

# OREGON

## Package Contents:

- OR Family Leave Act
- OR Minimum Wage
- OR Protection for Victims of Domestic Violence, Harassment, Sexual Assault & Stalking
- OR Equal Pay
- OR Meals & Breaks / Overtime & Paychecks
- OR Sick Time
- OR Paid Leave
- OR OSHA
- OR Workers' Compensation Notice of Compliance
- OR Workplace Accommodations Notice
- OR Notice of Rights Under Senate Bill 519
- Pay Day Notice
- Emergency Phone Numbers Notice
- Federal Employee Polygraph Protection Act (EPPA)
- Federal Know Your Rights: Workplace Discrimination is Illegal
- Federal Fair Labor Standards Act (FLSA)
- Federal Family and Medical Leave Act (FMLA)
- Federal Your Rights Under USERRA

### Package Instructions:

1. Print the following PDF files in 8.5 x11 sheets of paper, unless otherwise specified use the color white.
2. The Federal OSHA poster must be printed in an 8 ½ x 14 sheet of paper to be in compliance.
3. Post the printed sheets in a place frequented by employees (i.e. lunch rooms, HR offices, employee lounges).
4. You may also distribute electronic copies of the Labor Law Notices to all relevant workstations in your facility.



**ALL IN ONE POSTER COMPANY, INC.**

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# OREGON FAMILY LEAVE

**You can take time off to take care of yourself or close family members under the Oregon Family Leave Act (OFLA).**



- ▶ **This time is protected, but often unpaid unless you have vacation, sick, or other paid leave available.** Paid family leave will be available in 2023.
- ▶ To be eligible, you must have worked an average of 25 hours per week for 180 days - just 180 days for parental leave. Separation from employment or removal from the schedule for up to 180 days does not count against eligibility. During a public health emergency, you are eligible for all types of OFLA leave after working for at least 30 days prior at an average of at least 25 hours per week. Your employer must have at least 25 employees.
- ▶ You can take up to a total of 12 weeks of time off per year for any of these reasons.
  - » **Parental leave** for either parent to take time off for the birth, adoption, or foster placement of a child. If you use all 12 weeks, you can take up to 12 more weeks for sick child leave.
  - » **Serious health condition** of your own, or to care for a family member.
  - » **Pregnancy disability leave** before or after birth of child or for prenatal care. You can take up to 12 weeks of this in addition to 12 weeks for any reason listed here.
  - » **Military family leave** up to 14 days if your spouse is a service member who has been called to active duty or is on leave from active duty.
  - » **Sick child leave** for your child with an illness, injury or condition that requires home care but is not serious, or to care for a child whose school or place of care is closed because of a public health emergency.
  - » **Bereavement leave** for up to 2 weeks after the death of a family member.
- ▶ Your employer must keep giving you the same health insurance benefits as when you are working. When you come back you must be returned to your former job or a similar position if your old job no longer exists.

## CONTACT US

If your employer isn't following the law or something feels wrong, give us a call. The Bureau of Labor and Industries is here to enforce these laws and protect you.

Call: 971-245-3844  
Email: [BOLI\\_help@boli.oregon.gov](mailto:BOLI_help@boli.oregon.gov)  
Web: [oregon.gov/boli](http://oregon.gov/boli)  
Se habla español.



**OREGON LAWS**

Protect You At Work

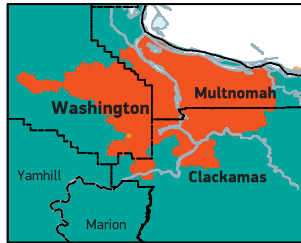
July 2022 - June 2023

# MINIMUM WAGE

**You must be paid at least minimum wage.  
The rate depends on where you work.**

## **\$13.50 per hour** **Standard**

Benton, Clatsop, Columbia, Deschutes, Hood River, Jackson, Josephine, Lane, Lincoln, Linn, Marion, Polk, Tillamook, Wasco, Yamhill, parts of  
★ Clackamas, Multnomah, & Washington



