be discharged under a policy providing insufficient or no leave.

The U.S. Supreme Court, in the case of Bostock v. Clayton Cty., Georgia. U.S. 140 S. Ct. 1731 (2020), as well as other federal court cases, have extended sex discrimination to include prohibition of employment discrimination on the basis of sexual orientation and gender identity.

Ohio law prohibits discrimination on the basis of religion in hiring, promotion, tenure, discharge, pay, fringe benefits,

job training, classification, referral, terms, conditions and privileges of employment, or any other matter directly or

indirectly related to employment. In addition, applicants and employees must be provided with a reasonable accommodation for religious beliefs and

practices, except when the accommodation imposes an undue hardship.

Ohio law prohibits discrimination on the basis of *military status* in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, terms, conditions and privileges of employment, or any other matter directly or indirectly related to employment.

In addition, employees who leave employment to perform military service, which includes the performance of duty, on a voluntary or involuntary basis, in a uniformed service, under competent authority, must be reemployed upon

Ohio law prohibits discrimination on the basis of disability in hiring, promotion, tenure, discharge, pay, fringe benefits,

job training, classification, referral, terms, conditions and privileges of employment, or any other matter directly or indirectly related to employment.

In addition, applicants and employees must be provided with a reasonable accommodation for their disabilities, except when the accommodation imposes an undue hardship.

Ohio law prohibits discrimination against persons 40 years of age or older on the basis of age in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, terms, conditions and privileges of

Ohio law prohibits harassment in the workplace on any basis set forth herein, which includes the creation of a racially

employment, or any other matter directly or indirectly related to employment

advances as a condition of employment, continued employment or promotion. In addition, all reasonable steps should be taken to prevent and promptly correct harassment in the workplace, which

or sexually hostile work environment, verbally or physically abusive treatment, and requiring submission to sexual

includes the establishment of a policy against harassment and a procedure for receiving, investigating and remedying complaints of workplace harassment. Ohio law prohibits retaliation against any person because that person has opposed any unlawful discriminatory

practice, or because that person has made a charge, testified, assisted or participated in any manner in any investigation, proceeding or hearing.

**ENFORCEMENT** 

### The Ohio Civil Rights Commission (OCRC) investigates complaints of discrimination and harassment in employment. Complaints must be filed with the OCRC within two years of the last act of discrimination or harassment.

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For more information or assistance in filing a complaint, please call toll free: 1-888-278-7101, TTY (614) 752-2391 or visit our website at: www.civ.ohio.gov

FED

LABOR

LAWS

## **EMPLOYEE RIGHTS**

**EMPLOYEE POLYGRAPH PROTECTION ACT** The Employee Polygraph Protection Act prohibits most The Act also permits polygraph testing, subject to

private employers from using lie detector tests either restrictions, of certain employees of private firms who are for pre-employment screening or during the course of reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.

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

**EXEMPTIONS** Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the

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

Employees or job applicants may also bring their own court manufacturers, distributors and dispensers THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

**WAGE AND HOUR DIVISION** OF LABOR UNITED STATES DEPARTMENT UNITED STATES OF AMERICA

1-866-487-9243

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

law or any collective bargaining agreement which is more

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

have test results disclosed to unauthorized persons.

violations and assess civil penalties against violators.

rights, including the right to a written notice before testing,

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

The Secretary of Labor may bring court actions to restrain

are obligated to serve in the uniformed service;

restrictive with respect to lie detector tests.

**EXAMINEE RIGHTS** 

**ENFORCEMENT** 



REV. 02/2022

## FED

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

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

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

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

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

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 the uniformed

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

resolve complaints of USERRA violations

reemployment; retention in employment; because of this status.

any benefit of employment

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service **HEALTH INSURANCE PROTECTION** 

promotion; or

If you leave your job to perform military service, you have the right to elect to continue your existing employer-

based health plan coverage for you and your dependents for up to 24 months while in the military. Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries. **ENFORCEMENT** 

The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and

For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL or visit its website at https://www.dol.gov/agencies/vets/. An interactive online USERRA Advisor can be viewed at https://webapps.dol.gov/elaws/vets/userra If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation.

You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA. The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: https://www.dol.gov/agencies/vets/programs/userra/poster Federal law 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 for employees.

