Conduct that coerces, intimidates, threatens, or

else to exercise rights, regarding disability

Contact the EEOC promptly if you suspect

are strict time limits for filing a charge of

discrimination. Do not delay, because there

discrimination (180 or 300 days, depending on

https://publicportal.eeoc.gov/Portal/Login.aspx

where you live/work). You can reach the EEOC in

Submit an inquiry through the EEOC's public portal:

1-844-234-5122 (ASL video phone)

pregnancy accommodation

any of the following ways:

E-Mail info@eeoc.gov

Additional information

about the EEOC, including

information about filing a

charge of discrimination, is

Call 1–800–669–4000 (toll free)

1-800-669-6820 (TTY)

Visit an EEOC field office (information at

www.eeoc.gov/field-office)

has Occurred?

interferes with someone exercising their rights,

or someone assisting or encouraging someone

discrimination (including accommodation) or

What can You Do if You Believe Discrimination

EEOC - KNOW YOUR RIGHTS: WORKPLACE DISCRIMINATION IS ILLEGAL

• Retaliation for filing a charge, reasonably opposing

discrimination, or participating in a discrimination

lawsuit, investigation, or proceeding

All aspects of employment, including:

• Interference, coercion, or threats related

to exercising rights regarding disability

discrimination or pregnancy accommodation

What Employment Practices can be Challenged

for a disability; pregnancy, childbirth, or related

medical condition; or a sincerely-held religious



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

as Discriminatory

Benefits

Who is Protected Employees (current and former), including managers and temporary employees Job applicants Union members and applicants for membership in a union

What Organizations are Covered? Most private employers State and local governments (as employers) Educational institutions (as employers)

· Discharge, firing, or lay-off · Harassment (including unwelcome verbal or physical conduct) Staffing agencies **What Types of Employment Discrimination are** Hiring or promotion Assignment • Pay (unequal wages or compensation) • Failure to provide reasonable accommodation

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

 Religion National origin • Sex (including pregnancy, childbirth, and related • Classification medical conditions, sexual orientation, or

Age (40 and older) Disability Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests,

gender identity)

• Conduct that might reasonably discourage someone genetic services, or family medical history)

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

to ensure equality of opportunity in all aspects of employment.

of employment, including the executive level.

compensation or the compensation of other applicants or employees.

Disability Section 503 of the Rehabilitation Act of 1973, as amended, protects

qualified individuals with disabilities from discrimination in hiring, promotion,

 Job training • Obtaining or disclosing genetic information of employees · Requesting or disclosing medical information of employees

belief, observance or practice

from opposing discrimination, filing a charge, or available at www.eeoc.gov. participating in an investigation or proceeding

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS The Department of Labor's Office of Federal Contract Compliance Programs **Protected Veteran Status** The Vietnam Era Veterans' Readjustment Assistance (OFCCP) enforces the nondiscrimination and affirmative action commitments of Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination companies doing business with the Federal Government. If you are applying for a against, and requires affirmative action to recruit, employ, and advance in job with, or are an employee of, a company with a Federal contract or subcontract, employment, disabled veterans, recently separated veterans (i.e., within you are protected under Federal law from discrimination on the following bases: three years of discharge or release from active duty), active duty wartime or

Retaliation Retaliation is prohibited against a person who files a complaint Origin Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual of discrimination, participates in an OFCCP proceeding, or otherwise opposes orientation, gender identity, or national origin, and requires affirmative action discrimination by Federal contractors under these Federal laws. Any person who believes a contractor has violated its nondiscrimination or affirmative Asking About, Disclosing, or Discussing Pay Executive Order 11246, as action obligations under OFCCP's authorities should contact immediately: amended, protects applicants and employees of Federal contractors from The Office of Federal Contract Compliance Programs (OFCCP) discrimination based on inquiring about, disclosing, or discussing their

campaign badge veterans, or Armed Forces service medal veterans.

