■ Provide employees a workplace free from

rights under the law, including raising a

health and safety concern with you or

with OSHA, or reporting a work-related

■ Comply with all applicable OSHA standards.

fatalities within 8 hours, and all inpatient

hospitalizations, amputations and losses

Provide required training to all workers

in a language and vocabulary they can

Prominently display this poster in the

Post OSHA citations at or near the

place of the alleged violations.

FREE ASSISTANCE to identify and correct

hazards is available to small and medium-

through OSHA-supported consultation

programs in every state.

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

**Federal Minimum Wage** 

**Pregnant Workers Fairness Act (PWFA)** 

mitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an "undue hardship." An undue hardship is defined as causing

Title VII which prohibits employment discrimination based on sex, pregnancy, or other protected categories (enforced by the U.S. Equal Employment Opportunity Commission (EEOC))

The ADA which prohibits employment discrimination based on disability (enforced by the EEOC)

Learn more at www.EEOC.gov/Pregnancy-Discrimination

**Equal Employment Opportunity** 

The Family and Medical Leave Act which provides unpaid leave for certain workers for pregnancy and to bond with a new child (enforced by the U.S Department of Labor)
The PUMP Act which provides nursing mothers a time and private place to pump at work (enforced by the U.S. Department of Labor)

The Pregnant Workers Fairness Act (PWFA) is a federal law that, starting June 27, 2023, requires covered employers to provide "reasonable accomm

ADDITIONAL INFORMATION:

sized employers, without citation or penalty,

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

minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violation of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or

Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions.

· Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands

· Some employers incorrectly classify workers as "independent contractors" when they are actually employees

under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent

• Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than t minimum wage under special certificates issued by the Department of Labor.

Government. If you are applying for a job with, or are an employee of, a company with a Federal contract or subcontract, you are protected under Federal law from discrimination on the following bases:

Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure

Asking About, Disclosing, or Discussing Pay
Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of

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

discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability

who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal

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

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from

active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP

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

relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at https://ofccphelpdesk.dol.gov/s/, or by calling an OFCCP regional or district office, listed in most telephone directories

under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at https://www.dol.gov.

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

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 al

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.

ects of employment against persons with disabilities who, with or without reasonable accommodation, can form the essential functions of the job.

If your employer terminates your employment, reduces your pay and/or benefits, or disciplines you in any way as a result of you requesting or taking Paid Family Leave, you may request to be reinstated by taking these steps:

1. Complete the Formal Request for Reinstatement Regarding Paid Family Leave
Form PFL-DC-119).

3. If your employer does not reinstate you or take other corrective action within 30 days, you may file a discrimination complaint with the Workers' Compensation Board using the *Paid Family Leave Discrimination/Retaliation Complaint (Form PFL-DC-120)*. The Workers' Compensation Board will assemble your case and schedule a

4. There are other state and federal laws that protect employees from discrimination. Additional information is

3. You must submit your completed request package to your employer's insurance carrier within 30 days after the start of your leave to avoid losing benefits.

4. In most cases, the insurance carrier must pay or deny benefits within 18 calendar days of receiving your

For more information, forms and instructions, visit PaidFamilyLeave.ny.gov or call the PFL Helpline

This information is a simplified presentation of your rights as required by Section 229 of the Disability and Paid

Updated 9/2

2. Send your completed form to your employer and a copy of the completed form to:

Notify your employer at least 30 days in advance, if foreseeable, or as soon as possible

Complete and submit the Request for Paid Family Leave (Form PFL-1) to your employe

You may obtain all forms from your employer, their insurance carrier listed below, or online at

Family Leave Benefits Law. Your employer's Paid Family Leave benefits insurance carrier is:

Paid Family Leave, P.O. Box 9030, Endicott, NY 13761-9030

completed request or your first day of leave, whichever is later.

PRESCRIBED BY THE CHAIR, WORKERS' COMPENSATION BOARD

PO Box 9030, Endicott NY 13761

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

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

proceeding, or otherwise opposes discrimination by Federal contractors under these Federal laws

Race. Color. Religion. Sex. Sexual Orientation, Gender Identity, National Origin

equality of opportunity in all aspects of employment.

200 Constitution Avenue, N.W.

**Workers' Compensation** 

If you are injured on the job, you must follow these simple steps:

OBTAIN first aid or other necessary medical treatment as soon as possible. The treating health care provider must be authorized by the Workers' Compensation Board, except in an emergency situation. You can find out more information about authorized providers and locate authorized providers in the injured Workers or Health Care Providers sections of this website or by calling 1-800-781-2362. If your employer has been authorized to participate in a Preferred Provider Organization (PPO) or Alternate Dispute Resolution (ADR) program, you may be required to obtain medical treatment from a participating health care provider. Participating employers are required to notify their employees, in writing, of all information pertaining to a PPO or ADR program. Also, if you are in need of diagnostic tests or prescription medicine, your employer or your workers' compensation insurance carrier may require you to obtain your tests or your medicine from a diagnostic in network or designated pharmacies or a network of pharmacies or a network of pharmacies or a network of pharmacies or a network or designated pharmacies or an entwork of pharmacies or an extension of pharmacies or over employer's insurance carrier, if the case is not disputed. Health care providers may request that injured workers sign form A-9. This form is meant to provide notice to the injured worker does not pursue the claim.

DOTIFY your supervisor about the injury and the way in which it occurred, as soon as possible. An injured employee who fails to inform his or her employer, in writing, within 30 days after the date of the accident causing the injury

ay lose the right to workers' compensation benefits. In the case of occupational disease, notification should be given within two years after disablement, or within two years after the claimant knew or should have known that the

usease was wont-relaced, winterlock is a later in COMPLETE a claim for workers' compensation on Form C-3 and mail it to the nearest office of the Workers' Compensation Board, if there is lost-time. If a claim is not filed within two years from the date of the injury or disablement

from an occupational disease, (or after disablement and after you knew, or should have known that the disease was work-related), you may lose your right to benefits.

THEREAFTER . . . . Follow doctor's instructions to speed full recovery. Attend an Independent Medical Examination if you are required to do so. Go back to work as soon as you are able. Attend such hearings as may be held in the

**Pregnancy and Employment Rights** 

It is illegal for an employer to refuse to provide a reasonable accommodation or fire you because of your pregnancy, having a child, or related medical conditions.

Pregnant women and those recovering from childbirth are protected from discrimination under the NYC Human Rights Law. Your employer may be obligated to grant you a reasonable

• Bathroom breaks • Breaks to facilitate increased water intake • Periodic rest if you stand for long periods of time • Assistance with manual labor • Changes to your work environment • Unpaid

If you believe that you have been discriminated against, call 311 or www.nyc.gov/311

NYC COMMISSION ON HUMAN RIGHTS

**Paid Family Leave** 

**Emergency Notice** 

1-866-487-9243 • TTY: 1-877-889-5627 • www.dol.gov/whd
WAGE AND HOUR DIVISION • UNITED STATES DEPARTMENT OF LABOR Updated 4/

• Some state laws provide greater employee protections; employers must comply with both.

Certain narrow exemptions also apply to the pump at work requirements.

Report to OSHA all work-related

of an eye within 24 hours.

recognized hazards. It is illegal to retaliate

against an employee for using any of their

**OSHA** Job Safety and Health

All workers have the right to:

Raise a safety or health concern with

Receive information and training on

Request an OSHA inspection of your

workplace if you believe there are unsafe

or unhealthy conditions. OSHA will keep

your name confidential. You have the

right to have a representative contact

Participate (or have your representative

participate) in an OSHA inspection and

30 days (by phone, online or by mail)

if you have been retaliated against for

speak in private to the inspector.

■ File a complaint with OSHA within

See any OSHA citations issued to

Request copies of your medical

injury and illness log.

Employers subject to the state

ninimum wage law are obligated

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

to pay the higher rate

NURSING MOTHERS (PUMP AT WORK):

Being able to sit or drink water

Receiving closer parking

records, tests that measure hazards

in the workplace, and the workplace

Contact OSHA. We can help.

