

Labor Law Compliance Center

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(800) 801-0597

Federal Labor Law Posters

English

| Posting Name & ID | Posting Requirements | Published Date |
|------------------------------------|--|----------------|
| Job Safety & Health OSHA FED01 | Private employers engaged in a business affecting commerce. Does not apply to federal, state or political subdivisions of states. | 07/19 |
| EEOC FED02 | Employers with 15 or more employees and entities holding federal contracts or subcontracts or federally assisted construction contracts of \$10,000 or more; financial institutions which are issuing and paying agents for U.S. savings bonds and savings notes; depositories of federal funds or entities having government bills of lading. | 06/23 |
| FMLA FED03 | Public agencies (including state, local, and federal employers), public and private elementary and secondary schools, as well as private sector employers who employ 50 or more employees in 20 or more work weeks and who are engaged in commerce or in any industry or activity affecting commerce, including joint employers and successors of covered employers. | 04/23 |
| FLSA FED04 | Every private, federal, state and local government employer employing any employee subject to the Fair Labor Standards Act, 29 USC 211, 29 CFR 516.4 posting of notices. | 04/23 |
| EPPA FED05 | Any employer engaged in or affecting commerce or in the production of goods for commerce. Does not apply to federal, state and local governments, or to circumstances covered by the national defense and security exemption. | 02/22 |
| USERRA FED06 | The full text of the notice must be provided by each employer to persons entitled to rights and benefits under USERRA. | 05/22 |
| Workers with Disabilities FED07 | Every employer of workers with disabilities under special minimum wage certificates authorized by the Fair Labor Standards Act, the McNamara-O'Hara Service Contract Act, and/or the Walsh-Healey Public Contracts Act shall display a poster prescribed by the Wage and Hour Division explaining the conditions under which special minimum wages may be paid. The poster shall be posted in a conspicuous place on the employer's premises where employees and the parents or guardians of workers with disabilities can readily see it. | 01/18 |



Job Safety and Health IT'S THE LAW!

All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

This poster is available free from OSHA.

Contact OSHA. We can help.

Employers must:

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations.

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.



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



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
- Union members and applicants for membership in a union
- Job applicants

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, childbirth, and related medical 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
- Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation

What Organizations are Covered?

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

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; pregnancy, childbirth, or related medical condition; 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
- Conduct that coerces, intimidates, threatens, or interferes with someone exercising their rights, or someone assisting or encouraging someone else to exercise rights, regarding disability discrimination (including accommodation) or pregnancy accommodation

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)

E-Mail info@eeoc.gov

Additional information about the EEOC, including information about filing a charge of discrimination, is available at 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.

(Revised 6/27/2023)



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Your Employee Rights Under the Family and Medical Leave Act

What is FMLA leave?

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with **job-protected leave** for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees.

Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month period for:

- The birth, adoption or foster placement of a child with you,
- Your serious mental or physical health condition that makes you unable to work,
- To care for your spouse, child or parent with a serious mental or physical health condition, and
- Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

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

You have the right to use FMLA leave in **one block of time**. When it is medically necessary or otherwise permitted, you may take FMLA leave **intermittently in separate blocks of time, or on a reduced schedule** by working less hours each day or week. Read Fact Sheet #28M(c) for more information.

FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave.

Am I eligible to take FMLA leave?

You are an **eligible employee** if **all** of the following apply:

- You work for a covered employer,
- You have worked for your employer at least 12 months,
- You have at least 1,250 hours of service for your employer during the 12 months before your leave, and
- Your employer has at least 50 employees within 75 miles of your work location.

Airline flight crew employees have different "hours of service" requirements.

You work for a **covered employer** if **one** of the following applies:

- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,
- You work for an elementary or public or private secondary school, or
- You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management.

How do I request FMLA leave?

Generally, **to request FMLA leave you must:**

- Follow your employer's normal policies for requesting leave,
- Give notice at least 30 days before your need for FMLA leave, or
- If advance notice is not possible, give notice as soon as possible.