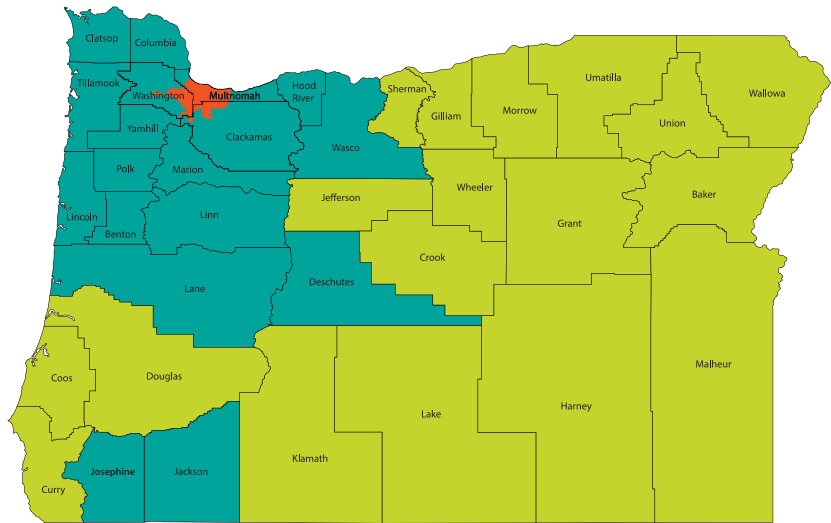
★ The minimum wage you should get depends on your employer's exact address. If you work **INSIDE** the urban growth boundary, you should make at least \$14.75. If you work **OUTSIDE** the urban growth boundary, you should make at least \$13.50. Look up your work address here: [bit.ly/metroboundary](https://bit.ly/metroboundary)

## **\$14.75 per hour** **Portland Metro Area**

★ Clackamas, Multnomah, & Washington

## **\$12.50 per hour** **Nonurban Counties**

Baker, Coos, Crook, Curry, Douglas, Gilliam, Grant, Harney, Jefferson, Klamath, Lake, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, Wheeler



- ▶ **Every worker must be paid at least minimum wage.** There are exceptions but they are uncommon.
- ▶ The minimum wage goes up every year. These rates are in effect from July 1, 2022 to June 30, 2023. The next minimum wage increase is on July 1, 2023.
- ▶ **Tip credits are illegal in Oregon.**
- ▶ Deductions are allowed if legally required or if you agree in writing and the deduction is for your benefit. Your paycheck must show this information.
- ▶ If you make close to minimum wage, you may qualify for the Earned Income Tax Credit. Visit [eitc outreach.org](https://eitc outreach.org)

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**OREGON LAWS**

Protect You At Work

July 2022 - June 2023

# SEXUAL HARASSMENT + DOMESTIC VIOLENCE PROTECTIONS

Oregon laws protect your right to work free from harassment. They also require your employer to provide supports if you are a victim of domestic violence.

## SEXUAL HARASSMENT

- ▶ You have the right to a workplace free from harassment, discrimination, and sexual assault. Your employer must have a policy to reduce and prevent these violations.
- ▶ **Discrimination because of race, color, sex, sexual orientation, national origin, religion, marital status, uniformed service, disability, or age is illegal.**
- ▶ Sexual harassment can look like unwelcome sexual advances, requests for sexual favors, or conduct of a sexual nature (verbal, physical, or visual), that is directed toward an individual.
- ▶ It can also include conduct that is not sexual but is gender-related. Sexual harassment can be targeted toward someone of the same or different sex or gender.



## DOMESTIC VIOLENCE PROTECTIONS



- ▶ If you experience domestic violence, harassment, sexual assault, or stalking (or if you are a parent or guardian of a victim), **your employer must make reasonable changes to support your safety.**
- ▶ These changes might include: a transfer, reassignment, modified schedule, unpaid leave, changed work phone number, changed work station, installed lock, new safety procedure, or other adjustment after threatened or actual events.
- ▶ You can also take protected leave to find legal or law enforcement assistance, get medical treatment for injuries or mental health support, move or change your living situation, and more.
- ▶ Your employer must keep all documents and information confidential.
- ▶ You can't be fired, suspended, retaliated or discriminated against in any way because you are a victim.