\$7.25 PER HOUR BEGINNING JULY 24, 2009

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

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

The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for their nursing child for one year after the child's birth each time the employee needs to express breast milk.

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

leasonable accommodations" are changes to the work environment or the way things are usually done at work.

Being excused from strenuous activities and/or exposure to chemicals not safe for pregnancy

WHAT OTHER FEDERAL EMPLOYMENT LAWS MAY APPLY TO PREGNANT WORKERS? Other laws that apply to workers affected by pregnancy, childbirth, or related medical conditions, include:

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from

Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of:

Disability
 Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)
 Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit,

nvestigation, or proceeding.

Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy

Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or

articipating in an investigation or proceeding.

Conduct that coerces, intimidates, threatens, or interferes with someone exercising their rights, or someone ssisting or encouraging someone else to exercise rights, regarding disability discrimination (including exercise) commodation) or pregnancy accommodation

What can You Do if You Believe Discrimination has Occurred?

Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:

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

For more information contact: NYS Workers' Compensation Board, 20 Park Street, Albany, NY 12207. Customer Service Toll-Free Number (877) 632-4996

Submit an inquiry through the EEOC's public portal: https://publicportal.eeoc.gov/Portal/Login.aspx

mmodation to allow you to perform the essential requisites of your job.

If you need to take time off from work to care for a family member, you may be entitled to Paid Family Leave

CARE for a family member with a serious health condition (see paidfamilyleave.ny.gov for eligible family

• ASSIST loved ones when a spouse, domestic partner, child or parent is deployed abroad on active military

Paid Family Leave may also be available for use in situations when you or your minor dependent child are under

If you have a regular work schedule of 20 or more hours per week, you are eligible after 26 consecutive weeks

of employment with your employer.

If you have a regular work schedule of less than 20 hours per week, you are eligible after working for your employer for 175 days, which do not need to be consecutive.

You can take up to 12 weeks of Paid Family Leave and receive 67% of your average weekly wage, capped at 67% of the New York State Average Weekly Wage. Generally, your average weekly wage is the average of your last eight weeks of pay prior to starting Paid Family Leave. Leave can be taken all at once or intermittently, but

• You keep your health insurance while on leave (you may have to continue paying your portion of the premium

Your employer is **prohibited from discriminating or retaliating** against you for requesting or taking Paid

If your Paid Family Leave claim is denied, you may request to have the denial reviewed by a neutral arbitrator,

State&FederalPoster

TO REORDER, CALL 1-888-488-7678 OR ORDER AT STATEANDFEDERALPOSTER.CO

Paid Family Leave is employee-funded insurance that provides job-protected, paid time off to:

· BOND with a newly born, adopted or fostered child:

Citizenship or immigration status is not a factor in your eligibility.

Rights and Protections:

• Job Protection: Return to the same or comparable job after you take leave.

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

(current and former), including managers and temporary employees

Religion
 National origin
 Sex (including pregnancy and related conditions, sexual orientation, or gender identity)
 Age (40 and older)
 Problith

What Employment Practices can be Challenged as Discriminatory?

Harassment (including unwelcome verbal or physical conduct)

Requesting or disclosing medical information of employee

n in employment. If you believe you've been discriminated against at work or in applying for a job,

WHAT ARE SOME POSSIBLE ACCOMMODATIONS FOR PREGNANT WORKERS?

Receiving appropriately sized uniforms and safety apparel

Taking leave or time off to recover from childbirth

Know Your Rights: Workplace Discrimination is Illega

Job applicants
 Union members and applicants for membership in a union

What Types of Employment Discrimination are Illegal?

Who is Protected?

What Organizations are Covered?

Discharge, firing, or lay-off

**Call** 1–800–669–4000 (toll free) 1–800–669–6820 (TTY)

FILL IN INFORMATION

Hiring or promotion

Most private employers
 State and local governments (as employers)
 Educational institutions (as employers)

Receiving additional break time to use the bathroom, eat, and rest

substances in your workplace.

job hazards, including all hazardous

your employer or OSHA, or report a work-

related injury or illness, without being

A safe workplace.

retaliated against.

OSHA on your behalf.

using your rights.

your employer.

IT'S THE LAW!

**Employers must:** 

injury or illness.

understand.

workplace.

What does my employer need to do?

About your FMLA rights and respons

about our WHD complaint process

Follow your employer's normal policies for requesting leave

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

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

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

• Allow you to take job-protected time off work for a qualifying reason

· How much of your requested leave, if any, will be FMLA-protected leav

You do not have to share a medical diagnosis but must provide enough information to your employer so they can

determine whether the leave qualifies for FMLA protection. You **must also inform your employer if FMLA leave was previously taken** or approved for the same reason when requesting additional leave. **Your employer may request** 

certification from a health care provider to verify medical leave and may request certification of a qualifying exigence

and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office o

Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, an Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working condition including shift and location, at the end of your leave.

Your employer cannot interfere with your FMLA rights or threaten or punish you for exercising your rights under the

law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD

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

Call 1-866-487-9243 or visit dol.gov/fmla to learn more. If you believe your rights under the FMLA have been violated

For additional information: 1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627 www.dol.gov/whd

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

**Family Medical Leave Act** 

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

Credits and Allowances that may reduce your pay below the minimum wage rates shown above Tips - Beginning December 31, 2020, your employer must pay the full applicable minimum wage rate, and cannot take any tip credit. Meals and lodging — Your employer may claim a limited amount of your wages for meals and lodging that they provide to you, as long as they do not charge you anything else. The rates and requirements are set forth in wage orders and summaries, which are available online.

Extra Pay you may be owed in addition to the minimum wage rates shown above: • Overtime – You must be paid 1½ times your regular rate of pay (no less than amounts shown above) for weekly hours over 40 (or 44 for residential employees). Exceptions: Overtime is not required for salaried professionals, or for executives and administrative staff whose weekly salary is more than 75 times the minimum wage rate.

Call-in pay - If you go to work as scheduled and your employer sends you home early, you may be entitled to extra hours of pay at the minimum wage rate for that day.

New York State Department of Labor, Division of Labor Standards. Guidelines for Implementation of Employee Blood Donation Leave
Section 202-j of the Labor Law mandates that employers provide leave time to employees for the purpose of donating blood. As the entity respor

LS 207 (11/23) Minimum Wage Poster Post in Plain View

#### **Blood Donation Leave**

section 202-) of the Labot Law manufactes that enipoles is not heave:

1. Definitions: As used in these guidelines, the following terms shall have the following meaning: a. "Apheresis" is the collection of individual components of blood, such as platelets, plasma, or double red blood cells. b. "Employee" means employee as defined in Labot Law § 202-j (1)(a). c. "Employer" means employer as defined in Labot Law § 202-j (1)(a). c. "Employer" means employer as defined in Labot new § 202-j (1)(a). c. "Employee" means employer as defined in Labot new § 202-j (1)(a). c. "Employee's place of employment" means the physical location at which the employee works. Such location may be in a different building on the same location, e.g. another building on a school campus or office complex, so long as such location is affiliated and physically proximate to the employee's physical work location. e. "Off-premises blood donation" shall mean blood donation which is not made in connection with a blood drive at the employee's place of employment or in connection with some other convenient time and place set by the employer. f. ation leave alternative" shall include either a blood drive at the employee's place of employment or a blood donation option at some other convenient time and place set by the employee I. Compensation for Leave: Leave granted to employees for off-premises blood donation is not required to be paid leave. Leave taken by employees for donation leave alternatives shall be paid leave given without requiring the II. Compensation for Leave: Leave granted to employees for off-premises blood donation is not required to be paid leave. Leave taken by employees for donation leave alternatives shall be paid leave given without requiring the employee to use accumulated vacation, personal, sick, or other already existing leave time.

III. Off-Premises Donation: Leave for off-premises donation shall be subject to the following: a. Employees taking leave for off-premises blood donation shall be permitted at least one leave period per calendar year of three hours duration during the employee's regular work schedule. b. Any additional leave time taken by employees in connection with off-premises blood donation shall be subject to all other rules and guidelines governing leave established by the employeer or applicable collective bargaining agreements. c. Employers are not required to allow off-premises blood donation leave under Labor Law § 202-1 to accrue if it is not used during the calendar year.

