

## EEOC - EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW

### EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW

**PRIVATE EMPLOYERS, STATE AND LOCAL GOVERNMENTS, EDUCATIONAL INSTITUTIONS, EMPLOYMENT AGENCIES AND LABOR ORGANIZATIONS**

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases:

**RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN** Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship.

**DISABILITY** Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship.

**AGE** The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

**SEX (WAGES)** In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment.

## EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

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

**RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, NATIONAL ORIGIN** Executive Order 11246, as amended, prohibits employment discrimination based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equal opportunity in all aspects of employment.

**PAY SECRECY** Executive Order 11246, as amended, protects applicants and employees from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees.

**INDIVIDUALS WITH DISABILITIES** 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. 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 who you believe that you have experienced discrimination 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 providing or employment, including all fringe benefits and service credits that the employee had been entitled to at the commencement of the leave.

**Prohibited Acts** The Act makes it unlawful for any employer to interfere with, restrain, or deny employees of the rights provided under the Act. Any discrimination or disciplinary action taken against an employee for exercising his rights under the Act, or for opposing any practice made unlawful by the Act, is also prohibited.

**Enforcement** Alleged violations of the Act may be complained of (1) in a civil action in Federal court, or (2) by filing a complaint with the Director of Labor and Training of the State of Rhode Island. Civil penalties are provided for violations of the Act or any order issued by the Director of Labor and Training.

## RHODE ISLAND PARENTAL MEDICAL LEAVE ACT

— NOTICE TO EMPLOYEES —

### Rhode Island Parental & Family Medical Leave Act

This notice is to provide you with information on the Rhode Island Parental & Family Medical Leave Act, which requires that employers of 50 or more employees grant an unpaid leave of absence, upon the request of an eligible employee, for 13 consecutive weeks in any two calendar years, under certain conditions.

**Employee Eligible Employees** are eligible to apply for leave if they are full-time employees who work an average of 30 hours a week or more and have been employed continuously for at least 12 months.

**Purpose of Leave** The leave required to be provided under the Act must be for one or more of the following reasons:

1. Birth of a child of an employee.
2. Placement of a child 16 years of age or less with an employee in connection with the adoption of such child by the employee.
3. "Serious illness" of the employee or the employee's parent, spouse, child, mother-in-law, or father-in-law. (Serious illness is defined to mean a disabling physical or mental illness, injury, impairment or condition that involves in-patient care in a hospital, nursing home, or hospice, or outpatient care requiring continuing treatment or supervision by a health care provider).

**Requests for Leave** In order to be entitled to the leave, the employee must give at least 30 days notice of the intended date upon which the requested leave is to commence and terminate, unless prevented by medical emergency from doing so. Employees may be requested to provide written certification from a physician caring for the person who is the reason for the leave request, which certification shall specify the probable duration of the requested leave.

**School Involvement Leave** An employee who has been employed for 12 consecutive months is entitled to 10 hours of leave during any 12 month period to attend school conferences or other school-related activities for a child of whom the employee is the parent, foster parent, or guardian. A notice of 24 hours prior to the leave must be given to the employer by the employee.

## WITHHOLDING STATUS

### YOU MAY NEED TO CHECK YOUR WITHHOLDING

Since you last filed Form W-4 with your employer did you...

- Marry or divorce?
- Gain or lose a dependent?
- Change your filing status?
- Were there major changes to...
  - Your non-wage income (interest, dividends, capital gains, etc.)?
  - Your family wage income (you or your spouse started or ended a job)?
  - Your tax credits?
  - Your tax credits?

If you can answer "YES"...

To any of these questions or you owed extra tax when you filed your last return, you may need to file a new Form W-4.

## PREVAILING WAGE RATE

### Prevailing Wage for work on State/Municipal Financed Construction Project

**Prevailing Wage** - Workers must not be paid less than the Davis Bacon wage rate for each trade listed on the Wage Determination schedule posted with this notice.

**Overtime rate** applies when working over 8 hours a day or 40 hours a week.

**Apprentice rates** apply only to properly registered apprentices in approved state apprenticeship programs.

Workers who do not receive **Proper Pay** may file a complaint with the DLT; claims will be investigated. Contact the Prevailing Wage Unit at (401) 462-8243, TTY: 1-877-889-5627, or option #7 for more information. RI General Law §37-13-17 also provides for a private right of action to collect wages and benefits.

## EMPLOYEE POLYGRAPH PROTECTION ACT

### 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, or from discriminating, disciplining, or discharging an employee or job applicant prospective employee for refusing to take a test or for exercising other rights under the Act.

**EXEMPTIONS** Federal, state and local governments are not affected by the Act. 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 (armed car, alarm, and guard), and of pharmaceutical manufacturers, distributors and manufacturers. 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.