You **do not have to share a medical diagnosis** but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You **must also inform your employer if FMLA leave was previously taken** or approved for the same reason when requesting additional leave.

Your **employer may request certification** from a health care provider to verify medical leave and may request certification of a qualifying exigency.

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.

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

What does my employer need to do?

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

- Allow you to take job-protected time off work for a qualifying reason,
- Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and
- Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave.

Your **employer cannot interfere with your FMLA rights** or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation.

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your **employer must confirm whether you are eligible** or not eligible for FMLA leave. If your employer determines that you are eligible, your **employer must notify you in writing:**

- About your FMLA rights and responsibilities, and
- How much of your requested leave, if any, will be FMLA-protected leave.

Where can I find more information?

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

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



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

SCAN ME



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.

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

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. Certain narrow exemptions also apply to the pump at work requirements.
- 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
www.dol.gov/agencies/whd



WH1088 REV 04/23

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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
www.dol.gov/agencies/whd



WH1462 REV 02/22

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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

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EMPLOYEE RIGHTS

FOR WORKERS WITH DISABILITIES

PAID AT SUBMINIMUM WAGES

This establishment has a certificate authorizing the payment of subminimum wages to workers who are disabled for the work they are performing. Authority to pay subminimum wages to workers with disabilities generally applies to work covered by the **Fair Labor Standards Act (FLSA)**, **McNamara-O'Hara Service Contract Act (SCA)**, and/or **Walsh-Healey Public Contracts Act (PCA)**. Such subminimum wages are referred to as "commensurate wage rates" and are less than the basic hourly rates stated in an SCA wage determination and/or less than the FLSA minimum wage of **\$7.25 per hour**. A "commensurate wage rate" is based on the worker's individual productivity, no matter how limited, in proportion to the wage and productivity of experienced workers who do not have disabilities that impact their productivity when performing essentially the same type, quality, and quantity of work in the geographic area from which the labor force of the community is drawn.

Employers shall make this poster available and display it where employees and the parents and guardians of workers with disabilities can readily see it.

WORKERS WITH DISABILITIES

Subminimum wages under section 14(c) are not applicable unless a worker's disability actually impairs the worker's earning or productive capacity for the work being performed. The fact that a worker may have a disability is not in and of itself sufficient to warrant the payment of a subminimum wage.

For purposes of payment of commensurate wage rates under a certificate, a worker with a disability is defined as: An individual whose earnings or productive capacity is impaired by a physical or mental disability, including those related to age or injury, for the work to be performed.

Disabilities which may affect productive capacity include an intellectual or developmental disability, psychiatric disability, a hearing or visual impairment, and certain other impairments. The following do not ordinarily affect productive capacity for purposes of paying commensurate wage rates: educational disabilities; chronic unemployment; receipt of welfare benefits; nonattendance at school; juvenile delinquency; and correctional parole or probation.

WORKER NOTIFICATION

Each worker with a disability and, where appropriate, the parent or guardian of such worker, shall be informed orally and in writing by the employer of the terms of the certificate under which such worker is employed.

KEY ELEMENTS OF COMMENSURATE WAGE RATES

- **Nondisabled worker standard**—The objective gauge (usually a time study of the production of workers who do not have disabilities that impair their productivity for the job) against which the productivity of a worker with a disability is measured.
- **Prevailing wage rate**—The wage paid to experienced workers who do not have disabilities that impair their productivity for the same or similar work and who are performing such work in the area. Most SCA contracts include a wage determination specifying the prevailing wage rates to be paid for SCA-covered work.
- **Evaluation of the productivity of the worker with a disability**—Documented measurement of the production of the worker with a disability (in terms of quantity and quality).

The wages of all workers paid commensurate wages must be reviewed, and adjusted if appropriate, at periodic intervals. At a minimum, the productivity of hourly-paid workers must be reevaluated at least every six months and a new prevailing wage survey must be conducted at least once every twelve months. In addition, prevailing wages must be reviewed, and adjusted as appropriate, whenever there is a change in the job or a change in the prevailing wage rate, such as when the applicable state or federal minimum wage is increased.