IV. Blood Donation Leave Alternatives: As an alternative to providing the leave time otherwise required by Labor Law §202-1 and the preceding guidelines for off-premises blood donation, an employer may elect blood donation IN. Blood Donation Leave Alternatives. As an alternative to providing the leave time otherwise required by Labor Law §2.02-] and the preceding guidelines for oir-premises blood donation leave alternatives shall be subject to the following: a. Leave for blood donation leave alternatives shall be given without use of vacation, personal, sick, or other already existing leave accruals. b. Leave for blood donation leave alternatives shall be given without use of vacation, personal, sick, or other already existing leave accruals. b. Leave for blood donation leave alternatives under this section of the guidelines shall be for the purpose of donating blood at a convenient time and place set by the employer and may include a blood drive at the employee's place of employment. For the purposes of this paragraph, a "convenient time and place set by the employer" shall mean a time that will not require an employee to attend outside of his/her normal work hours and shall not require an employee to travel to a location which is not a reasonable travel distance for employees leave time under this section must be given during an employee's work hours. For purposes of this paragraph, "during work hours" means that the blood drive must be held during the employee's regularly scheduled work hours. If an employee provides prompt notice that he or she is not or was not able to participate in a blood donation leave alternative because the employee is or was on leave (such as sick or vacation leave), and if as a result the employer has not provided the employee with the opportunit she is not or was not able to participate in a blood donation leave alternative because the employee is or was on leave (such as sick or vacation leave), and if as a result the employer has not provided the employee with the opportunity to participate in at least two blood leave alternatives during working hours in a calendar year, the employer must either make available another such alternative to the employee, or allow the employee to take leave to make an off-premises donation in accordance with section III. e. Off-premises donation leave time shall be subject to all the terms and conditions applicable to off-premises donation leave time set forth elsewhere in these guidelines. f. Employees donating blood during a blood donation leave alternative must be allowed sufficient leave time necessary to donate blood, to recover, including partaking nourishment after donating, and to return to work. g. Nothing herein shall prevent two or more employers from coordinating or cosponsoring a blood donation leave alternative at a shared work location. h. Notivithstanding the discretion afforded employers under this guideline to elect to offer blood donation leave alternatives, employers electing these alternatives are encouraged to offer their employees up to three hours of blood donation leave for the purpose of donating blood components through apheresis should they wish to do so. Such leave would be subject to all the provisions applying to off-premises blood donation leave alternatives shall be prominently posted in the workplace at least two weeks beforehand. To count towards the two blood donation leave alternatives in a calendar year under this section, notice of the final such leave must be provided prior to December 1 of that year. No blood leave alternatives should be weeks beforehand. To count towards the two blood donation leave alternatives in a calendar year under this section, notice of the final such leave must be provided prior to December 1 of that year. No blood leave alternatives should be scheduled during a time when a significant number of employees are out of the office, such as during the last week of December or around other significant holidays. J. To meet the requirements of § 202-j through blood donation leave alternatives, at least two such alternatives provided during a calendar year must take place at least sixty days apart.

V. Notice and Recordkeeping: The following notice and recordkeeping requirements shall apply to all leaves for blood donation: Notice: a. Employers must notify employees in writing of their right to take blood donation leave. Such notification must be made in a manner that will ensure that employees see it, each as by posting in a prominent spot in an area where employees congregate, inclusion of notice with employees' paychecks, mailings, notices in employee handbooks, or other comparable method. b. Such notice must be provided to all employees within sixty (60) days after issuance of these guidelines, and shall be updated as necessary. If the employer provides written notice is the provided to all employees and the provided to all employees are the sixty of the provided to all employees are the sixty of the provided to all employees are the sixty of the provided to all employees are the sixty of the provided to all employees are the sixty of the sixty of the provided to the provided to the provided to all employees are the sixty of the provided to the pr directly to the employee, it shall do so at the time of hire to new employees, and thereafter, to all employees on an annual basis, no later than the fifteenth day of January. c. The employer may require employees to give reasonable notice of their intended use of leave time governed by these guidelines. If leave is for a blood donation leave alternative, reasonable notice would consist of notice two days prior to the day on which leave will be taken. If leave is for a blood donation leave alternative, reasonable notice would consist of notice two days prior to the day on which leave will be taken. d. In cases where the employee fills a position essential to the operation of the employer or necessary to comply with legal requirements, and three days notice is insufficient to allow the employee's position to be filled during the donation, the employee fills a position essential to the operation of the employer or necessary to comply with legal requirements, and three days notice is insufficient to allow the employee's position to be filled during the donation, the employer shall require notice no longer than is necessary to feasibly fill the position, but in no case longer than ten working days. The employer shall notify all covered employees of this extended notice requirement in compliance with the notice requirements of these guidelines. e. Should the employee experience an emergency requiring that he/she donate blood for his or her own surgery or that of a family member, employers must provide reasonable accommodations for a shorter notice period. Recordkeeping: An employer may

Albany District State Office Campus Bldg. 12, Room 185A Albany, NY 12240 (518) 457-2730	Binghamton District Sub-District 44 Hawley St. Room 909 Binghamton, NY 13901 (607) 721-8014	New York City District 75 Varick Street, 7th Floor New York, NY 10013 (212)775-3880	Garden City 400 Oak Street Suite 101 Garden City, NY 11530-6551 (516) 794-8195
Buffalo District 65 Court Street Room 202 Buffalo, NY 14202 (716) 847-7141	Rochester Sub-District 109 S. Union Street Room 318 Rochester, NY 14607 (585) 258-4550	Syracuse District 333 East Washington Street Room 121 Syracuse, NY 13202 (315) 428-4057	White Plains District 120 Bloomingdale Road White Plains, NY 10605 (914) 997-9521

equire employees making off-premises blood donation to show proof of their blood donation in the form of notice of blood donation or a good faith effort at blood donation from the blood bank or some other proof sufficient to the

VI. Employer Discretion: Nothing herein shall prevent an employer from establishing policies or practices which support more frequent donation of blood by employees including, but not limited to, paid leave, additional blood donatio leave, shorter notice periods, or more generous leave periods for donation of blood in preparation for surgery on the employee or an employee's family member.

VII. Collective Bargaining: Nothing herein shall prevent employers and employees, or their representatives, from making the terms and conditions of employee blood donation leave a matter of collective bargaining, provided however that any collectively bargained conditions affecting blood donation leave shall not diminish the minimum requirements set forth in Labor Law 202-j and these guidelines.

### **Child Labor**

Summary of New York State Child Labor Law, Permitted Working Hours for Minors Under 18 Years of Age

			Maximum				
Age of Minor (	Girls and Boys	Industry or Occupation	Daily Hours	Weekly Hours	Days per Week	Permitted Hours	
Attending School, When school is in session:	14 and 15 16 and 17	All occupations except farm work, newspaper carrier and street trades  All occupations except farm work,	3 hours on school days. 8 hours on other days.  4 hours on days preceding school days: Monday, Tuesday, Wednesday, Thursday <sup>2</sup> .	18¹	6	7 AM to 7 PM	
is ili sessioii.		newspaper carrier and street trades.	8 hours on: Friday, Saturday, Sunday and Holidays. <sup>4</sup> .	284	64	6 AM to 10 PM <sup>3</sup>	
Attending School, When school is not	14 and 15	All occupations except farm work, newspaper carrier and street trades.	8 hours	40	6	7 AM to 9 PM June 21 to Labor Day	
in session (vacation):	16 and 17	All occupations except farm work, newspaper carrier and street trades	8 hours <sup>4</sup>	48 <sup>4</sup>	6 <sup>4</sup>	6 AM to Midnight 4	
Not Attending School:	16 and 17	All occupations except farm work, newspaper carrier and street trades	8 hours <sup>4</sup>	484	6 <sup>4</sup>	6 AM to Midnight 4	
Farm Work:	12 and 13 14 to 18	Hand harvest of berries, fruits and vegetables. Any farm work	4 hours			June 21 to Labor Day, 7 AM to 7 PM. Day after Labor Day to June 20, 9 AM to 4 PM.	
Newspaper Carriers:	11 to 8	Delivers, or sells and delivers newspapers, shopping papers or periodi- cals to homes or business places.	4 hours on school days. 5 hours on other days.			5 AM to 7 PM or 30 minutes prior to sunset, whichever is later	
Street Trades:	14 to 18	Self-employed work in public places	4 hours on school days.			6 AM to 7 PM	

