

MARYLAND

Package Contents:

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- MD Equal Pay for Equal Work
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Package Instructions:

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



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Minor Fact Sheet

(Labor and Employment Article, Section 3 -206,
Annotated Code of Maryland)



APPLYING FOR A WORK PERMIT

Applications for work permits are accepted online at:
www.dllr.state.md.us/childworkpermit. Steps:

- Minor or Parent/Guardian completes required information online and prints work permit
- **TO BE VALID:** The Minor, the Minor's Parent/ Guardian, and the Employer must sign the permit

NOTE TO EMPLOYERS

- A minor under the age of 14 is not permitted to work and may not be employed.
- Minors 14 through 17 years of age may *only* work with a work permit.
- The work permit must be in the employer's possession before the minor is permitted to work.
- Employers must keep the work permit on file for three years.

Permissible Hours of Employment

All Minors:

May not be employed or permitted to work more than five hours continuously without a non-working period of at least ½ hour.

Minors 14—15:

- 4 hours on any day when school is in session.
- 8 hours on any day when school is not in session.
- 23 hours in any week when school is in session for five days.
- 40 hours in any week when school is not in session.
- May only work between the hours of 7:00am and 8:00pm.
- May work until 9:00pm from Memorial Day until Labor Day.
- The hours worked by a minor enrolled in a bona fide work-study or student-learner program when school is normally in session may not be counted towards the permissible hours of work prescribed above.

Minors 16—17:

May spend no more than 12 hours in a combination of school hours and work hours each day.

Must be allowed at least eight consecutive hours of non-work, non-school time in each 24-hour period

Exceptions:

Exceptions to hours and occupations may be granted by the Commissioner of Labor and Industry. Applications for exceptions should be addressed to the Commissioner giving specific details.

Non-Employment Activities

Activities not considered employment if performed outside of the prescribed school day and the activity does not involve mining, manufacturing or hazardous occupations. The activities include:

- Farm work performed on a farm.
- Domestic work performed in or about a home.
- Work performed in a business owned or operated by a parent or one standing in the place of a parent.
- Work performed by non-paid volunteers, in a charitable or non-profit organization, employed with the written consent of a parent or one standing in the place of a parent.
- Caddying on a golf course.
- Employment as an instructor on an instructional sailboat.
- Manufacturing of evergreen wreaths in or about a home.
- Delivery of newspapers to the consumer.
- Work performed as a counselor, assistant counselor, or instructor in a youth camp certified under the Maryland Youth Camp Act.
- Hazardous work performed by non-paid volunteers of a volunteer fire department or company or volunteer rescue squad who have completed or are taking a course of study relating to firefighting or rescue and who are 16 years of age or older.

Special Permits

Special permits may be issued to minors of any age to be employed as a model, performer, or entertainer. The applications and permits are available only from the Baltimore office of the Division of Labor and Industry (address below) or online at:
www.dllr.state.md.us/labor/wages/empm.shtml.

Federal Restrictions

Restrictions under the child labor provisions of the Federal Fair Labor Standards Act may be greater than State Standards. In all cases, the higher or more restrictive standard prevails. Information on Federal Standards is available from the Baltimore office of the U.S. Department of Labor, Wage and Hour Division (410) 962-6211.

FOR MORE INFORMATION CONTACT:

Department of Labor, Licensing and Regulation
Division of Labor and Industry—Employment Standards Service

1100 North Eutaw Street, Room 607 • Baltimore, MD 21201

Telephone Number: (410) 767-2357 • Fax Number: (410) 333-7303 • E-mail: dldliemploymentstandards-dllr@maryland.gov

Minor Fact Sheet

(Labor and Employment Article, Section 3 -206,
 Annotated Code of Maryland)

OCCUPATIONS FORBIDDEN TO ALL MINORS: Certain occupations are declared to be hazardous by the U.S. Secretary of Labor and have been adopted by reference by the Commissioner of Labor and Industry for the State of Maryland. All minors are forbidden to be employed at these occupations with certain exceptions including but not limited to Youth Apprenticeship.

<ul style="list-style-type: none"> • Occupations in or about plants or establishments manufacturing or storing explosives or articles containing explosive components. • Occupations of motor-vehicle driver and outside helper. • Coal-mine occupations. • Logging occupations and occupations in the operation of any sawmill, lathe mill, shingle mill, or cooperage-stock mill. • Occupations involved in the operation of power-driven woodworking machines. • Occupations involving exposure to radioactive substances and to ionizing radiations. • Occupations involved in the operation of elevators and other power-driven hoisting apparatus. • Occupations involved in the operation of power-driven metal forming, punching, and shearing machines. 	<ul style="list-style-type: none"> • Occupations in connection with mining, other than coal. • Occupations involving slaughtering, meat-packing or processing, or rendering. • Occupations involved in the operation of certain power-driven bakery machines. • Occupations involved in the operation of certain power-driven paper products machines. • Occupations involved in the manufacture of brick, tile, and kindred products. • Occupations involved in the operation of circular saws, band saws, and guillotine shears. • Occupations involved in wrecking, demolition, and shipbreaking operations. • Occupations involved in roofing operations. • Occupations involved in excavation operations.
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In addition to the hazardous occupations as declared by the U.S. Secretary of Labor and adopted by the Commissioner of Labor and Industry, the following occupations are forbidden to all minors:

<ul style="list-style-type: none"> • Blast furnaces. • Docks or wharves, other than marinas where pleasure boats are sold or served. • Pilots, firemen, or engineers on any vessel or boat engaged in commerce. • Railroads. • Erection and repair of electrical wires. • Any distillery where alcoholic beverages are manufactured, bottled, wrapped or packed. 	<ul style="list-style-type: none"> • The manufacturing of dangerous or toxic chemicals or compounds. • Cleaning, oiling or wiping of machinery. • Any occupation forbidden by any local, state or federal law. • Any occupation which after investigation by the Commissioner is deemed injurious to the health and welfare of the minor.
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A minor may not be employed to transfer monetary funds in any amount between 8 p.m. and 8 a.m. or in any amount over \$100.00 between 8 a.m. and 8 p.m. unless that minor is the child of the owner or operator or the funds have been received in payment of goods or services delivered by the minor.

