Off-Premises Donation - 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. Employers are not required to allow off-premises blood donation leave under Labor Law § 202-j to accrue if it is not used during the

Donation Leave Alternatives - Leave for blood donation leave alternatives shall be given twice per calendar year and it shall be paid leave given without use of vacation

personal, sick, or other already existing leave accruals. Under the Donation Leave Alternatives, the donating of blood should be at a convenient time and place set by the

employer. The time shall not be a time outside an employee's normal work hours nor shall the location be not reasonable travel distance for an employee. 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 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.

Employees donating blood during a blood donation leave alternative must be allowed sufficient leave time necessary to donate blood, to recover, including partaking

PAYDAY NOTICE

Regular Paydays for Employees of

(Company Name)

Shall be as follows:

WITHHOLDING STATUS

NO SMOKING NOTICE

NO SMOKING

RIGHT TO VOTE

Effective January 26, 2022

go to their place of work, a notice setting forth the provisions of this law. Such notice shall be kept posted until the close of the polls on Election Day.

NEW YORK & FEDERAL LABOR LAW POSTER

calendar year. Leave granted to employees for off-premises blood donation is not required to be paid leave.

nourishment after donating, and to return to work.

Our company's blood donation will occur:

Should you have any questions, please contact:

Since you last filed form W-4 with your employer did you..

Your nonwage income (interest, dividends, capital gains, etc.)?

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

at least as strict as the Clean Indoor Air Act.

• IF YOU DO NOT HAVE <u>4 CONSECUTIVE HOURS TO VOTE</u>, EITHER FROM

THE OPENING OF THE POLLS TO THE BEGINNING OF YOUR WORKING

SHIFT, OR BETWEEN THE END OF YOUR WORKING SHIFT AND THE

WITHOUT LOSS OF PAY, TO ALLOW YOU TIME TO VOTE IF YOU ARE

PAID FAMILY LEAVE NOTICE

Most private employers with one or more employees are required to obtain Paid

CLOSING OF THE POLLS, YOU MAY TAKE OFF UP TO 2 HOURS,

Post and maintain this notice in plain view.

§740. Retaliatory action by employers; prohibition.

enterprise who are not themselves employers

or authority, or instrumentality thereof;

office, or police or peace officer:

(d) "Public body" includes the following:

any grand or petit jury;

overnment: or

employee complains.

health or safety:

practice by such employer; or

YOUR RIGHTS UNDER USERRA

Text: 741741

uniformed services.

REFMPI OYMENT RIGHTS

or association that employs one or more employees.

(iii) any judicial or administrative decision, ruling or order.

governmental body , or any member or employee thereof;

1.Definitions. For purposes of this section, unless the context specifically

(a) "Employee" means an individual who performs services for and under the

control and direction of an employer for wages or other remuneration,

including former employees, or natural persons employed as independent

contractors to carry out work in furtherance of an employer's business

(b) "Employer" means any person, firm, partnership, institution, corporation,

(c) "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

(i) the United States Congress, any state legislature, or any elected local

(ii) any federal, state, or local court, or any member or employee thereof, or

(iii) any federal, state, or local regulatory, administrative, or public agency

(iv) any federal, state, or local law enforcement agency , prosecutorial

(v) any federal, state or local department of an executive branch of

(vi) any division, board, bureau, office, committee, or commission of any

) "Retaliatory action" means an adverse action taken by an employer 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

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 authorities 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

who has the authority to direct and control the work performance of the

affected employee; or who has managerial authority to take corrective

action regarding the violation of the law, rule or regulation of which the

f) "Supervisor" means any individual within an employer's organization

of the social services law, to a federal, state, or local agency.

because such employee does any of the following:

threats to take such adverse employment actions against an employee

of the public bodies described in subparagraphs (i) through (v) of this

For more information about the Act, call 1-800-458-1158, ext. 2-7600.

· Gain or lose a dependent?

If you can answer "YES"...

A REGISTERED VOTER.