U.S. Department of Labor 200 Constitution Avenue, N.W. Washington, D.C. 20210 1-800-397-6251 (toll-free)

discharge, pay, fringe benefits, job training, classification, referral, and other If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 aspects of employment by Federal contractors. Disability discrimination to access telecommunications relay services. OFCCP may also be contacted by includes not making reasonable accommodation to the known physical or submitting a question online to OFCCP's Help Desk at mental limitations of an otherwise qualified individual with a disability who https://ofccphelpdesk.dol.gov/s/, or by calling an OFCCP regional or district is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ office, listed in most telephone directories under U.S. Government, Department and advance in employment qualified individuals with disabilities at all levels of Labor and on OFCCP's "Contact Us" webpage at https://www.dol.gov/agencies/ofccp/contact.

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of as amended, prohibits employment discrimination on the basis of disability 1964, as amended, prohibits discrimination on the basis of race, color or in any program or activity which receives Federal financial assistance. national origin in programs or activities receiving Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons Employment discrimination is covered by Title VI if the primary objective of with disabilities who, with or without reasonable accommodation, can the financial assistance is provision of employment, or where employment perform the essential functions of the job. If you believe you have been discrimination causes or may cause discrimination in providing services discriminated against in a program of any institution which receives Federal under such programs. Title IX of the Education Amendments of 1972 prohibits financial assistance, you should immediately contact the Federal agency employment discrimination on the basis of sex in educational programs or providing such assistance. activities which receive Federal financial assistance

NOTICE TO EMPLOYERS RE: UNEMPLOYMENT INSURANCE

UNEMPLOYMENT INSURANCE

"Every employer must post and maintain a printed notice provided by the department showing that the employer is subject to Montana unemployment insurance law, and has been registered by the department. This notice must be posted in conspicuous places near the locations where services are performed." (Mont. Admin. Code, Sec. 24.11.705)

Montana Department of Revenue

P.O. Box 6339 Helena, MT 59604-6339 **Customer Service Center** (406) 444-6900

MINIMUM WAGE



Montana Department of LABOR & INDUSTRY **Employment Relations Division**

MONTANA'S MINIMUM WAGE

(Effective 1/1/2024)

\$10.30*

 * The minimum wage is subject to a cost-of-living adjustment based on theConsumer Price Index no later than September 30th of each year. Montana's minimum wage is to be the greater of the federal or current state minimum wage.

Exception: A business not covered by the Fair Labor Standards Act whose gross annual sales are \$110,000 or less may pay \$4.00 per hour. However, if an individual employee is producing or moving goods between states or otherwise covered by the Fair Labor Standards Act, that employee must be paid the greater of either the federal minimum wage or Montana's minimum wage.

NO TIP CREDIT, TRAINING WAGE OR MEAL CREDIT IS ALLOWED IN THE STATE OF MONTANA

Employees who work in excess of 40 hours in a workweek must receive overtime compensation at a rate of at least 1½ times their egular hourly rate for those hours worked over 40. There are exclusions from overtime pay. This information can be obtained by

PAYMENT OF WAGES

calling our office at (406) 444-6543.

WHILE STILL EMPLOYED: An employee must be paid within 10 business days after the end of the pay period.

WHEN SEPARATED FROM EMPLOYMENT: When an employee quits, wages are due on the next scheduled pay day for the period in which the employee was separated, or 15 calendar days, whichever occurs first.

TERMINATED FOR CAUSE: When an employee is laid off or discharged, all wages are due immediately (within four hours or end of the business day, whichever occurs first), unless the employer has a preexisting, written policy that extends the time for payment. The wages cannot be delayed beyond the next pay day for the period in which the separation occurred, or 15 calendar days, whichever occurs first.

FOR ADDITIONAL INFORMATION PLEASE CONTACT:

DEPARTMENT OF LABOR & INDUSTRY PO BOX 201503 **HELENA MT 59620-1503** PHONE (406) 444-6543 **EMAIL: DLIERDWage@mt.gov**

Please visit us on the web at: www.mtwagehourbopa.com

EMPLOYEE POLYGRAPH PROTECTION ACT

EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT

screening or during the course of employment. rights under the Act.

