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

the uniformed services, and applicants to the uniformed services.

**HEALTH INSURANCE PROTECTION** 

ENFORCEMENT

types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of

### FED EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT child's birth each time the employee needs to express breast milk. Employers FEDERAL MINIMUM WAGE

ENFORCEMENT

employee to express breast milk.

must provide a place, other than a bathroom, that is shielded from view and

free from intrusion from coworkers and the public, which may be used by the

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 crimina

prosecution. Employers may be assessed civil money penalties for each willful

or repeated violation of the minimum wage or overtime pay provisions of the

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

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

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

### \$7.25 PER HOUR **BEGINNING JULY 24, 2009**

The law requires employers to display this poster where employees can readily see it.

CHILD LABOR

At least 1½ times the regular rate of pay for all hours worked over 40 in a

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** mployers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employer

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

The FLSA requires employers to provide reasonable break time for a nursing

mployee to express breast milk for their nursing child for one year after the

must pay tipped employees a cash wage of at least \$2.13 per hour if they

OF LABOR UNITED STATES OF AMERICA

DEPARTMENT

proceeding under the FLSA

**WAGE AND HOUR DIVISION** UNITED STATES DEPARTMENT

Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions. Certain narrow exemptions also apply to the pump at work requirements Special provisions apply to workers in American Samoa, th

LABOR

LAWS

Commonwealth of the Northern Mariana Islands, and the ommonwealth of Puerto Rico.

Some state laws provide greater employee protections: employers must comply with both. Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is

important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor



### Department of Labor & Industry MINIMUM WAGE LAW SUMMARY

## MUST BE POSTED IN A CONSPICUOUS PLACE IN EVERY

PENNSYLVANIA BUSINESS GOVERNED BY THE MINIMUM WAGE ACT Minimum Wage Rate \$7.25 per hour Effective July 24, 2009

**Overtime** Rate Workers shall be paid 1½ times their regular rate of pay after 40 hours worked in a workweek (Except as Described)

disabilities or by a nonprofit day or resident seasonal recreational camp for campers under the age of 18

nonprofit educational conference center, if (i) it does not operate more than seven months a year or (ii)

during the preceding calendar year, the average receipts for any 6 months were not more than 33% of

Switchboard operator employed by an independently-owned public telephone company which has no

Employees not subject to civil service laws who hold elective office or are on the personal staff of such

Executive, Administrative, and Professional employees, as defined by the Department

an officeholder, are immediate advisers to the officeholder, or are appointed by the officeholder to serve

In employment by a public amusement or recreational establishment, organized camp, or religious or

years, which operates for a period of less than three months in any one year

its average receipts for the other 6 months of such year

The Pennsylvania Minimum Wage Act establishes a fixed Minimum Wage and Overtime Rate for employees. It also sets forth compliance-related duties for the Department of Labor & Industry and for employers. In addition, the Minimum Wage Act provides penalties for noncompliance. This summary is for general information only and is not an official position formally adopted by the Department of Labor & Industry.

or criminal action where warranted.

SPECIAL ALLOWANCES FOR

more than 750 station

TIPPED EMPLOYEES:

An employer may pay a minimum of \$2.83 per hour to an employee who makes \$135.00 per month in tips. The mployer must make up the difference if the tips and \$2.83 do not meet the regular Pennsylvania minimum

(Except as Described)

Every employer must maintain accurate records of each employee's earnings and hours worked, and provide access to Labor & Industry

**EXEMPTIONS FROM BOTH** 

Minimum Wage and Overtime Rates

Labor on a farm Domestic service in or about the private home of the employer Delivery of newspapers to the consumer

Publication of weekly, semi-weekly or daily newspaper with a circulation of less than 4,000 when the major portion of circulation is in the county where published or a bordering county Bona fide outside salesman

Educational, charitable, religious, or nonprofit organization where no employer- employee relationship exists and service is rendered gratuitously Golf caddy In seasonal employment, if the employee is under 18 years of age or if a student under 24 years of age is employed by a nonprofit health or welfare agency engaged in activities dealing with children with

Wages paid to any employee may include reasonable cost of board, lodging and other facilities. This may be considered as part of the minimum wage if the employee is notified of this condition and accepts it as a usual condition of employment at the time of hire or change of classification. The wages, including food credit plus tips, must equal the current minimum wage.