Division of Labor Standars

indicates otherwise:

Harriman State Office Campus

Building 12, Albany, NY 12226

Your tax credits?

Were there major changes to..

may need to file a new form W-4.

EEOC - KNOW YOUR RIGHTS: WORKPLACE DISCRIMINATION IS ILLEGAL Know Your Rights: Workplace Discrimination is Illegal The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help. • Retaliation for filing a charge, reasonably opposing • Conduct that might reasonably discourage someone

• Employees (current and former), including managers discrimination, or participating in a discrimination and temporary employees lawsuit, investigation, or proceeding Job applicants Interference, coercion, or threats related to exercising · Union members and applicants for membership in a union rights regarding disability discrimination or pregnancy What Organizations are Covered? Most private employers What Employment Practices can be Challenged as State and local governments (as employers) Educational institutions (as employers) · Discharge, firing, or lay-off · Harassment (including unwelcome verbal or Staffing agencies physical conduct) What Types of Employment Discrimination are Illegal? Hiring or promotion Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the • Pay (unequal wages or compensation)

 Race Color Religion National origin conditions, sexual orientation, or gender identity) • Age (40 and older)

observance or practice • Sex (including pregnancy, childbirth, and related medical • Job training Classification Referral Obtaining or disclosing genetic information Genetic information (including employer requests for, of employees or purchase, use, or disclosure of genetic tests, genetic Requesting or disclosing medical information services, or family medical history)

as amended, protects qualified individuals with disabilities from discrimination in hiring,

promotion, discharge, pay, fringe benefits, job training, classification, referral, and other

rights, regarding disability discrimination (including accommodation) or pregnancy accommodation
What can You Do if You Believe Discrimination has ninatory? All aspects of employment, including: 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: Failure to provide reasonable accommodation for a **Submit** an inquiry through the EEOC's public portal: disability; pregnancy, childbirth, or related medical https://publicportal.eeoc.gov/Portal/Login.aspx condition; or a sincerely-held religious belief, **Call** 1–800–669–4000 (toll free) 1-800-669-6820 (TTY) 1-844-234-5122 (ASL video phone) Visit an EEOC field office (information at

www.eeoc.gov/field-office) E-Mail info@eeoc.gov Additional information about the EEOC, including information about filing a charge of discrimination, is available at www.eeoc.gov

from opposing discrimination, filing a charge, or

Conduct that coerces, intimidates, threatens, or interfere

participating in an investigation or proceeding

with someone exercising their rights, or someone

assisting or encouraging someone else to exercise

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) Protected Veteran Status The Vietnam Era Veterans' Readjustment Assistance Act of enforces the nondiscrimination and affirmative action commitments of companies 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and doing business with the Federal Government. If you are applying for a job with, or are requires affirmative action to recruit, employ, and advance in employment, disabled an employee of, a company with a Federal contract or subcontract, you are protected veterans, recently separated veterans (i.e., within three years of discharge or release under Federal law from discrimination on the following bases: Race, Color, Religion, from active duty), active duty wartime or campaign badge veterans, or Armed Forces Sex, Sexual Orientation, Gender Identity, National Origin Executive Order 11246, as service medal veterans. Retaliation Retaliation is prohibited against a person who files a amended, prohibits employment discrimination by Federal contractors based on race, complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes color, religion, sex, sexual orientation, gender identity, or national origin, and requires discrimination by Federal contractors under these Federal laws. Any person who believes affirmative action to ensure equality of opportunity in all aspects of employment. a contractor has violated its nondiscrimination or affirmative action obligations under Asking About, Disclosing, or Discussing Pay Executive Order 11246, as amended, OFCCP's authorities should contact immediately: The Office of Federal Contract Compliance Programs (OFCCP) protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of

