EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

ENFORCEMENT

proceeding under the FLSA.

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

FED

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.

NY

Employers are also required to provide a place, other than a bathroom, that

DEPARTMENT OF LABOR UNITED STATES OF AMERICA

Minimum Wage

Overtime after 40 hours



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



REV. 07/2016

\$15.00

\$22.50

\$15.00

\$22.50

Department of Labor

WE ARE YOUR DOL NEW YORK DEPARTMENT OF LABOR

Attention Miscellaneous Industry Employees

Minimum Wage

Tipped workers

Overtime after 40 hours

Overtime after 40 hours

Small Employers (10 or less employees)

Minimum Wage hourly rates effective 12/31/2021 – 12/30/2022 **New York City**

\$15.00

\$22.50

| Minimum Wage | | | | |
|----------------------------|---------------|--|--|--|
| Long Island Westchester | | | | |
| | 7213 0 | | | |
| Overtime after 40 hours | \$22.50 | | | |
| Tipped workers | \$15.00 | | | |
| | | | | |

Large Employers (11 or more employees)

| Long Island Westchester (| | Remainde New York S | |
|------------------------------|---------|-------------------------|---------|
| Minimum Wage | \$15.00 | Minimum Wage | \$13.20 |
| Overtime after 40 hours | \$22.50 | Overtime after 40 hours | \$19.80 |
| Tipped workers | \$15.00 | Tipped workers | \$13.20 |
| Overtime after 40 hours | \$22.50 | Overtime after 40 hours | \$19.80 |

If you have questions, need more information or want to file a complaint, please visit www.labor.ny.gov/minimumwage or call: 1-888-469-7365.

Credits and Allowances that may reduce your pay below the minimum

wage rates shown above: **Tips** – Beginning December 31, 2020, your employer must pay the full applicable minimum wage rate, and cannot take any tip credit.

Meals and lodging – Your employer may claim a limited amount of your wages for meals and lodging that they provide to you, as long as they do not charge you anything else. The rates and requirements are set forth in wage orders and summaries, which are available online.

Extra Pay you may be owed in addition to the minimum wage rates shown

Overtime – You must be paid 1½ times your regular rate of pay (no less than amounts shown above) for weekly hours over 40 (or 44 for

Exceptions: Overtime is not required for salaried professionals, or for executives and administrative staff whose weekly salary is more than 75 times the minimum wage rate **Call-in pay** – If you go to work as scheduled and your employer sends you home early, you may be entitled to extra hours of pay at the

ninimum wage rate for that day. **Spread of hours** – If your workday lasts longer than ten hours, you may be entitled to extra daily pay. The daily rate is equal to one hour of pay at the minimum wage rate.

Uniform maintenance – If you clean your own uniform, you may be entitled to additional weekly pay. The weekly rates are available online.

Minimum Wage Poster

1-888-392-3644

WWW.DHR.NY.GOV

ESTADO DE NUEVA YORK (LEY EJECUTIVA, SECCIÓN 15)

ESTE ESTABLECIMIENTO ESTÁ SUJETO A LA LEY DE DERECHOS HUMANOS DEL

LA LEY DE DERECHOS HUMANOS DEL ESTADO DE NUEVA YORK PROHÍBE

LA DISCRIMINACIÓN POR EDAD, RAZA, CREDO, COLOR, ORIGEN NACIONAL,

Asimismo, está prohibida la discriminación en el empleo sobre la base de la

observancia del Shabat o prácticas religiosas: peinados asociados con la raza

(también se aplica a las áreas enumeradas a continuación) arresto previo o

antecedentes penales; las características genéticas predisponentes; el estado

Es posible que sea necesario hacer acomodos razonables para personas

con discapacidades y condiciones relacionadas con el embarazo incluyendo

lactación. Un arreglo razonable es una adaptación a un trabajo o entorno

También están cubiertos: trabajadores domésticos están protegidos en casos acoso y represalias; internos y no empleados cuales trabajan en el lugar

ALQUILER, ARRENDAMIENTO O VENTA DE VIVIENDA, TERRENO O ESPACIO

COMERCIAL INCLUYENDO ACTIVIDADES DE AGENTE DE BIENES RAÍCES Y

También esta prohibido: la discriminación a base de fuente de ingreso legal

estado familiar (familias con niños o en estado de embarazo); arresto previo o

(por ejemplo vales, beneficios de discapacidad, manutención de niños);

También es posible que sea necesario realizar modificaciones y arreglos

(1) alguiler de un apartamento en una casa para dos familias ocupada por el

(2) restricciones de todas las habitaciones en una vivienda para individuos del

(4) venta, alquiler o arrendamiento de alojamiento en una casa exclusivamento

También se prohíbe: discriminación en vivienda sobre la base del estado civil

TODAS TRANSACCIONES CREDITICIAS INCLUYENDO FINANCIAMENTO PARA LA COMPRA, MANTENIMIENTO Y REPARACION DE VIVIENDAS

LUGARES DE ALOJAMIENTO PÚBLICO, COMO RESTAURANTES, HOTELES,

HOSPITALES Y CONSULTORIOS MÉDICOS, CLUBS, PARQUES Y OFFICINAS

La edad no es una clasificación cubierta respecto a los alojamientos públicos.