AREAS OF EMPLOYMENT RESTRICTED FOR MINORS 14 AND 15 YEARS OF AGE

- (1) Manufacturing, mechanical or processing occupations including occupations in workrooms, workplaces or storage areas where goods are manufactured or processed.
- (2) Operation, cleaning or adjusting of any power-driven machinery other than office machines.
- (3) Occupations in, about, or in connection with (except office or sales work not performed on site):

- | | | | |
|----------------------|--------------|---|--|
| • scaffolding | • brickyard | • public messaging service | • any occupation deemed injurious by the Commissioner after investigation. |
| • acids | • gases | • occupations causing dust or gases in injurious quantities | • transportation of persons or property |
| • construction | • lumberyard | • boats engaged in navigation or commerce | |
| • dyes | • lye | • certain poultry activities | |
| • railroads | • airports | • certain baking and cooking | |
| • hoisting apparatus | | | |

3-301. Definitions.

- (a) *In general.* - In this subtitle the following words have the meanings indicated.
- (b) *Employer.* -
- (1) "Employer" means:
 - (i) a person engaged in a business, industry, profession, trade, or other enterprise in the State;
 - (ii) the State and its units;
 - (iii) a county and its units; and
 - (iv) a municipal government in the State.
 - (2) "Employer" includes a person who acts directly or indirectly in the interest of another employer with an employee.
- (c) "Gender Identity" has the meaning stated in § 20-101 of the State Government Article. ("Gender identity" means the gender-related identity, appearance, expression, or behavior of a person, regardless of the person's assigned sex at birth, which may be demonstrated by consistent and uniform assertion of the person's gender identity; or any other evidence that the gender identity is sincerely held as part of the person's core identity.)
- (d) *Wage.* -
- (1) "Wage" means all compensation for employment.
 - (2) "Wage" includes board, lodging, or other advantage provided to an employee for the convenience of the employer.

3-302. Scope of subtitle.

This subtitle applies to an employer of both men and women in a lawful enterprise.

3-303. Miscellaneous powers of Commissioner.

In addition to any powers set forth elsewhere, the Commissioner may:

- (1) use informal methods of conference, conciliation, and persuasion to eliminate pay practices that are unlawful under this subtitle; and
- (2) supervise the payment of a wage owing to an employee under this subtitle.

3-304. Equal pay for equal work.

- (a) In this section, "providing less favorable employment opportunities" means:
- (1) Assigning or directing the employee into a less favorable career track, if career tracks are offered, or position;
 - (2) Failing to provide information about promotions or advancement in the full range of career tracks offered by the employer; or
 - (3) Limiting or depriving an employee of employment opportunities that would otherwise be available to the employee but for the employee's sex or gender identity.
- (b) (1) *In general.* - An employer may not discriminate between employees in any occupation by
- (i) paying a wage to employees of one sex or gender identity at a rate less than the rate paid to employees of another sex or gender identity if both employees work in the same establishment and perform work of comparable character or work on the same operation, in the same business, or of the same type; or
 - (ii) providing less favorable employment opportunities based on sex or gender identity.
- (2) For purposes of paragraph (1)(i) of this subsection, an employee shall be deemed to work at the same establishment as another employee if the employees work for the same employer at workplaces located in the same county of the state.
- (c) *Effect of requirement.* - Except as provided in subsection (d) of this section, subsection (b) of this section does not prohibit a variation in a wage that is based on:
- (1) a seniority system that does not discriminate on the basis of sex or gender identity;
 - (2) a merit increase system that does not discriminate on the basis of sex or gender identity;
 - (3) jobs that require different abilities or skills;
 - (4) jobs that require the regular performance of different duties or services;
 - (5) work that is performed on different shifts or at different times of day;
 - (6) a system that measures performance based on a quality or quantity or production; or
 - (7) a bona fide factor other than sex or gender identity, including education, training, or experience in which the factor:

- (i) is not based on or derived from a gender-based differential in compensation;
- (ii) is job related with respect to the position and consistent with a business necessity; and
- (iii) accounts for the entire differential.

(d) This section does not preclude an employee from demonstrating that an employer's reliance on an exception listed in subsection (c) of this section is a pretext for discrimination on the basis of sex or gender identity.

(e) *Reduction in wages.* - An employer who is paying a wage in violation of this subtitle may not reduce another wage to comply with this subtitle.

3-304.1 (a) An employer may not:

(1) prohibit an employee from:

- (i) inquiring about, discussing, or disclosing the wages of the employee or another employee; or
- (ii) requesting that the employer provide a reason for why the employee's wages are a condition of employment;

(2) require an employee to sign a waiver or any other document that purports to deny the employee the right to disclose or discuss the employee's wages; or

(3) take any adverse employment action against an employee for:

- (i) inquiring about another employee's wages;
- (ii) disclosing the employee's own wages;
- (iii) discussing another employee's wages if those wages have been disclosed voluntarily;
- (iv) asking the employer to provide a reason for the employee's wages; or
- (v) aiding or encouraging another employee's exercise of rights under this section.