U.S. Department of Labor other applicants or employees. **Disability** Section 503 of the Rehabilitation Act of 1973, 200 Constitution Avenue, N.W 1-800-397-6251 (toll-free aspects of employment by Federal contractors. Disability discrimination includes not If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access making reasonable accommodation to the known physical or mental limitations of an telecommunications relay services. OFCCP may also be contacted by submitting otherwise qualified individual with a disability who is an applicant or employee, barring a question online to OFCCP's Help Desk at https://ofccphelpdesk.dol.gov/s/, or by

Small Employers (10 or less employees)

Minimum Wage \$16.50

Overtime after 40 hours \$24.75

Tipped workers \$16.50

Overtime after 40 hours \$24.75

Remainder of New York State

Minimum Wage \$15.50

Overtime after 40 hours \$23.25

Tipped workers \$15.50

uniform, you may be entitled to additional

weekly pay. The weekly rates are available online.

Overtime after 40 hours \$23.25

undue hardship to the employer. Section 503 also requires that Federal contractors take calling an OFCCP regional or district office, listed in most telephone directories affirmative action to employ and advance in employment qualified individuals with under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage disabilities at all levels of employment, including the executive level. at https://www.dol.gov/agencies/ofccp/contact. PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE Race, Color, National Origin, Sex In addition to the protections of Title VII of the Civil which receive Federal financial assistance. Individuals with Disabilities Section 504 of Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the prohibits discrimination on the basis of race, color or national origin in programs or basis of disability in any program or activity which receives Federal financial assistance. activities receiving Federal financial assistance. Employment discrimination is covered by Discrimination is prohibited in all aspects of employment against persons with disabilities

or where employment discrimination causes or may cause discrimination in providing the job. If you believe you have been discriminated against in a program of any institution services under such programs. Title IX of the Education Amendments of 1972 prohibits which receives Federal financial assistance, you should immediately contact the Federal employment discrimination on the basis of sex in educational programs or activities agency providing such assistance. **NEW YORK MINIMUM WAGE**

Title VI if the primary objective of the financial assistance is provision of employment, who, with or without reasonable accommodation, can perform the essential functions of

WE ARE YOUR DOL Attention Miscellaneous Industry Employees NEW YORK Department OF Labor Minimum Wage hourly rates effective 1/1/2025 – 12/31/2025 **New York City**

Large Employers (11 or more employees) Minimum Wage \$16.50

Overtime after 40 hours \$24.75

Tipped workers \$16.50 Overtime after 40 hours \$24.75 Long Island and Westchester County

Minimum Wage \$16.50 Overtime after 40 hours \$24.75 Tipped workers \$16.50 Overtime after 40 hours \$24.75

If you have questions, need more information or want to file a complaint, please visit www.labor.ny.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 • Meals and lodging – Your employer may claim a limited amount of your wages for meals and lodging employer must pay the full applicable minimum that they provide to you, as long as they do not charge you anything else. The rates and requirements wage rate, and cannot take any tip credit. 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 • Call-in pay – If you go to work as scheduled and • Uniform maintenance – If you clean your own

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.

your employer sends you home early, you may regular rate of pay (no less than amounts shown be entitled to extra hours of pay at the minimum wage rate for that day. 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.

Minimum Wage Poster Post in Plain View **UNEMPLOYMENT INSURANCE** ATTENTION EMPLOYERS NOTICE REGARDING UNEMPLOYMENT INSURANCE

the State Labor Department, provides immediate, short-term financial protection poster, "Notice to Employees", IA 133, which informs their workers that their jobs for people who are out of work through no fault of their own. It is financed by are protected by unemployment insurance. It must be posted where it may employers through a tax on their payrolls. If you pay compensation to individuals easily be seen by employees. Additional copies may be obtained by contacting for their services, you may be liable for Unemployment Insurance and Withholding the nearest Unemployment Insurance Tax Services Office or the Department of taxes and wage reporting responsibilities. In order to determine if your business is Labor, Registration Subsection at 518-457-4179. liable for Unemployment Insurance, please contact, 1-800-829-3676.