Board: Food furnished in the form of meals on an established schedule

**Lodging:** Housing facility available for the personal use of the employee at all hours. Reasonable Cost: Actual cost, exclusive of profit, to the employer or to anyone affiliated with the employer. **EXCEPTIONS** from Minimum Wage Rates

Bureau of Labor Law Compliance, (651 Boas Street, Room 1301, Harrisburg, PA 17121-0750) may be paid 85% of the minimum wage as follows: Learners: 40 hours a week. Maximum eight weeks Students: Up to 20 hours a week. Up to 40 hours a week during school vacation periods

Learners and students (bona fide high school or college), after obtaining a Special Certificate from the

**EXEMPTIONS** from Overtime Rates A seaman Any salesman, partsman or mechanic primarily engaged in selling and servicing automobiles, trailers, trucks, farm implements or aircraft, if employed by a non-manufacturing establishment primarily engaged in the selling of such vehicles to ultimate purchasers. (Example: 51% of business is selling as

opposed to 49% in servicing such vehicles) Any employee of a motor carrier the Federal Secretary of Transportation has power to establish qualifications and maximum hours of service under 49 U.S.C. Section 3102 (b)(1) and (2) (relating to requirements for qualifications, hours of service, safety and equipment standards)

Any employee engaged in the processing of maple sap into sugar (other than refined sugar) or syrup Employment by a motion picture theatre Announcer, news editor, chief engineer of a radio or television station, the major studio of which is

CONTACT:

# certificate is obtained under Section 14(c) of the Fair Labor Standards Act from the U.S. Department of

o City or town of 100,000 population or less, if it is not part of a standard metropolitan statistical area having a total population in excess of 100,000; or

o City or town of 25,000 population or less, which is part of such an area but is at least 40 airline miles from the principal city in the area The hours of an employee of an air carrier subject to the provisions of Title II of the Railway Labor Act (Public Law 69-257, 44 Stat. 577, 45 U.S.C. § 181 et seg.) when

Individuals with a physical or mental deficiency or injury may be paid less than the applicable minimum

wage if a license specifying a rate commensurate with productive capacity is obtained from the Bureau

of Labor Law Compliance, (651 Boas Street, Room 1301, Harrisburg, PA 17121-0750), or a federal

o the hours are voluntarily worked by the employee pursuant to a shift-trading practice under which the employee has the opportunity to reduce hours worked in any workweek by voluntarily offering a shift for o the required hours of work, wages and overtime compensation have been agreed to either in a collective

bargaining agreement between the employer and labor organization representing employees for purposes of collective bargaining or pursuant to a voluntary agreement or understanding arrived at

**COUNTIES SERVED:** 

## QUESTIONS/COMPLAINTS

Bureau of Labor Law Compliance Altoona District Office 1130 12th Avenue Suite 200 Altoona, PA 16601-3486 Phone: <b>814-940-6224</b> or <b>877-792-8198</b>	Armstrong Bedford Blair Cambria Cameron Centre Clarion Clearfield	Clinton Elk Fayette Forest Fulton Huntingdon Indiana	Jefferson McKean Mifflin Potter Somerset Warren Westmoreland
Bureau of Labor Law Compliance Harrisburg District Office 651 Boas Street, Room 1301 Harrisburg, PA 17121-0750 Phone: <b>717-787-4671</b> or <b>800-932-0665</b>	Adams Columbia Cumberland Dauphin Franklin Juniata		Lancaster Lebanon Montour Perry York
Bureau of Labor Law Compliance Philadelphia District Office 110 North 8th St., Suite 203 Philadelphia, PA 19107 Phone: <b>215-560-1858</b> or <b>877-817-9497</b>		Bucks Chester Delaware Montgomery Philadelphia	
Bureau of Labor Law Compliance Pittsburgh District Office 301 5th Avenue, Suite 330 Pittsburgh, PA 15222 Phone: <b>412-565-5300</b> or <b>877-504-8354</b>	Allegheny Beaver Butler Crawford Erie		Greene Lawrence Mercer Venango Washington
Bureau of Labor Law Compliance Scranton District Office 201-B State Office Bldg. 100 Lackawanna Avenue Scranton, PA 18503 Phone: <b>570-963-4577</b> or <b>877-214-3962</b>	Berks Bradford Carbon Lackawanna Lehigh Luzerne Lycoming	Monroe Northampton Northumberland Pike Schuylkill Snyder Sullivan	Susquehanna Tioga Union Wayne Wyoming

## MORE INFORMATION IS AVAILABLE ONLINE

Additional information about the Minimum Wage Act is available online at: www.dli.pa.gov, PA Keyword: Minimum Wage. From the Web site you can submit a complaint form, find answers to frequently asked questions and read more about the Minimum Wage Act. Auxiliary aids and services are available upon request to individuals with disabilitie.