Es posible que sea necesario realizar arreglos razonables para personas con

Todas las escuelas publicas y escuelas privadas sin ánimo de lucro, en todos los

niveles, excluyendo escuelas dirigidas por organizaciones religiosas.

PUBLICIDAD Y SOLICITUDES RELACIONADAS CON EL EMPLEO.

LOS INMUEBLES, LOS LUGARES DE ALOJAMIENTO PÚBLICO Y LAS

TRANSACCIONES CREDITICIAS NO DEBEN EXPRESAR NINGUN ACTO

debe hacerlo dentro de un año desde que ocurra la discriminación. Los

Si desea presentar una demanda formal ante la División de Derechos Humanos

Si desea presentar una demanda ante el Tribunal Estatal, puede hacerlo dentro

de los tres años desde que ocurriera la discriminación. No puede presentar una

Se prohíben las represalias por presentar una demanda u oponerse

a prácticas discriminatorias. Puede presentar una demanda ante la

PARA OBTENER MÁS INFORMACIÓN, ESCRIBA O LLAME A LA OFICINA MÁS

CERCANA DE LA DIVISIÓN. OFICINA CENTRAL: ONE FORDHAM PLAZA. 4TH

(3) alquiler de una habitación por parte del ocupante de una casa o

a personas mayores de 55 años y al cónyuge de dichas personas

laboral que permita que una persona con discapacidad realice las tareas

de trabajo (por ejemplo trabajadores temporarios o contratantes) estár

civil: las condiciones relacionadas con el embarazo.

esenciales de un trabajo de manera razonable.

protegidos de toda discriminación descrita arriba.

condena sellada; boicot comercial o acoso inmobiliario.

razonables para personas con discapacidades.

(por ejemplo, familias con hijos)

INSTITUCIONES EDUCATIVAS

servicios de la División se ofrecen sin cargo

División si sufrió represalias

demanda ante la División y ante el Tribunal Estatal.

DEL GOBIERNO.

Excepción:

Excepciones:

REV. 11/2021

Post in Plain View

NOTICE: This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under the Fair Labor Standards Act posting, which indicates the federal minimum wage. Where federal and state rates both apply to an employee, the U.S. Department of Labor dictates that the employee is entitled to the higher minimum wage rate

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

NY

LS 207

New York State

Human Rights THIS ESTABLISHMENT IS SUBJECT TO THE NEW YORK STATE HUMAN RIGHTS LAW (EXECUTIVE LAW, ARTICLE 15)

DISCRIMINATION BASED UPON AGE, RACE, CREED, COLOR, NATIONAL ORIGIN. SEXUAL ORIENTATION, MILITARY STATUS, SEX, PREGNANCY, GENDER IDENTITY OR EXPRESSION DISARII ITY OR MARITAL STATUS IS PROHIBITED BY THE NEW YORK STATE HUMAN RIGHTS LAW. SEXUAL HARASSMENT OR HARASSMENT BASED UPON ANY OF THESE PROTECTED CLASSES ALSO IS PROHIBITED. ALL EMPLOYERS (until February 8, 2020, only employers with 4

or more employees are covered), EMPLOYMENT AGENCIES, LABOR ORGANIZATIONS AND APPRENTICESHIP TRAINING PROGRAMS Also prohibited: discrimination in employment on the basis of Sabbath to all areas listed below); prior arrest or conviction record; predisposing

observance or religious practices; hairstyles associated with race (also applies genetic characteristics; familial status; pregnancy-related conditions; domestic violence victim status. Reasonable accommodations for persons with disabilities and pregnancy-

related conditions including lactation may be required. A reasonable

accommodation is an adjustment to a job or work environment that enables a person with a disability to perform the essential functions of a job in a reasonable manner Also covered: domestic workers are protected from harassment and retaliation; interns and nonemployees working in the workplace (for example temp or contract workers) are protected from all discrimination described above.

