

Applicant and Employee Notice

# Drug-Free Workplace

This company strictly prohibits the illicit use, possession, dispensation, distribution, or manufacture of controlled substances in the workplace. Any violation of this policy shall result in adverse employment action up to and including termination.\* Screening tests for illegal drug use may be required before hiring and during your employment.\*\*

\*The Drug-Free Workplace Act of 1988 (codified in 41 USCS 701 (a)(1)(A)) requires covered employers to publish this information.

\*\* Additional state laws may apply.

# CHILD LABOR LAWS

## The State of Florida and the Federal Fair Labor Standards Act (FLSA)

Protecting the Health, Education and Welfare of Minors in the Workplace.

This chart summarizes the child labor laws of the State of Florida and the Federal Fair Labor Standards Act (FLSA).

The stricter provisions must be observed and are denoted by bold lettering. *The Federal law in italics.*

|   | Minors 16 & 17  | Minors 14 & 15 - Under 14 years old <b>MAY NOT WORK</b>   |
|---|---|---|
| <b>SCHOOL ATTENDANCE</b>  | Florida: May <b>NOT</b> work during school hours unless they meet a criterion of the Hour Restrictions listed below. <i>FLSA: No limitations.</i>   | Florida & <i>FLSA</i> : May not work during school hours (some exceptions apply).   |
| <b>PERMITS TO WORK</b>  | Florida & <i>FLSA</i> : Not required, except the <i>FLSA</i> requires the employer to maintain date of birth information for all employees under 19 years old.  |   |
| <b>HOURS OF WORK, WHEN SCHOOL IS IN SESSION</b>   | Florida: May work up to 30 hours per week. Not before 6:30 a.m. or later than 11 p.m. and for no more than 8 hours a day when school is scheduled the following day. On days when school does not follow, there are no hour restrictions.<br><i>FLSA: No limitations.</i> | Florida: May work up to 15 hours per week. Not before 7 a.m. or after 7 p.m. and for no more than 3 hours a day on school days, when a school day follows. May work up to 8 hours on Friday, Saturday, Sunday, and on nonschool days, when school days do not follow, until 9 p.m.<br><i>FLSA: Daily maximum of 3 hrs. on school days, 8 hours nonschool days; weekly maximum is 18 hours; not before 7 a.m. or after 7 p.m. Note: Application of both state and federal law allows this age group to work up to 8 hours on Saturday, Sunday and nonschool days, when school days do not follow, until 7 p.m.</i> |
| <b>HOURS OF WORK, WHEN SCHOOL IS NOT IN SESSION</b><br>(summer vacation; winter, spring breaks) | Florida: No Limitations<br><i>FLSA: No limitations.</i><br>Note: Hazardous occupations still apply for minors.  | Florida: May work up to 8 hrs. per day and up to 40 hrs. per week; may not work before 7 a.m. or after 9 p.m.<br><i>FLSA: May work up to 8 hrs. per day and up to 40 hrs. per week. Work must be performed between 7 a.m. and 7 p.m.; from June 1 to Labor Day may work until 9 p.m.</i>  |
| <b>DAYS PER WEEK</b>  | Florida: No more than 6 consecutive days in any one week. <i>FLSA: No limitations.</i>  |   |
| <b>BREAKS</b>   | Florida: Minors may work no more than 4 consecutive hours without a 30 minute uninterrupted break. <i>FLSA: No limitations.</i>   |   |
| <b>AGRICULTURE</b>  | Florida: Minors participating in farm work, not on their parents or guardian's farm, must comply with the same restrictions as in other work. <i>FLSA: No limitations.</i>  |   |

*FLSA: No employment permitted during school hours. May work after school in occupations not declared hazardous in agriculture. See Child Labor Bulletin 102. (Exception: 12 and 13 year-olds may be employed with written parental consent or on a farm where the minor's parent is also employed; minors under 12 may be employed with written parental consent on farms where employees are exempt from the Federal minimum wage provisions.)*

**RESTRICTED OCCUPATIONS** The State of Florida has incorporated the 17 Hazardous Occupations (H0s) of the FLSA into the Florida law and Child Labor Rule. For more info on HOs, contact the U.S. Department of Labor, Wage and Hour Division. This poster represents a combination of those laws with an \*\* annotating Florida law "only."