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**OREGON LAWS**

Protect You At Work

July 2022 - June 2023

# EQUAL PAY

**Your employer must pay you the same amount as other people doing similar work.**



- ▶ **It's illegal for your employer to pay you less than someone else because of your gender, race, veteran status, disability, age, color, religion, national origin, marital status, sexual orientation, or pay history.**
- ▶ Different pay may be allowed if there is system based on bona fide factors including one or more of the following: seniority, merit, a system that measures earnings by quantity or quality of production, workplace location, travel, education, training, or experience.
- ▶ You're also protected during the **hiring process**:
  - » Employers cannot ask for your salary/pay history before they make an offer of employment
  - » Employers cannot screen job applicants based on current or past salary/pay history
  - » Employers cannot determine compensation for a job based on the pay history of a potential new employee (not including internal transfers)
- ▶ Your employer can't use pay cuts to make your pay equal with other employees.
- ▶ If you need to, you can file a complaint at **[oregon.gov/boli](https://oregon.gov/boli)**. You could get back pay or the pay difference you are owed.

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**OREGON LAWS**

**Protect You At Work**

July 2022 - June 2023

# BREAKS & MEALS



# OVERTIME & PAYCHECKS

**Your employer is required to give you breaks free from work responsibilities. There are specific rules about overtime pay and paychecks.**

## BREAKS & MEALS

- ▶ For each 8 hour work shift you get these breaks free from work responsibilities:
  - » Two 10 minute paid rest breaks (15 minutes if you are under 18)
  - » One 30 minute unpaid meal break
- ▶ You also get reasonable breaks as needed to express milk (and a private space that is not a bathroom to pump) until your child reaches 18 months of age.
- ▶ If your shift is longer or shorter than 8 hours, refer to the chart here or visit [oregon.gov/boli/workers/Pages/meals-and-breaks.aspx](https://oregon.gov/boli/workers/Pages/meals-and-breaks.aspx) for more information.

Shift Length	Rest Breaks	Meal Breaks
2 hrs or less	0	0
2 hrs 1 min - 5 hrs 59 min	1	0
6 hrs	1	1
6 hrs 1 min - 10 hrs	2	1
10 hrs 1 min - 13 hrs 59 min	3	1
14 hrs	3	2
14 hrs 1 min - 18 hrs	4	2

## OVERTIME & PAYCHECKS

- ▶ If you work more than 40 hours in one week, you must receive overtime pay of 1.5 times your regular pay rate. There are some exceptions but they are uncommon.
- ▶ Regular paydays are required by law. You must receive a paycheck at least every 35 days. Your employer must provide you with a detailed paystub.
- ▶ If you are fired or permanently laid off, you must get your last paycheck by the end of the next business day.
- ▶ If you quit with 48+ hours' notice, you must get your last paycheck on your last day of employment. If you do not give 48 hours' notice, you must get your last paycheck within 5 business days or the next payday, whichever is first.



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**OREGON LAWS**

Protect You At Work

July 2022 - June 2023

# SICK TIME

**All Oregon workers get protected sick time.**  
**If you work for an employer with 10+ employees (6+ if they have a location in Portland), you get paid sick time.**



- ▶ **Your employer must give you sick time.** You get at least 1 hour of protected sick time for every 30 hours you work up to at least 40 hours a year.
- ▶ **You can use sick time for many reasons** including if you (or a family member) are sick, injured, experiencing mental illness, or need to visit the doctor. Also covered: bereavement, parental leave, and leave to care for a child whose school or place of care is closed for a public health emergency.
- ▶ Your employer must pay you your regular wage when you take sick time if they have 10+ employees (6+ if they have a location in Portland). Otherwise, your sick time is protected but unpaid.
- ▶ You can start taking protected sick time after you've worked for at least 90 days. Your employer must regularly let you know how much sick time you have earned.

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Email: [BOLI\\_help@boli.oregon.gov](mailto:BOLI_help@boli.oregon.gov)  
Web: [oregon.gov/boli](https://www.oregon.gov/boli)  
Se habla español.







## What you need to know

Starting in September 2023, Paid Leave Oregon will serve most employees in Oregon by providing paid leave for the birth or adoption of a child, you or a loved one's serious illness or if you experience sexual assault, domestic violence, harassment, or stalking.

### What benefits are provided through Paid Leave Oregon and who is eligible?

Employees in Oregon that have earned at least \$1,000 in the prior year may qualify for up to 12 weeks of paid family, medical or safe leave in a benefit year. While on leave, Paid Leave Oregon pays employees a percentage of their wages. Benefit amounts depend on what an employee earned in the prior year.