WIOA

The Workforce Innovation and Opportunity Act of 2014 (WIOA) amended the Rehabilitation Act by adding section 511, which places limitations on the payment of subminimum wages to individuals with disabilities by mandating the completion of certain requirements prior to and during the payment of a subminimum wage.

EXECUTIVE ORDER 13658

Executive Order 13658, Establishing a Minimum Wage for Contractors, established a minimum wage that generally must be paid to workers performing on or in connection with a covered contract with the Federal Government. Workers covered by this Executive Order and due the full Executive Order minimum wage include workers with disabilities whose wages are calculated pursuant to certificates issued under section 14(c) of the FLSA.

FRINGE BENEFITS

Neither the FLSA nor the PCA have provisions requiring vacation, holiday, or sick pay nor other fringe benefits such as health insurance or pension plans. SCA wage determinations may require such fringe benefit payments (or a cash equivalent). Workers paid under a certificate authorizing commensurate wage rates must receive the full fringe benefits listed on the SCA wage determination.

OVERTIME

Generally, if a worker is performing work subject to the FLSA, SCA, and/or PCA, that worker must be paid at least 1 1/2 times their regular rate of pay for all hours worked over 40 in a workweek.

CHILD LABOR

Minors younger than 18 years of age must be employed in accordance with the child labor provisions of the FLSA. No persons under 16 years of age may be employed in manufacturing or on a PCA contract.

PETITION PROCESS

Workers with disabilities paid at subminimum wages may petition the Administrator of the Wage and Hour Division of the Department of Labor for a review of their wage rates by an Administrative Law Judge. No particular form of petition is required, except that it must be signed by the worker with a disability or his or her parent or guardian and should contain the name and address of the employer. Petitions should be mailed to: Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue NW, Washington, D.C. 20210.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

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



WH1284 REV 01/18

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Nebraska Labor Law Posters

English

| Posting Name & ID | Posting Requirements | Published Date |
|-------------------------------------|-------------------------------------|----------------|
| Discrimination NE01 | All employers | 06/07 |
| OSH / Workers' Compensation NE02 | Recommended | - |
| Minimum Wage NE03 | All employers | 11/22 |
| Unemployment Insurance NE04 | All employers | 11/22 |
| Youth Employment Hours NE05 | Employers of minors under age of 16 | - |





STATE OF NEBRASKA

EQUAL OPPORTUNITY COMMISSION



NOTICE TO Job Applicants, Employees, Employers, Labor Unions,
Employment Agencies, Landlords, Tenants, Proprietors, Public:

DISCRIMINATION IN

★ EMPLOYMENT ★ ★ HOUSING ★ PUBLIC ACCOMMODATIONS ★ IS PROHIBITED BY STATE LAW

Unlawful Employment Practices

It is illegal for an employer to discriminate against you because of your **Race, Color, Sex, Pregnancy, National Origin, Marital Status, Disability, Religion** and/or **Age (40-years-old and over)**. Discrimination may occur in such areas as *Hiring, Promotions, Transfers, Lay-offs, Discipline and Termination, Compensation and Benefits, Training, Other Terms or Conditions of Employment, or Sexual Harassment*. The Nebraska Equal Opportunity Commission is authorized to investigate allegations of discrimination under the Fair Employment Practices Act and the Equal Pay Act of Nebraska, both of which covers employers with 15 or more employees; and the Nebraska Age Discrimination in Employment Act, which covers employers with 20 or more employees. Labor Organizations, Employment Agencies, Apprenticeship and Training Programs are all covered by the law.

Authority: Sections 48-1001 through 48-1009; Sections 48-1101 through 48-1125; Sections 48-1219 through 1227, R.R.S. Nebraska, 1943.

Public Accommodations and Housing Discrimination

The Nebraska Fair Housing Act prohibits *unlawful housing practices* which includes discrimination because of **Race, Color, Religion, National Origin, Sex, Disability and Familial Status** in *Purchases, Sales, Rentals, Loans, Publishing, Representation, Inquiry, Listings, Discharge, or Demotion of Agents or Employees* in obedience to the law, blockbusting and other such actions.