RENTAL, LEASE OR SALE OF HOUSING, LAND AND COMMERCIAL SPACE, INCLUDING ACTIVITIES OF REAL ESTATE BROKERS AND SALES PEOPLE Also prohibited: discrimination on the basis of lawful source of income (for example housing vouchers, disability benefits, child support); familial status (families with children or being pregnant); prior arrest or sealed conviction; commercial boycotts or blockbusting

Reasonable accommodations and modifications for persons with disabilities may also be required. Does not apply to:

(1) rental of an apartment in an owner-occupied two-family house (2) restrictions of all rooms in a housing accommodation to individuals of the

(3) rental of a room by the occupant of a house or apartment (4) sale, rental, or lease of accommodations of housing exclusively to persons 55 years of age or older, and the spouse of such persons ALL CREDIT TRANSACTIONS INCLUDING FINANCING FOR PURCHASE,

MAINTENANCE AND REPAIR OF HOUSING PLACES OF PUBLIC ACCOMMODATION SUCH AS RESTAURANTS, HOTELS, HOSPITALS AND MEDICAL OFFICES, CLUBS, PARKS AND GOVERNMENT

Age is not a covered classification relative to public accommodations. Reasonable accommodations for persons with disabilities may also be

All public schools and private nonprofit schools, at all education levels,

excluding those run by religious organizations

ADVERTISING AND APPLICATIONS RELATING TO EMPLOYMENT. REAL ESTATE PLACES OF PURLIC ACCOMMODATION AND CREDIT TRANSACTIONS MAY NOT EXPRESS ANY DISCRIMINATION

If you wish to file a formal complaint with the Division of Human Rights, you must do so within one year after the discrimination occurred. The Division's

services are provided free of charge.

of the discrimination. You may not file both with the Division and the State

If you wish to file a complaint in State Court, you may do so within three years

Retaliation for filing a complaint or opposing discriminatory practices

is prohibited. You may file a complaint with the Division if you have been retaliated against.

FOR FURTHER INFORMATION, WRITE OR CALL THE DIVISION'S NEAREST OFFICE.

HEADOUARTERS: ONE FORDHAM PLAZA, 4TH FLOOR, BRONX, NY 10458

(As amended by Chapter 56 of the Laws of 2020)

New York State Election Law

§ 3-110. Time allowed employees to vote.

NY

of the polls and the beginning of his or her working shift, or between the end of his or her working shift and the closing of the polls, he or she shall be deemed to have sufficient time outside his or her working hours within which to vote. If he or she has less than four consecutive hours or her voting time outside his or her working hours enable him or her to vote, but not more than two hours of which shall be without loss of pav. provided that he or she shall be allowed time off for voting only at the beginning or end of his or her working shift, as the employer may designate, unless otherwise mutually agreed.

If the employee requires working time off to vote the employee shall notify his or her employer not more than ten nor less than two working days before the day of the election that he or she requires time off to vote in accordance with the provisions of this section.

Not less than ten working days before every election, every employer shall post conspicuously in the place of work where it can be seen as employees come or go to their place of work, a notice setting forth the provisions of this section. Such notice shall be kept posted until the close of the polls on election day

ATTENTION ALL EMPLOYEES

If a registered voter does not have sufficient time outside of his or her scheduled working hours, within which to vote on any day at which he or she may vote, at any election, he or she may, without loss of pay for

up to two hours, take off so much working time as will, when added to his or her voting time outside his or her working hours, enable him or If an employee has four consecutive hours either between the opening

he or she may take off so much working time as will, when added to his

TIME ALLOWED EMPLOYEES TO VOTE ON ELECTION DAY N.Y. ELECTION LAW SECTION 3-110¹ STATES THAT:

> IF YOU DO NOT HAVE 4 CONSECUTIVE HOURS TO VOTE, EITHER FROM THE OPENING OF THE POLLS TO THE BEGINNING OF YOUR **WORKING SHIFT, OR BETWEEN THE END OF YOUR WORKING SHIFT** AND THE CLOSING OF THE POLLS, YOU MAY TAKE OFF UP TO 2 HOURS, WITHOUT LOSS OF PAY, TO ALLOW YOU TIME TO VOTE IF YOU ARE A REGISTERED VOTER

YOU MAY TAKE TIME OFF AT THE BEGINNING OR END OF YOUR WORKING SHIFT, AS YOUR EMPLOYER MAY DESIGNATE, UNLESS OTHERWISE MUTUALLY AGREED. YOU MUST NOTIFY YOUR EMPLOYER NOT LESS THAN 2 DAYS, BUT NOT MORE THAN 10 DAYS, BEFORE THE DAY OF THE ELECTION

¹Employers: Not less than ten working days before any Election Day, every employer shall post conspicuously in the place of work where it can be seen as employees come or go to their place of work, a notice setting forth the provisions of this law. Such notice shall be kept posted until the close of the polls on

THAT YOU WILL TAKE TIME OFF TO VOTE.