IOTICE: 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

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

Equal Opportunity Employer/Program

tate rates both apply to an employee, the U.S. Department of Labor dictates that the employee is entitled to the higher minimum wage rate.

# **Human Relations Commission**

# **Employment Provisions of the**

**Pennsylvania Human Relations Act** (Act of October 27, 1955, P.L. 744, as Amended)

**PURPOSE OF PROVISIONS** The purpose of the employment provisions of the Pennsylvania Human Relations Act is to prevent and eliminate unlawful discriminatory practices in employment because of race, color, religion, ancestry, age (40 and above), sex, national origin, non-job related disability, known association with a disabled individual, possession of a diploma based on passing a general education development test, or willingness or refusal to participate in abortion or sterilization

**UNLAWFUL DISCRIMINATORY PRACTICES** It is unlawful — on the basis of the facts listed above — for an employer, labor union or employment

PIATT PLACE

. Deny any person an equal opportunity to obtain employment, to be promoted and to be accorded all other rights to compensation, tenure and other terms, conditions and privileges of employment Deny membership rights and privileges in any labor organization.

Deny any person equal opportunity to be referred for employment.

. Refuse to contract or otherwise discriminate in contracting with any independent contractor as defined by Section 4(x) of the PHRA. It is also unlawful for any person, employer, labor union or employment agency to retaliate agains an individual because the individual has filed a complaint with the Commission, or has otherwise

participated in any Commission proceeding, or for any person to aid or abet any unlawful discriminatory

practice under the Human Relations Act. **PARTIES SUBJECT TO THE ACT** The employment provisions of the Pennsylvania Human Relations Act apply to: (1) Employers of 4 or more persons, including units of state and local government, (2) Labor organizations, and

(3) Employment agencies.

To file a complaint, contact the Regional Office nearest you

301 5TH AVE., SUITE 390 333 MARKET STREET, 8TH FLOOR HARRISBURG, PA 17104 (717) 787-9780 (717) 787-7279 (TTY)

110 N. 8TH ST., SUITE 501 PHILADELPHIA, PA 19107 (215) 560-2496 (215) 560-3599 (TTY)

customarily frequented by applicants, employees or members.

WHO MAY FILE A COMPLAINT

Complaints may be filed within 180 days of the alleged act of discrimination by any of the following:

(1) Any person who believes he or she has been discriminated against, (2) The Pennsylvania Human

Relations Commission, (3) The Attorney General of Pennsylvania, or (4) An employer whose employees

PARTIES EXEMPT FROM THE ACT

The employment provisions of the Pennsylvania Human Relations Act do not apply to: (1) Any individual

WHO MUST POST THIS NOTICE

this Act is required by law to post this notice in a conspicuous, easily accessible and well-lighted location

WARNING: Removing, defacing, covering up or destroying this notice is a violation of the

For further information, write, phone or visit the Pennsylvania Human Relations Commission:

**Executive Offices:** 333 Market Street, 8th Floor · Harrisburg, PA 17126

(717) 787-4410 · (717) 787- 7279 (TTY) or visit us at www.phrc.state.pa.us

Pennsylvania Crimes Code and may subject you to fine or imprisonment.

Every employer, labor organization and employment agency subject to the employment provisions of

employed in agriculture or domestic service, (2) any individual who, as part of his or her employment,

resides in the personal residence of the employer, (3) Any individual employed by his or her parents,

Show daily time of starting work, time for meal or rest periods, and time of stopping work.

PITTSBURGH, PA 15222 (412) 565-5395 (412) 565-5711 (TTY)

PA Department of Labor & Industry, Bureau of Labor Law Compliance **Hours of Work for Minors Under Eighteen EMPLOYED AT** 

# (Give name of establishment, department and floor, or otherwise designate workers to whom this schedule applies.)

MONDAY TUESDAY | WEDNESDAY | THURSDAY | SATURDAY TOTAL SCHOOL HRS. PER WEEK IF **TOTAL HOURS** FROM TO FROM TO FROM TO FROM TO FROM TO FROM TO FROM **FOR WEEK** 

Minors between 14 and 16 years of age may not be employed at times that interfere with regular school attendance. Hours spent in school must be included in daily and I hereby certify that the schedules of hours given above are true and correct.