**Minors under the age of 18 may not work in below occupations:**

- Working in or around explosives or radioactive substances
- Operating Motor vehicles
- Logging or sawmilling
- Operating power-driven meat processing machines to include meat and vegetable slicers; slaughtering, meat packing, processing or rendering
- Working on any scaffolding, roofs or ladders above 6 feet; roofing
- Wrecking, demolition or excavation
- Mining occupations
- Operating power-driven bakery; metal-forming, punching, and shearing machines; woodworking, paper products or hoisting machines
- Manufacturing brick and tile products
- Operating circular saws, band saws, & guillotine shears
- \*\* Working with compressed gases exceeding 40 p.s.i.
- \*\* Working in or around toxic substances, corrosives or pesticides
- \*\* Firefighting
- \*\* Working with electrical apparatus or wiring
- \*\* Operating or assisting to operate tractors over 20 PTO horsepower, forklifts, earthmoving equipment, any harvesting, planting, or plowing machinery or any moving machinery

**Minors 14 and 15 may not work in these occupations:**

- Operating any power-driven machinery other than office machines, including all power mowers and cutters
- Maintaining or repairing an establishment, machines, or equipment
- Working in freezers or meat coolers
- Operating, setting up, adjusting, or cleaning power-driven meat or vegetable slicers, grinders, food choppers, and cutters, and bakery-type mixers
- Operating motor vehicles
- Manufacturing, mining, or processing occupations where goods are manufactured, mined, or processed
- Cooking (some exceptions apply) & baking
- Working in occupations in Transportation, Warehouse & Storage, Communications, and Construction (except clerical); boiler or engine rooms
- Loading and unloading trucks
- Working in public messenger services
- \*\* Handling certain dangerous animals
- \*\* Conducting door-to-door sales of products as employment (some exceptions)
- \*\* Spray painting

**EXEMPTIONS**

**Hour Restrictions** – (from hour restrictions only; hazard restrictions still apply until 18 yrs.)

- Minors who hold waivers from a public school or Child Labor Compliance
- Minors who have been married
- Minors who have either graduated from an accredited high school, or hold a high school equivalency diploma
- Minors who have served in the U.S. Armed Forces
- Minors who are enrolled in high school work programs

**Age Restrictions** — (from age requirements; hazard restrictions still apply)

- Minors who work for their parents in occupations not declared hazardous
  - Pages in the Florida legislature
  - Newspaper delivery (10 years old)
  - Minors in the entertainment industry registered with Child Labor Compliance
- A court may authorize an exemption from age and hour restrictions.

**PARTIAL WAIVERS** The Florida Child Labor law is designed to serve and protect minors and encourage them to remain in school. At times, some minors may feel that the law conflicts with their best interest or their life circumstances; therefore, they have the right to request an exemption from the law. If a minor is attending the K-12 public school, a waiver may be obtained and granted by the local school district. All other minors may request an application by contacting the Child Labor Compliance. Waiver applications are reviewed and granted on a case by case basis. To qualify, applicants must demonstrate that certain requirements of Florida law need to be waived. Employers must keep a copy of partial waivers of employed minors.

**PENALTIES** Florida: Employment of minors in violation of Florida Child Labor laws may result in fines up to \$2,500 per offense and/or be guilty of a second degree misdemeanor. *FLSA: Maximum fines up to \$11,000 per minor / per violation.*

**WORKERS' COMPENSATION** Florida: If an injured minor is employed in violation of any provisions of the Child Labor laws of Florida, an employer may be subject to up to double the compensation otherwise payable under Florida Workers' Compensation law.

**POSTING REQUIREMENTS** Florida: All employers of minors must post in a conspicuous place on the property or place of employment, where it may be easily read, a poster notifying minors of the Child Labor laws.

*For information on Florida laws contact:*

Florida Department of Business and Professional Regulation • Child Labor Program  
 1940 North Monroe Street • Tallahassee, FL 32399-1044 • Telephone 850.488.3131; Toll-Free 1.800.226.2536 • [www.myflorida.com/dbpr](http://www.myflorida.com/dbpr)

*For information on Federal laws contact:*

U.S. Department of Labor, Wage & Hour Division, listed in the telephone directory under U.S. Government; [www.dol.gov/elaws/](http://www.dol.gov/elaws/)

fla.htm.

Florida Department of Business and Professional Regulation and the United States Department of Labor  
 "Working Together for Florida's Workforce"

# Equal Employment Opportunity is **THE LAW**

## **Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations**

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

### **RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN**

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

### **DISABILITY**

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

### **AGE**

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

### **SEX (WAGES)**

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

### **GENETICS**

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

### **RETALIATION**

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

### **WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED**

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

The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at [www.eeoc.gov](http://www.eeoc.gov) or in most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at [www.eeoc.gov](http://www.eeoc.gov).

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## Employers Holding Federal Contracts or Subcontracts

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

### **RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN**

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

### **INDIVIDUALS WITH DISABILITIES**

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

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

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

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

### **RETALIATION**

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

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

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

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## 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.

# “EEO is the Law” Poster Supplement

## Employers Holding Federal Contracts or Subcontracts Section Revisions

*The Executive Order 11246 section is revised as follows:*

### **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 equality of 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.