U.S. Department of Labor • 1-866-487-2365 U.S. Department of Justice Office of Special Counsel Employer Support of the Guard and Reserve • 1-800-336-4590

REV. 05/2022

Sheryl Maxfield

## OH

**OHIO REVISED CODE CHAPTER 4109\*** 

## STATE OF OHIO

**MINOR LABOR LAWS** 

**OHIO DEPARTMENT OF COMMERCE DIVISION OF INDUSTRIAL COMPLIANCE & LABOR** 

www.com.ohio.gov Mike Dewine Jon Husted

Governor Lt. Governor

"MINOR" MEANS ANY PERSON LESS THAN 18 YEARS OF AGE WORKING PERMITS: Every minor 14 through 17 years of age must have a working permit unless otherwise stated in WAGE AGREEMENT: No employer shall give employment to a minor without agreeing with him/her as to the wages or compensation he/she shall receive for each day, week, month, year or per piece for work performed. REST PERIOD: No employer shall employ a minor more than 5 consecutive hours without a rest period of at least 30

LIST OF MINORS EMPLOYED: Employer shall keep a list of minors employed at each establishment and a list must be posted in a conspicuous place to which all minor employees have access. . TIME RECORDS: Every employer shall keep a time book or other written record showing actual starting and stopping time of each work and rest period. These records must be kept for two (2) years.

# RESTRICTIONS ON WORKING HOURS FOR MINORS 14 and 15 YEARS OF AGE

- No person under 16 shall be employed: During school hours except where specifically permitted by Chapter 4109
- Before 7 a.m. or after 9 p.m. from June 1st to September 1st or during any school holiday of 5 school days or more; or after 7 p.m. at any other time For more than 3 hours a day in any school day
- For more than 8 hours in any day when school is not in session For more than 40 hours in any week that school is not in session nor during school hours, unless employment is incidental to bona fide programs of vocational cooperative training, work-study, or other work-oriented

For more than 18 hours in any school week

programs with the purpose of educating students, and the program meets standards established by the state board of education

# RESTRICTIONS ON WORKING HOURS FOR MINORS 16 and 17 YEARS OF AGE

- No person 16 or 17 who is required to attend school shall be employed: Before 7 a.m. on any day that school is in session or 6 a.m. if the person was not employed after 8 p.m. the
- PROHIBITED OCCUPATIONS FOR MINORS UNDER 16 YEARS OF AGE All manufacturing; mining; processing; public messenger service

After 11 p.m. on any night preceding a day that school is in session.

- Transportation; storage; communications; public utilities; construction; repair Work in boiler or engine rooms; maintenance or repair of machinery
- Outside window washing from window sills or scaffolding and/or ladders Cooking and baking; operating, setting up, adjusting, cleaning, oiling or repairing power-driven food slicers, grinders, food choppers, cutters, bakery type mixers
- Loading or unloading goods to and from trucks All warehouse work except office and clerical Work in connection with cars and trucks involving the use of pits, racks or lifting apparatus or involving the

Work in freezers and meat coolers and all preparation of meats for sale (except wrapping, sealing, labeling,

## inflation of any tire mounted on a rim equipped with a removable retaining ring. PROHIBITED OCCUPATIONS FOR MINORS 14 through 17 YEARS OF AGE

- Occupations involving slaughtering, meat-packing, processing or rendering Power-driven bakery machines
- Occupations involved in the manufacture of brick, tile and kindred products Occupations involved in the manufacture of chemicals Manufacturing or storage occupations involving explosives
- Occupations involving exposure to radioactive substances and to ionizing radiations Power-driven paper products machines
- Power-driven metal forming, punching and shearing machines Occupations involved in the operation of power-driven circular saws, band saws and guillotine shears
- Occupations in connection with mining, other than coal Logging and sawmilling

Power-driven woodworking machines

- Motor vehicle occupations Maritime and longshoreman occupations
- **Excavation operations**
- Power-driven and hoisting apparatus
- Roofing operations 20. Wrecking, demolition, and shipbreaking.

### MINORS UNDER 16 YEARS OF AGE MAY NOT ENGAGE IN DOOR-TO-DOOR EMPLOYMENT UNLESS The for-profit employer is REGISTERED with the Ohio Department of Commerce. DOOR-TO-DOOR SALES EMPLOYERS

- Be in compliance with all applicable Ohio and Federal laws relating to the employment of minors Provide at least one supervisor who is over the age of eighteen, for each six minor employees
- Have been and be in compliance with Ohio's Motor Vehicle Financial Responsibility, Workers' Compensation,
- Unemployment Compensation, and all other applicable laws Require all minors to work at least in pairs
- Not employ any minor who does not have an appropriate Age and Schooling Certificate Provide each minor employee with a photo identification card
- Not employ any minor in any door-to-door sales activity during school hours except where specifically permitted Not employ minors under 16 in door-to-door sales activity before 7 a.m. or after 7 p.m. Not employ minors 16 and 17 years of age in door-to-door sales activity before 7 a.m. or after 8 p.m.