(b) (1) subject to paragraph (2) of this subsection, an employer may, in a written policy provided to each employee, establish reasonable workday limitations on the time, place, and manner for inquiries about or the discussion or disclosure of employee wages.

(2) a limitation established under paragraph (1) of this subsection shall be consistent with standards adopted by the commissioner and all other state and federal laws.

(3) subject to subsection (d) of this section, limitations established under paragraph (1) of this subsection may include prohibiting an employee from discussing or disclosing the wages of another employee without that employee's prior permission.

(c) except as provided in subsection (d) of this section, the failure of an employee to adhere to a reasonable limitation included in a written policy under subsection (b) of this section shall be an affirmative defense to a claim made against an employer by the employee under this section if the adverse employment action taken by the employer was for a failure to adhere to the reasonable limitation and not for an inquiry, a discussion, or a disclosure of wages in accordance with the limitation.

(d) (1) a prohibition established in accordance with subsection (b)(3) of this section against the discussion or disclosure of the wages of another employee without that employee's prior permission may not apply to instances in which an employee who has access to the wage information of other employees as a part of the employee's essential job functions if the discussion or disclosure is in response to a complaint or charge or in furtherance of an investigation, a proceeding, a hearing, or an action under this subtitle, including an investigation conducted by the employer.

(2) if an employee who has access to wage information as part of the essential functions of the employee's job discloses the employee's own wages or wage information about another employee obtained outside the performance of the essential functions of the employee's job, the employee shall be entitled to all the protections afforded under this subtitle.

(e) Nothing in this section shall be construed to:

- (1) require an employee to disclose the employee's wages;
- (2) diminish employees' rights to negotiate the terms and conditions of employment under federal, state, or local law;
- (3) limit the rights of an employee provided under any other provision of law or collective bargaining agreement;
- (4) create an obligation on any employer or employee to disclose wages;
- (5) permit an employee, without the written consent of an employer, to disclose proprietary information, trade secret information, or information that is otherwise subject to a legal privilege or protected by law; or
- (6) permit an employee to disclose wage information to a competitor of the employer.

3-305. Records and reports.

- (a) (1) Each employer shall keep each record that the Commissioner requires on:
 - (i) wages of employees;
 - (ii) job classifications of employees; and
 - (iii) other conditions of employment.
- (2) An employer shall keep the records required under this subsection for the period of time that the Commissioner requires.
- (b) On the basis of the records required under this section, an employer shall make each report that the Commissioner requires.

3-306. Copies and posting of subtitle.

- (a) *Copies.* - On request of an employer, the Commissioner shall provide without charge a copy of this subtitle to the employer.
- (b) *Posting.* - Each employer shall keep posted conspicuously in each place of employment a copy of this subtitle.
- (c) The Commissioner, in consultation with the Maryland Commission on Civil Rights, shall develop educational materials and make training available to assist employers in adopting training, policies, and procedures that comply with the requirements of this subtitle.

3-306.1. Enforcement

- (a) Whenever the Commissioner determines that this subtitle has been violated, the Commissioner shall:
 - (1) try to resolve any issue involved in the violation informally by mediation; or
 - (2) ask the Attorney General to bring an action on behalf of the applicant or employee.
- (b) The Attorney General may bring an action under this section in the county where the violation allegedly occurred for injunctive relief, damages, or other relief.

3-307. Action against employer by or for employee.

- (a) *Action by employee.*
 - (1) If an employer knew or reasonably should have known that the employer's action violates § 3-304 of this subtitle, an affected employee may bring an action against the employer for injunctive relief and to recover the difference between the wages paid to employees of one sex or gender identity and the wages paid to employees of another sex or gender identity who do the same type work and an additional equal amount as liquidated damages.
 - (2) If an employer knew or reasonably should have known that the employer's action violates § 3-304.1 of this subtitle, an affected employee may bring an action against the employer for injunctive relief and to recover actual damages and an additional equal amount as liquidated damages.
 - (3) An employee may bring an action on behalf of the employee and other employees similarly affected.
- (b) *Assignment of claims.* - On the written request of an employee who is entitled to bring an action under this section, the Commissioner may:
 - (1) take an assignment of the claim in trust for the employee;
 - (2) ask the Attorney General to bring an action in accordance with this section on behalf of the employee; and
 - (3) consolidate 2 or more claims against an employer.
- (c) *Limitations period.* - An action under this section shall be filed within 3 years after the employee receives from the employer the wages paid on the termination of employment under § 3-505(a) of this title.
- (d) *Defense.* - The agreement of an employee to work for less than the wage to which the employee is entitled under this subtitle is not a defense to an action under this section.
- (e) *Costs.* - If a court determines that an employee is entitled to judgment in an action under this section, the court shall allow against the employer reasonable counsel fees and other costs of the action, as well as prejudgment interest in accordance with the Maryland Rules.

3-308. Prohibited acts; penalties.