Rev. 04/14/2020

FED

DEPARTMENT OF

UNITED STATES OF

AMFRICA

FED

EMPLOYEE RIGHTS

EMPLOYEE POLYGRAPH PROTECTION ACT The Employee Polygraph Protection Act prohibits most private workplace incident (theft, embezzlement, etc.) that resulted in economic loss

employers from using lie detector tests either for pre-employment screening or during the course of employment. 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

Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, **EXAMINEE RIGHTS** or discriminating against an employee or prospective employee for refusing to Where polygraph tests are permitted, they are subject to numerous strict take a test or for exercising other rights under the Act. 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

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

WHD

WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR

disclosed to unauthorized persons.

their own court actions.

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

The Secretary of Labor may bring court actions to restrain violations and assess

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE

EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

civil penalties against violators. Employees or job applicants may also bring

REV. 07/2016

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

USERRA protects the job rights of individuals who voluntarily or in connection with a proceeding under USERRA, even if that person has no involuntarily leave employment positions to undertake military service connection. service or certain types of service in the National Disaster Medical **HEALTH INSURANCE PROTECTION**

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 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 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

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION are a past or present member • are obligated to serve in the of the uniformed service; have applied for membership

service or, in some cases, a comparable job.

in the uniformed service: or

NY

then an employer may not deny you: initial employment: reemployment; any benefit of employment retention in employment;

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement U.S. Department of Labor • 1-866-487-2365 U.S. Department of Justice Office of Special Counsel

> Employer Support of the Guard and Reserve • 1-800-336-4590 REV. 04/2017

ARTICLE 23-A LICENSURE AND EMPLOYMENT OF PERSONS PREVIOUSLY

NEW YORK CORRECTION LAW

CONVICTED OF ONE OR MORE CRIMINAL OFFENSES Section 750. Definitions

751. Applicability. 752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited. 753. Factors to be considered concerning a previous criminal

conviction; presumption. 754. Written statement upon denial of license or employment. 755. Enforcement.

§750. Definitions. For the purposes of this article, the following terms shall have the following meanings:

(1) "Public agency" means the state or any local subdivision

"Private employer" means any person, company, corporation, labor organization or association which employs ten or more "Direct relationship" means that the nature of criminal conduct

for which the person was convicted has a direct bearing on

his fitness or ability to perform one or more of the duties or

thereof, or any state or local department, agency, board or

responsibilities necessarily related to the license, opportunity, or iob in auestion. "License" means any certificate, license, permit or grant of permission required by the laws of this state, its political subdivisions or instrumentalities as a condition for the lawful practice of any occupation, employment, trade, vocation, business, or profession. Provided, however, that "license"

or permit to own, possess, carry, or fire any explosive, pistol, handgun, rifle, shotgun, or other firearm. "Employment" means any occupation, vocation or employment, or any form of vocational or educational training. Provided, however, that "employment" shall not, for the purposes of this article, include membership in any law

§751. Applicability. The provisions of this article shall apply to any application by any person for a license or employment at any public or private employer, who has previously been convicted of one or more criminal offenses in this state or in any other jurisdiction, and to any license or employment held by any person whose conviction of one or more criminal offenses in this state or in any other jurisdiction preceded such employment or granting of a license, except where a mandatory forfeiture, disability or bar to employment is imposed by law, and has not been removed by an executive pardon, certificate of relief from disabilities or certificate of good conduct. Nothing in this article shall be construed to affect any right an employer may have

with respect to an intentional misrepresentation in connection with an application for employment made by a prospective employee or previously made by a current employee. §752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited. No application for any license or employment, and no employment or license held by an individual, to which the provisions of this article are

applicable, shall be denied or acted upon adversely by reason of the

Age of Mino

Carriers:

Street Trades:

ALBANY DISTRICT

STATE OFFICE CAMPUS

BLDG. 12 ROOM 185A

ALBANY, NY 12240

(518) 457-2730

276 WARING ROAD

ROCHESTER, NY 14609

(585) 258-4550

ROCHESTER

SUB-DISTRICT

Room 104

offenses, or by reason of a finding of lack of "good moral character" when such finding is based upon the fact that the individual has

(1) There is a direct relationship between one or more of the previous criminal offenses and the specific license or

employment sought or held by the individual; or the issuance or continuation of the license or the granting or continuation of the employment would involve an unreasonable risk to property or to the safety or welfare of

specific individuals or the general public.