> Manager Signature This Schedule and the Abstract of the Child Labor Law Must be Posted in a Conspicuous Place in Every Pennsylvania Business Governed by the Child Labor Law. This Schedule Must be Kept

up to Date and Correct. Auxiliary aids and services are available upon request to individuals with disabilities. Equal Opportunity Employer/Program

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**REV. 02/2007** 

Address of Establishment

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

Department of Labor & Industry, Bureau of Labor Law Compliance

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

Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month period for: The birth, adoption or foster placement of a child with you,

Your serious mental or physical health condition that makes you unable to work. To care for your spouse, child or parent with a serious mental or physical health condition, and Certain qualifying reasons related to the foreign deployment of your spouse, child or parent An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember

with a serious injury or illness **may take up to 26 workweeks** of FMLA leave in a single 12-month period to care for the servicement You have the right to use FMLA leave in **one block of time**. When it is medically necessary or otherwise permitted, you may take FMLA leave intermittently in separate blocks of time,

or on a reduced schedule by working less hours each day or week. Read Fact Sheet #28M(c) for FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you 1-866-487-9243 www.dol.gov/agencies/whd

Am I eligible to take FMLA leave?

You work for a covered employer.

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

You have worked for your employer at least 12 months,

### in the current or previous calendar year, You work for an elementary or public or private secondary school, or

Generally, to request FMLA leave you must: Follow your employer's normal policies for requesting leave,

If advance notice is not possible, give notice as soon as possible.

Your employer has at least 50 employees within 75 miles of your work location. Airline flight crew employees have different "hours of service" requirements You work for a **covered employer** if **one** of the following applies: You work for a private employer that had at least 50 employees during at least 20 workweeks

You have at least 1,250 hours of service for your employer during the 12 months before your

You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel How do I request FMLA leave?

Give notice at least 30 days before your need for FMLA leave, or

You **do not have to share a medical diagnosis** but must provide enough information to your employerso they can determine whether the leave qualifies for FMLA protection. You **must also** inform your employer if FMLA leave was previously taken or approved for the same reason Your **employer may request certification** from a health care provider to verify medical leave

and may request certification of a qualifying exigency The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

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

If you are eligible for FMLA leave, your **employer must**: Allow you to take job-protected time off work for a qualifying reason, Continue your group health plan coverage while you are on leave on the same basis as if you

Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave. Your **employer cannot interfere with your FMLA rights** or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for

your **employer must confirm whether you are eligible** or not eligible for FMLA leave. If your employer determines that you are eligible, your **employer must notify you in writing**: About your FMLA rights and responsibilities, and · How much of your requested leave, if any, will be FMLA-protected leave. Where can I find more information?

Call 1-866-487-9243 or visit dol.gov/fmla to learn more If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. Scan the QR code to learn about our WHD complaint process.

> DEPARTMENT OF LABOR UNITED STATES OF AMERICA **WAGE AND HOUR DIVISION**



**REV. 04/2023** 

### Abstract of the Child Labor Act Hours Provisions MUST BE POSTED IN A CONSPICUOUS PLACE WHERE ANY PERSON UNDER AGE 18 IS EMPLOYED

statements contained in the Act or its regulations. Max. hours (24-hour Max, work hours (24 period) at place of hour period) (including employment (does not work time at minors' include hours at minor residences) residences) Infants < 6 mos. Not Applicable 6 mos.-1 year

2-5 years

time at place of employment. Non-work time at place of employment includes education, rest and recreation. Work days for minors may not begin before 5 a.m., and must end by 10 p.m. on evenings preceding school days or by 12:30 a.m. on evenings preceding nonschool days. 12 hours must elapse between time of dismissal and time of call on the following day. Age 14—17 may work during school hours with permission from school authorities for up

& Industry's website at www.dli.state.pa.us and click on "Labor Law Compliance." Address inquiries and complaints to one of the offices of the Bureau of Labor Law Compliance:

ALTOONA DISTRICT OFFICE 1130 12тн Аve. **SUITE 200 ALTOONA, PA 16601** 814-940-6224 or 877-792-8198 1301 LABOR & INDUSTRY BUILDING 651 Boas St. HARRISBURG, PA 17121 717-787-4671 or 800-932-0665