- (a) *Prohibited acts of employer.* - An employer may not:
 - (1) willfully violate any provision of this subtitle;
 - (2) hinder, delay, or otherwise interfere with the Commissioner or an authorized representative of the Commissioner in the enforcement of this subtitle;
 - (3) refuse entry to the Commissioner or an authorized representative of the Commissioner into a place of employment that the Commissioner is authorized under this subtitle to inspect; or

- (4) discharge or otherwise discriminate against an employee because the employee:
 - (i) makes a complaint to the employer, the Commissioner, or another person;
 - (ii) brings an action under this subtitle or a proceeding that relates to the subject of this subtitle or causes the action or proceeding to be brought; or
 - (iii) has testified or will testify in an action under this subtitle or a proceeding that relates to the subject of this subtitle.

(b) *Prohibited acts of employee.* - An employee may not:

- (1) make a groundless or malicious complaint to the Commissioner or an authorized representative of the Commissioner;
- (2) in bad faith, bring an action under this subtitle;
- (3) in bad faith, bring a proceeding that relates to the subject of this subtitle; or
- (4) in bad faith, testify in an action under this subtitle or a proceeding that relates to the subject of this subtitle.

(c) *Action by Commissioner.* - The Commissioner may bring an action for injunctive relief and damages against a person who violates subsection (a)(1) or (4) or subsection (b)(1), (3), or (4) of this section.

(d) *Penalties.* - An employer who violates any provision of subsection (a)(2) or (3) of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$300.

For additional information or to file a complaint, please contact:

FOR MORE INFORMATION CONTACT:
Department of Labor, Licensing and Regulation
Division of Labor and Industry
Employment Standards Service
1100 N. Eutaw St. Rm. 607, Baltimore, MD 21201
Phone: 410-767-2357

Rev: 9/2016

TO BE POSTED

HEALTH INSURANCE COVERAGE

You and other members of your family may be eligible under Maryland law to continue to be covered by your former employer's health insurance policy if:

- ◇ You quit your job or you were terminated from your employment for a reason other than for cause; and
- ◇ You are covered by your employer under a group hospital-medical policy or a health maintenance organization (HMO) for at least three (3) months prior to being separated from your employment; and
- ◇ You do not have other similar insurance.

If you wish to continue your health insurance, you **MUST** give your employer written notice no later than forty-five (45) days after your last day of work.

IMPORTANT:

You will be responsible for paying the entire cost of the health insurance policy.

For further information about the program, you should contact your employer, or if necessary, telephone the Insurance Administration in Baltimore at (410) 468-2244 or 1-800-492-6116 (Ext. 2244).

State of Maryland
Department of Labor, Licensing and Regulation

**THIS NOTICE APPLIES TO STATE LAW.
YOU MAY HAVE BROADER BENEFITS UNDER FEDERAL LAW.**

TO BE POSTED

TO EMPLOYEES

YOUR EMPLOYER IS SUBJECT TO the Maryland Unemployment Insurance Law and pays taxes under this law. No deduction is made from your wages for this purpose.

IF YOU ARE LAID OFF or otherwise become unemployed, immediately file a claim by calling the telephone number for the area in which you reside or you may file a claim on the internet at the web site address indicated below.

IF YOU ARE ELIGIBLE, you may be entitled to unemployment insurance benefits for as many as 26 weeks.

IF YOU ARE WORKING LESS THAN FULL TIME, you may be eligible for partial benefits. If your regular hours of work have been reduced, promptly file a claim as instructed above, to determine your benefit rights.

IF YOU HAVE BEEN FILING FOR BENEFITS AND RETURN TO WORK, you must report your gross wages before deductions during the week you return to work regardless of whether or not you have been paid.

YOU ARE ENTITLED TO BENEFITS IF:

1. You are unemployed through no fault of your own.
2. You have sufficient earnings in your Base Period.
3. You have registered for work and filed a claim for benefits with a Department of Labor, Licensing and Regulation claim center listed below.
4. You are able to work, available for work, and actively seeking work.

NOTE: To ensure prompt handing of your claim, it is necessary to have your Social Security number available. If you claim dependents under sixteen (16) years of age, you must know the Social Security number of each dependent when you file. If you do not know the Social Security numbers, you will be provided with instructions on how to provide a copy of the dependents' birth certificates or other forms of proof of dependency.

IF YOU ARE TOTALLY OR PARTIALLY UNEMPLOYED CALL:

Phone Number To File A Claim	Area Served	Phone Number To File A Claim	Area Served	Phone Number To File A Claim	Area Served
301-313-8000 1-877-293-4125 (toll free)	Calvert Charles Montgomery Prince Georges St. Mary's	410-334-6800 1-877-293-4125 (toll free)	Caroline Dorchester Kent Queen Anne's Somerset Talbot Wicomico Worcester	410-853-1600 1-877-293-4125 (toll free)	Anne Arundel Baltimore City Baltimore County Carroll Cecil Harford Howard
301-723-2000 1-877-293-4125 (toll free)	Allegany Frederick Garrett Washington	INSIDE THE STATE OF MARYLAND (DENTRO DEL ESTADO DE MARYLAND) Maryland Relay Dial 711 TTY: 1-800-735-2258 Speech to Speech: 1-800-785-5630 Para Relevos en Maryland presione 711 ó 1-800-877-1264 (U.S.)		OUTSIDE THE STATE OF MARYLAND (FUERA DEL ESTADO DE MARYLAND) TTY: 1-800-735-2258 Speech to Speech: 1-800-785-5630 Para Relevos en Maryland presione 1-800-877-1264 (U.S.)	
SOLICITUD DE BENEFICIOS DEL DESEMPLEO PARA LA POBLACIÓN DE HABLE HISPANA 301-313-8000					

TO FILE A CLAIM VIA THE INTERNET: www.mdunemployment.com

IMPORTANT NOTICE

Unemployment insurance is intended for persons who are unemployed through no fault of their own and who are ready, willing and able to work. Persons who receive benefits through false statements or fail to report ALL earnings will be disqualified and will be subject to criminal prosecution.

