

NEW YORK CITY FAST FOOD INDUSTRY LABOR LAW POSTER

NOTICE Pregnancy Accommodations at Work

The NYC Human Rights Law requires all employers with four or more employees to provide reasonable accommodations to employees related to pregnancy, childbirth, and related medical conditions to enable them to continue working and/or return to work promptly while maintaining a healthy pregnancy. Employers are required to provide written notice of employees’ rights under the Law, and can use this document to satisfy that requirement. As such, it should be posted in the workplace.

EMPLOYERS

Provide a clear policy and protocol for employees to request a reasonable accommodation. Work with your pregnant employee to promptly agree on a reasonable accommodation that:

- Values your employee's contributions to the workplace
- Helps your employee satisfy the essential requisites of her job
- Keeps them in the workplace for as long as they are able to continue working
- Is right for your employee and does not cause undue hardship to your business

Ignoring a request for a reasonable accommodation, failing to respond quickly, punishing, or firing your employee after they request one can expose you to damages and civil penalties. Employers are prohibited from asking for proof of pregnancy. Employers may request a doctor’s note only when the accommodations requested by the employee involve time away from the workplace and when not otherwise prohibited by city, state, or federal law, including the NYC Earned Sick Time Act.

EMPLOYEES

If you need a reasonable accommodation to continue working or remain employed, you can request one. Examples include, but are not limited to:

- Breaks (e.g. to use the bathroom, eat or drink, or provide necessary rest)
- Changes to your work environment such as a seat or a fan
- Assistance with physically demanding tasks
- Time off or schedule adjustments
- A private, clean, non-bathroom space and breaks for expressing breast milk
- Light duty or a temporary transfer to a different position
- Time off to recover from childbirth

The type of reasonable accommodation appropriate for an employee should be tailored to the needs of the employee and the employer. If your request for a reasonable accommodation has been ignored or denied without an appropriate alternative, we can help. Call the NYC Commission on Human Rights at 718-722-3131 to report it.

Commission on Human Rights

Bill de Blasio, Mayor

Carmelyn P. Malalis, Chair/Commissioner

AVISO Comodidades en el trabajo durante el embarazo

La Ley de Derechos Humanos de NYC exige que todos los empleadores con cuatro o más empleados brinden comodidades razonables a las empleadas en relación con el embarazo, el parto y afecciones médicas relacionadas para que puedan continuar trabajando y/o regresar al trabajo rápidamente mientras mantienen un embarazo saludable. Los empleadores están obligados a proporcionar un aviso por escrito sobre los derechos de los empleados según la Ley, y pueden usar este documento para satisfacer ese requisito. Como tal, debe publicarse en el lugar de trabajo.

EMPLEADORES

Proporcionen una política y un protocolo claros para que los empleados soliciten una comodidad razonable. Trabaje con su empleado embarazada para acordar de inmediato una adaptación razonable que:

- Valore las contribuciones de su empleada al lugar de trabajo
- Ayude a su empleada a cumplir los requisitos esenciales de su trabajo
- Le mantenga en el lugar de trabajo mientras pueda continuar trabajando
- Sea adecuada para su empleada y no cause dificultades excesivas a su negocio

Ignorar una solicitud de comodidades razonables, no responder rápidamente, castigar o despedir a su empleada después de solicitar dichas comodidades puede exponerle a daños y sanciones civiles. Los empleadores tienen prohibido pedir pruebas de embarazo. Los empleadores pueden solicitar una nota del médico solo cuando las comodidades solicitadas por la empleada implican ausentarse del lugar de trabajo y cuando no estén prohibidas por la ley municipal, estatal o federal, incluida la Ley de Horas de Enfermedad Devengadas de NYC.

EMPLEADOS

Si necesita una comodidad razonable para continuar trabajando o seguir siendo empleada, puede solicitarlas. Algunos ejemplos incluyen, pero no están limitados a:

- Descansos (por ejemplo, para usar el baño, comer o beber, o proporcionar el descanso necesario)
- Cambios en su entorno de trabajo, como un asiento o un ventilador
- Asistencia con tareas físicamente exigentes
- Tiempo libre o ajustes de horario
- Un espacio privado, limpio, diferente a un baño y descansos para extraer leche materna
- Tareas ligeras o una transferencia temporal a una posición diferente
- Tiempo libre para recuperarse del parto

El tipo de comodidad razonable apropiada para una empleada debe adaptarse a las necesidades de la empleada y del empleador. Si su solicitud para una comodidad razonable ha sido ignorada o denegada sin una alternativa adecuada, podemos ayudarle. Llame a la Comisión de Derechos Humanos de NYC al 718-722-3131 para reportarlo.

NYC.gov/HumanRights
or call (718) 722-3131

@NYCCHR

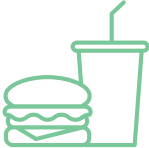
YOU HAVE A RIGHT TO MAKE CONTRIBUTIONS TO NONPROFITS THROUGH YOUR EMPLOYER

Under NYC’s Fast Food Deductions Law, fast food employers must honor employee requests to deduct voluntary payments from their paychecks to send to nonprofits that have a registration letter from the NYC Department of Consumer Affairs (DCA). Employers must post this notice where employees can easily see it at each NYC workplace.