conviction; presumption. 1. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall consider the following factors:

§753. Factors to be considered concerning a previous criminal

convicted of one or more criminal offenses. The specific duties and responsibilities necessarily related to the license or employment sought or held by the person.

the person was previously convicted will have on his fitness or ability to perform one or more such duties or responsibilities. The time which has elapsed since the occurrence of the

criminal offense or offenses. The age of the person at the time of occurrence of the criminal

offense or offenses. The seriousness of the offense or offenses. shall not, for the purposes of this article, include any license Any information produced by the person, or produced on his

> (h) The legitimate interest of the public agency or private employer in protecting property, and the safety and welfare of specific individuals or the general public. 2. In making a determination pursuant to section seven hundred

certificate of good conduct issued to the applicant, which certificate shall create a presumption of rehabilitation in regard to the offense or offenses specified therein. §754. Written statement upon denial of license or

also give consideration to a certificate of relief from disabilities or a

employment. At the request of any person previously convicted of one or more criminal offenses who has been denied a license or employment, a public agency or private employer shall provide, within

thirty days of a request, a written statement setting forth the reasons **§755. Enforcement.** 1. In relation to actions by public agencies, the provisions of this article shall be enforceable by a proceeding brought pursuant to article seventy-eight of the civil practice law and rules. 2. In relation to actions by private employers, the provisions of this article shall be enforceable by the division of human rights pursuant to the powers and procedures set forth in article fifteen of the executive law, and, concurrently, by the New York city commission on human

Permitted Hours

5 AM to 7 PM or 30

minutes prior to

sunset, whichever

6 AM to 7 PM

FED

LEAVE ENTITLEMENTS

injury or illness.

leave in a 12-month period for the following reasons:

perform the employee's job;

employer's normal paid leave policies.

proceeding under or related to the FMLA.

ELIGIBILITY REQUIREMENTS

leave. The employee must:

FED

BENEFITS & PROTECTIONS

employees were not on leave.

employee's spouse, child, or parent.

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);

For qualifying exigencies related to the foreign deployment of a military member who is the

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

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

If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the

While employees are on FMLA leave, employers must continue health insurance coverage as if the

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to

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

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA

DEPARTMENT OF LABOR

permitted, employees may take leave intermittently or on a reduced schedule.

it with equivalent pay, benefits, and other employment terms and conditions.

Have worked for the employer for at least 12 months;

Private Employers, State and Local

Governments, Educational Institutions,

Applicants to and employees of most private employers, state and

and labor organizations are protected under Federal law from

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

Title VII of the Civil Rights Act of 1964, as amended, protects

and other aspects of employment, on the basis of race, color,

applicants and employees from discrimination in hiring, promotion,

discharge, pay, fringe benefits, job training, classification, referral,

religion, sex (including pregnancy), or national origin. Religious

discrimination includes failing to reasonably accommodate an

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

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,

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

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

fringe benefits, job training, classification, referral, and other aspects

is an applicant or employee, barring undue hardship.

limitations of an otherwise qualified individual with a disability who

discrimination on the following bases:

impose undue hardship.

DISABILITY

of employment.

SEX (WAGES)

the same establishment.

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

The United States Department of Labor Wage and Hour Division

 Have at least 1,250 hours of service in the 12 months before taking leave;* and Work at a location where the employer has at least 50 employees within 75 miles of the

NEW YORK

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected 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

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

Employers can require a certification or periodic recertification supporting the need for leave. If the Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave.

> 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

For additional information or to file a complaint: 1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627



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

Equal Employment Opportunity is THE LAW

All of these Federal laws prohibit covered entities from retaliating

and requests for or receipt of genetic services by applicants, employees, or their family members. RETALIATION **Employment Agencies and Labor Organizations**

against a person who files a charge of discrimination, participates local governments, educational institutions, employment agencies in a discrimination proceeding, or otherwise opposes an unlawful employment practice. WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED

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), employee's religious practices where the accommodation does not 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.

There are strict time limits for filing charges of employment

rimination. To preserve the ability of EEOC to act on you

charge filing, is available at www.eeoc.gov. **Employers Holding Federal Contracts or** Subcontracts

Additional information about EEOC, including information about

government contract or subcontract are protected under Federal law from discrimination on the following bases: RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

affirmative action to ensure equality of opportunity in all aspects of 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

as amended, 38 U.S.C. 4212, prohibits job discrimination and

The Vietnam Era Veterans' Readjustment Assistance Act of 1974

AND ARMED FORCES SERVICE MEDAL VETERANS

of diseases or disorders in family members (family medical history); EEOC-P/E-1 requires affirmative action to employ and advance in employment

(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

disabled veterans, recently separated veterans (within three years

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,

Programs or Activities Receiving Federal Financial Assistance

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

INDIVIDUALS WITH DISABILITIES

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.