110 North 8th St. **Suite 203** PHILADELPHIA, PA 19107 215-560-1858 or 877-817-9497

Equal Opportunity Employer/Program

DEPARTMENT OF LABOR & INDUSTRY, BUREAU OF LABOR LAW COMPLIANCE

**Discrimination on Basis of Sex Prohibited** Prohibits discrimination by any employer in any place of employment between employees on the basis of sex, by paying wages to any employee at a rate less than the rate paid to employees of the opposite sex for work under **equal** conditions on jobs which require **equal** skills. Provides

that variation in payment of wages is not prohibited when based on a seniority, training or merit increase system that does not discriminate on the basis of sex. Empowers the Secretary of Labor & Industry to administer the provisions of the act, and to issue rules and regulations to make effective the provisions of the act **Collection of Unpaid Wages in Case of Discrimination:** Provides for the collection of unpaid wages due under the act and in addition, an equal amount of

liquidated damages and reasonable attorney's fee and costs. Authorizes the Secretary of Labor & Industry and upon an employee's request, to take assignment of such a wage claim for collection. Limits the period for such action to **two** years from the date upon which the violation occurs. Requires employer to keep and maintain records of wages, wage rates, job classifications and other

terms and conditions of employment of the persons employed, as the Secretary of Labor & Industry shall prescribe. Requires that employers post an abstract of the law.

Department of Labor & Industry

Office of Unemployment Compensation Benefits Policy

Pennsylvania Unemployment Compensation

Under the provisions of the Pennsylvania Unemployment Compensation (UC) Law, I am registered with the

The UC Law can provide you with an income during periods when you are either partially or totally unemployed

Provides for a fine of not less than \$50 nor more than \$200, or imprisonment of not less than 30 days nor more than 60 days, for: (1) employer who willfully and knowingly violates provisions of the act, or discharges or otherwise discriminates against an employee who makes a complaint, institutes, or testifies at, proceedings under the act; and (2) employer who fails to keep required records, falsifies such records, hinders, delays, or otherwise interferes with the Secretary or his authorized representative in the performance of his duties in the enforcement of the act. Each day a

Additional information about the Equal Pay Law is available online at: www.state.pa.us, PA Keyword: labor & industry. Click on "Labor Law Compliance" under Ouick Links. Auxiliary aids and services are available upon request to individuals with disabilities. Equal Opportunity Employer/Program

available at www.eeoc.gov.

# REV. 02/2007



# Job Safety and Health

# All workers have the right to:

- your employer or OSHA, or report a workrelated 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 OSHA on your behalf.
- 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
- Request copies of your medical records, tests

This poster is available free from OSHA.

### would have attained if you had not been absent due to military service or, in some viewed at https://webapps.dol.gov/elaws/vets/userra. that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation.

authorized to investigate and resolve complaints of USERRA violations. For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL or visit its website at https://www.dol.gov/agencies/vets/. An interactive online USERRA Advisor can be

• If you leave your job to perform military service, you have the right to elect to

dependents for up to 24 months while in the military.

exclusions) except for service-connected illnesses or injuries.

continue your existing employer-based health plan coverage for you and your

• 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

The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is

- If you file a complaint with VETS and VETS is unable to resolve it, you may request
- You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.
- The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: https://www.dol.gov/agencies/vets/programs/userra/poster Federal law requires
- employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place

**REV. 05/2022** 

WH1462

of USERRA rights, including testifying or making a statement in connection with a roceeding under USERRA, even if that person has no service connection. 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

## **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

imployers 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. 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-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,

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 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 written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions.

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

WHD WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243

**REV. 02/2022** 

Executive Order 11246, as amended, prohibits employment discrimination by Federal

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals

with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits,

Disability discrimination includes not making reasonable accommodation to the known

physical or mental limitations of an otherwise qualified individual with a disability who is

that Federal contractors take affirmative action to employ and advance in employment

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

(i.e., within three years of discharge or release from active duty), active duty wartime or

Retaliation is prohibited against a person who files a complaint of discrimination.