### Who pays for Paid Leave Oregon?

Starting on January 1, 2023, employees and employers contribute to Paid Leave Oregon through payroll taxes. Contributions are calculated as a percentage of wages and your employer will deduct your portion of the contribution rate from your paycheck.

### When do I need to tell my employer about taking leave?

If your leave is foreseeable, you are required to give notice to your employer at least 30 days before starting paid family, medical or safe leave. If you do not give the required notice, Paid Leave Oregon may reduce your first weekly benefit by 25%.

### How do I apply for Paid Leave?

In September 2023, you can apply for leave with Paid Leave Oregon online at **[paidleave.oregon.gov](https://paidleave.oregon.gov)** or request a paper application from the department. If your application is denied, you can appeal the decision with the Oregon Employment Department.

### What are my rights?

If you are eligible for paid leave, your employer cannot prevent you from taking it. Your job is protected while you take paid leave if you have worked for your employer for at least 90 consecutive calendar days. You will not lose your pension rights while on leave and your employer must keep giving you the same health benefits as when you are working.

### How is my information protected?

Any health information related to family, medical or safe leave that you choose to share with your employer is confidential and can only be released with your permission, unless the release is required by law.

### What if I have questions about my rights?

It is unlawful for your employer to discriminate or retaliate against you because you asked about or claimed paid leave benefits. If your employer is not following the law, you have the right to bring a civil suit in court or to file a complaint with the Oregon Bureau of Labor & Industries (BOLI). You can file a complaint with BOLI online, via phone or email:

**Web:** [www.oregon.gov/boli](https://www.oregon.gov/boli)

**Call:** 971-245-3844

**Email:** [help@boli.oregon.gov](mailto:help@boli.oregon.gov)

### Learn more about Paid Leave Oregon

**Web:** [paidleave.oregon.gov](https://paidleave.oregon.gov)

**Call:** 833-854-0166

**Email:** [paidleave@oregon.gov](mailto:paidleave@oregon.gov)



# IT'S THE LAW!

## Know your rights

*You have a  
right to a safe  
and healthful  
workplace*

**1-800-922-2689**  
**osha.oregon.gov**



File a complaint  
with Oregon  
**OSHA**



Know your  
**retaliation  
rights**

- › You have the right to notify your employer or Oregon OSHA about workplace hazards. You may ask Oregon OSHA to keep your name confidential.
- › You have the right to request an Oregon OSHA inspection if you believe that there are unsafe or unhealthy conditions in your workplace. You or your representative may participate in the inspection.
- › You have the right to report a work-related injury or illness, without being retaliated against.
- › You can file a complaint with the Oregon Bureau of Labor and Industries within one year, or with federal OSHA within 30 days, of discrimination by your employer for making safety and health complaints or for exercising your rights under the Oregon Safe Employment Act.
- › Anyone who wants to register a complaint about the administration of the Oregon Safe Employment Act can do so by contacting:  
**U.S. Department of Labor  
OSHA Region X  
1111 Third Ave., Suite 715  
Seattle, WA 98101-3212  
206-553-5930**
- › You have a right to see Oregon OSHA citations issued to your employer. Your employer must post the citations at the workplace.
- › Your employer must correct workplace hazards by the date indicated on the citation and must certify that these hazards have been reduced or eliminated.
- › You have the right to copies of your medical records or records of your exposure to toxic and harmful substances or conditions. Additionally, you may request the workplace injury and illness log.
- › You have the right to know about hazardous substances used in your workplace.

The Oregon Safe Employment Act of 1973 provides job safety and health protection for workers through the promotion of safe and healthful working conditions throughout the state. The Oregon Occupational Safety and Health Division (Oregon OSHA) of the Department of Consumer and Business Services has the primary responsibility for administering the act.

Oregon OSHA issues occupational safety and health standards, and its trained safety and health compliance officers conduct job-site inspections to ensure compliance with the Oregon Safe Employment Act.

Oregon OSHA has a staff of trained safety and health professionals available to work with businesses in all industries to improve workplace safety and health.