The New York State unemployment insurance program, which is administered by Upon registration, employers (except household employers) will receive a

EMPLOYEE POLYGRAPH PROTECTION ACT EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT

using lie detector tests either for pre-employment screening or during the course which is more restrictive with respect to lie detector tests. **ROHIBITIONS** Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, specific rights, including the right to a written notice before testing, the right to refuse or or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act. **EXEMPTIONS** Federal, State and local governments are not affected by the law. Also, the and assess civil penalties against violators. Employees or job applicants may also bring law does not apply to tests given by the Federal Government to certain private their own court actions. individuals engaged in national security-related activities. The Act permits polygraph (a **THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES** kind of lie detector) tests to be administered in the private sector, subject to restrictions, AND JOB APPLICANTS CAN READILY SEE IT. 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,

Division of

STATE | Human Rights

The Employee Polygraph Protection Act prohibits most private employers from

EXAMINEE RIGHTS Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of 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

UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243

preempt any provision of any State or local law or any collective bargaining agreement

mbezzlement, etc.) that resulted in economic loss to the employer. The law does not DISCRIMINATION



TRABAJO Y PROGRAMAS DE CAPACITACIÓN DE APRENDICES

Asimismo, está prohibida la discriminación en el empleo sobre la base de la

observancia del Shabat o prácticas religiosas; peinados asociados con la raza

(también se aplica a las áreas enumeradas a continuación) arresto previo o

antecedentes penales; las características genéticas predisponentes; las condiciones

Es posible que sea necesario hacer acomodos razonables para personas con

discapacidades y condiciones relacionadas con el embarazo incluyendo lactación.

que una persona con discapacidad realice las tareas esenciales de un trabajo de

ejemplo vales, beneficios de discapacidad, manutención de niños); estado familia

(familias con niños o en estado de embarazo); arresto previo o condena sellada;

También es posible que sea necesario realizar modificaciones y arreglos razonables

(1) alquiler de un apartamento en una casa para dos familias ocupada por el dueño

(2) restricciones de todas las habitaciones en una vivienda para individuos del

(3) alquiler de una habitación por parte del ocupante de una casa o apartamento

(4) venta, alquiler o arrendamiento de alojamiento en una casa exclusivamente a

TODAS TRANSACCIONES CREDITICIAS INCLUYENDO FINANCIAMENTO PARA

LUGARES DE ALOJAMIENTO PÚBLICO, COMO RESTAURANTES, HOTELES,

HOSPITALES Y CONSULTORIOS MÉDICOS, CLUBS, PARQUES Y OFFICINAS DEL

La edad no es una clasificación cubierta respecto a los alojamientos públicos. Es posible

que sea necesario realizar arreglos razonables para personas con discapacidades.

Todas las escuelas publicas y escuelas privadas sin ánimo de lucro, en todos los niveles, excluyendo escuelas dirigidas por organizaciones religiosas; también están

cubiertos: escuelas profesionales autorizadas o escuelas certificadas de inglés

PUBLICIDAD Y SOLICITUDES RELACIONADAS CON EL EMPLEO, LOS

INMUEBLES, LOS LUGARES DE ALOJAMIENTO PÚBLICO Y LAS TRANSACCIONES

Para actos que ocurran el 14/02/2024 o antes, debe presentar su querella en ur

plazo de un año a partir del acto más reciente de presunta discriminación. Para actos

realizados a partir del 15/02/2024, debe presentar su querella en un plazo de tres años

acoso sexual en el empleo que ocurrió a partir del 12/08/2020 puede presentarse con

de los tres años desde que ocurriera la discriminación. No puede presentar una

liscriminatorias. Puede presentar una demanda ante la División si sufrió represalias

CREDITICIAS NO DEBEN EXPRESAR NINGUN ACTO DISCRIMINATORIO

tres años del presunto acto. Los servicios de la División se ofrecen sin cargo.

demanda ante la División v ante el Tribunal Estatal.

personas mayores de 55 años y al cónyuge de dichas person

LA COMPRA, MANTENIMIENTO Y REPARACION DE VIVIENDAS

contratantes) están protegidos de toda discriminación descrita arriba.