## RIGHT TO KNOW ACT

### IGNORING THIS POSTER CAN BE HAZARDOUS TO YOUR HEALTH

Under the Rhode Island Right-To-Know Law, your employer must tell you about the dangers of any hazardous substances in your workplace.

**You have a right to know:**

- the common name or trade name of the substance, including the chemical name;
- the level at which exposure to the substance is hazardous, if known;
- the potential for flammability, explosion, and reactivity of the substance;
- appropriate emergency treatment;
- proper procedures for the safe use of and exposure to the substance;
- proper protective equipment for safe use; and
- procedures for clean-up of leaks and spills.

Your employer must provide you with the above information. If he or she has not, make sure you ask about it. **Your company representative is:**

## FEDERAL MINIMUM WAGE

### 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 1 1/2 times your 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-hour restrictions. Different rules apply in agriculture employment.

**TIP CREDIT** Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.

**NURSING MOTHERS** The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA's overtime requirements in order for the employee to express breast milk for her nursing child in one year after the child's birth each time such employee has a need to express breast milk. Employers are also required to provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

**ENFORCEMENT** The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful

## NOTICE TO ALL EMPLOYEES - INFORMATION EMPLOYERS MUST POST

RI General Laws §28-29-13, §28-44-38 and §28-41-15 state that these notices must be posted and maintained in conspicuous places where workers are employed. Fines may be imposed for noncompliance.

DLT is an equal opportunity employer/program, auxiliary aids and services are available on request to individuals with disabilities. TTY via RI Relay 711

1/2019 MCF

## RHODE ISLAND MINIMUM WAGE

### Attention Employees

#### MINIMUM WAGE - RHODE ISLAND

Effective **JANUARY 1, 2022** - THIS LAW PROVIDES...

#### HOURLY MINIMUM WAGE FOR ALL EMPLOYEES

<b>\$12.25</b> as of 1/1/22
<b>\$11.03</b> (90% of Minimum Wage)
<b>\$9.19</b> (75% of Minimum Wage)
<b>\$3.89</b>

**OVERTIME PAY** - At least 1 1/2 times your regular rate of pay for all hours worked over 40 in any one work week. Note: The law contains exemptions from the minimum wage and/or overtime pay requirements for certain occupations or establishments.

**Learnings and Handicapped workers** may be paid less than the applicable minimum but only under certificate issued at the discretion of the Director of Labor and Training.

**MANDATORY NURSING OVERTIME:** Pursuant to RI Law §23-17-20 et. seq., a hospital may not require certain nurses and certified nurse assistants to work overtime except in an unforeseeable emergency circumstance.

**MINIMUM SHIFT HOURS** - Employees requested or permitted to report for duty at the beginning of a work shift must be provided with 3 hours work or 3 hours of rest. Retail establishment employees must be provided with 4 hours work on Sundays and Holidays.

**CHILD LABOR** - Employees must be at least 16 years old to work in most non-farm jobs and 18 to work in non-farm jobs declared hazardous by the U.S. Secretary of Labor. Youths 14 and 15 may work, with a special permit issued by local school officials, in various jobs outside school hours under certain conditions.

**THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES CAN READILY SEE IT.**

## SEXUAL HARASSMENT ACT

### SEXUAL HARASSMENT IS AGAINST THE LAW

Sexual harassment is a form of discrimination that occurs when an individual makes unwelcome sexual advances, requests for sexual favors and/or other verbal or physical conduct of a sexual nature against his or her wishes.

The harasser can be:

- a supervisor
- an agent of the employer
- a supervisor in another area
- a co-worker
- a non-employee
- the same sex as the victim

The prohibition against sexual harassment does not only apply to employers. It also applies to labor organizations, employment agencies, and to individuals who aid and abet an unlawful employment practice.

**Report incidents of harassment to:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
E-mail: \_\_\_\_\_

If you believe you are or have been the victim of sexual harassment contact:  
Rhode Island Commission for Human Rights  
180 Westminster Street, 3rd Floor, Providence, RI 02903  
401-222-2661, TDD: 401-222-2664, Fax: 401-222-2616  
[www.richr.org](http://www.richr.org)

## NO SMOKING NOTICE

### IT IS ILLEGAL TO SMOKE OR VAPE IN THIS ESTABLISHMENT

Use of combustible tobacco products and other similar products, such as electronic cigarettes, are prohibited by R.I. Gen. §§ 23-20.10-2(19) and -7.

To report a violation call 401-222-5960.