Authority: Sections 20-301 through 20-344, R.R.S. Nebraska, 1943.

The Nebraska Civil Rights Act of 1969—*Public Accommodation* prohibits discrimination because of **Race, Color, Religion, Sex, National Origin, or Ancestry** in *Services, Privileges, Facilities, Advantages and Accommodations by all Public Places and Businesses* offering the same. Private establishments, etc. must meet the exceptions as set out in the law.

Authority: Sections 20-132 through 20-143, R.R.S. Nebraska, 1943.

Protection From Retaliation

The Laws enforced by the Nebraska Equal Opportunity Commission prohibit an employer, landlord, or others subject to the laws from engaging in any form of retaliation because you have filed a charge of discrimination, opposed a practice made illegal by these laws, or acted as a witness in any investigation or hearing conducted by the Commission. In addition, the Fair Employment Practices Act makes it illegal for an employer to engage in any retaliation because a person has opposed any illegal practice or refused to carry out any action that is illegal under the laws of the State of Nebraska or the United States.

- **COMPLAINTS:** The Nebraska EOC will investigate every complaint in an impartial manner, without cost to you and without publicity. If there is reasonable cause to believe that the law was violated, the Nebraska EOC will hold a conciliation conference. In case of failure to settle or resolve a charge by conference, mediation, conciliation, arbitration or persuasion, a public hearing or litigation may occur.
- **EMPLOYERS, EMPLOYMENT AGENCIES, UNIONS, LANDLORDS, LENDERS, REAL ESTATE OFFICES, PROPRIETORS, PUBLIC, ETC:** You may call on the Nebraska EOC for information on procedures, advice on policy problems, literature, reading lists, films, speakers service, and aid in educational programming.

For Information or Assistance, Please Write, Call, or Come to:

Main Office
Equal Opportunity Commission
301 Centennial Mall South, 5th Floor
P.O. Box 94934
Lincoln, Nebraska 68509-4934
Telephone (402) 471-2024
1-800-642-6112

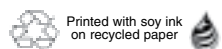
Branch Office
Panhandle Office Complex
4500 Avenue 'I'
P.O. Box 1500
Scottsbluff, Nebraska 69363-1500
Telephone (308) 632-1340
1-800-830-8633

Branch Office
1313 Farnam on-the-Mall
Omaha, Nebraska 68102-1836
Telephone (402) 595-2028
1-800-382-7820

www.neoc.ne.gov

- **THIS NOTICE MUST BE POSTED** in conspicuous, well lighted places—*e.g.*, hiring offices, employee bulletin boards, employment agency waiting rooms, union hall—which are frequented by employees, job seekers, or applicants for union membership. Firms and organizations that have more than one such office, plant or posting place, should request extra copies of this notice. For information on exceptions write to Nebraska EOC. This document satisfies the requirements for posting pursuant to the laws administered by the NEOC.

**This Commission Investigates Unlawful Discrimination Complaints Filed
Anywhere In The State Of Nebraska: At No Cost To The Person Making The Complaint**



NE01E



Labor Law Compliance Center
(800) 801-0597
www.laborlawcc.com

POST 6/07



JOB SAFETY AND HEALTH

Nebraska’s Workers’ Compensation Reform (LB757), passed September 9, 1993, created the Workplace Safety Consultation Program which became law under sections 48-443 thru 48-449 and provides job safety and health protection for public and private employees. The law applies to all public and private employers who are subject to The Nebraska Workers’ Compensation Act. Safety and Health provisions of the law include the following:

Safety Committees

On or before January 1, 1994, every private and public employer in Nebraska subject to worker’s compensation who has one or more employees shall establish at least one safety committee. There shall be an equal number of committee members representing the employer and employees. The employer shall retain full authority to manage the worksite(s). Committee members shall meet at least once during each three months of operation. Employers of ten or less employees that had no injuries or illnesses normally reported, or claims filed, during the immediately preceding twelve months need only meet once during the following twelve months. Employers shall compensate employee members of the committee at their regular hourly wage plus benefits while employees are attending committee meetings. Committees shall maintain written minutes of all meetings for at least three years. Committees are not, and shall not serve as, a bargaining unit. There is no authority to act as such or deal with collective bargaining issues. The safety committee is limited to assisting the employer by making recommendations regarding methods of addressing safety and health hazards at each work site. Recommendations to the employer shall be advisory only and not deal with issues subject to collective bargaining.