EXEMPTIONS Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national securityrelated activities. The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers. The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in

The Employee Polygraph Protection Act prohibits most private economic loss to the employer. The law does not preempt any provision of employers from using lie detector tests either for pre-employment any State or local law or any collective bargaining agreement which is

more restrictive with respect to lie detector tests. **PROHIBITIONS** Employers are generally prohibited from requiring or **EXAMINEE RIGHTS** Where polygraph tests are permitted, they are subject requesting any employee or job applicant to take a lie detector test, and to numerous strict standards concerning the conduct and length of the from discharging, disciplining, or discriminating against an employee or test. Examinees have a number of specific rights, including the right to a prospective employee for refusing to take a test or for exercising other written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons. **ENFORCEMENT** The Secretary of Labor may bring court actions to restrain violations and assess civil penalties 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.**



WAGE AND HOUR DIVISION 1-866-487-9243

WH1462 REV 02/22



FEDERAL MINIMUM WAGE

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE \$7.25 PER HOUR BEGINNING JULY 24, 2009

readily see it. **OVERTIME PAY** At least 1 ½ times your regular rate of pay for all hours worked over 40 in a workweek

CHILD LABOR An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules

TIP CREDIT Employers of "tipped employees" who meet certain conditions may

claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference. **PUMP AT WORK** 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 coworkers and the public, which may be used by the employee to express breast milk. **ENFORCEMENT** The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or

recommend criminal prosecution. Employers may be assessed civil money

penalties for each willful or repeated violation of the minimum wage or

The law requires employers to display this poster where employees can overtime pay provisions of the law. Civil money penalties may also be assessed for violations 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 discharging workers who file a complaint or participate in any proceeding under the FLSA.

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

of the Northern Mariana Islands, and the Commonwealth of Puerto Rico. Some state laws provide greater employee protections; employers must

Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not. Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special

certificates issued by the Department of Labor.



DISCRIMINATION

MONTANA LAW PROHIBITS Montana Department of LABOR & INDUSTRY **DISCRIMINATION & RETALIATION**

in employment, housing, education, publicaccommodations, credit, finance, ■ insurance, & state / local government.

PHYSICAL DISABILITY

Discrimination is unlawful if based on one of these protected classes:

ANY AGE RACE / COLOR

RELIGION/CREED

NATIONAL ORIGIN

VACCINATION STATUS

MARITAL STATUS

FAMILIAL STATUS

IN HOUSING

MENTAL DISABILITY

(INCLUDING PREGNANCY, SEXUALORIENTATION, & GENDER IDENTITY)

POLITICAL BELIEFS IN GOVERNMENTAL SERVICES ORGOVERNMENT EMPLOYMENT

FOR MORE INFO CONTACT THE MONTANA HUMAN RIGHTS BUREAU P.O. BOX 1728, HELENA, MT 59624-1728

PAYDAY NOTICE

Regular Paydays for Employees of

(406) 444-2884 OR 1 (800) 542-0807 (RELAY SERVICE 711)

MONTANADISCRIMINATION.COM

(Company Name) Shall be as follows:

Bi-Weekly

Other

(Revised 6/27/2023)

WITHHOLDING STATUS

YOU MAY NEED TO CHECK YOUR WITHHOLDING Since you last filed form W-4 with your employer

Marry or divorce? Gain or lose a dependent?

Change your name? Were there major changes to... Your nonwage income (interest, dividends, capital

 Your family wage income (you or your spouse started or ended a job)? Your itemized deductions?

Your tax credits? If you can answer "YES"... To any of these questions or you owed extra tax when you filed your last return, you may need to file a new

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 Withholding?, or use the Withholding Calculator at www.irs.gov/individuals on the IRS web site. Employer: Please post or publish this Bulletin Board

Poster so that your employees will see it. Please indicate where they can get forms and information on Publication 213 (Rev. 8-2009)



Cat. No. 11047P **Internal Revenue Service www.irs.gov**

WORKERS' COMPENSATION

NOTICE TO EMPLOYERS RE: WORKERS' COMPENSATION

Each employer shall post a sign in the workplace at the locations where notices to employees are normally posted, informing employees about the employer's current provision of workers' compensation insurance.