Students 14 and 10 circuits in an approved transparent programma, and the students 16 and 17 enrolled in an approved Cooperative Education Program may work up to 6 hours on a day receding a school day other than a Sunday or Holiday when school is in session, as long as the hours are in

he Employer must post a schedule of work hours for minors under 18 years old in the establishment' An Employment Certificate (Working Paper) is required for all employed minors under 18 years old. Penalties for Child Labor Laws violations:

of Labor's website at http://www.labor.ny.gov. If you have questions, please send them to one of the offices listed New York State Department of Labor, Division of Labor Standards

5 hours on other days.

f a minor is seriously injured or dies while illegally employed, the penalty is three times the maximum penalty State Office Campus Suite 914 Bldg. 12 Room 185A Buffalo, NY 14203 Albany, NY 12226

**New York City District** Syracuse District 333 East Washington Street Room 121 Syracuse, NY 13202 11th Floor Brooklyn, NY 11217 (212) 775-3880 (315) 428-4057 Rochester Distric White Plains District

(716) 847-7141 (518) 457-2730 **Garden City District** 400 Oak Street 276 Waring Road Suite 102 Garden City, NY 11530 Room 104 Brooklyn, NY 11217 Rochester, NY 14609 (914) 997-9521 Updated 11/23

#### Employees with private offices cannot smoke in their office, or anywhere in the building. The Act prohibits employers from providing a smoking break room for employees. Businesses with separately ventilated rooms for their smoking employees cannot allow smoking in these rooms or anywhere else in the building. The owner, manager or operator of an area open to the public, food service establishment, or bar, that is covered by this Act must make a reasonable effort to prevent smoking. Employees and the public may report, confidentially, violations of the Act to their local health departments, county board of health or their district health office for action. You can find the telephone number in

**Clean Air Indoor Act** 

the government section of your telephone book, or at <a href="www.health.state.nv.us">www.health.state.nv.us</a>. "No Smoking" or "Smoking" signs or a sign with the international "no smoking" symbol on it must be prominently posted and properly maintained where smoking is prohibited or permitted. The Act states that smoking shall not be permitted and that no person shall smoke in the following indoor areas: Places of employment; Bars; Restaurants; Enclosed indoor swimming areas; Public transportation including all ticketing, boarding and waiting areas; buses, vans, taxicabs and limousines; All places of employment where services are offered to children; All schools, including school grounds; All public and private illeges, universities and other educational and vocational institutions; General hospitals; Residential health-care facilities, except separately designated smoking rooms for adult patients; Commercial establis irpose of carrying on or exercising any trade, profession, vocation or charitable activity; All indoor arenas; Zoos; and Bingo facilities. oking is permitted in the following areas or businesses: Private homes and private residences when not used for day care; private automobiles; Hotel or motel rooms rented to one or more guests; Retail tobacco businesses (primar inclivity is the retail sale of tobacco products and accessories, and the sale of other products is merely incidental); Membership associations where all duties related to the operation of the association are performed by volunteers who are not compensated in any manner, Cigar bars in existence prior to January 1, 2003 (where 10% or more of total annual gross income is from the sale of tobacco products); and Up to 25% of seating in outdoor areas of restaurants

The enforcement officer for a city or county health department can assess a penalty of up to \$1,000 for each violation. In areas where the State Health Department is the enforcement officer, a fine of up to \$2,000 may be For more information about the Act, call 1-800-458-1158, ext. 2-7600

### **Time Off To Vote**

New York State Election Law
(As amended by Chapter 56 of the Laws of 2020) § 3-110. Time allowed employees to vote.

1. If a registered voter does not have sufficient time outside of his or her scheduled working hours, within which o vote on any day at which he or she may vote, at any election, he or she may, without loss of pay for up to two ours, take off so much working time as will, when added to his or her voting time outside his or her working hours If an employee has four consecutive hours either between the opening of the polls and the beginning of his or er working shift, or between the end of his or her working shift and the closing of the polls, he or she shall be eemed to have sufficient time outside his or her working hours within which to vote. If he or she has less than our consecutive hours he or she may take off so much working time as will, when added to his or her voting time itside his or her working hours enable him or her to vote, but not more than two hours of which shall be without oss of pay, provided that he or she shall be allowed time off for voting only at the beginning or end of his or her vorking shift, as the employer may designate, unless otherwise mutually agreed.

If the employee requires working time off to vote the employee shall notify his or her employer not more than ten or less than two working days before the day of the election that he or she requires time off to vote in accordance

4. Not less than ten working days before every election, every employer shall post conspicuously in the place of vork where it can be seen as employees come or go to their place of work, a notice setting forth the provisions o

vith the provisions of this section.

193. Deductions from wages

Harriman State Office Campus Building 12

Albany, NY 12226

Fringe Benefits

State Office Campus

Bldg. 12, Room 185A Albany, NY 12226 (518) 457-2730

11th Floor Brooklyn, NY 11217 (212) 775-3719

All calls and texts are free and confidential

55 Hanson Place

under the provisions of subdivision one of this section.

this section. Such notice shall be kept posted until the close of the polls on election day.

ATTENTION ALL EMPLOYEES

TIME ALLOWED EMPLOYEES TO VOTE ON ELECTION DAY N.Y. ELECTION LAW SECTION 3-110I STATES THAT:
• IF YOU DO NOT HAVE 4 CONSECUTIVE HOURS TO VOTE, EITHER FROM THE OPENING OF THE POLLS TO THE BEGINNING OF YOUR WORKING SHIFT. OR BETWEEN THE END OF YOUR WORKING SHIFT AN D THE CLOSING OF THE POLLS , YOU MAY TAKE OFF UP TO 2 HOURS, WITHOUT LOSS OF PAY , TO ALLOW YOU TIME TO VOTE IF YOU ARE A REGISTERED VOTER.

YOU MAY TAKE TIME OFF AT THE BEGINNING OR END OF YOUR WORKING SHIFT , AS YOUR EMPLOYER MAY DESIGNATE , UNLESS OTHERWISE MUTUALLY AGREED. • YOU MUST NOTIFY YOUR EMPLOYER NOT LESS THAN 2 DAYS. BUT NOT MORE THAN 10 DAYS BEFORE THE DAY OF THE ELECTION THAT YOU WILL TAKE TIME OFF TO VOTE Revised 4.14.2020
i Employers: Not less than ten working days before any Election Day, every employer shall post cons the place of work where it can be seen as employees come or go to their place of work, a notice setting forth the

sions of this law. Such notice shall be kept posted until

the safety or welfare of specific individuals or the general public.