The Civil Rights Act of 1964 states that no person shall be discriminated against on the basis of race, color, religion, age, sex, or national origin. If you feel you have been discriminated against in the unemployment insurance process because of any of these factors, you may file a complaint with the Office of Fair Practices, 1100 North Eutaw Street, Room 613, Baltimore, Maryland 21201.

MARYLAND DEPARTMENT OF LABOR, LICENSING AND REGULATION OFFICE OF UNEMPLOYMENT INSURANCE

THIS CARD MUST BE POSTED IN A CONSPICUOUS PLACE

Minimum Wage Rates

Employers with 15 or more employees:

\$10.10 Until 12/31/19
\$11.00 After 1/1/20
\$11.75 Scheduled 1/1/21

Employers with 14 or fewer employees:

\$10.10 Until 12/31/19
\$11.00 After 1/1/20
\$11.60 Scheduled 1/1/21

Montgomery Co. & Prince Georges Co.:

Different minimum wage rates are in effect. Employers in these counties are required to post the applicable rate information.

(Labor and Employment Article, Title 3, Subtitle 4, Annotated Code of Maryland)

Minimum Wage

Most employees must be paid the Maryland State Minimum Wage Rate.

Tipped Employees (earning more than \$30 per month in tips) must earn the State Minimum Wage Rate per hour. Employers must pay at least **\$3.63** per hour. This amount plus tips must equal at least the State Minimum Wage Rate. Subject to the adoption of related regulations, restaurant employers who utilize a tip credit are required to provide employees with a written or electronic wage statement for each pay period showing the employee's effective hourly rate of pay including employer paid cash wages plus tips for tip credit hours worked for each workweek of the pay period. Additional information and updates will be posted on the Maryland Department of Labor website.

Employees under 18 years of age must earn at least 85% of the State Minimum Wage Rate.

Overtime

Most employees must be paid **1.5 times** their usual hourly rate for all work over **40 hrs.** per week. Exceptions:

- Bowling establishments, and institutions providing on-premise care (other than hospitals) to the sick, the aged, or individuals with disabilities for all work over **48 hrs.** per week
- Agricultural workers for all work over **60 hrs.** per week

Exemptions

Minimum Wage and Overtime Exemptions:

- Immediate family member of the employer
- Certain agricultural employees
- Executives, administrative, and professional employees
- Volunteers for educational, charitable, religious, and non-profit organizations
- Employees under 16 working less than 20 hours per week
- Outside salespersons
- Commissioned employees
- Employees enrolled as a trainee as part of a public school special education program
- Non-administrative employees of organized camps
- Certain establishments selling food and drink for consumption on the premises grossing less than \$400,000 annually
- Drive-in theaters
- Establishments engaged in the first canning, packing or freezing of fruits, vegetables, poultry, or seafood

Overtime Only Exemptions (must earn the State Minimum Wage Rate):

- Taxicab drivers
- Certain employees selling/servicing automobiles, farm equipment, trailers, or trucks
- Non-profit concert promoter, theater, music festival, music pavilion, or theatrical show
- Employers subject to certain railroad requirements of the U.S. Dept. of Transportation, the Federal Motor Carrier Act, and the Interstate Commerce Commission

FOR MORE INFORMATION OR TO FILE A COMPLAINT CONTACT:

Maryland Department of Labor, Licensing and Regulation
 Division of Labor and Industry—Employment Standards Service
 1100 North Eutaw Street, Room 607
 Baltimore, MD 21201
 Telephone Number: (410) 767-2357 • Fax Number: (410) 333-7303
 E-mail: dldliemploymentstandards-dllr@maryland.gov

**EMPLOYERS ARE REQUIRED BY LAW TO POST THIS INFORMATION.
 PAY RECORDS MUST BE KEPT FOR 3 YEARS ON OR ABOUT THE PLACE OF WORK.
 PENALTIES ARE PRESCRIBED FOR VIOLATIONS OF THE LAW.**

WORKERS' COMPENSATION in Maryland

LA COMPENSACIÓN DEL TRABAJADOR en Maryland

Job Related Accidental Personal Injury or Occupational Disease?

If you are disabled and unable to work for more than three (3) days, your employer's workers' compensation insurance company may pay your medical bills and other expenses and replace two-thirds (2/3) of your salary (limited to the maximum set by law).

If you are injured on the job:

1. Notify your employer or supervisor at once. You cannot receive full benefits unless your employer knows you are injured.
2. Tell the doctor who treats you that you were hurt on the job.
3. Complete an Employee's Claim Form C-1 (available by phone or on the Commission's website) and send it to us as soon as possible.

Note: Withholding information or giving false information about any work-related activity or return to work could prevent you from receiving benefits and may subject you to fines, imprisonment or both.

Employer/Empleador _____

Business Address/Dirección _____

City/State/Zip _____

Ciudad/Estado/Código Postal _____

Federal Employer ID (FEIN) _____

Identificación Federal Del Empleador _____

Telephone Number/Número Telefónico _____

Insurance Company Name _____

La Compañía de Seguro _____

Insurance Company Telephone _____

Telefónico de la Compañía de Seguro _____

MD WCC Form C-24 05/2017

¿Accidentes por lesión/daño corporal relacionados con el Empleo o Enfermedad Profesional?