The sign must be provided by the department, distributed through insurers or directly by the department, and posted by employers in accordance with rules adopted by the department.

> To obtain this form, please contact Workers' Compensation Regulation Bureau 1805 Prospect Avenue P.O. Box 8011, Helena, MT 59624-8011 (406) 444-0564

DISABILITY PAID AT SPECIAL MINIMUM WAGE

NOTICE TO WORKERS WITH DISABILITIES PAID AT SPECIAL MINIMUM WAGES

This establishment has a certificate authorizing the payment of special minimum wages to workers who are disabled for the work they are performing. Authority to pay special minimum wages to workers with disabilities applies to work covered by the Fair Labor Standards Act (FLSA), McNamara-O'Hara Service Contract Act (SCA), and/or Walsh-Healey Public Contracts Act (PCA). Such special minimum wages are referred to as "commensurate wage rates" and are less than the basic hourly rates stated in an SCA wage determination and less than the FLSA minimum wage of \$4.75 per hour beginning October 1, 1996 and \$5.15 per hour beginning September 1, 1997. A "commensurate wage rate" is based on the worker's individual productivity, no matter how limited, in proportion to the wage and productivity of experienced non-disabled workers performing essentially the same type, quality, and quantity of work in the geographic area from which the labor force of the community is drawn.

Workers With Disabilities

For purposes of payment of commensurate wage rates under a certificate, a worker with a disability is defined as: An individual whose earnings or productivity capacity is impaired by a physical or mental disability, including those related to age or injury, for the work to be performed.

Disabilities which may affect productive capacity include blindness, mental illness, mental retardation, cerebral palsy, alcoholism, and drug addiction. The following do not ordinarily affect productive capacity for purposes of paying commensurate wage rates: educational disabilities; chronic unemployment; receipt of welfare benefits; non-attendance at school; juvenile delinquency; and correctional parole or probation.

Key Elements of Commensurate Wage Rates Non-disabled worker standard—The objective gauge (usually a time study of the production of workers

who are not disabled for the job) against which the productivity of a worker with a disability is measured.

Prevailing wage rate—The wage paid to experienced workers who are not disabled for the same or similar work and who are performing such work in the area. Most SCA contracts include a wage determination specifying the prevailing wage rates to be paid for SCA covered work.

Evaluation of the productivity of the worker with a disability—Documented measurement of the production of the worker with a disability (quantity and quality). The wages of all workers paid commensurate wages must be reviewed and adjusted, if appropriate, at

periodic intervals. At a minimum, the productivity of hourly paid workers must be reevaluated every six months and a new prevailing wage survey must be conducted at least once every twelve months.

Generally, if you are performing work subject to the FLSA, SCA, and/or PCA, you must be paid at least 1 ½ times

your regular rate of pay for all hours worked over 40 in a workweek.

Minors younger than 18 years old must be employed in accordance with the child labor provisions of FLSA. No persons under 16 may be employed in manufacturing or on a PCA contract.

Neither the FLSA nor the PCA have provisions requiring vacation, holiday, or sick pay nor other fringe benefits such as health insurance or pension plans. SCA wage determinations may require such fringe benefit payments (or a cash equivalent). Workers paid under a certificate authorizing commensurate wage rates must

receive the full fringe benefits listed on the wage determination.

Worker Notification Each worker with a disability and, where appropriate, the parent or quardian of such worker, shall be informed orally and in writing by the employer of the terms of the certificate under which such worker

is employed.

Workers with disabilities paid at special minimum wages may petition the Administrator of the Wage and Hour Division of the Department of Labor for a review of their wage rates by an Administrative Law Judge. No particular form of petition is required, except that it must be signed by the worker with a disability or his or her parent or guardian and should contain the name and address of the employer. Petitions should be mailed to: Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Employers shall display this poster where employees and the parents and guardians of workers with disabilities can

readily see it. Complaints or questions regarding the terms and conditions of employment under a certificate may be directed to the Wage and Hour Division office nearest you — listed in your telephone directory under United States Government, Labor.