## **Correction Law**

NEW YORK CORRECTION LAW ARTICLE 23-A. LICENSURE AND EMPLOYMENT OF PERSONS PREVIOUSLY CONVICTED OF ONE OR MORE CRIMINAL OFFENSES. Section 750. Definitions. 751. Applicability. 752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited. 753. individual's having been previously convicted of one or more criminal offenses, or by reason of a finding of lack of "good moral character" when such finding is based upon the fact that the individual has previously been convicted of one or more criminal offenses, unless: (1) There is a direct relationship between one or more of the previous criminal Factors to be considered concerning a previous criminal conviction; presumption. 754. Written statement upon denial of license or employment. 755. Enforcement. §750. Definitions. For the purposes of this article, the following terms shall have the following meanings: (1) "Public agency" means the state or any local subdivision thereof, or any state or local department, agency, board or mission. (2) "Private employer" means any person, company, corporation, labor organization or association whicl commission. (2) Finale employer means any person, company, composition, along organization of association wind employs ten or more persons. (3) "Direct relationship" means that the nature of criminal conduct for which the person was convicted has a direct bearing on his fitness or ability to perform one or more of the duties or responsibilities cessarily related to the license, opportunity, or job in question, (4) "License" means any certificate, license, permit grant of permission required by the laws of this state, its political subdivisions or instrumentalities as a condition r the lawful practice of any occupation, employment, trade, vocation, business, or profession. Provided, however

that "license" shall not, for the purposes of this article, include any license or permit to own, possess, carry, or fire any explosive, pistol, handgun, rifle, shotgun, or other firearm. (5) "Employment" means any occupation, vocation or employment, or any form of vocational or educational training. Provided, however, that "employment" shall not, for the irposes of this article, include membership in any law enforcement agency. §751. Applicability. The provisions of this article shall apply to any application by any person for a license or mployment at any public or private employer, who has previously been convicted of one or more criminal offenses in this state or in any other jurisdiction, and to any license or employment held by any person whose conviction of one or more criminal offenses in this state or in any other jurisdiction preceded such employment or granting of a license.

except where a mandatory forfeiture, disability or bar to employment is imposed by law, and has not been removed y an executive pardon, certificate of relief from disabilities or certificate of good conduct. Nothing in this article shall be construed to affect any right an employer may have with respect to an intentional misrepresentation in connection with an application for employment made by a prospective employee or previously made by a current employee. prohibited. No application for any license or employment, and no employment or license held by an individua

which the provisions of this article are applicable, shall be denied or acted upon adversely by reason of the

termination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall consider the following factors: (a) The public policy of this state, as expressed in this act, to encourage the licensure and employment of persons previously convicted of one or more criminal offenses. (b) The specific duties and responsibilities necessarily related to the license or employment sought or held by the person. (c) The bearing. any, the criminal offense or offenses for which the person was previously convicted will have on his fitness or ability to perform one or more such duties or responsibilities. (d) The time which has elapsed since the occurrence of the criminal offense or offenses. (e) The age of the person at the time of occurrence of the criminal offense or offenses. (f) The seriousness of the offense or offenses. (g) Any information produced by the person, or produced on his behalf, in regard to his rehabilitation and good conduct. (h) The legitimate interest of the public agency or private employer in protecting property, and the safety and welfare of specific individuals or the general public. 2. In making determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall also give consideration to a certificate of relief from disabilities or a certificate of good conduct issued to the applicant, which certificate shall create a presumption of rehabilitation in regard to the offense or offenses specified therein of one or more criminal offenses who has been denied a license or employment, a public agency or private employer shall provide, within thirty days of a request, a written statement setting forth the reasons for such denial.

offenses and the specific license or employment sought or held by the individual; or (2) the issuance or co

§753. Factors to be considered concerning a previous criminal conviction; presumption. 1. In making a

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

### Deductions from Wages • Section 193 of the New York State Labor Law

a. are made in accordance with the provisions of any law or any rule or regulation issued by any governmental agency; or
b. are expressly authorized in writing by the employee and are for the benefit of the employee; provided that such authorization is kept on file on the employer's premises. Such authorized deductions shall be limited to payments for insurance premiums, pension or health and welfare benefits, contributions to charitable organizations, payments for United States bonds, payments for dues or essments to a labor organization, and similar payments for the benefit of the employee.

### Purchases made from employers or employer-sponsored stores, cafeterias, and like establishments • Cash register shortages

**WE ARE YOUR DOL** New YORK Department Of Labor

Section 198c of the New York State Labor Law Section 198c. Benefits or wage supplements.

1. In addition to any other penalty or punishment otherwise prescribed by law, any employer who is party to an agreement to pay or provide benefits or wage supplements to employees or to a third party or fund for the benefit of employees and who fails, neglects or refuses to pay the amount or amounts necessary to provide such benefits

Suite 914 Buffalo, NY 14203 (716) 847-7141 **New York City District** 55 Hanson Place Brooklyn, NY 11217 (212) 775-3880

MENTAL HEALTH AND SUBSTANCE ABUSE RESOURCE

276 Waring Road Room 104 Rochester, NY 14609 (585) 258-4550

### **Veteran Benefits and Services**

U.S. Department of Veterans Affairs Veterans Crisi Call: 988, press 1 Text: 838255 Suicide and Crisis Lifeline: www.veteranscrisisline.ne Crisis Textline: Text: 741741 Chat: crisistextline.org NYS Office of Mental Health (OMH) NYS Office of Addiction Services and Support (OASAS): www.oasas.ny.gov/hop Call: 1-877-8-HOPENY (467469) Text: HOPENY (467369) LEGAL SERVICES

Veterans Treatment Courts (VTC): ww2.nycourts.gov

NEW YORK STATE DIVISION OF VETERANS' SERVICES

courts/problem\_solving/vet/courts.shtml Email: ProblemSolving@courts.state.ny.us

ervices: Legal, education, employment and

lunteer, financial, health care, and more,

Help Line: 1-888-838-769

Email: Ask.Vets@labor.ny.gov

Services: Workforce and training resources program, and more.

**No Smoking** 





\$24.00 \$22.50 Overtime after 40 hours Overtime after 40 hours

Spread of hours – If your workday lasts longer than ten hours, you may be entitled to extra daily pay. The daily rate is equal to one hour of pay at the minimum wage rate Uniform maintenance – If you clean your own uniform, you may be entitled to additional weekly pay. The weekly rates are available online.

### **IRS Withholding**

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 name? Were there major changes to .. our nonwage income (interest, dividend, capital gains, etc.)? Your family wage income (you or our spouse started or ended a job)? Your itemized deductions? Your tax credits?

EMPLOYEE RIGHTS LINDER THE FAMILY AND MEDICAL LEAVE ACT

What is FMLA leave?: The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with

An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or

ou have the right to use FMLA leave in **one block of time**. When it is medically necessary or otherwise permitted, you

FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to use any employer-provided paid

You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous

aleriual year,
You work for an elementary or public or private secondary school, or
You work for an elementary or public or private secondary school, or
You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered

may take FMLA leave intermittently in separate blocks of time, or on a reduced schedule by working less hours each day or week. Read Fact Sheet #28M(c) for more information.

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

Iness may take up to 26 workweeks of FMLA leave in a single 12-month period to care for the servicemember.

related to the foreign deployment of your spouse, child or parent who is a military

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

To care for your spouse, child or parent with a serious mental or physical health condition, and

Your serious mental or physical health condition that makes you unable to work

To any of these or you owed extra tax when you filed your last return, you may need to file a new Form W-4. See your employer for a copy of Form W-4 or call the IRS at 1-800-829-3676. Now is the time to check your withholding. For more details, get Publication 919, How Do I Adjust My Tax Nithholding?, or use the Withholding Calculator at www.irs.gov/individuals on the IRS website. Employer: Please poster or publish this Bulletin Board Poster so that your employees will see it. Please indicate where they can get forms and information on this subject.

• FOR USE BY PRIVATE SECTOR AND STATE GOVERNMENT EMPLOYERS JSERRA 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 Disaste Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services

You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and • you ensure that your employer receives advance written or verbal notice of your service; • you have five years or less of cumulative service in the uniformed services while with that particular employer; • you return to work or apply for reemployment in a timely manner after conclusion of service; and • you have not been separated from service with a disqualifying discharge or under other 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 leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military. • Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

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 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/







Updated 6/2

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.

nployers 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 ctive employee for refusing to take a test or for exercising other rights under the Act 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

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

WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR





#### **State OSHA** New York State Department of Labor. Labor Law Information Relating to Public Employees. Job Safety and Health Protection. The New York State Public Employee Safety and Health Act of 1980 provides job safety and health protection for workers through the promotion of safe and healthful working conditions throughout

cement: The New York State Department of Labor's Division of Safety and Health (DOSH) is responsible for administering and enforcing the Act. The Commissioner issues safety and health standards, and Safety and Health the violation remains uncorrected, the employer may be subject to monetary penalties. The DOSH order to comply must be prominently displayed at or near the place of violation to warn employees of dangers that may exist.