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

REV. 11/2009 NOTICE: Under the New York Health and Essential Rights Act, employers must post their airborne infectious disease exposure prevention plan. Because a plan is company-specific, it is not included on the New York Labor Law Poster but should be posted

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

NOTICE: Employers must contact their local unemployment office or the state agency responsible for unemployment compensation to receive the official Unemployment Insurance posting. Employees should contact their local unemployment office for information on how to claim unemployment benefits.

IT DOES NOT FULFILL THIS STATE'S PAID FAMILY LEAVE POSTING REQUIREMENT.

NOTICE: Employers must post the Paid Family Leave Notice of Compliance provided by their insurance carrier. An employer who is self-insured can obtain this notice from the Workers' Compensation Board

NOTICE: The New York Department of Labor requires employers to provide employees with written notification of their rights under:

Labor Law §202-j, Leave of absence for blood donation granted to employees Labor Law §206-c, Right of nursing mothers to express breast milk The notification may be published in an employee handbook or posted in a central location. More information is available from the New York Department of Labor.

Employers must:



Job Safety and Health IT'S THE LAW!

- A safe workplace. Raise a safety or health concern with
- retaliated against. Receive information and training on job hazards, including all hazardous substances
- 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
- speak in private to the inspector. • File a complaint with OSHA within 30 days
- See any OSHA citations issued to your

retaliated against for using your rights.

This poster is available free from OSHA.

Prominently display this poster in the workplace. Post OSHA citations at or near the place of

the alleged violations.

citation or penalty, through OSHA-supported consultation programs in every state.





employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

www.dol.gov/whd

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

or by calling an OFCCP regional or district office, listed in most

RACE, COLOR, NATIONAL ORIGIN, SEX In addition to the protections of Title VII of the Civil Rights Act

discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance. Section 504 of the Rehabilitation Act of 1973, as amended, prohibits

If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you

separately. Model plans are available from the state Department of Labor. THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

carrier for information about Workers' Compensation.

- in your workplace.
- Participate (or have your representative participate) in an OSHA inspection and
- the workplace injury and illness log.

Contact OSHA. We can help.

REQUESTING LEAVE 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

employer's usual procedures.

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.

EMPLOYER RESPONSIBILITIES

local law or collective bargaining agreement that provides greater family or medical leave rights.

REV. 04/2016

of discharge or release from active duty), other protected veterans

telephone directories under U.S. Government, Department of Labor.

employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination

should immediately contact the Federal agency providing such DISABLED, RECENTLY SEPARATED, OTHER PROTECTED,

IT DOES NOT FULFILL THE HERO ACT POSTING REQUIREMENT.

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

- All workers have the right to:
- (by phone, online or by mail) if you have been

Applicants to and employees of companies with a Federal Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national origin, and requires

take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

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

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT FULFILL THIS STATE'S UNEMPLOYMENT INSURANCE POSTING REQUIREMENT

your employer or OSHA, or report a workrelated injury or illness, without being

- OSHA on your behalf.
- Request copies of your medical records, tests that measure hazards in the workplace, and

TWO ways to verify poster compliance! QR CODE Scan with phone camera: Go to: JJKeller.com/LLPverify **ONLINE** Enter this code: 62878-122021

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT FULFILL THE NOTIFICATION REQUIREMENTS FOR BLOOD DONATION LEAVE OR THE RIGHTS OF NURSING MOTHERS.

recognized hazards. It is illegal to retaliate against an employee for using any of their

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

rights under the law, including raising a health

and safety concern with you or with OSHA, or

Provide employees a workplace free from

inpatient hospitalization, amputation, or loss of an eye. Provide required training to all workers in a

language and vocabulary they can understand.

On-Site Consultation services are available to small and medium-sized employers, without



To update your labor law posters contact

62878

This poster is in compliance with federal and state posting requirements. **DEC2021**

REV. 09/2020

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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

WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR

with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor. 1-866-487-9243

is shielded from view and free from intrusion from coworkers and the public,

The Department has authority to recover back wages and an equal amount

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

each child labor violation that results in the death or serious injury of any

are determined to be willful or repeated. The law also prohibits retaliating

against or discharging workers who file a complaint or participate in any

minimum wage, and/or overtime pay provisions.