WWW.DHR.NY.GOV THIS ESTABLISHMENT IS SUBJECT TO THE NEW YORK STATE HUMAN RIGHTS ESTE ESTABLECIMIENTO ESTÁ SUJETO A LA LEY DE DERECHOS HUMANOS DEL ESTADO DE NUEVA YORK (LEY EJECUTIVA, SECCIÓN 15) LAW (EXECUTIVE LAW, ARTICLE 15)

elacionadas con el embarazo.

boicot comercial o acoso inmobiliario.

para personas con discapacidades.

INSTITUCIONES EDUCATIVAS

como segundo idioma.

Discrimination based upon age, race, creed, color, national origin, sexual La ley de derechos humanos del estado de nueva york prohíbe la discriminación orientation, military status, sex, pregnancy, gender identity or expression, por edad, raza, credo, color, origen nacional, orientación sexual, estatus citizenship or immigration status, disability, domestic violence victim militar, sexo, embarazo, identidad o expresión de género, ciudadanía o estatus status, familial status, or marital status is prohibited by the New York migratorio, discapacidad, estado como víctima de violencia doméstica, estado familiar, o estado civil. También está prohibido el acoso sexual o el acoso por State Human Rights Law. Sexual harassment or harassment based upon cualquiera de estas clases protegidas. any of these protected classes also is prohibited TODOS LOS EMPLEADORES, AGENCIAS DE EMPLEO, ORGANIZACIONES DE

ALL EMPLOYERS, EMPLOYMENT AGENCIES, LABOR ORGANIZATIONS AND APPRENTICESHIP TRAINING PROGRAMS

Also prohibited: discrimination in employment on the basis of Sabbath observance or religious practices; hairstyles associated with race (also applies to all areas listed below); prior arrest or conviction record; predisposing genetic characteristics; pregnancy-related conditions.

Reasonable accommodations for persons with disabilities and pregnancyrelated conditions including lactation may be required. A reasonable accommodation is an adjustment to a job or work environment that enables

Un arreglo razonable es una adaptación a un trabajo o entorno laboral que permita a person with a disability to perform the essential functions of a job in a reasonable manner. Also covered: domestic workers; interns and nonemployees working in the También están cubiertos: trabajadores domésticos; internos y no empleados

workplace (for example temp or contract workers) are protected from all cuales trabajan en el lugar de trabajo (por ejemplo trabajadores temporarios o RENTAL, LEASE OR SALE OF HOUSING, LAND AND COMMERCIAL SPACE, ALQUILER, ARRENDAMIENTO O VENTA DE VIVIENDA, TERRENO O ESPACIO COMERCIAL INCLUYENDO ACTIVIDADES DE AGENTE DE BIENES RAICES Y

INCLUDING ACTIVITIES OF REAL ESTATE BROKERS AND SALES PEOPLE Also prohibited: discrimination on the basis of lawful source of income (for **VENDEDORES** example housing vouchers, disability benefits, child support); familial status

También esta prohibido: la discriminación a base de fuente de ingreso legal (por (families with children or being pregnant); prior arrest or sealed conviction; commercial boycotts or blockbusting Reasonable accommodations and modifications for persons with disabilities may also be required.

Does not apply to: (1) rental of an apartment in an owner-occupied two-family house (2) restrictions of all rooms in a housing accommodation to individuals of the

(3) rental of a room by the occupant of a house or apartment (4) sale, rental, or lease of accommodations of housing exclusively to persons 55 years of age or older, and the spouse of such persons

MAINTENANCE AND REPAIR OF HOUSING

ALL CREDIT TRANSACTIONS INCLUDING FINANCING FOR PURCHASE, PLACES OF PUBLIC ACCOMMODATION SUCH AS RESTAURANTS, HOTELS, HOSPITALS AND MEDICAL OFFICES, CLUBS, PARKS AND GOVERNMENT

OFFICES Exception: Age is not a covered classification relative to public accommodations Reasonable accommodations for persons with disabilities may also be required.