> U.S. Department of Labor WH Publication 1284 Employment Standards Administration Revised October 1996 Wage and Hour Division Washington, D.C. 20210

FMLA - 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 **job-protected leave** for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most

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

• The birth, adoption or foster placement of a child with you, Your serious mental or physical health condition that makes you

unable to work. To care for your spouse, child or parent with a serious mental or physical health condition, and Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

An eligible employee who is the spouse, child, parent or next of kin

of a covered servicemember with a serious injury or illness may take

up to 26 workweeks of FMLA leave in a single 12-month period to care for the servicemember. You have the right to use FMLA leave in **one block of time.** When it is

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

FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need

Am I eligible to take FMLA leave? You are an eligible employee if all of the following apply: You work for a covered employer,

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

You have worked for your employer at least 12 months,

You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year, 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 by Title II of the FMLA, administered by the Office of Personnel Management. How do I request FMLA leave? Generally, to request FMLA leave

You work for a **covered employer** if **one** of the following applies:

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.

Your Employee Rights Under the Family and Medical Leave Act

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 exigency. The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave

State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are

also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress. What does my employer need to do? If you are eligible for FMLA leave, your **employer must:**

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

• Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and · Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including

shift and location, at the end of your leave. Your employer cannot interfere with your FMLA rights or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation.

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, 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**

• About your FMLA rights and responsibilities, and · How much of your requested leave, if any, will be FMLA-protected Where can I find more information?

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

your employer in court. Scan the QR code to learn about our WHD complaint process. WAGE AND HOUR DIVISION



WH1420 REV 04/23

NO SMOKING NOTICE



including the use of marijuana, in this establisment. Montana Clean Indoor Air Act, Title 50, Chapter 40.

Montana law prohibits smoking,

For more information or to report a violation call or visit us online. 1.866.787.5247

tobaccofree.mt.gov

It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document(s)

THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination.

ANTI-DISCRIMINATION NOTICE

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

USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

YOUR RIGHTS UNDER USERRA

after conclusion of service; and

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

discharge or under other than honorable conditions. If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job. RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION If you: • are a past or present member of the uniformed service;

obligated to serve in the uniformed service; then an employer may not deny you: • initial employment; • reemployment; • retention in employment; • promotion; or • any benefit of employment, because

have applied for membership in the uniformed service; or • are

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

HEALTH INSURANCE PROTECTION • If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while

• 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. • The U.S. Department of Labor, Veterans Employment and Training

• 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

elaws/vets/userra • If you file a complaint with VETS and VETS is unable to resolve it, you may $request that your case be referred to the Department of Justice or the {\it New Months} and {\it New Months} are the {\it New Months} and {\it New Months} are the {\it New Months} and {\it New Months} are the {\it New Months} and {\it New Months} are the {\it New Months} and {\it New Months} are the {\it New Months}$ Office of Special Counsel, as applicable, for representation.

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: https://www.dol.gov/agencies/vets/programs/userra/poster. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.





Job Safety and Health

All workers have the right to:

A safe workplace.

 Raise a safety or health concern with your employer or OSHA, or report a workrelated injury or illness, without being retaliated against.

 Receive information and training on job hazards, including all hazardous substances in your workplace.

 Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.

 Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector. • File a complaint with OSHA within 30

have been retaliated against for using your See any OSHA citations issued to your employer.

days (by phone, online or by mail) if you

 Reguest copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

This poster is available free from OSHA.

Contact OSHA. We can help.

you have not been separated from service with a disqualifying

Service (VETS) is authorized to investigate and resolve complaints USERRA Advisor can be viewed at https://webapps.dol.gov/

• You may also bypass the VETS process and bring a civil action

against an employer for violations of USERRA.

OSHA - THE OCCUPATIONAL SAFETY AND HEALTH ACT



IT'S THE LAW!

Employers must:

 Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or

illness. Comply with all applicable OSHA standards.

Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.

in a language and vocabulary they can understand. Prominently display this poster in the

Provide required training to all workers

workplace. Post OSHA citations at or near the place of the alleged violations.

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHAsupported consultation programs in every state.



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

MT-0723-F04