# \*For Exceptions to Coverage See Chapter 4109.06

This is a summary of ORC 4109. This summary does not include all of the requirements for minor labor laws. Persons should refer to 4109 for specific requirements applicable to them. This information can be accessed through the Ohio Department of Commerce website at www.com.ohio.gov. **POST IN A CONSPICUOUS PLACE** 

For further information about Minor Labor issues, please contact: The Ohio Department of Commerce, Division of Industrial Compliance & Labor, 6606 Tussing Road, Reynoldsburg, OH 43068 Phone: 614-644-2239. TTY/TDD: 800-750-0750. An Equal Opportunity Employer and Service Provider

**DEPARTMENT OF JOB & FAMILY SERVICES** 

Mike DeWine

Governor

ОН

**REV. 08/2022** 

THIS EMPLOYER PROVIDES UNEMPLOYMENT INSURANCE COVERAGE FOR EMPLOYEES Employees who become unemployed (or are working less than full-time) may be eligible for unemployment insurance benefits. Apply by phone at 1-877-644-6562 (OHIOJOB) or online at <a href="http://unemployment.ohio.gov">http://unemployment.ohio.gov</a>

**NOTICE TO EMPLOYEES** 

Be prepared to provide the following information when applying: Social Security number Driver's license or State ID number Names, Social Security numbers, and dates of birth of all dependent children Employer's identification notice (pay stubs or W2 form)

Name and address of all other employers for whom work was performed during the past 18 months

JFS 55341 This institution is an equal opportunity provider and employer. A proud partner of the American Job Center network.

APPLY FOR WORK AT YOUR NEAREST OHIOMEANSJOBS CENTER

REV. 01/2024

Matt Damschroder.

Director

REV. 09/13/2016

Under the EEOC's laws, an employer may not discriminate

against you, regardless of your immigration status, on the

Sex (including pregnancy, childbirth, and related

medical conditions, sexual orientation, or gender

Genetic information (including employer requests

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

Retaliation for filing a charge, reasonably opposing

discrimination, or participating in a discrimination

genetic services, or family medical history)

Interference, coercion, or threats related to

State and local governments (as employers)

Educational institutions (as employers)

Pay (unequal wages or compensation)

Failure to provide reasonable accommodation for a

disability; pregnancy, childbirth, or related medical

condition; or a sincerely-held religious belief,

Obtaining or disclosing genetic information of

Requesting or disclosing medical information of

from opposing discrimination, filing a charge, or

participating in an investigation or proceeding

Conduct that coerces, intimidates, threatens, or

interferes with someone exercising their rights, or

someone assisting or encouraging someone else to

exercise rights, regarding disability discrimination

Conduct that might reasonably discourage someone

lawsuit, investigation, or proceeding

or pregnancy accommodation

What Organizations are Covered?

Most private employers

All aspects of employment, including:

Hiring or promotion

observance or practice

Discharge, firing, or lay-off

Staffing agencies

as Discriminatory?

conduct)

Benefits

Job training

Classification

Assignment

FED

Who is Protected?

Color

Religior

identity)

Disability

National origin

Age (40 and older)

Job applicants

and temporary employees

where you live/work). You can reach the EEOC in any of the

Employees (current and former), including managers Union members and applicants for membership in

following ways:

accommodation What can You Do if You Believe

U.S. Equal Employment Opportunity Commission

**Know Your Rights: Workplace Discrimination is Illegal** 

**Discrimination has Occurred?** Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing What Types of Employment Discrimination are a charge of discrimination (180 or 300 days, depending or

> Submit an inquiry through the EEOC's public portal: https://publicportal.eeoc.gov/Portal/Login.aspx 1-800-669-4000 (toll free) 1-800-669-6820 (TTY) 1-844-234-5122 (ASL video phone)

an EEOC field office (information at www.eeoc.gov/field-office) info@eeoc.gov

Additional information about the EEOC, including information about iling a charge of discrimination, is

**EMPLOYERS HOLDING FEDERAL CONTRACTS** OR SUBCONTRACTS

exercising rights regarding disability discrimination The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action commitments of companies doing business with the Federal Government. If you are applying for a job with, or are an employee of, a company with a Federal contract or subcontract, you are

protected under Federal law from discrimination on the following bases: **What Employment Practices can be Challenged** Race, Color, Religion, Sex, Sexual Orientation,

Gender Identity, National Origin Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, Harassment (including unwelcome verbal or physical religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment

Asking About, Disclosing, or Discussing Pay

Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants of employees. Disability Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay,

fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help. (including accommodation) or pregnancy

**Protected Veteran Status** The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty service medal veterans.

wartime or campaign badge veterans, or Armed Forces Retaliation Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors under these Federal laws. Any person who believes a contractor has violated its

U.S. Department of Labor 200 Constitution Avenue, N.W. Washington, D.C. 20210 1-800-397-6251 (toll-free) If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at

https://www.dol.gov/agencies/ofccp/contact. **PROGRAMS OR ACTIVITIES RECEIVING** 

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

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, rohibits employment discrimination on the basis of disability in any program or activity which receives Federal

perform the essential functions of the job. f you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

REV. 06/27/2023

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

What is FMLA leave? Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees.