## PAYDAY NOTICE

### Regular Paydays for Employees of

(Company Name) Shall be as follows:

Weekly  Bi-Weekly  Monthly  Other

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

## DISCRIMINATION

### DISCRIMINATION IS ILLEGAL

State and Federal laws prohibit harassment and discrimination in hiring, terms, conditions, promotion, discharge, salary, benefits, and other aspects of employment based on race, color, religion, ancestral origin, sex, sexual orientation, gender identity or expression, physical or mental disability or age (over 40).

State law also prohibits employers from asking applicants about arrest records, and makes it unlawful to ask about convictions until after a first interview (with certain exceptions).

**You have the right to a workplace free of harassment and discrimination.**

Report incidents of harassment and discrimination to the Commission for Human Rights and the company representative named below:

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Location: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

**WE ARE AN EQUAL OPPORTUNITY EMPLOYER**

## NOTICE OF RIGHT REGARDING PREGNANCY DISCRIMINATION

### NOTICE OF RIGHT TO BE FREE FROM DISCRIMINATION BECAUSE OF PREGNANCY, CHILDBIRTH AND RELATED CONDITIONS

State law protects employees and applicants from discrimination based on pregnancy, childbirth and related conditions. Federal law provides similar protections.

Employees and applicants have the right under state law to request a reasonable accommodation for conditions related to pregnancy, childbirth and related conditions such as the need to express breast milk for a nursing child. This workplace may not:

- refuse to grant you the reasonable accommodation unless it would create an undue hardship on this employer's enterprise, business or program;
- require you to take a leave if another reasonable accommodation can be granted; or
- deny you employment opportunities based on a refusal to provide a reasonable accommodation.

If you want to request a reasonable accommodation, or if you have been discriminated against based on pregnancy, childbirth or related condition, please contact one of the following staff members:

Name: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Email address: \_\_\_\_\_  
Address: \_\_\_\_\_

If you have been the victim of discrimination based on pregnancy, childbirth or related conditions and/or denial of a reasonable accommodation, contact:  
Rhode Island Commission for Human Rights  
180 Westminster Street, 3rd Floor, Providence, RI 02903  
401-222-2661 | TTY: 401-222-2664 | [www.richr.org](http://www.richr.org)

## UNEMPLOYMENT INSURANCE

### NOTICE TO ALL EMPLOYEES

**Unemployment Insurance Benefits**

**If you become totally/partially unemployed:**

1. File your claim for benefits with the RI Dept. of Labor and Training (DLT) the same week you are unemployed or working reduced hours.
2. File your claim online at [www.dlt.ri.gov/ui](http://www.dlt.ri.gov/ui) or by telephone at (401) 415-6772. Visit [www.dlt.ri.gov/ui](http://www.dlt.ri.gov/ui) for hours of operation. For more information, visit [www.dlt.ri.gov/ui](http://www.dlt.ri.gov/ui) or call (401) 415-6772.
3. Monday is a high-volume telephone day; you may prefer to file your claim later in the week. You will need your Social Security number and name, address and telephone numbers of your employers for the last two years. If you are not a U.S. citizen, your alien registration number is required.
4. To collect unemployment benefits, the law requires that you must:
  - a. Be unemployed through no fault of your own.
  - b. Have earned minimum qualifying wages while you were working.
  - c. Be physically able to work, available for work and actively seeking work, and
  - d. Register for work with the RI Dept. of Labor and Training.

If you are protected under provisions of the Rhode Island Employment Security Act and the Temporary Disability Insurance Act.

**Temporary Disability Insurance Benefits**

**Who is Eligible for TDI Benefits?**

If you have been laid off and meet all of the following requirements, you may be entitled to receive benefits:

1. You are unemployed due to illness, surgery, or injury for a minimum of seven consecutive days or more.
2. You are under the care of an approved Qualified Health Care Provider.
3. You have a timely exam: an in-office physical exam the week within the calendar week in which the first day of unemployment due to sickness occurs or within the calendar week prior to sickness thereto, and
4. You earned enough qualifying wages during the base period to be monetarily eligible.

**How to Apply:** Complete a TDI/TCI application. TDI claims must be filed within 90 days of the first week out of work due to illness. The DLT Director may extend this period up to 26 weeks if the individual can show a good medical reason for the delay in filing. TCI claims must be filed within 30 days after the first day of leave is taken for reasons of bonding or caregiving. TDI/TCI application may be obtained online at [www.dlt.ri.gov/tci](http://www.dlt.ri.gov/tci). Or call (401) 462-8420, Option #1 to request an application be mailed to you. For more information, visit [www.dlt.ri.gov/tci](http://www.dlt.ri.gov/tci) or call (401) 462-8420. NOTE: You may be entitled to a refund of a portion of your contributions if during the calendar year, TDI contributions were deducted from your pay by more than one employer. Information may be obtained regarding a refund by calling (401) 574-8700 or writing to the RI Division of Taxation, Employer Tax Section, One Capitol Hill, Suite 36, Providence, RI 02908-5829.