Complaint: Employees or their representatives have the right to file a complaint, in writing, with the nearest DOSH office requesting an inspection if they believe unsafe or unhealthful conditions exist in their workplace. DOSH will withhold, on request, names of employees complaining. Any interested person or representative of such person or groups of persons may bring to the attention of the State Department of Labor a complaint regarding the administration or enforcement of the Public Employees Safety and Health Program. The State Department of Labor will investigate each complaint and will notify the complainant in writing of the results of such investigation as well as further channels for complaint. Such complaints may also be made to the United States Department of Labor, Occupational Safety and Health Administration, 201 Varick Street, New York, New York 10014.

Discrimination: The Act provides that employees may not be discharged or discriminated against in any way for filing safety and health complaints or otherwise exercising their rights under the Act. Employees who believe that they have been discriminated against may file a complaint with the nearest DOSH office within 30 days of the alleged discrimination.

### **Whistleblower Protections**

Employer" means any person, firm, partnership, institution, corporation, or association that employs one or ore employees.
) "Law, rule or regulation" includes: (i) any duly enacted federal, state or local statute or ordinance or executive order; (ii) any rule or regulation promulgated pursuant to such statute or ordinance or executive order; or (iii) any udicial or administrative decision, ruling or order.
d) "Public body" includes the following:
i) the United States Congress, any state legislature, or any elected local governmental body, or any member or

(i) the United States Congress, any state legislature, or any elected local governmental body, or any member or employee thereof;
(ii) any federal, state, or local court, or any member or employee thereof, or any grand or petit jury;
(iii) any federal, state, or local regulatory, administrative, or public agency or authority, or instrumentality thereof;
(iv) any federal, state, or local ale wenforcement agency, prosecutorial office, or police or peace officer;
(v) any federal, state or local department of an executive branch of government; or
(vi) any federal, state or local department of an executive branch of government; or
(vi) any division, board, bureau, office, committee, or commission of any of the public bodies described in subparagraphs (i) through (v) of this paragraph.
(e) "Retaliatory action" means an adverse action taken by an employee or his or her agent to discharge, threaten, penalize, or in any other manner discriminate against any employee or former employee exercising his or her rights under this section, including (i) adverse employment actions or threats to take such adverse employment actions against an employee in the terms of conditions of employment including but not limited to discharge, suspension, or demotion; (ii) actions or threats to take such actions that would adversely impact a former employee's current or future employment; or (iii) threatening to contact or contacting United States immigration suthorities or otherwise reporting or threatening to report an employee's suspected citizenship or immigration status or the suspected citizenship or immigration status of an employee's family or household member, as defined in subdivision two of section four hundred fifty-nine-a of the social services law, to a federal, state, or local agency. (f) "Supervisor" means any individual within an employee's organization who has the uthority to direct and control the work performance of the affected employee; or who has managerial authority to take corrective action regarding the violation of

any such activity, policy or practice by such employer; or
(c) objects to, or refuses to participate in any such activity, policy or practice.

3. Application. The protection against retaliatory action provided by paragraph (a) of subdivision two of this section pertaining to disclosure to a public body shall not apply to an employee who makes such disclosure to a public body unless the employee has made a good faith effort to notify his or her employer by bringing the activity, policy or practice to the attention of a supervisor of the employer and has afforded such employer a reasonable opportunity to correct such activity, policy or practice. Such employer notification shall not be required where:
(a) there is an imminent and serious danger to the public health or safety;
(b) the employee reasonably believes that reporting to the supervisor would result in a destruction of evidence or other concealment of the activity, policy or practice;
(c) such activity, policy or practice could reasonably be expected to lead to endangering the welfare of a minor;
(d) the employee reasonably believes that reporting to the supervisor would result in physical harm to the employee or any other person; or employee or any other person; or (e) the employee reasonably believes that the supervisor is already aware of the activity, policy or practice and will not correct such activity, policy or practice.

not correct such activity, policy or practice.

4. Violation; remedy.

(a) An employee who has been the subject of a retaliatory action in violation of this section may institute a civil action in a court of competent jurisdiction for relief as set forth in subdivision five of this section within two years after the alleged retaliatory action was taken.

(b) Any action authorized by this section may be brought in the county in which the alleged retaliatory action occurred, in the county in which the complainant resides, or in the county in which the employer has its principal place of business. In any such action, the parties shall be entitled to a jury trial.

(c) It shall be a defense to any action brought pursuant to this section that the retaliatory action was predicated upon grounds other than the employee's exercise of any rights protected by this section.

5. Relief. In any action brought pursuant to subdivision four of this section, the court may order relief as follows:

(a) an injunction to restrain continued violation of this section;

(b) the reinstatement of the employee to the same position held before the retaliatory action, or to an equivalent position, or front pay in lieu thereof;

(c) the reinstatement of full fringe benefits and seniority rights;

(d) the compensation for lost wages, benefits and other remuneration;

(e) the payment by the employer of reasonable costs, disbursements, and attorney's fees;

(f) a civil penalty of an amount not to exceed ten thousand dollars; and/or

(g) the payment by the employer of punitive damages, if the violation was willful, malicious or wanton.

6. Employer relief. A court, in its discretion, may also order that reasonable attorney's fees and court costs and disbursements be awarded to an employer if the court determines that an action brought by an employee under this section was without basis in law or in fact.

7. Existing rights, Nothina in this section shall be deemed to diminish the rights, privileges, or remedies of any

disbursements be awarded to an employer it the court determines that an action brought by an employee under this section was without basis in law or in fact.

7. Existing rights. Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of any employee under any other law or regulation or under any collective bargaining agreement or employment contr.

8. Publication. Every employer shall inform employees of their protections, rights and obligations under this section, by posting a notice thereof. Such notices shall be posted conspicuously in easily accessible and well-lighted places customarily frequented by employees and applicants for employment.

### **Right To Express Breast Milk**

New York State Department of Labor, Division of Labor Standards lines Regarding the Rights of Nursing Mothers to Express Breast Milk in the Work Place lilk. An employer shall provide reasonable unpaid break time or permit an employee to use paid break time or meal time each day to allow an employee to express breast milk for her nursing child for up to three years bellowing child birth. The employer shall make reasonable efforts to provide a room or other location, in close proximity to the work area, where an employee can express milk in privacy. No employer shall discriminate in any vay against an employee who chooses to express breast milk in the workplace. This law is applicable to all public and private employers in New York State, regardless of the size or nature of their business. In administering this tatute, the Department applies the following interpretations and guidelines:

. Notice A. Employers shall provide written notification of the provisions of Labor Law §206-c to employees the are returning to work, following the birth of a child, and their right to take unpaid leave for the purpose of expressing breast milk. Such notice may either be provided individually to affected employees or to all employe enerally through publication of such notice in the employee handbook or posting of the notice in a central cation. B. An employee wishing to avail herself of this benefit is required to give her employer advance notic uch notice shall preferably be provided to the employer prior to the employee's return to work following the birth of the child in order to allow the employer an opportunity to establish a location and schedule leave time amongst . Reasonable Unpaid Break Time A. Reasonable unpaid break time is sufficient time to allow the employee to As reasonable of many break shall generally be no less than twenty minutes. If the room or other location is not in close proximity to the employee's work station (e.g. as in a shared work location with a common lactation

om) each break shall generally be no less than thirty minutes. Employees can elect to take shorter unpaid oreaks for this purpose. B. The number of unpaid breaks an employee will need to take for expression purposes varies depending on the amount of time the employee is separated from the nursing infant and the mother's physical needs. In most circumstances, employers shall provide unpaid break time at least once every three hours requested by the employee. C. Upon election of the employee, unpaid break time may run concurrently with ularly scheduled paid break or meal periods. D. Upon election of the employer, an employer shall allow the ployee to work before or after her normal shift to make up the amount of time used during the unpaid break ime(s) for the expression of breast milk so long as such additional time requested falls within the employer's normal work hours. E. This benefit is available to the employee during their basic work week and any overtime or additional hours worked. F. An employee may be required to postpone scheduled unpaid break time for no more han thirty minutes if she cannot be spared from her duties until appropriate coverage arrives. III. Reasonable Efforts and Privacy A. All employers are required to make reasonable efforts to provide a private room or other location for the purpose of expression of breast milk. "Reasonable effort" requires that the room or ther location must be provided for use of employees expressing breast milk so long as it is neither significantly npracticality, inconvenient, or expensive to the employer to do so. Relevant factors in determining significant inpracticality, inconvenience, or expense include but are not limited to: 1. The nature of work performed at the

usiness; 2. The overall size and physical layout of the business; 3. The type of facility where the business is

loused; 4. The size and composition of the employer's workforce; 5. The business' general hours of operation and the employees' normal work shifts; 6. The relative cost of providing a room or other space for the de "Private"

hall mean that the room or other location shall not be open to other individuals frequenting the business, whether