If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to

a question online to OFCCP's Help Desk at https://ofccphelpdesk.dol.gov/s/, or by

access telecommunications relay services. OFCCP may also be contacted by submitting

calling an OFCCP regional or district office, listed in most telephone directories under

Government, Department of Labor and on OFCCP's "Contact Us" webpage at

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL

ASSISTANCE

In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title

participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal

campaign badge veterans, or Armed Forces service medal veterans.

obligations under OFCCP's authorities should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP)

recruit, employ, and advance in employment, disabled veterans, recently separated veterans

Any person who believes a contractor has violated its nondiscrimination or affirmative action

qualified individuals with disabilities at all levels of employment, including the executive

job training, classification, referral, and other aspects of employment by Federal contractors.

an applicant or employee, barring undue hardship to the employer, Section 503 also requires

### U.S. Equal Employment Opportunity Commission **Know Your Rights: Workplace Discrimination is Illegal**

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help.

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS Employees (current and former), including managers and temporary employees The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces Job applicants the nondiscrimination and affirmative action commitments of companies doing business Union members and applicants for membership in a union with the Federal Government. If you are applying for a job with, or are an employee of, a What Types of Employment Discrimination are Illegal? company with a Federal contract or subcontract, you are protected under Federal law from discrimination on the following bases: Under the EEOC's laws, an employer may not discriminate against you, regardless of your mmigration status, on the bases of: Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National

contractors based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, Asking About, Disclosing, or Discussing Pay Age (40 and older) Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history) compensation or the compensation of other applicants or employees

Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation What Organizations are Covered? Most private employers State and local governments (as employers)

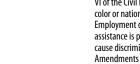
Educational institutions (as employers) Staffing agencies What Employment Practices can be Challenged as Discriminatory? All aspects of employment, including:

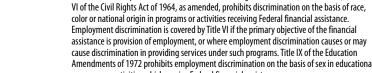
Discharge, firing, or lav-off Harassment (including unwelcome verbal or physical conduct) Hiring or promotion Pay (unequal wages or compensation) Failure to provide reasonable accommodation for a disability; pregnancy, childbirth, or

related medical condition; or a sincerely-held religious belief, observance or practice

Obtaining or disclosing genetic information of employees Requesting or disclosing medical information of employees Conduct that might reasonably discourage someone from opposing discrimination iling a charge, or participating in an investigation or proceeding Conduct that coerces, intimidates, threatens, or interferes with someone exercising their rights, or someone assisting or encouraging someone else to exercise rights, regarding

What can You Do if You Believe Discrimination has Occurred? Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where ou live/work). You can reach the EEOC in any of the following ways an inquiry through the EEOC's public portal: https://publicportal.eeoc.gov/Portal/Login.aspx





Race, Color, National Origin, Sex

**Protected Veteran Status** 

200 Constitution Avenue, N.W. Washington, D.C. 20210

1-800-397-6251 (toll-free)

Retaliation

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

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.

REV. 06/27/2023

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate rights under the law, including raising a health and safety concern with you or with OSHA, or
- 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.



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



JJKeller.com/laborlaw 800-327-6868



LIBC-500 This poster is in compliance with federal and state posting requirements.

**N**AME OF PERSON HANDLING CLAIMS AT THE SELF-INSURED:

under 18 Pa. C.S.A. §4117 (relating to insurance fraud).

717.772.3702

requesting FMLA leave or cooperating with a WHD investigation. After becoming aware that your need for leave is for a reason that may qualify under the FMLA,

UNITED STATES DEPARTMENT OF LABOR

FED

service in the uniformed service and:

with that particular employe

other than honorable conditions

are a past or present member of the

have applied for membership in the

then an employer may not deny you:

retention in employment:

DEPARTMENT OF LABOR

UNITED STATES OF AMERICA

FED

of service: and

cases, a comparable inh

uniformed service:

uniformed service: or

initial employment

ecause of this status

FED

ou have the right to be reemployed in your civilian job if you leave that job to perform

you ensure that your employer receives advance written or verbal notice of your

you have five years or less of cumulative service in the uniformed services while

you return to work or apply for reemployment in a timely manner after conclusion

you have not been separated from service with a disqualifying discharge or under

f you are eligible to be reemployed, you must be restored to the job and benefits you

In addition, an employer may not retaliate against anyone assisting in the enforcement

are obligated to serve in the

uniformed service:

any benefit of employment

promotion; or

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

Child Labor Act Hours Rules for Performances By Minors This summary is for general information, and is not to be considered in the same light as official

Live performances-maximum number: three/day or 10/calendar week (Sunday-Saturday) Meal periods of half hour-one hour are not counted toward maximum hours/non-work

to two consecutive days, but may not work in excess of eight hours in 24-hour period. Performances rules do not apply to minors who have graduated from high school or who are exempt from compulsory attendance under the Public School Code. For further information on the Child Labor Act, please consult the Department of Labor

PITTSRURGH DISTRICT OFFICE 301 5TH AVE. SUITE 330 PITTSBURGH, PA 15222 412-565-5300 or 877-504-8354 SCRANTON DISTRICT OFFICE 201 B STATE OFFICE BUILDING 100 LACKAWANNA AVE. SCRANTON, PA 18503 570-963-4577 or 877-214-3962 PHILADELPHIA DISTRICT OFFICE

Email the Bureau of Labor Law Compliance at: RA-LI-SLMR-LLC@pa.gov Auxiliary aids and services are available upon request to individuals with disabilities.