All public schools and private nonprofit schools, at all education levels, excluding those run by religious organizations; also for-profit colleges, universities, licensed private career schools or certified English as a second

ADVERTISING AND APPLICATIONS RELATING TO EMPLOYMENT, REAL ESTATE, PLACES OF PUBLIC ACCOMMODATION AND CREDIT TRANSACTIONS MAY NOT EXPRESS ANY DISCRIMINATION

A complaint must be filed with the Division within one year for alleged acts of discrimination that occurred on or before 2/14/2024. Complaints for acts of discrimination that occur on or after 2/15/2024 may be filed within three years of the alleged act. A complaint alleging sexual harassment in employment that posterior al acto más reciente de presunta discriminación. Una denuncia que alega occurred on or after 08/12/2020 may be filed with three years of the alleged act. The Division's services are provided free of charge. If you wish to file a complaint in State Court, you may do so within three years of Si desea presentar una demanda ante el Tribunal Estatal, puede hacerlo dentro

the discrimination. You may not file both with the Division and the State Court. Retaliation for filing a complaint or opposing discriminatory practices is prohibited. You may file a complaint with the Division if you have been Se prohíben las represalias por presentar una demanda u oponerse a prácticas retaliated against.

days of employment in one calendar year. In addition to the above-

stated provisions, effective January 1, 1984, employers of personal or

domestic employees in a private home are subject if they employ at

be self-insured.

apply in agricultural employment

PARA OBTENER MÁS INFORMACIÓN, ESCRIBA O LLAME A LA OFICINA MÁS CERCANA DE FOR FURTHER INFORMATION, WRITE OR CALL THE DIVISION'S NEAREST OFFICE. LA DIVISIÓN. OFICINA CENTRAL: ONE FORDHAM PLAZA. 4TH FLOOR, BRONX, NY 10458 HEADQUARTERS: ONE FORDHAM PLAZA, 4TH FLOOR, BRONX, NY 10458

WORKERS' COMPENSATION Employers must obtain and keep in effect workers' compensation coverage for This notice is in a form prescribed by the Workers' Compensation Board.

their employees; there must be no lapse in coverage even when switching Employers obtain the notice from their insurance carrier or, if self-insured, from insurance carriers. The law requires almost all employers operating in New York the Board. The notice includes the name and address of the insurance carrier State to have workers' compensation and disability coverage for their and the policy number of the employer. It must be posted in a conspicuous employees. This requirement can be fulfilled by purchasing insurance coverage place in the employer's place of business. Violations of this requirement can through an insurance carrier or by obtaining authorization from the Board to result in a fine of up to \$250 per violation. Employers must post a notice of workers' compensation coverage and employee rights.

DISABILITY BENEFITS LAW

An employer who has had in New York State employment 1 or more least one employee who works 40 or more hours per week for that one employees on each of at least 30 days in any calendar year shall be a employer. (NOTE: Prior to January 1, 1984, employers are subject only if "covered employer" subject to the Disability Benefits Law after the they have 4 or more employees.) expiration of 4 weeks following the 30th day of such employment. These 30 days of employment need not be consecutive days but must be work

Each covered employer must post and maintain conspicuously at the place or places of business a prescribed form, Notice of Compliance, stating the provisions have been made for the payment of Disability Benefits to all eligible employees. To obtain the Notice of Compliance, please contact your Disability Insurance Carrier.