Written Injury Prevention Program

Employers in Nebraska shall establish an effective written Injury Prevention Program which shall address all work sites and all classes of workers. The program shall approach each category of workplace hazard with the intention of totally preventing workplace injuries and illnesses. The program shall include training regarding details of the safety program and hazards associated with the work. The employer shall communicate to all employees, including non-English speaking employees, the employer’s safety rules, policies, and procedures. A copy of any employer-implemented safety program shall be accessible to all employees and made available to the Department of Labor upon request.

Penalties

Employer refusal of entry to a Department of Labor Workplace Safety Consultant and/or failure to establish a safety committee, when required, are considered violations. Civil Penalties of not more than \$1,000 for each violation may be assessed against employers. Each day of continued violation shall constitute a separate violation. An employer who refuses to eliminate workplace hazards in compliance with an inspection shall be referred to the Federal Occupational Safety and Health Administration (OSHA) or the Mine Safety and Health Administration (MSHA) for enforcement. If a public employer refuses to correct a serious hazard, a copy of the report will be forwarded to the most responsible authority for review and action, as appropriate.

Discrimination

Employees shall not be discharged or discriminated against by the employer for making any oral or written complaint to the safety committee or any government agency having regulatory responsibility for occupational safety and health. If an employee was discharged or discriminated against, the employee must file a complaint with the Nebraska Department of Labor within fifteen days of the alleged occurrence. The Department shall investigate such complaints and if substantiated, the employer shall be required to reinstate the employee and pay any lost wages and benefits caused by the employer’s actions.

Consultation Services

Consultation services are available at an employer’s request to determine if they are complying with the standards issued by the Federal Occupational Safety and Health Administration (OSHA) or Mine Safety and Health Administration (MSHA). This service is provided to public and private employers by knowledgeable and experienced employees of the Nebraska Department of Labor, Office of Safety and Labor Standards, who are trained in the federal standards and in the recognition of safety and health hazards.

Standards for Safety and Health Program Evaluation

The Nebraska Department of Labor is not an OSHA or MSHA enforcement authority. However, state law requires compliance with, and enforcement of, those standards. For that reason, OSHA and MSHA standards shall be considered in determining minimum acceptable standards.

Notification of Death

Employers shall report any workplace deaths within 48 hours to the Department of Labor, Division of Safety and Labor Standards (402) 595-3185 or (1-800-627-3611). Private employers must also notify OSHA within 8 hours of any workplace deaths (1-800-642-8963).

Posting Instructions

The Nebraska Department of Labor’s Workplace Safety Consultation Program provides this poster as an avenue to inform both public and private employers and employees of their rights and obligations under the Nebraska Workers’ Compensation Reform Law. This poster is available in Spanish. Display this poster conspicuously where notices to employees are customarily posted.

Your designated Safety and Health Representative for this worksite is: _____

More information

A copy of the law, or additional information on the Workplace Safety Consultation Program, OSHA standards, MSHA standards, or other workplace safety information, may be obtained at our web site **www.NebraskaWorkforce.com** or by writing/calling:

NEBRASKA DEPARTMENT OF LABOR, SAFETY AND LABOR STANDARDS 1-800-627-3611

5404 Cedar Street, 3rd Floor
Omaha, NE 68106-2365
402-595-3185
(Fax) 402-595-3200

301 Centennial Mall South, LL
PO Box 95024
Lincoln, NE 68509-5024
402-471-2239
(Fax) 402-471-5039

114 South Chestnut St.
PO Box 190
North Platte, NE 69103-0190
308-535-8300
(Fax) 308-535-8085

Landmark Center, Suite 338
2727 W. 2nd Street
Hastings, NE 68901-4663
402-462-1898
(Fax) 402-462-1896