Commonwealth of Puerto Rico.

must comply with both.

minor employee, and such assessments may be doubled when the violations

Certain occupations and establishments are exempt from the

Special provisions apply to workers in American Samoa, the

Some state laws provide greater employee protections; employers

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

Certain full-time students, student learners, apprentices, and workers

Commonwealth of the Northern Mariana Islands, and the

child labor provisions. Heightened civil money penalties may be assessed for

in liquidated damages in instances of minimum wage, overtime, and

which may be used by the employee to express breast milk.

System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

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

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

the Office of Special Counsel, as applicable, for representation.

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

may request that your case be referred to the Department of Justice or

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

employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.

an employer for violations of USERRA.

previously been convicted of one or more criminal offenses, unless:

(a) The public policy of this state, as expressed in this act, to encourage the licensure and employment of persons previously

The bearing, if any, the criminal offense or offenses for which

behalf, in regard to his rehabilitation and good conduct. fifty-two of this chapter, the public agency or private employer shall

individual's having been previously convicted of one or more criminal

| | | l | liouis | ilouis | WEEK | |
|--|-----------|---|--|-----------------|----------------|---|
| ng School, chool is in ssion: | 14 and 15 | All occupations except farm work, newspaper carrier and street trades | 3 hours on school days. 8 hours on other days. | 18 ¹ | 6 | 7 AM to 7 PM |
| | 16 and 17 | All occupations except farm work, newspaper carrier and street trades. | 4 hours on days preceding school days: Monday, Tuesday, Wednesday, Thursday ² 8 hours on: Friday, Saturday, Sunday and Holidays. ⁴ | 284 | 6 ⁴ | 6 AM to 10 PM ³ |
| ng School, School is a session cation): | 14 and 15 | All occupations except farm work, newspaper carrier and street trades. | 8 hours | 40 | 6 | 7 AM to 9 PM June 21 to Labor Day |
| | 16 and 17 | All occupations except farm work, newspaper carrier and street trades | 8 hours ⁴ | 484 | 64 | 6 AM to Midnight⁴ |
| ttending hool: | 16 and 17 | All occupations except farm work, newspaper carrier and street trades | 8 hours ⁴ | 48 ⁴ | 64 | 6 AM to Midnight⁴ |
| ork: | 12 and 13 | Hand harvest of berries, fruits and vegetables. | 4 hours | | | June 21 to Labor Day 7 AM to 7 PM. Day after Labor Day to |

hours on school days

hours on other days.

hours on school days

Additional Child Labor Law Information

Department of Labor, Division of Labor Standards, Worker Protection

Summary of New York State Child Labor Law

Permitted Working Hours for Minors Under 18 Years of Age

¹Students 14 and 15 enrolled in an approved work/study program may work 3 ³6 AM to 10 PM or until midnight with written parental and educational hours on a school day, 23 hours in any one-week when school is in session. authorities consent on day preceding a school day and until midnight on day ²Students 16 and 17 enrolled in an approved Cooperative Education Program preceding a non- school day with written parental consent. may work up to 6 hours on a day preceding a school day other than a Sunday ⁴This provision does not apply to minors employed in resort hotels or or Holiday when school is in session, as long as the hours are in conjunction with the Program.

14 to 18

Penalties for Child Labor Laws violations:

First violation: maximum \$1,000*

Second violation: maximum \$2,000*

Third or more violations: maximum \$3,000

Note: There are many prohibited occupations for minors in New York State.

If you have questions, please send them to one of the offices listed below at:

Delivers, or sells and

delivers newspapers

shopping papers or

usiness places.

Self-employed work

in public places selling

newspapers or work as a

The Employer must post a schedule of work hours for minors under 18 years old in the establishment.

* If a minor is seriously injured or dies while illegally employed, the penalty is three times the maximum penalty.

333 East Washington Street

Room 121

SYRACUSE, NY 13202

(315) 428-4057

Also, Section 14A of the Workers' Compensation Law provides double compensation and death benefits for minors illegally employed

An Employment Certificate (Working Paper) is required for all employed minors under 18 years old.

periodicals to homes or

New York State Department of Labor, Division of Labor Standards: **BUFFALO DISTRICT** GARDEN CITY DISTRICT **NEW YORK CITY DISTRICT** 290 Maine Street 400 OAK STREET 75 VARICK STREET **Room 226 SUITE 101** 7th Floor BUFFALO, NY 14202 GARDEN CITY, NY 11530 New York, NY 10013 (716) 847-7141 (516) 794-8195 (212) 775-3880 Syracuse District WHITE PLAINS DISTRICT

120 BLOOMINGDALE ROAD

(914) 997-9521

WHITE PLAINS, NY 10605

For more information about New York State Child Labor Laws and provisions please visit the Department of Labor's website at http://www.labor.ny.gov.