Si usted se encuentra incapacitado o inhabilitado para trabajar por más de tres días, el seguro de trabajadores que tienen las compañías pudiera cubrir las facturas médicas y otros gastos relacionados. También le compensarían 2/3 de sus ingresos (Hasta un monto máximo estipulado por la ley).

Si usted sufre una lesión en el trabajo, debe:

1. Informarle a su empleador o supervisor de inmediato. No podría recibir todos sus beneficios a menos que su empleador fuere notificado que sufrió una lesión.
2. Informarle al médico quien le administre tratamiento que usted se lesionó en su trabajo.
3. Llenar el formulario Employee's Claim Form C-1 (disponible consultando la página del Internet para el Workers' Compensation o solicitando uno por teléfono). Diligenciarlo para que las oficinas del Workers' Compensation lo reciban lo antes posible.

Aviso: El suministrar información falsa u ocultar información sobre cualquier actividad relacionada con su trabajo o relacionada con su regreso al trabajo, pudiera afectar los beneficios que recibiera o pudiera acarrearle multas, encarcelamiento o ambas.

Maryland Workers' Compensation Commission

10 East Baltimore Street, Baltimore, Maryland 21202-1641

(410) 864-5100 / Outside Baltimore (800) 492-0479

Webpage - <http://www.wcc.state.md.us> / TTY Users - 711 in Maryland or (800) 735-2258

This notice must be printed on 8.5 "X 14" gold or yellow paper, display complete employer information and be posted in a conspicuous location at each work site or location in accordance with COMAR 14.09.01.02 and 14.09.01.10.

safety and health protection on the job

MARYLAND OCCUPATIONAL SAFETY and HEALTH ACT

PRIVATE SECTOR

The Maryland Occupational Safety and Health Act of 1973 provides job safety and health protection for workers through the promotion of safe and healthful working conditions throughout the State. Requirements of the Act include the following:

Employers:

Each employer shall furnish to each of his or her employees employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious harm to employees; and shall comply with occupational safety and health standards issued under the Act.

Employees:

Each employee shall comply with all occupational safety and health standards, rules, regulations and orders issued under the Act that apply to his or her own actions and conduct on the job.

The Commissioner of Labor and Industry has the primary responsibility for administering the Act and issuing occupational safety and health standards. MOSH Safety and Health Inspectors conduct jobsite inspections to ensure compliance with the Act.

Inspection:

The Act requires that a representative authorized by the employees be given an opportunity to accompany the MOSH Inspector for the purpose of aiding the inspection.

Where there is no authorized employee representative, the MOSH Inspector shall consult with a reasonable number of employees concerning safety and health conditions in the workplace.

Complaint:

Employees or their representatives have the right to file a complaint with the Commissioner requesting an inspection if they believe unsafe or unhealthful conditions exist in their workplace. The Commissioner will withhold names of employees complaining on request.

The Act provides that employees may not be discharged or discriminated against in any way for filing safety and health complaints or otherwise exercising their rights under the Act.

An employee who believes he or she has been discriminated against may file a complaint with the Commissioner and/or the Federal Occupational Safety and Health Administration Regional Office within 30 days of the alleged discrimination.

Citation:

If upon an inspection the Commissioner believes an employer has violated the Act, a citation alleging such violations shall be issued to the employer. Each citation shall specify a time period within which the alleged violation must be corrected.

The MOSH citation must be prominently displayed at or near the place of alleged violation for three days, or until it is corrected, whichever is later, to warn employees of dangers that may exist there.

Proposed Penalty:

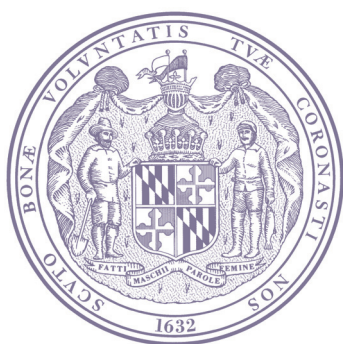
The Act provides for mandatory civil penalties against employers of up to \$7,000 for each serious violation and for optional penalties of up to \$7,000 for each nonserious violation. Civil penalties of up to \$7,000 per day may be proposed for failure to correct violations within the proposed time period. Also, any employer who willfully or repeatedly violates the Act may be assessed civil penalties of up to \$70,000 for each such violation.

Criminal penalties are also provided for in the Act. Any willful violation resulting in death of an employee, upon conviction, is punishable by a fine of not more than \$10,000 or by imprisonment for not more than six months, or by both. Conviction of an employer after a first conviction doubles these maximum penalties.

Voluntary Activity:

While providing penalties for violation, the Act also encourages efforts by labor and management to reduce injuries and illnesses arising out of employment. The Commissioner of Labor and Industry encourages employers and employees to reduce workplace hazards voluntarily and to develop and improve safety and health programs in all workplaces and industries.

Such cooperative action would initially focus on the identification and elimination of hazards that could cause death, injury, or illness to employees and supervisors. There are many public and private organizations that can provide information and assistance in this effort, if requested.