IV. Close Proximity A Any room or location provided for the expression of breast milk must be in close proximit to the work area of the employee(s) using it for the expression of breast milk. B. Close proximity means the room or location must be in walking distance and the distance to the location should not appreciably lengthen the brea time. C. Should an employer have more than one employee at a time needing access to a lactation room or other location, the employer may dedicate a centralized location for use by all such employees, provided however, that the employer shall make every effort to locate such space at a reasonable distance from the employees using it. D. Employers located in shared work areas such as office buildings, malls, and similar premises may cooperate with one another to establish and maintain a dedicated lactation room, provided however, that such rooms must be located at a reasonable distance from the employees using the room. Each employer utilizing such common dedicated lactation room will retain individual responsibility for ensuring that it meets all the requirements of thes auidelines with regard to their employees. Use of a common dedicated lactation room pursuant to this paragraph will not reduce, mitigate, or otherwise affect the employer's obligations under these guidelines. V. Non-Discrimination No employer shall discriminate in any way against an employee who chooses to express reast milk in the workplace. Encouraging or allowing a work environment that is hostile to the right of nursing others to take leave for the purpose of expressing breast milk could constitute discrimination within the meaning

and/or part-time scheduling to accommodate employees with children of nursing age. 3. Providing an easily accessible sink to wash tubing used for pumping breast milk. 4. Allowing mothers of nursing children attending or site day care to take breaks to breast feed in lieu of pumping. 5. Providing a listing of lactation consultants whom breastfeeding mothers could contact for assistance. 6. Including protection for pregnant and breastfeeding mother in the company's sexual harassment policy. 7. Designation of a breastfeeding coordinator to allow consistent and coordinated implementation of this benefit in the workplace. B. Not all questions can be anticipated; therefore these guidelines may not cover all situations that may arise. For additional assistance or information please contact the Division of Labor Standards office nearest you.

(516) 794-8195. Buffalo District, 295 Main Street Suite 914 Buffalo, NY 14203 (716) 847-7141. Rochester District, 276 Waring Road Room 104 Rochester, NY 14609 (585) 258-4550. Syracuse District, 333 East Washington Street Room 121 Syracuse, NY 13202 (315) 428-4057. White Plains District, 120 Bloomingdale Road White Plains, NY 10605 (914) 997-9521. DOL WEBSITE HOMEPAGE <a href="http://www.labor.state.ny.us">http://www.labor.state.ny.us</a>

### **Discrimination**

HIS ESTABLISHMENT IS SUBJECT TO THE NEW YORK STATE HUMAN RIGHTS LAW (EXECUTIVE LAW ARTICLE 15) DISCRIMINATION BASED UPON AGE, RACE, CREED, COLOR, NATIONAL ORIGIN, SEXUAL ORIENTATION, MILITARY STATUS, SEX, PREGNANCY, GENDER IDENTITY OR EXPRESSION, DISABILITY OR MARITAL STATUS IS PROHIBITED BY THE NEW YORK STATE HUMAN RIGHTS LAW. SEXUAL HARASSMENT OR HARASSMENT BASED UPON ANY OF THESE PROTECTED CLASSES ALSO IS PROHIBITED. ALL EMPLOYERS (until February 8, 2020, only employers with 4 or more employees are covered), EMPLOYMENT AGENCIES, LABOR ORGANIZATIONS AND APPRENTICESHIP TRAINING PROGRAMS Reasonable accommodations for persons with disabilities and pregnancy-related conditions including lactation may be required. A reasonable accommodation is an adjustment to a job or work environment that enables a person with a disability to perform the essential functions of a job in a reasonable manner. use covered: domestic workers are protected from harassment and retaliation; interns and nonemployees working in the workplace (for xample temp or contract workers) are protected from all discrimination described above.

imployees of this firm: you are covered by the New York State Unemployment Insurance Law

modations for persons with disabilities may also be required ADVERTISING AND APPLICATIONS RELATING TO EMPLOYMENT, REAL ESTATE, PLACES OF PUBLIC ACCOMMODATION AND CREDIT TRANSACTIONS MAY NOT EXPRESS ANY DISCRIMINATION

ALL CREDIT TRANSACTIONS INCLUDING FINANCING FOR PURCHASE, MAINTENANCE AND REPAIR OF HOUSING

Retaliation for filing a complaint or opposing discriminatory practices is prohibited. You may file a complaint with the Division you have been retaliated against. FOR FURTHER INFORMATION, WRITE OR CALL THE DIVISION'S NEAREST OFFICE. HEADQUARTERS: ONE FORDHAM PLAZA 4TH FLOOR, BRONX, NY 10458

### Notice to Employees

Your employer may not deduct from your wages for this purpose.

If you are laid off, work less than four days a week, or resign:

Get a "Record of Employment," form from your employer. Keep it for your records to use if you file for Unemployment Insurance benefits. - Go to our website at www.labor.ny.gov
- Hearing impaired individuals who have telephone Device for the Deaf (TTY/TDD) equipment may file a claim by calling a relay operator at (800) 662-1220 and requesting the operator call (888) 783-1370. Service at this number is provided only to callers using TDD equipment. To Employer: You must post this poster conspicuously in each workplace.

Employers who utilize the fill-in version of this poster certify to the completeness and accuracy of the legal name, address and Employer Registration # displayer For additional posters, write to the: New York State Department of Labor, Liability and Determination Section, Harriman State Office Campus, Albany, NY 12226 (IA 133) Equal Opportunity Employer/Program - Auxiliary aids and services are available upon request to individuals with disabilities

#### Minimum wage for fast food workers FREQUENTLY ASKED QUESTIONS Rest of the State WHAT TYPE OF WORKERS DOES THIS MINIMUM WAGE AFFECT? n that meets the criteria described. This applies to workers who prepare foo work security, stock shelves, clean, and perform other tasks.

**Fast Food Minimum Wage** 

WHAT IS A FAST FOOD ESTABLISHMENT? Primarily serves food or drinks, including coffee shops, juice bars, donut shops, and ice cream parlors Offers limited service, where customers order and pay before eating, including restaurants with tables but without full table service, and places that only provide take-out service It is part of a chain of 30 or more locations, including the individually owned establishments associated with a brand that has 30 s of fast food establishments include Ben & Jerry's, Chipotle, Dunkin Donuts, Golden Krust Caribbear akery and Grill, Jamba Juice, KFC, McDonald's, Nathan's Famous, Pizza Hut, Quiznos, Shake Shack, Starbucks, Subway, Taco Bell,

ARE FAST FOOD WORKERS ELIGIBLE FOR OVERTIME PAY? Yes, fast food workers must be paid at time-and-one-half the regular rate of pay for any hours worked over 40 per week FOR MORE INFORMATION nlease call: 1-888-4NYSDOL (1-888-469-7365) or visit:

## **Payday Notice**

MAKING UNAUTHORIZED COPIES IS AGAINST THE LAW AND MAY SUBJECT YOU TO CIVIL AND CRIMINAL LIABILIT

If you: • are a past or present member of the uniformed service; • have applied for membership in the uniformed service; or • are obligated to serve in the uniformed service; then an employer may no deny you: • initial employment; • reemployment; • retention in employment; • promotion; or • any benefit of employment because of this status

The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations. • For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL or visit its website at https://www.dol.gov/agencies/vets/. An interactive online USERRA Advisor can be viewed at https:// webapps.dol.gov/elaws/vets/userra • If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation. • You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

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

**EHW** 

Am I eligible to take FMLA leave?