REV. 01/2013

info@eeoc.gov Additional information about the EEOC, including information about filing a charge of discrimination, is



# IT'S THE LAW!

# **Employers must:**

- reporting a work-related injury or illness. Comply with all applicable OSHA standards. Notify OSHA within 8 hours of a workplace
- Post OSHA citations at or near the place of

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



JUN2023 65854F

disability discrimination (including accommodation) or pregnancy acc

Job training

Classification

1-800-669-4000 (toll free) 1-800-669-6820 (TTY) 1-844-234-5122 (ASL video phone) an EEOC field office (information at www.eeoc.gov/field-office)

against an employee for using any of their

the alleged violations. On-Site Consultation services are available to small and medium-sized employers, without



To update your labor law posters contact J. J. Keller & Associates, Inc.

FED-PA-ENG

Failure to pay the legal minimum wage or other violations may result in payment of back wages and other civil Overtime applies to certain employment classifications, (see pages 2 and 3) This summary is for general information, and is not to be considered in the same light as official statements contained in the Act or its regulations Students, learners and people with disabilities, upon application only. Minors under 16 must have a written statement by the minor's parent or guardian acknowledging the duties and hours of employment and granting permission to work. **HOURS OF EMPLOYMENT-AGES 14 & 15\*** 

> During School Term: Maximum three hours on school days, eight hours on any other day, and 18 hours per school week (Monday-Friday), and only at a time that does not interfere with school attendance. Plus eight additional hours on Saturdays and Sundays. Exception: Students 14 and older, whose employment is part of a recognized school work program, may be employed for hours, when combined with school hours, not exceeding eight in a day. **During School Vacations:** Maximum eight hours/day, 40 hours/week.

> > **HOURS OF EMPLOYMENT**

Plus eight additional hours on Saturdays and Sundays.

request to work greater than 44 hours/week.

HARRISBURG DISTRICT OFFICE

HARRISRURG, PA 17121

PHILADELPHIA DISTRICT OFFICE

PHILADELPHIA, PA 19107

110 North 8th St.

SUITE 203

PA

PA

Pennsylvania Department of Labor & Industry as:

PA UC ACCOUNT NUMBER

**EMPLOYER NAME** 

through no fault of your own

REV. 06/2022

651 Boas St.

1301 Labor & Industry Building

717-787-4671 or 800-932-0665

215-560-1858 or 877-817-9497

Employment prohibited after 7 p.m. and before 7 a.m. Exceptions: During school vacations, minors may be employed until 9 p.m. Minors at least age 11 may be employed in newspaper delivery from 5 a.m. to 8 p.m., except during school vacation, then until 9 p.m. Members of volunteer fire companies may participate in training and firefighting activities until 10 p.m. with written parental consent. **HOURS OF EMPLOYMENT-AGES 16 & 17\* \*\*** 

**WORK TIME** Employment prohibited before 6 a.m. and after 12 a.m. Exceptions: During school vacations, minors may be employed until 1 a.m. Members of volunteer fire companies may continue serving in answer to a fire call until excused by chief. \* Minors employed as sports attendants are not subject to the Act's hours and work time \*\*EXCEPT: A) Minors who have graduated from high school or who are exempt from compulsory attendance under the Public School Code are not subject to the Act's

MAXIMUM EMPLOYMENT: NOT MORE THAN six CONSECUTIVE DAYS

(except newspaper delivery).