Equal Opportunity Employer/Program Auxiliary aids and services are available upon request to individuals with disabilities.
TDD: 800.833.7352 • Lincoln: 402.471.2786

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NE02E



Labor Law Compliance Center
(800) 801-0597
www.laborlawcc.com



Minimum Wage in Nebraska

| Effective Date | Minimum Hourly Wage Rate |
|-----------------|--------------------------|
| January 1, 2016 | \$9.00 |
| January 1, 2023 | \$10.50 |
| January 1, 2024 | \$12.00 |
| January 1, 2025 | \$13.50 |
| January 1, 2026 | \$15.00 |

Beginning January 1, 2027, the minimum wage will increase based on the cost-of-living increase as measured by the Consumer Price Index.

Except as provided below, every employer of four or more persons at any one time shall pay its employees a minimum wage per hour as listed above.

- In the case of employees paid gratuities for services performed, the combined amount of hourly wage and gratuities given to the employee shall equal or exceed the current minimum wage. The hourly wage amount paid to the employee shall be at least \$2.13 per hour and the employer is responsible for making up the difference between the actual hourly wage and gratuities paid to the employee and the current minimum wage.
- Any employer employing student-learners as part of a bona fide vocational training program shall pay such student-learners' wages at a rate of at least 75% of the minimum wage rate.
- An employer may pay a new employee younger than 20 who is not a seasonal or migrant worker, a training wage of at least 75% of the federal minimum wage for 90 days from the date the new employee was hired, subject to the terms and conditions described in Neb. Rev. Stat. §48-1203.01.

48-1202. For purposes of the Wage and Hour Act, unless the context otherwise requires:

1. Employ shall include to permit to work;
2. Employer shall include any individual, partnership, limited liability company, association, corporation, business trust, legal representative, or organized group of persons employing four or more employees at any one time except for seasonal employment of not more than twenty weeks in any calendar year, acting directly or indirectly in the interest of an employer in relation to an employee, but shall not include the United States, the state, or any political subdivision thereof;

Employee shall include any individual employed by any employer but shall not include:

- a. Any individual employed in agriculture;
 - b. Any individual employed as a baby-sitter in or about a private home;
 - c. Any individual employed in a bona fide executive, administrative, or professional capacity or as a superintendent or supervisor;
 - d. Any individual employed by the United States or by the state or any political subdivision thereof;
 - e. Any individual engaged in the activities of an educational, charitable, religious, or nonprofit organization when the employer-employee relationship does not in fact exist or when the services rendered to such organization are on a voluntary basis;
 - f. Apprentices and learners otherwise provided by law;
 - g. Veterans in training under supervision of the United States Department of Veterans Affairs;
 - h. A child in the employment of his or her parent or a parent in the employment of his or her child; or
 - i. Any person who, directly or indirectly, is receiving any form of federal, state, county, or local aid or welfare and who is physically or mentally disabled and employed in a program of rehabilitation, who shall receive a wage at a level consistent with his or her health, efficiency, and general well-being;
3. Occupational classification shall mean a classification established by the Dictionary of Occupational Titles prepared by the United States Department of Labor; and
 4. Wages shall mean all remuneration for personal services, including commissions and bonuses and the cash value of all remunerations in any medium other than cash.

For further information regarding the Nebraska Wage and Hour Act, contact the Nebraska Department of Labor

UNEMPLOYMENT INSURANCE: ADVISEMENT OF BENEFIT RIGHTS

TITLE 219 - DEPARTMENT OF LABOR: CHAPTER 2 - CLAIMS FOR BENEFITS

To file a claim for unemployment benefits, go to [Neworks.nebraska.gov](https://www.neworks.nebraska.gov).