ORIENTACIÓN SEXUAL, ESTATUS MILITAR, SEXO, EMBARAZO, IDENTIDAD O EXPRESIÓN DE GÉNERO DISCAPACIDAD O ESTADO CIVIL TAMBIÉN ESTÁ PROHIBIDO EL ACOSO SEXUAL O EL ACOSO POR CUALQUIERA DE ESTAS CLASES TODOS LOS EMPLEADORES (hasta el 8 de febrero de 2020, solo los empleadores de cuatro o más personas), AGENCIAS DE EMPLEO ORGANIZACIONES DE TRABAJO Y PROGRAMAS DE CAPACITACIÓN DE

| Occupation | Maxillulli | | | remitted nour |
|----------------------------|--|--|--|---|
| | Daily Hours | Weekly Hours | Days Per Week | |
| All occupations except | 3 hours on school days. | 18 ¹ | 6 | 7 AM to 7 PM |
| farm work, newspaper | 8 hours on other days. | | | |
| carrier and street trades | | | | |
| All occupations except | 4 hours on days | 284 | 64 | 6 AM to 10 PM ³ |
| farm work, newspaper | preceding school days: | | | |
| carrier and street trades. | Monday, Tuesday, | | | |
| | Wednesday, Thursday ² | | | |
| | 8 hours on: Friday, | | | |
| | Saturday, Sunday and | | | |
| | Holidays. ^{4.} | | | |
| All occupations except | 8 hours | 40 | 6 | 7 AM to 9 PM June 2 |
| farm work, newspaper | | | | to Labor Day |
| carrier and street trades. | | | | |
| | | | | |
| All occupations except | 8 hours ⁴ | 484 | 64 | 6 AM to Midnight |
| farm work, newspaper | | | | |
| carrier and street trades | | | | |
| All occupations except | 8 hours ⁴ | 48 ⁴ | 64 | 6 AM to Midnight |
| 1 | | | | |
| carrier and street trades | | | | |
| Hand harvest of berries, | 4 hours | | | June 21 to Labor Da |
| fruits and vegetables. | | | | 7 AM to 7 PM. |
| | | | | Day after Labor Day |
| | | | | June 20, 9 AM to 4 P |
| | | | | |
| Any form work | | | | |
| | All occupations except farm work, newspaper carrier and street trades All occupations except farm work, newspaper carrier and street trades. All occupations except farm work, newspaper carrier and street trades. All occupations except farm work, newspaper carrier and street trades All occupations except farm work, newspaper carrier and street trades Hand harvest of berries, | Occupation Daily Hours All occupations except farm work, newspaper carrier and street trades All occupations except farm work, newspaper carrier and street trades. All occupations except farm work, newspaper carrier and street trades. All occupations except farm work, newspaper carrier and street trades. All occupations except farm work, newspaper carrier and street trades All occupations except farm work, newspaper carrier and street trades All occupations except farm work, newspaper carrier and street trades Hand harvest of berries, fruits and vegetables. | All occupations except farm work, newspaper carrier and street trades. All occupations except farm work, newspaper carrier and street trades. All occupations except farm work, newspaper carrier and street trades. All occupations except farm work, newspaper carrier and street trades. All occupations except farm work, newspaper carrier and street trades. All occupations except farm work, newspaper carrier and street trades. All occupations except farm work, newspaper carrier and street trades All occupations except farm work, newspaper carrier and street trades All occupations except farm work, newspaper carrier and street trades Hand harvest of berries, fruits and vegetables. | Occupation Daily Hours All occupations except farm work, newspaper carrier and street trades. All occupations except farm work, newspaper carrier and street trades. All occupations except farm work, newspaper carrier and street trades. All occupations except farm work, newspaper carrier and street trades. All occupations except farm work, newspaper carrier and street trades. All occupations except farm work, newspaper carrier and street trades. All occupations except farm work, newspaper carrier and street trades All occupations except farm work, newspaper carrier and street trades All occupations except farm work, newspaper carrier and street trades All occupations except farm work, newspaper carrier and street trades All occupations except farm work, newspaper carrier and street trades All occupations except farm work, newspaper carrier and street trades All occupations except farm work, newspaper carrier and street trades All occupations except farm work, newspaper carrier and street trades All occupations except farm work, newspaper carrier and street trades All occupations except farm work, newspaper carrier and street trades All occupations except farm work, newspaper carrier and street trades All occupations except farm work, newspaper carrier and street trades |