ADDITIONAL INFORMATION AND COPIES OF THE ACT, SPECIFIC MARYLAND OCCUPATIONAL SAFETY AND HEALTH STANDARDS, AND OTHER APPLICABLE REGULATIONS MAY BE OBTAINED FROM

MOSH TRAINING and EDUCATION

10946 Golden West Drive, Suite 160

Hunt Valley, Maryland 21031

Phone: 410-527-2091

Complaints about State Program administration may be made to Regional Administrator, Occupational Safety and Health Administration, The Curtis Center, Suite 740 West, 170 S. Independence Mall West, Philadelphia, PA 19106-3309

safety and health protection on the job

MARYLAND OCCUPATIONAL SAFETY and HEALTH ACT

PUBLIC SECTOR

The Maryland Occupational Safety and Health Act of 1973 provides job safety and health protection for workers through the promotion of safe and healthful working conditions throughout the State. Requirements of the Act include the following:

Public Employers:

Each public employer shall furnish to each of his or her employees employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious harm to employees; and shall comply with occupational safety and health standards issued under the Act.

Public Employees:

Each public employee shall comply with all occupational safety and health standards, rules, regulations and orders issued under the Act that apply to his or her own actions and conduct on the job.

The Commissioner of Labor and Industry has the primary responsibility for administering the Act and issuing occupational safety and health standards.

Inspection:

The Act provides that the State Government and each of its political subdivisions or any agency thereof shall develop, conduct and maintain a program of self-inspection. This program is to be approved and monitored by the Commissioner of Labor and Industry.

The Act requires that a representative or representatives authorized by the employees be given an opportunity to participate in the inspection procedure.

Where there is no authorized employee representative, the inspector shall consult with a reasonable number of employees concerning safety and health conditions in the workplace.

Complaint:

Public employees or their representatives have the right to file a complaint with the Commissioner requesting an inspection if they believe unsafe or unhealthful conditions exist in their workplace. The Commissioner will withhold names of employees complaining on request.

The Act provides that employees may not be discharged or discriminated against in any way for filing safety and health complaints or otherwise exercising their rights under the Act.

A public employee who believes he or she has been discriminated against may file a complaint with the Commissioner within 30 days of the alleged discrimination.

Citation:

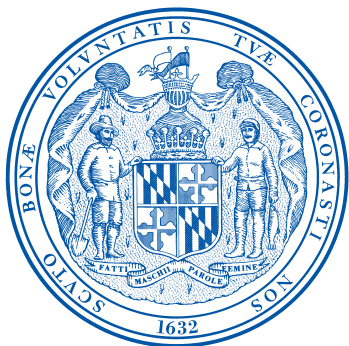
If upon an inspection performed by the Division of Labor and Industry, the Commissioner believes a public employer has violated the Act, a citation alleging such violations shall be issued to the public employer. Each citation shall specify a time period within which the alleged violation must be corrected.

The MOSH citation must be prominently displayed at or near the place of alleged violation for three days, or until it is corrected, whichever is later, to warn employees of dangers that may exist there.

Voluntary Activity:

The Act encourages efforts by labor and management to reduce injuries and illnesses arising out of employment. The Commissioner of Labor and Industry encourages employers and employees to reduce workplace hazards voluntarily and to develop and improve safety and health programs in all workplaces and industries.

Such cooperative action would initially focus on the identification and elimination of hazards that could cause death, injury, or illness to employees and supervisors.



ADDITIONAL INFORMATION AND COPIES OF THE ACT, SPECIFIC MARYLAND OCCUPATIONAL SAFETY AND HEALTH STANDARDS, AND OTHER APPLICABLE REGULATIONS MAY BE OBTAINED FROM

MOSH TRAINING and EDUCATION
10946 Golden West Drive, Suite 160
Hunt Valley, Maryland 21031
Phone: 410-527-2091

Complaints about the Public Employer Self-inspection Program may be made to the Commissioner of Labor and Industry at the above address.

Employment Discrimination is Unlawful

State of Maryland
Commission on Civil Rights
6 Saint Paul Street, Suite 900
Baltimore, MD 21202-1631

How Does The Law Protect Me?

State Government Article, §20-602 of the Annotated Code of Maryland provides every Marylander equal protection in employment regardless of:

Race	Ancestry or National Origin	Marital Status
Sex	Religion	Sexual Orientation
Age	Physical or Mental Disability	Gender Identity
Ethnicity	Color	Genetic Information

What Am I Protected From?

You are protected from unlawful discrimination from the following employment-related practices:

- Employers cannot discriminate in recruiting, interviewing, hiring, upgrading/promoting, setting work conditions, and discharging an employee.
- Labor organizations cannot deny membership to qualified persons or discriminate in apprenticeship programs.
- Employment agencies cannot discriminate in job referrals, ask discriminatory pre-employment questions, or circulate information that unlawfully limits employment.
- Newspapers and other media cannot publish job advertisements that discriminate.

What If My Employer Retaliates?

Retaliation is also prohibited under the law when you exercise your rights to seek relief and redress. If an employee decides to file an employment discrimination complaint, an employer may not:

- Interfere with;
- Restrain;
- Deny the exercise; or
- Deny the attempt to exercise the right.

Any form of retaliation is grounds to file a Complaint of Discrimination with the Maryland Commission on Civil Rights (MCCR).

What If I Am A Victim Of Discrimination?

If you believe your rights under the law have been violated, you must file a complaint with MCCR **within 6 months** of the alleged act of discrimination. A trained Civil Rights Officer will work with you to discuss what happened and determine if there is reason to believe a discriminatory violation occurred. You can reach MCCR by phone, email, fax, letter, or walk-in. **All procedures by MCCR are confidential until your case is certified for public hearing or trial.**

Know Your Rights!

If you are pregnant, you have a legal right to a reasonable accommodation if your pregnancy causes or contributes to a disability **and** the accommodation does not impose an undue hardship on your employer. *State Government Article, §20-609(b)*

What Does That Mean?