**Consultations and training opportunities are available at no charge to Oregon businesses by calling any of the phone numbers listed.**

***This free poster is available from Oregon OSHA  
— It's the law! —***

FOR MORE INFORMATION, copies of the Oregon Safe Employment Act, specific safety and health standards, advice or assistance, call:

**Salem Central Office ..... 503-378-3272**  
**Bend ..... 541-388-6066**  
**Eugene ..... 541-686-7562**  
**Medford ..... 541-776-6030**  
**Pendleton ..... 541-276-9175**  
**Portland ..... 503-229-5910**  
**Salem ..... 503-378-3274**



Oregon OSHA  
Department of  
Consumer and  
Business Services



***Display this poster where all  
your workers can see it!***

**Oregon Administrative Rule 437-001-275(2)(a).**

# INJURED ON THE JOB?

## What should I do?

Notify your employer right away and ask for a Form 801 *"Report of Job Injury or Illness."*  
You have the right to file a claim if you are injured on the job.

## What does my employer have to do?

Your employer must give you the Form 801 *"Report of Job Injury or Illness."* Then, your employer must give notice of your claim to the insurer.

## How do I get medical treatment?

Get medical treatment from a doctor or other health care professional of your choice. Your employer cannot choose your health care provider. Some providers have limits on the services they offer, so ask your provider about these limits. Give your employer's name and insurance information listed below to your health care provider.

## What if I can't do my job?

Your health care provider may approve time off work. The insurer will tell you if you are eligible for benefits. Your employer may have light-duty work you can do while you recover.

## It is important to stay in contact with your employer and your insurer.

If you have questions, you may contact the Ombudsman for Injured Workers at 800-927-1271 or the Workers' Compensation Division at 800-452-0288. You can find the most current information about your employer's workers' compensation insurance at [WorkCompCoverage.wcd.oregon.gov](http://WorkCompCoverage.wcd.oregon.gov).

## NOTICE OF COMPLIANCE

This employer provides workers' compensation insurance for on-the-job injuries.

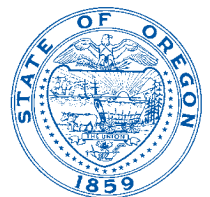
Insured policy holder:

Employer:

Insurer:

Policy no.:

Printed:





DEPARTMENT OF  
CONSUMER  
& BUSINESS  
SERVICES  
Workers' Compensation Division  
P.O. Box 14480  
Salem, OR 97309-0405

Address Service Requested



Oregon Workers' Compensation **REQUIRED POSTING** notice

# NOTICE OF COMPLIANCE

- Employer:**
- Post this notice in each business location in a place where your employees can see it. It is illegal to post this notice when workers' compensation insurance is not in effect.
  - Give the insurance and employer information listed at the bottom of the notice to injured workers for their health care provider's billing needs.
  - Notify your insurer of a worker's injury within five (5) days of your knowledge of a claim or accident that may result in a compensable injury.
  - If you have questions about workers' compensation insurance, call the Workers' Compensation Division at 800-452-0288.
  - To order additional posters, Spanish language posters, or to get **Notice of Compliance** information in other languages, call 503-947-7814 or go online to [WorkCompPoster.wcd.oregon.gov](http://WorkCompPoster.wcd.oregon.gov).
  - To look up employer coverage information, go online to [WorkCompCoverage.wcd.oregon.gov](http://WorkCompCoverage.wcd.oregon.gov).

# Workplace Accommodations Notice

\_\_\_\_\_ is an equal opportunity employer and does not discriminate on the basis of race, religion, color, sex, age, national origin, disability, veteran status, sexual orientation, gender identity, gender expression or any other classification protected by law.

\_\_\_\_\_ will make reasonable accommodations for known physical or mental disabilities of an applicant or employee as well as known limitations related to pregnancy, childbirth or a related medical condition, such as lactation, unless the accommodation would cause an undue hardship. Among other possibilities, reasonable accommodations could include:

- Acquisition or modification of equipment or devices;
- More frequent or longer break periods or periodic rest;
- Assistance with manual labor; or
- Modification of work schedules or job assignments.

## **Employees and job applicants have a right to be free from unlawful discrimination and retaliation**

For this reason, \_\_\_\_\_ **will not:**

- Deny employment opportunities on the basis of a need for reasonable accommodation
- Deny reasonable accommodation for known limitations, unless the accommodation would cause an undue hardship.
- Take an adverse employment action, discriminate or retaliate because the applicant or employee has inquired about, requested or used a reasonable accommodation.
- Require an applicant or an employee to accept an accommodation that is unnecessary.
- Require an employee to take family leave or any other leave, if the employer can make reasonable accommodation instead.