B) Special rules apply to young adults, 16 and 17 years of age, employed during

a school vacation as a counselor by a summer resident camp operated by a

hours of employment or work time restrictions.

religious or scout organization

**During School Term:** Maximum eight hours a day and 28 hours per school week (Monday-Friday).

**During School Vacations:** Maximum 48 hours/week; 10 hours/day; a minor may refuse any

30 MINUTE MEAL PERIOD REQUIRED ON OR BEFORE five CONSECUTIVE HOURS OF WORK. For further information on the Child Labor Act, please consult the Department of Labor & Industry's website at www.dli.state.pa.us and click on "Labor Law Compliance." Address inquiries and complaints to one of the offices of the Bureau of Labor Law Compliance: PITTSBURGH DISTRICT OFFICE ALTOONA DISTRICT OFFICE 1130 12тн Аve. 301 5TH AVE. **SUITE 200 SUITE 330** PITTSBURGH, PA 15222 **ALTOONA, PA 16601** 814-940-6224 or 877-792-8198

412-565-5300 or 877-504-8354 SCRANTON DISTRICT OFFICE 201 B STATE OFFICE BUILDING 100 LACKAWANNA AVE SCRANTON, PA 18503 570-963-4577 or 877-214-3962

Abstract of the Equal Pay Law

violation continues shall constitute a separate offense **More Information is Available Online** 

If you become UNEMPLOYED or your HOURS ARE REDUCED due to LACK OF WORK, the company, department, agency, commission, or bureau where you worked may provide you with a completed **Form UC-1609**, How to Apply for Unemployment Compensation (UC) Benefits. **IMPORTANT** Your UC application will be dated effective the week in which you actually file the application for benefits. You

Scan with your Social Security Number mobile phone • Alien registration number (if not a U.S. citizen) Complete mailing and home address • Name, address, and account number of employer(s) from Form UC-1609 · Dates of employment and reasons for leaving Most recent pay stub (optional but helpful)

• Personal Identification Number (PIN) (if you have one from a prior claim)

You may file your new application, reopen an existing claim or get information about the UC Program online at

When claiming UC benefits, you must report *gross* wages that you *earned* during any week for which you are

www.uc.pa.gov, or by calling the UC Service Center at 888-313-7284. TTY: (Hearing Impaired) at 888-334-4046.

claiming UC benefits. Computer crossmatching is used to detect the illegal receipt of UC payments resulting from

Auxiliary aids and services are available upon request to individuals with disabilities. Equal Opportunity Employer/Program

should file a new claim or reopen an existing claim during the first week in which you are unemployed or that your

hours are reduced. You may risk losing some benefit eligibility if you file after the first week you are unemployed.

**NOTE:** To file an application for UC benefits, you will need to provide your:

imprisonment, restitution and loss of future benefits

PA

unreported work and earnings, as well as unreported pensions. **REMEMBER:** Whenever you have questions or any problem regarding your UC claim, contact your UC Service Center. Do not take outside advice. Outside advice may be incorrect and could adversely affect your eligibility to A person who knowingly makes a false statement or knowingly withholds information to obtain UC benefits commits a criminal offense under section 801 of the UC Law, 43 P.S. §871, and may be subject to a fine.

Department of Labor & Industry, Bureau of Workers' Compensation REMEMBER: IT IS IMPORTANT TO TELL YOUR EMPLOYER ABOUT YOUR INJURY The name, address and telephone number of your employer's workers' compensation insurance company, third-party administrator (TPA), or person handling workers' compensation claims for your company, are shown below. IF SOMEONE OTHER THAN INSURER IS (Complete all applicable spaces) HANDLING CLAIMS: (Complete all applicable spaces) NAME OF TPA (CLAIMS ADMINISTRATOR): IF SELF-INSURED IF SOMEONE OTHER THAN SELF-INSURER IS (Complete all applicable spaces)

toll-free inside PA: 800.482.2383

local & outside PA: 717.772.4447

Equal Opportunity Employer/Program

Any individual filing misleading or incomplete information knowingly and with the intent to defraud is in violation of Section 1102 of the Pennsylvania Workers' Compensation Act, 77 P.S. §1039.2, and may also be subject to criminal and civil penalties

PA relay 7-1-1

Auxiliary aids and services are available upon request to individuals with disabilities. REV. 09/2022

ra-li-bwc-helpline@pa.gov

REV. 09/2017

Must be Posted in a Conspicuous Place in Every Pennsylvania Business Governed by the Equal Pay Law

# A safe workplace. Raise a safety or health concern with

- the right to have a representative contact Participate (or have your representative) participate) in an OSHA inspection and
- that measure hazards in the workplace, and the workplace injury and illness log.

62894

Contact OSHA. We can help. (Complete all applicable spaces) NAME OF TPA (CLAIMS ADMINISTRATOR):