If you have a disability that is contributed to or caused by pregnancy, you may request a reasonable accommodation at work. Your employer must explore “all possible means of providing the reasonable accommodation.” *State Government Article, §20-609(d)*

The law lists an assortment of options for both you and your employer to consider in order to comply with a request for reasonable accommodation. These include, but are not limited to:

- Changing job duties
- Changing work hours
- Relocation
- Providing mechanical or electrical aids
- Transfers to less strenuous or less hazardous positions
- Providing leave

Every situation is different. You must explore every available option with your employer to decide what accommodation best suits your needs.

What If I Am A Victim Of Discrimination?

If you believe your rights under the law have been violated, you must file a complaint with MCCR **within 6 months** of the alleged act of discrimination. A trained Civil Rights Officer will work with you to discuss what happened and determine if there is reason to believe a discriminatory violation occurred. You can reach MCCR by phone, email, fax, letter, or walk-in. **All procedures by MCCR are confidential until your case is certified for public hearing or trial.**

Do I Need A Doctor's Note?

It depends on what your employer requests. The law allows an employer, at his or her discretion, to require certification from your health care provider regarding the medical advisability of a reasonable accommodation, but only to the same extent certification is required for other temporary disabilities. *State Government Article, §20-609(f)*

If required, the certification must include:

- Date a reasonable accommodation is medically advisable.
- Probable duration of the accommodation should be provided.
- Explanation as to the medical advisability of the reasonable accommodation.

Can I Still Get In Trouble?

Retaliation is prohibited under *State Government Article, §20-609(h)* when exercising your rights. If an employee seeks to exercise her right to request a reasonable accommodation for a temporary disability due to pregnancy, an employer may not:

- Interfere with;
- Restrain;
- Deny the exercise; or
- Deny the attempt to exercise the right.

Any form of retaliation is grounds to file a Complaint of Discrimination with the Maryland Commission on Civil Rights (MCCR).

MARYLAND EARNED SICK AND SAFE LEAVE EMPLOYEE NOTICE

The Maryland Healthy Working Families Act requires employers with 15 or more employees to provide paid sick and safe leave for certain employees. It also requires that employers who employ 14 or fewer employees provide unpaid sick and safe leave for certain employees.

Accrual

Earned sick and safe leave begins to accrue on February 11, 2018, or the date on which an employee begins employment with the employer, whichever is later. An employee accrues earned sick and safe leave at a rate of at least one hour for every 30 hours the employee works; however, an employee is not entitled to earn more than 40 hours of earned sick and safe leave in a year or accrue more than 64 hours of earned sick and safe leave at any time.

Leave Usage

An employee is allowed to use earned sick and safe leave under the following conditions:

- To care for or treat the employee's mental or physical illness, injury, or condition;
- To obtain preventative medical care for the employee or the employee's family member;
- To care for a family member with a mental or physical illness, injury, or condition;
- For maternity or paternity leave; or
- The absence from work is necessary due to domestic violence, sexual assault, or stalking committed against the employee or the employee's family member and the leave is being used: (1) to obtain medical or mental health attention; (2) to obtain services from a victim services organization; (3) for legal services or proceedings; or (4) because the employee has temporarily relocated as a result of the domestic violence, sexual assault, or stalking.

A family member includes a spouse, child, parent, grandparent, grandchild, or sibling.

Employees are permitted to use earned sick and safe leave in increments in certain amounts established by their employer. Employees are required to give notice of the need to use earned sick and safe leave when it is foreseeable. An employer may deny leave in certain circumstances.

Reporting

Employers are required to provide employees with a written statement of the employee's available earned sick and safe leave.

Prohibitions

An employer is prohibited under the law from taking adverse action against an employee who exercises a right under the Maryland Healthy Working Families Act and an employee is prohibited from making a complaint, bringing an action, or testifying in an action in bad faith.

How to File a Complaint or Obtain Additional Information

If you feel your rights have been violated under this law or you would like additional information, you may contact:

COMMISSIONER OF LABOR AND INDUSTRY
1100 North Eutaw Street, Room 607 | Baltimore, MD 21201
ssl.assistance@maryland.gov

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 Maryland State Law

By _____ Title _____

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

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.

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.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

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



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 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, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. 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.

GENETICS

Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

RETALIATION

All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice.

WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED

There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination 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.

Employers Holding Federal Contracts or Subcontracts

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

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

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

INDIVIDUALS WITH DISABILITIES

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

DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination and requires affirmative action to employ and advance in employment disabled veterans, recently separated veterans (within

three years of discharge or release from active duty), other protected veterans (veterans who served during a war or in a campaign or expedition for which a campaign badge has been authorized), and Armed Forces service medal veterans (veterans who, while on active duty, participated in a U.S. military operation for which an Armed Forces service medal was awarded).

RETALIATION

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

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

The Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at OFCCP-Public@dol.gov, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor.

Programs or Activities Receiving Federal Financial Assistance

RACE, COLOR, NATIONAL ORIGIN, SEX

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



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.

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.

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.

BENEFITS & PROTECTIONS

ELIGIBILITY REQUIREMENTS

REQUESTING LEAVE

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 <http://www.dol.gov/vets>**. An interactive online USERRA Advisor can be viewed at **<http://www.dol.gov/elaws/userra.htm>**.
- ★ 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: <http://www.dol.gov/vets/programs/userra/poster.htm>. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices 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

Publication Date—April 2017