FED

- Eligible employees can take up to 12 workweeks of FMLA leave in a 12-month period for: The birth, adoption or foster placement of a child with you,
- Your serious mental or physical health condition that makes you unable to work, To care for your spouse, child or parent with a serious mental or physical health condition, and
- An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness may take up to 26 workweeks of FMLA leave in
- You have the right to use FMLA leave in one block of time. When it is medically necessary or otherwise permitted, you may take FMLA leave intermittently in separate blocks of time, or on a reduced schedule by working less hours each day or week. Read Fact Sheet #28M(c) for more information. FMLA leave is not paid leave, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave.
- You work for a covered employer, You have worked for your employer at least 12 months,

You work for an elementary or public or private secondary school, or

- Your employer has at least 50 employees within 75 miles of your work location. Airline flight crew employees have different "hours of service" requirements.
- You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management.

Follow your employer's normal policies for requesting leave, Give notice at least 30 days before your need for FMLA leave, or

You do not have to share a medical diagnosis but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You must also inform your employer if FMLA leave was previously taken or approved for the same reason when requesting additional leave. Your employer may request certification from a health care provider to verify medical leave and may request certification of a qualifying exigency.

you for requesting FMLA leave or cooperating with a WHD investigation.

What does my employer need to do?

Where can I find more information?

Call 1-866-487-9243 or visit dol.gov/fmla to learn more.

If you are eligible for FMLA leave, your **employer must**:

If advance notice is not possible, give notice as soon as possible.

leave. If your employer determines that you are eligible, your employer must notify you in writing: About your FMLA rights and responsibilities, and How much of your requested leave, if any, will be FMLA-protected leave.

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your employer must confirm whether you are eligible or not eligible for FMLA

If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. Scan the QR code to learn about our WHD complaint process. DEPARTMENT OF LABOR **UNITED STATES OF AMERICA** 





REV. 04/2023

in your workplace.

employer.

- All workers have the right to: A safe workplace. Raise a safety or health concern with your employer or OSHA, or report a work-
- retaliated against. Receive information and training on job hazards, including all hazardous substances

related injury or illness, without being

- Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative) participate) in an OSHA inspection and speak in private to the inspector.
- (by phone, online or by mail) if you have been retaliated against for using your rights. See any OSHA citations issued to your

• File a complaint with OSHA within 30 days

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

This poster is available free from OSHA.

Contact OSHA. We can help.

**TWO** ways to verify poster compliance!

**QR CODE** Scan with phone camera:

Go to: JJKeller.com/LLPverify

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or
- inpatient hospitalization, amputation, or loss
- Provide required training to all workers in a language and vocabulary they can understand.

Prominently display this poster in the workplace.

Post OSHA citations at or near the place of

the alleged violations. small and medium-sized employers, without



1-800-321-OSHA (6742) • TTY 1-877-889-5627 • www.osha.gov



To update your labor law posters contact

nondiscrimination or affirmative action obligations under

OFCCP's authorities should contact immediately: The Office of Federal Contract Compliance Programs (OFCCP)

https://ofccphelpdesk.dol.gov/s/, or by calling an OFCCP

of Labor and on OFCCP's "Contact Us" webpage at

regional or district office, listed in most telephone

directories under U.S. Government, Department

cause discrimination in providing services under such

financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with **job-protected leave** for qualifying family and medical reasons. The U.S.

Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember. a single 12-month period to care for the servicemember.

Am I eligible to take FMLA leave? You are an **eligible employee** if **all** of the following apply:

You have at least 1,250 hours of service for your employer during the 12 months before your leave, and

You work for a **covered employer** if **one** of the following applies: You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,

**How do I request FMLA leave?** Generally, to request FMLA leave you must

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 State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress.

Allow you to take job-protected time off work for a qualifying reason, Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your Your employer cannot interfere with your FMLA rights or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against



**WAGE AND HOUR DIVISION** 

UNITED STATES DEPARTMENT OF LABOR

**Employers must:** 

reporting a work-related injury or illness. Comply with all applicable OSHA standards. Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related

On-Site Consultation services are available to citation or penalty, through OSHA-supported consultation programs in every state.



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This poster is in compliance with federal and state posting requirements. Enter this code: **69450-012025** 

ONLINE