**Employment and Training Services**

**If you need help finding a job:** The RI Dept. of Labor and Training offers free employment and training related services including:  
• Job referral and placement services.  
• Resource rooms with a wide range of employment and training resources.  
• Career counseling and testing to help assess aptitudes and interests.  
• Internet access for employment and training information.  
• Job Search workshops to help you develop interviewing skills.  
• Resume writing seminars to help you create an effective resume and cover letter.

Visit [www.dlt.ri.gov](http://www.dlt.ri.gov) to find a Career Center near you. You can also access many services on the Internet at [www.employ.ri.org](http://www.employ.ri.org).

## FMLA - FAMILY AND MEDICAL LEAVE ACT

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

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

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

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

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness. An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule. Employees may choose, on an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

**BENEFITS & PROTECTIONS** While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave. Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions. An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

**ELIGIBILITY REQUIREMENTS** An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:  
• Have worked for the employer for at least 12 months;  
• Have at least 1,250 hours of service in the 12 months before taking leave; and

For additional information or to file a complaint:  
**1-866-4-USWAGE**  
(1-866-487-9243) TTY: 1-877-889-5627  
[WWW.WAGEHOUR.DOL.GOV](http://WWW.WAGEHOUR.DOL.GOV)  
U.S. Department of Labor | Wage and Hour Division

## ANTI-DISCRIMINATION NOTICE

It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination.

For information, please contact:  
The Office of Special Counsel for Immigration Related Unfair Employment Practices Office at 800-255-7688.

## HEALTHY AND SAFE FAMILIES AND WORKPLACES ACT

Pursuant to RI General Law §28-57, you are entitled to sick and safe leave to address your own health and safety needs as well as those of your family. This leave may or may not be paid depending on the size of your employer and other factors as detailed in the law.

Visit [www.dlt.ri.gov/wrs](http://www.dlt.ri.gov/wrs) or call (401) 462-WAGE (9243) for more information.

## BAN-THE-BOX

Pursuant to RI General Law §28-6.14-1, it is unlawful for an employer to include on a job application any questions regarding whether an applicant has ever been arrested, charged with or convicted of any crime. Limited exceptions exist for law enforcement agencies and related positions. Employers in violation of this law may be fined between \$100-\$500 per offense.

Visit [www.dlt.ri.gov/or](http://www.dlt.ri.gov/or) or call (401) 462-WAGE (9243) for more information.

(Rev. 1/2018)

## WORKERS' COMPENSATION

This employer is subject to the provisions of the **WORKERS' COMPENSATION ACT** of the State of Rhode Island.

**Workers' Compensation Insurance Company:** \_\_\_\_\_

**Adjusting Company:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_ **Policy Effective Date:** \_\_\_\_\_

In accordance with Rhode Island General Law §28-32-1, the employer must report to the Director of Labor and Training every personal injury sustained by an employee if the injury incapacitates the employee from earning full wages for at least three (3) hours or requires medical treatment, regardless of the period of incapacity. If the injury proves fatal, the report must be filed within forty-eight (48) hours. If not fatal, the report shall be made within ten (10) days of the injury.

An injured employee shall have the freedom to choose medical treatment initially. The employee's first visit to any facility under contract or agreement with the employer or insurer to provide priority care shall not be considered the employee's initial choice.

For more information about Workers' Compensation procedures and benefits, call the Education Unit at (401) 462-8100 and press option #1 or TDD (401) 462-8006. If you suspect fraud, contact the Fraud Prevention Unit at (401) 462-8100 and press option #7.

In accordance with Rhode Island General Law §28-29-13, this notice must be posted and maintained in conspicuous places where workers are employed. Fines may be imposed for noncompliance. DWC-6 (6/2020)

## USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

### 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 services 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 completion 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 services, you have applied for membership in the uniformed services; or • are obligated to serve in the uniformed services; 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.

Publication Date — April 2017

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/usa/poster.htm>. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.

**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 within 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.  
• USERRA contact VETS at 1-866-4-USA-DOL. Visit its website at <http://www.dol.gov/vets>. An interactive online USERRA Advisor can be viewed at <http://www.dol.gov/leaws/userra.htm>.  
• If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation.  
• You may also bring the VETS process and bring a civil action against an employer for violations of USERRA.

## OSHA - THE OCCUPATIONAL SAFETY AND HEALTH ACT

### 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.

**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.

This poster is available free from OSHA.

Contact OSHA. We can help.

1-800-321-OSHA (6742) • TTY 1-877-889-5627 • [www.osha.gov](http://www.osha.gov)