You work for a covered employer,

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

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

y Title II of the FMLA, administered by the Office of Personnel Management







**Polygraph Protection** 

ederal, 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 securityhe 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 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.

irements of the Act include the following:

oyers: The Act requires that employers furnish employees a workplace free from recognized hazards and in compliance with the safety and health standards applicable to the employer's workplaces and other regulations issued be Employees: The Act requires that employees comply with all safety and health standards and other regulations issued under the Act that apply to their actions and conduct on the job nspectors and Hygienists conduct on-site inspections to ensure compliance with the Act. nspection: The Act requires that a representative of the employer and a representative authorized by the employees be given an opportunity to accompany the DOSH Inspector or Hygienist for the purpose of aiding the inspection. Where there is no authorized employee representative, the DOSH Inspector or Hygienist must consult with a reasonable number of employees concerning safety and health conditions in the workplace.

Order To Comply: If the DOSH Inspector or Hygienist believes an employer has violated the Act, an order to comply will be issued to the employer. Each order will specify a time period within which the violation must be corrected. If foluntary Activity: The Department of Labor encourages employers and employees to reduce workplace hazards voluntarily and to develop and improve safety and health programs in all workplaces. Such cooperative action would initially focus on the identification and elimination of hazards that could cause death, injury or illness to employees and supervisors. On a voluntary basis, employers may request that the DOSH office furnish consultant services to assist the employer in meeting job-site compliance with safety and health standards.

State Office Campus	65 Court Street Buffalo	75 Varick Street (7th Floor) New York
Rm 158 Albany, NY 12240 Tel: (518) 457-5508	NY 14202 Tel: (716) 847-7133	NY 10013 Tel: (212) 775-3548
450 South Salina Street Syracuse	120 Bloomingdale Road White Plains	44 Hawley St. Binghamton
NY 13202 Tel: (315) 479-3212	NY 10605 Tel: (914) 997-9514	NY 13901 Tel: (607) 721-8211
400 Oak Street, Suite 101 Garden City	109 S. Union Street Rochester	207 Genesee Street Utica
NY 11530 Tel: (516) 228-3970	NY 14607 Tel: (585) 258-4570	NY 13501 Tel: (315) 793-2258

Notice of Employee Rights, Protections, and Obligations Inder Labor Law Section 740 Prohibited Retaliatory Personnel Action by Employers Effective January 26 (2022 ffective January 26, 2022
740. Retaliatory action by employers; prohibition.
Definitions. For purposes of this section, unless the context specifically indicates otherwise:
) "Employee" means an individual who performs services for and under the control and direction of an employer or wages or other remuneration, including former employees, or natural persons employed as independent ontractors to carry out work in furtherance of an employer's business enterprise who are not themselves

as employees, customers, or other members of the public. To insure privacy, the room or location should have a door equipped with a functional lock. If a door with a functional lock is not available (in the case of a fully enclose ubicle) as a last resort an employer must utilize a sign advising the room or location is in use and not accessible

of this section of the guidelines Suggested Employer Activities A. In addition to the activities set forth in the guidelines above, an employer may consider implementing one or more of the following activities in connection with the needs of employees who are breast feeding children: 1. Providing educational information in the lactation room or area regarding the who are breast recuring children. It. Provining educational milioritation in the lateration room or area regarding rise benefits of breastfeeding and tips on expressing and storing breast milk including posters, newsletters, books, an referral information to health education programs about breastfeeding. 2. Allowing flexible work hours, job sharing

Albany District. State Office Campus Bldg. 12. Room 185A Albany, NY 12226 (518) 457-2730, Bronx District. 5 Hanson Place 11th Floor Brooklyn, NY 11217 (212) 775-3719. **New York City District**, 55 Hanson Place 11th Floor Brooklyn, NY 11217 (212)775-3880. **Garden City**, 400 Oak Street Suite 101 Garden City, NY 11530-6551

If you wish to file a complaint in State Court, you may do so within three years of the discrimination. You may not file both with the Divisi RENTAL, LEASE OR SALE OF HOUSING, LAND AND COMMERCIAL SPACE, INCLUDING ACTIVITIES OF REAL ESTATE ROKERS AND SALES PEOPLE

Iso prohibited: discrimination on the basis of lawful source of income (for example housing vouchers, disability benefits, child support) amilial status (families with children or being pregnant); prior arrest or sealed conviction; commercial boycotts or blockbusting easonable accommodations and modifications for persons with disabilities may also be required.

## **Unemployment Insurance**

 To file an application for Unemployment Insurance: Call the Telephone Claims Center at (888) 209-8124 (translation services are available) or

New York City \$16.00 1/01/2024 As of July 1, 2021, all fast food workers in New York State must make at least \$15.00 per hour. ARE MEAL CREDITS AND UNIFORM MAINTENANCE REIMBURSEMENT RATES DIFFERENT FOR FAST FOOD WORKERS THAI FOR OTHER HOSPITALITY INDUSTRY WORKERS? No, these rates are the same for fast food and hospitality workers. WHAT ABOUT THE RATE OF PAY FOR CALL-IN AND SPREAD-OF-HOURS REQUIREMENTS?

more information on the definition of a fast food establishment and what is considered a chain, please see the Hospitality Industry

# □ MONDAY □ TUESDAY □ WEDNESDAY □ THURSDAY □ FRIDAY □ SATURDAY □ SUNDAY

☐ WEEKLY ☐ BI-WEEKLY ☐ SEMI-MONTHLY ☐ MONTHLY ☐

OF THE MONTH

. No employer shall make any charge against wages, or require an employee to make any payment by separate transaction unless such charge or payment is permitted as a deduction from wages . Nothing in this section shall justify noncompliance with article three-A of the personal property law relating to assignment of earnings, nor with any other law applicable to deductions from wages Posting: Every employer engaged in the sale or service of food or beverages must post this notice.

or officers exercising corresponding functions shall each be guilty of a misdemeanor.

2. As used in this section, the term "benefits or wage supplements" includes, but is not limited to, reimbursement

Syracuse District 33 East Washington St. Suite 102 Garden City, NY 11530 (516) 794-8195 Room 121 Syracuse, NY 13202 (315) 428-40575

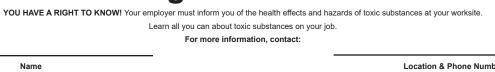
or furnish such supplements within thirty days after such payments are required to be made, shall be guilty of a misdemeanor, and upon conviction shall be punished as provided in section

on hundred ninety-eight-a of this article. Where such employer is a corporation, the president, secretary treasure

www.nysda.org/page/AboutVDP TAX BENEFITS NYS Department of Tax and Finance

(VR&E) Program: www.benefits.va.gov/vocrehab New York State Civil Service Credits for Veterans Program: www.cs.ny.gov NYS Workplace Sexual Harassment Hotline: NYS Department of Motor Vehicles:

New York State Public Health Law - Article 13E



**Deduction of Wages** 

All other wage deductions are illegal in New York. These include, but are not limited to: Repayment of loans, advances or debts • Recovery of employment-related expenses • Recovery for spoilage or breakage **Fringe Benefits & Hours** 

> for expenses; health, welfare and retirement benefits; and vacation, separation or holiday pay. 3. This section shall not apply to any person in a bona fide executive, administrative, or professional capacity whose earnings are in excess of nine hundred dollars a week. For more information, write or call the nearest office of the Division of Labor Standards, New York State Garden City District 400 Oak Street

Information for military personnel and veterans: tax.ny.gov/pit/file/military\_page.htm
 Property tax exemptions: tax.ny.gov/pit/property/exemption/vetexempt.htm

dmv.ny.gov/more-info/veteran-statusdesignation-photo-documer • Veteran License Plate: dmv.ny.gov/plates/military-and-veterans NEW YORK STATE DEPARTMENT OF LABOR VETERANS' PROGRAM

This provision does not apply to minors employed in resort hotels or restaurants in resort areas. For more information about New York State Child Labor Laws and provisions please visit the Department