FAST FOOD WORKERS COVERED BY THE LAW

Employees who perform at least one of the following tasks at a fast food establishment in NYC:

- customer service
 - cooking
 - food or drink preparation
 - off-site delivery
- security
 - stocking supplies or equipment
 - cleaning
 - routine maintenance duties



The law applies regardless of immigration status. Employers cannot punish, penalize, retaliate, or take any action against employees that might stop or deter them from exercising their rights under the law. Workers should immediately contact OLPS about retaliation. See below.

YOUR RIGHTS

Authorize Voluntary Deductions and Contributions to a Nonprofit

To ensure your employer makes deductions from your paycheck and submits contributions to a nonprofit, the nonprofit must submit written authorization from you to your employer with:

- Your signature
- Your name and address
- Amount, frequency, and start date of contributions
- Name, address, and contact information for the nonprofit
- Statement that the deductions and contributions are voluntary and revocable

Deductions must begin on or before the first pay period 15 days after your employer received written authorization. Your employer is not required to make deductions of less than \$3 per week or make deductions more than once per pay period.

Your employer must:

- Give the nonprofit a copy of your written authorization within 5 days of receiving it, if you provide the written authorization to the employer.
- Note deductions on your wage statement.

Your employer cannot:

- Make deductions without your authorization.
- Require you to pay a fee for the deductions.

CONTRIBUTIONS TO LABOR ORGANIZATIONS:

Labor organizations as defined by the National Labor Relations Act, employee organizations as defined by subdivision 5 of section 201 of the civil service law, and labor organizations as defined in subdivision 5 of section 701 of the labor law are not permitted to seek remittances under this chapter pursuant to subdivision b of section 20-1310 (Local Law 98 of 2017).

No Retaliation

It is illegal to punish or fire employees for exercising their rights under the law. Workers should immediately contact DCWP about retaliation.

File a Complaint

The Department of Consumer and Worker Protection (DCWP) enforces the law. For more information or to file a complaint:

NYC FAST FOOD WORKERS’ RIGHTS

Under NYC’s **Fair Workweek Law**, employers must give workers predictable schedules and the chance to work more hours. **The law now prohibits wrongful discharge.** Specifically, employers cannot fire or lay off workers or reduce their hours by more than 15% without just cause or a legitimate economic reason. Employers must post this notice where employees can easily see it at each NYC workplace.

FAST FOOD WORKERS COVERED BY THE LAW

Employees who perform at least one of the following tasks at a fast food establishment in NYC:

- cleaning
 - cooking
 - customer service
 - food or drink preparation
- off-site delivery
 - routine maintenance duties
 - security
 - stocking supplies or equipment



The law applies regardless of immigration status.

YOUR RIGHTS

No firing or reduction of hours without just cause (Effective 7/4/2021)

Except for illegal or dangerous behavior, employers:

- Must give workers who passed their probation period retraining and an opportunity to improve.
- Can only fire underperforming workers after giving them multiple disciplinary warnings in a year.

No layoffs except for economic reasons (Effective 7/4/2021)

Layoffs must be in reverse order of seniority, with longest-serving workers laid off last.

Priority to laid-off or current workers to work newly available shifts

- Your employer must advertise open shifts on posters in the restaurant and by text or email.
- Your employer may only hire new workers if no laid-off or current NYC workers accept the shifts by the posted deadline.

Written explanation for firing, reduction of hours, or layoff (Effective 7/4/2021)



Written long-term regular schedule

Your regular schedule must be stable week to week so you know when you are expected to work. Your employer must give you an updated regular schedule if there are changes.



2 weeks’ advance notice of work schedule

Work schedules must show all shifts for at least 7 calendar days and reflect your regular schedule, unless you requested or agreed to any changes.



\$100 premium to work “closing” shifts and the right to say no

A closing involves closing and opening a restaurant on back-to-back shifts. You can agree to work and get premium pay or you can refuse.

Premium pay for schedule changes by employer with less than 14 days’ notice and the right to say no to additional hours

Amount of notice	Rate for additional hours	Rate if no impact on hours	Rate for reduced hours
Less than 14 days’ notice	\$10 per change	\$10 per change	\$20 per change
Less than 7 days’ notice	\$15 per change	\$15 per change	\$45 per change
Less than 24 hours’ notice	\$15 per change	\$15 per change	\$75 per change

You do not give up your right to premium pay when you agree to a schedule change.

Premium pay is not required when:

1. Your employer closes due to: threats to worker safety or employer property; public utility failure; shutdown of public transportation; fire, flood, or other natural disaster; government-declared state of emergency.
2. You request a schedule change to a shift in writing.
3. You trade shifts with another employee.
4. Your employer must pay overtime for a changed shift.

- Visit nyc.gov/workers
- Contact **311** (212-NEW-YORK outside NYC) and ask for “Fair Workweek Law”
- Email OLPS@dca.nyc.gov

DCWP will keep your identity confidential unless disclosure is required by law.

You can also file an action in court. However, you cannot have a complaint with DCWP and a claim in court at the same time.