**To request an accommodation or to discuss concerns or questions about this notice, please** contact any one of our supervisors or \_\_\_\_\_ in the human resources department. [Provide multiple ways for employees to reach out with requests or concerns.]

*September 2019*



# NOTICE OF RIGHTS UNDER SENATE BILL 519

## Notice of Rights Under Senate Bill 519

An Oregon employer may not discharge, discipline or otherwise penalize or threaten to discharge, discipline or otherwise penalize or take any adverse employment action against an employee:

- Who declines to attend or participate in an employer-sponsored meeting or communication with the employer if the primary purpose of the meeting or communication is to communicate the opinion of the employer about religious or political matters;
- As a means of requiring an employee to attend a meeting or participate in communications described in part (1)
- Because an employee makes a good faith report, orally or in writing, of a violation or a suspected violation of this law

An employer may require attendance at meetings that are not primarily about religious or political matters. Voluntary attendance and participation is acceptable for meetings and communication not religious nor political in nature.

An aggrieved employee may bring a civil action to enforce this law no later than 90 days after the date of the alleged violation.

All employers subject to this law shall post a notice of employee rights under this bill in a place normally reserved for employment-related notices and in an area frequented by employees.

\*For informational purposes only.



POSTER COMPANY, INC.

**1-800-273-0307**

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# PAY DAY NOTICE

Regular Pay Days for Employees of \_\_\_\_\_  
(Firm Name)

shall be as follows:

\_\_\_\_\_ Weekly \_\_\_\_\_ Bi-Weekly \_\_\_\_\_ Semi Monthly \_\_\_\_\_ Monthly

Pay Checks will be distributed at

\_\_\_\_\_  
(Place of Distribution)

**This is in accordance with Oregon State Law**

By \_\_\_\_\_ Title \_\_\_\_\_

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## EMERGENCY PHONE NUMBERS

**For**

\_\_\_\_\_  
(Please Give Exact address of This Worksite Location)

**Physicians:** \_\_\_\_\_

**Hospitals:** \_\_\_\_\_

**Ambulances: 911 or** \_\_\_\_\_

**Fire Department 911 or:** \_\_\_\_\_

**Police: 911 or** \_\_\_\_\_

**PLEASE POST IN A CONSPICUOUS LOCATION**

# EMPLOYEE RIGHTS

## EMPLOYEE POLYGRAPH PROTECTION ACT

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	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	<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>
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.



WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR

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







# Know Your Rights: Workplace Discrimination is Illegal

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

## Who is Protected?

- Employees (current and former), including managers and temporary employees
- Job applicants
- Union members and applicants for membership in a union

## What Organizations are Covered?

- Most private employers
- State and local governments (as employers)
- Educational institutions (as employers)
- Unions
- Staffing agencies

## What Types of Employment Discrimination are Illegal?

Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of:

- Race
- Color
- Religion
- National origin
- Sex (including pregnancy and related conditions, sexual orientation, or gender identity)
- Age (40 and older)
- Disability
- Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)
- Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding.

## What Employment Practices can be Challenged as Discriminatory?

All aspects of employment, including:

- Discharge, firing, or lay-off
- Harassment (including unwelcome verbal or physical conduct)
- Hiring or promotion
- Assignment
- Pay (unequal wages or compensation)
- Failure to provide reasonable accommodation for a disability or a sincerely-held religious belief, observance or practice
- Benefits
- Job training
- Classification
- Referral
- Obtaining or disclosing genetic information of employees
- Requesting or disclosing medical information of employees
- Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or proceeding.

## What can You Do if You Believe Discrimination has Occurred?

Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:

**Submit** an inquiry through the EEOC's public portal:  
<https://publicportal.eeoc.gov/Portal/Login.aspx>

**Call** 1-800-669-4000 (toll free)  
1-800-669-6820 (TTY)  
1-844-234-5122 (ASL video phone)

**Visit** an EEOC field office (information at [www.eeoc.gov/field-office](http://www.eeoc.gov/field-office))

**E-Mail** [info@eeoc.gov](mailto:info@eeoc.gov)

Additional information about the EEOC, including information about filing a charge of discrimination, is available at [www.eeoc.gov](http://www.eeoc.gov).



## EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action commitments of companies doing business with the Federal Government. If you are applying for a job with, or are an employee of, a company with a Federal contract or subcontract, you are protected under Federal law from discrimination on the following bases:

### **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, 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 or employees.