*The Individuals with Disabilities section is revised as follows:*

### **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 at all levels of employment, including the executive level.

*The Vietnam Era, Special Disabled Veterans section is revised as follows:*

### **PROTECTED VETERANS**

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.

*Mandatory Supplement to EEOC P/E-1(Revised 11/09) “EEO is the Law” Poster.*

If you believe that you have experienced discrimination contact OFCCP: 1-800-397-6251 | TTY 1-877-889-5627 | [www.dol.gov](http://www.dol.gov).

U.S. DEPARTMENT OF LABOR

EMPLOYMENT STANDARDS ADMINISTRATION

Wage and Hour Division  
Washington, D.C. 20210



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# NOTICE

## EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.

### **PROHIBITIONS**

Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

### **EXEMPTIONS\***

Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities.

The Act permits *polygraph* (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers.

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.

## **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 up to \$10,000 against violators. Employees or job applicants may also bring their own court actions.

## **ADDITIONAL INFORMATION**

Additional information may be obtained, and complaints of violations may be filed, at local offices of the Wage and Hour Division. To locate your nearest Wage-Hour office, telephone our toll-free information and help line at 1 - 866 - 4USWAGE ( 1 - 866 - 487 - 9243). A customer service representative is available to assist you with referral information from 8am to 5 pm in your time zone; or if you have access to the internet, you may log onto our Home page at [www.wagehour.dol.gov](http://www.wagehour.dol.gov).

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

*\*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.*

**U.S. DEPARTMENT OF LABOR  
EMPLOYMENT STANDARDS ADMINISTRATION  
Wage and Hour Division  
Washington, D.C. 20210**

**WH Publication 1462**

**June 2003**

# This Organization Participates in E-Verify



This employer will provide the Social Security Administration (SSA) and, if necessary, the Department of Homeland Security (DHS), with information from each new employee's Form I-9 to confirm work authorization.

**IMPORTANT:** If the Government cannot confirm that you are authorized to work, this employer is required to give you written instructions and an opportunity to contact DHS and/or the SSA before taking adverse action against you, including terminating your employment.

Employers may not use E-Verify to pre-screen job applicants and may not limit or influence the choice of documents you present for use on the Form I-9.

To determine whether Form I-9 documentation is valid, this employer uses E-Verify's photo matching tool to match the photograph appearing on some permanent resident cards, employment authorization cards, and U.S. passports with the official U.S. government photograph. E-Verify also checks data from driver's licenses and identification cards issued by some states.

If you believe that your employer has violated its responsibilities under this program or has discriminated against you during the employment eligibility verification process based upon your national origin or citizenship status, please call the Office of Special Counsel at 800-255-7688, 800-237-2515 (TDD) or at [www.justice.gov/crt/osc](http://www.justice.gov/crt/osc).

## E-Verify Works for Everyone

For more information on E-Verify, please contact DHS:

**888-897-7781**

**[www.dhs.gov/E-Verify](http://www.dhs.gov/E-Verify)**

**NOTICE:**  
Federal law requires all employers to verify the identity and employment eligibility of all persons hired to work in the United States.



**E-VERIFY IS A SERVICE OF DHS AND SSA**  
The E-Verify logo and mark are registered trademarks of Department of Homeland Security. Commercial sale of this poster is strictly prohibited.



# FLORIDA LAW PROHIBITS DISCRIMINATION

## BASED ON:

RACE, COLOR, RELIGION,  
SEX, NATIONAL ORIGIN, DISABILITY, AGE  
OR MARITAL STATUS

## WHAT IS COVERED UNDER THE LAW:

- EMPLOYMENT
- PUBLIC ACCOMMODATIONS
- RETALIATION AFTER FILING A CLAIM
- STATE EMPLOYEE WHISTLE-BLOWER RETALIATION

*If you feel that you have been discriminated against,  
visit our web site or call us!*

## FLORIDA COMMISSION ON HUMAN RELATIONS

2009 Apalachee Parkway  
Suite 100, Oakland Building  
Tallahassee, Florida 32301-4857  
<http://FCHR.state.fl.us>

Phone: (850) 488-7082  
Voice Messaging: 1-800-342-8170

# LA LEY DE LA FLORIDA PROHIBE DISCRIMINACIÓN

## BASADA EN:

RAZA, COLOR, RELIGIÓN, SEXO, ORIGEN NACIONAL,  
INCAPACIDAD, EDAD, O ESTADO CIVIL

## LO QUE ESTÁ CUBIERTO BAJO LA LEY:

- EMPLEO
- LUGARES DE ACOMODO PÚBLICO
- ACCIÓN VENGATIVA DESPUES  
DE PRESENTAR UNA QUEJA
- ACCIÓN VENGATIVA EN CONTRA DE UN TRABAJADOR  
PÚBLICO, DESPUES DE PRESENTAR UNA QUEJA BAJO LA  
LEY DE “SOPLÓN” (WHISTLE-BLOWER)