- 001.** This chapter is adopted pursuant to Neb. Rev. Stat. §§48-626, 48-627, 48-629, and 48-607.
- 002. A.** All claims shall be filed online through the Nebraska Department of Labor Claims Center’s online web application available at www.dol.nebraska.gov unless a special accommodation is required or no reasonable access to an office maintained by the Department of Labor is available. Conditions requiring a special accommodation shall include, but not be limited to, language barriers and physical and mental handicaps. If a special accommodation is required, claimants may file an application for benefits through the Nebraska Department of Labor Claims Center. The individual shall provide such information as required on the application. Each application shall be signed or attested to. An application may be signed by electronic signature or handwritten on a form prescribed by the Commissioner.
- B.** When filing a new initial claim, re-opening an existing claim, or filing a subsequent claim for unemployment benefits a claimant shall be required to register for work and create an active, online and searchable resume in the Nebraska Department of Labor’s web application for Reemployment services in accordance with 219 NAC 4.
- C.** The initial application for benefits shall be effective Sunday of the week in which the applicant files an application with the Department. The Commissioner, for good cause, may establish a different effective date.
- D.** A week shall be deemed to be in, within, or during that benefit year which includes the greater part of such week.
- 003. A.** A separate claim for benefits shall be made for each week of unemployment by a method of claiming prescribed by the Commissioner.
- B.** An individual shall be ineligible for benefits for any week for which the individual fails to demonstrate that the individual engaged in an active and earnest search for work as required under 219 NAC 4.
- C.** An electronic media claim transaction shall be completed by the claimant and received by the Department by the Saturday following the most recent week ending date. The failure of a claimant to timely complete an electronic media transaction shall be the basis for a denial of that week’s benefits unless good cause for the late transaction can be shown. Any intervening weeks until the week in which the transaction was completed and received by the Department shall also be denied, regardless of cause.
- D.** A claim for benefits shall be filed for waiting week credit even though benefits are not payable for that week.
- E.** A claim for benefits shall be filed for each week of eligibility during the time an applicant is awaiting the results of an appeal hearing if the applicant intends to claim benefits during that time period.
- 004.** The Department may direct a claimant to contact one of its offices to meet eligibility or other reporting requirements, or to provide other information as needed in the administration of Nebraska Employment Security Law. Unless good cause is shown, failure to contact the office as directed may result in the denial of benefits beginning with the week the claimant was scheduled to report and ending the Saturday prior to the week in which he/she reports to the Department.
- 005.** In the event that wage information cannot be obtained from an employer, the Department may request that such information be provided by the claimant. The claimant may be required to provide payroll check stubs, W-2’s, or other reliable information corroborating the amount of wages stated by the claimant. A failure by the claimant to comply with such a request by the due date on the form shall cause the claim to be processed without the requested wages and may result in a denial of benefits until the week in which the information regarding requested wages is received by the Department.
- 006.** In the event of a major disaster declared by both the Governor of the State of Nebraska and the President, the Commissioner may permit backdating of the effective date of unemployment insurance claims to agree with the effective date of the federal disaster period.
- 007.** Each worker engaged in employment covered by the Nebraska Employment Security Law, including service covered by election of an employer, shall procure a federal social security account number and furnish that number to every employer for whom that worker performs covered employment.
- 008.** Weeks of disqualification assessed and reductions in benefits determined pursuant to the Nebraska Employment Security Law, Neb. Rev. Stat. §§48-601 to 48-683, shall be determined in accordance with the number of weeks of disqualification in effect on the applicable date of the most recently filed initial, transitional or additional claim.



NOTICE

HOURS OF EMPLOYMENT FOR CHILDREN UNDER SIXTEEN YEARS OF AGE

In conformity with the provisions of section 48-310, compiled statutes of Nebraska, notice is hereby given that the number of hours which employees under the age of sixteen years employed in this room are required to work each day, the hours of commencing and stopping work and the time allowed for meals are as follows:

| Name of Employee | Hours Required Each Day | Time Com-mencing | Time Of Stopping | Time Allowed For Meals |
|------------------|-------------------------|------------------|------------------|------------------------|
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Employer or Employer's Agent