### **Disability**

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

### **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 wartime or campaign badge veterans, or Armed Forces service medal veterans.

### **Retaliation**

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors under these Federal laws.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP)  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
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://ofccphelpdesk.dol.gov/s/>, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at <https://www.dol.gov/agencies/ofccp/contact>.

## PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

### **Race, Color, National Origin, Sex**

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

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

# EMPLOYEE RIGHTS

## UNDER THE FAIR LABOR STANDARDS ACT

### FEDERAL MINIMUM WAGE

**\$7.25** PER HOUR  
BEGINNING JULY 24, 2009

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

**OVERTIME PAY** 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 non-manufacturing, 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 from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

**ENFORCEMENT** The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA’s child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA.

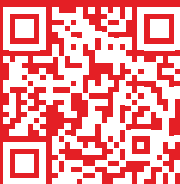
**ADDITIONAL INFORMATION**

- Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions.
- Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.
- Some state laws provide greater employee protections; employers must comply with both.
- Some employers incorrectly classify workers as “independent contractors” when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA’s minimum wage and overtime pay protections and correctly classified independent contractors are not.
- Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.



WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR

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

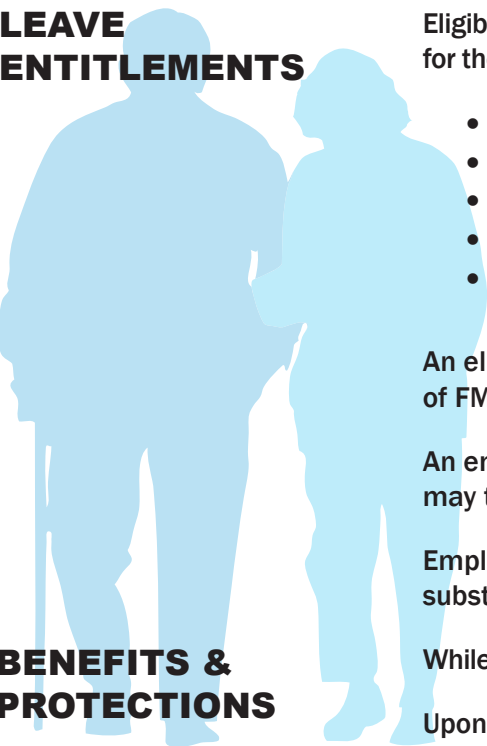




# EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

## LEAVE ENTITLEMENTS



Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child’s birth or placement);
- To care for the employee’s spouse, child, or parent who has a qualifying serious health condition;
- For the employee’s own qualifying serious health condition that makes the employee unable to perform the employee’s job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee’s spouse, child, or parent.

An eligible employee who is a covered servicemember’s spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

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.

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

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

## BENEFITS & PROTECTIONS

## ELIGIBILITY REQUIREMENTS

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;
- 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 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.

Once an employer becomes aware that an employee’s need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

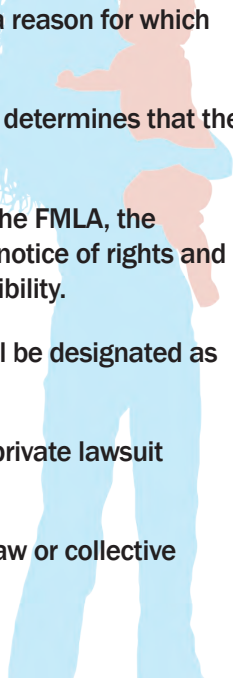
Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

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

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

## EMPLOYER RESPONSIBILITIES

## ENFORCEMENT



For additional information or to file a complaint:

**1-866-4-USWAGE**

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

**www.dol.gov/whd**

U.S. Department of Labor | Wage and Hour Division





# 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 service and:

- ☆ 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 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 the uniformed service;
- ☆ have applied for membership in the uniformed service; or
- ☆ are obligated to serve in the uniformed service;

then an employer may not deny you:

- ☆ initial employment;
- ☆ reemployment;
- ☆ retention in employment;
- ☆ promotion; or
- ☆ any benefit of employment

because of this status.

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 connection.

### HEALTH INSURANCE PROTECTION

- ☆ 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 resolve complaints of USERRA violations.
- ☆ 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**



**1-800-336-4590**

Publication Date — May 2022