*¡Si usted siente que ha sido discriminado,  
visite nuestra página web o llámenos!*

## LA COMISIÓN DE RELACIONES HUMANAS DE LA FLORIDA

2009 Apalachee Parkway  
Suite 100, Oakland Building  
Tallahassee, FL 32301-4857  
<http://FCHR.state.fl.us>

Teléfono: (850) 488-7082  
Correo de Voz: 1-800-342-8170

## **Notice to Employees** **Minimum Wage in Florida**

**The 2018 minimum wage in Florida is \$8.25 per hour, effective January 1, 2018, with a minimum wage of at least \$5.23 per hour for tipped employees, in addition to tips.**

The minimum wage rate is recalculated yearly on September 30, based on the Consumer Price Index.

An employer may not retaliate against an employee for exercising his or her right to receive the minimum wage. Rights protected by the State Constitution include the right to:

1. File a complaint about an employer's alleged noncompliance with lawful minimum wage requirements.
2. Inform any person about an employer's alleged noncompliance with lawful minimum wage requirements.
3. Inform any person of his or her potential rights under Section 24, Article X of the State Constitution and to assist him or her in asserting such rights.

An employee who has not received the lawful minimum wage after notifying his or her employer and giving the employer 15 days to resolve any claims for unpaid wages may bring a civil action in a court of law against an employer to recover back wages plus damages and attorney's fees.

An employer found liable for intentionally violating minimum wage requirements is subject to a fine of \$1,000 per violation, payable to the state. The Attorney General or other official designated by the Legislature may bring a civil action to enforce the minimum wage.

For details, see Section 24, Article X of the State Constitution and Section 448.110, Florida Statutes.

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

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## Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

## Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

## Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

## Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

## Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

## Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

## Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

## Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

## Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

## Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

## Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

**FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300(a) may require additional disclosures.**



For additional information:  
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627  
[WWW.WAGEHOUR.DOL.GOV](http://WWW.WAGEHOUR.DOL.GOV)



# Job Safety and Health

## It's the law!

**OSHA**  
Occupational Safety  
and Health Administration  
U.S. Department of Labor

### EMPLOYEES:

- You have the right to notify your employer or OSHA about workplace hazards. You may ask OSHA to keep your name confidential.
- You have the right to request an OSHA inspection if you believe that there are unsafe and unhealthful conditions in your workplace. You or your representative may participate in that inspection.
- You can file a complaint with OSHA within 30 days of retaliation or discrimination by your employer for making safety and health complaints or for exercising your rights under the *OSH Act*.
- You have the right to see OSHA citations issued to your employer. Your employer must post the citations at or near the place of the alleged violations.
- Your employer must correct workplace hazards by the date indicated on the citation and must certify that these hazards have been reduced or eliminated.
- You have the right to copies of your medical records and records of your exposures to toxic and harmful substances or conditions.
- Your employer must post this notice in your workplace.
- You must comply with all occupational safety and health standards issued under the *OSH Act* that apply to your own actions and conduct on the job.

### EMPLOYERS:

- You must furnish your employees a place of employment free from recognized hazards.
- You must comply with the occupational safety and health standards issued under the *OSH Act*.

This free poster available from OSHA –  
*The Best Resource for Safety and Health*



Free assistance in identifying and correcting hazards or complying with standards is available to employers, without citation or penalty, through OSHA-supported consultation programs in each state.

**1-800-321-OSHA**  
[www.osha.gov](http://www.osha.gov)

# IF YOU HAVE THE RIGHT TO WORK, Don't let anyone take it away.

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**If you have a legal right to work in the United States, there are laws to protect you against discrimination in the workplace.**

**You should know that –**

No employer can deny you a job or fire you because of your national origin.

Unless mandated by law or government contract, employers cannot require you to be a U.S. Citizen or permanent resident or refuse any legally acceptable documents.

If any of these things have happened to you, you may have a valid charge of discrimination that can be filed with the OSC. Contact the OSC for assistance in your own language.

Call 1-800-255-7688. TDD for the hearing impaired is 1-800-237-2515.

In the Washington, D.C., area, please call 202-616-5594, TDD 202-616-5525

Or write to:  
U.S. Department of Justice  
Office of Special Counsel - NYA  
950 Pennsylvania Ave., N.W.  
Washington, DC 20530

**U.S. Department of Justice  
Civil Rights Division**

Office of Special Counsel for  
Immigration-Related Unfair  
Employment Practices