FEDERAL MINIMUM WAGE

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

The law requires employers to display this poster where employees can readily also be assessed for violations of the FLSA's child labor provisions. Heightened civi **OVERTIME PAY** At least 1 ½ times your regular rate of pay for all hours worked over CHILD LABOR An employee must be at least 16 years old to work in most non-farm jobs against or discharging workers who file a complaint or participate in any proceeding and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. under the FLSA. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, ADDITIONAL INFORMATION 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 ninimum 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 **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 overtime pay provisions of the law. Civil money penalties may

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 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 • 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. WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

www.dol.gov/agencies/whd

WH1088 REV 04/23

BLOOD DONATION LEAVE Section 202-j of the Labor Law mandates that employers provide leave time to employees for the purpose of donating blood. The two types of blood donation leaves are Off-Premises Blood Donation and Donation Leave Alternative 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

Please indicate time and place

Please indicate administrator

Help Line: 1-888-838-7697 Email: DVSInfo@veterans.ny.gov Services: Legal, education, employment and volunteer, financial, health care, and more. The New York State Department of Labor is an Equal Opportunity Employer/Program. Division of Auxiliary aides and services are available upon request and free of charge to individuals with disabilities Veterans' Services

EDUCATION, WORKFORCE, AND TRAINING RESOURCES Veteran Readiness and Employment (VR&E) Program: www.benefits.va.gov/vocrehab **New York State Civil Service Credits for Veterans Program:** www.cs.ny.gov

Chat: crisistextline.org NYS Office of Addiction Services and Supports (OASAS): **ADDITIONAL RESOURCES** www.oasas.ny.gov/hopelin NYS Domestic and Sexual Violence Hotline Call: 800-942-6906 Text: 844-997-2121

Call: 1-877-8-HOPENY (467469) Text: HOPENY (467369) NYS Workplace Sexual Harassment Hotline Call: 1-800-HARASS-3 **NYS Department of Motor Vehicles** • Veteran Status Designation Photo Document:

Website: dol.ny.gov/services-veterans Help Line: 1-888-469-7365 Email: Ask.Vets@labor.ny.gov

FMLA - FAMILY AND MEDICAL LEAVE ACT

Your Employee Rights Under the Family and Medical Leave Act How do I request FMLA leave? Generally, to request FMLA leave you must:

· Follow your employer's normal policies for reques employees with **job-protected leave** for qualifying family and medical reasons. The U.S.

• Give notice at least 30 days before your need for FMLA leave, or Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most

• If advance notice is not possible, give notice as soon as possible. mployees. Eligible employees can take up to 12 workweeks of FMLA leave in a 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 our 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 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 Certain qualifying reasons related to the foreign deployment of your spouse, child or rimination or supersede any state or local law or collective bargaining agreement tha rovides greater family or medical leave rights. State employees may be subject to certain n eligible employee who is the spouse, child, parent or next of kind of a covered 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 vicemember with a serious injury or illness <u>may</u> take up to 26 workweeks of FMLA but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress. eave in a single 12-month period to care for the servicemember. You have the right to What does my employer need to do?
If you are eligible for FMLA leave, your employer must: 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 Allow you to take job-protected time off work for a qualifying reason, nours 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

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 use any employer provided paid léave if your employer's paid leavé policy covers the reason for which you need FMLA leave. 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 vour need for leave is for a reason that may qualify under the FMLA, vour You have at least 1,250 hours of service for your employer during the 12 months before employer must confirm whether you are eligible or not eligible for FMLA leave. If your employer determines that you are eligible, your **employer** <u>must</u> **notify you in writing:**About your FMLA rights and responsibilities, and our employer has at least 50 employees within 75 miles of your work location. Airline How much of your requested leave, if any, will be FMLA-protected leave. SCAN ME Where can I find more informat

You work for a private employer that had at least 50 employees during at least 20 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 You work for a public agency, such as a local, state or federal government agency. Most WHD or file a private lawsuit against your WAGE AND HOUR DIVISION federal employees are covered by Title II of the FMLA, administered by the Office of employer in court. Scan the QR code to learn about our WHD complaint process

OF LABOR WH1420 REV 04/2

DISCRIMINATION AGAINST CERTAIN ACTIVITIES New York Labor Law

he Family and Medical Leave Act (FMLA) is a federal law that provides eligible

The birth, adoption or foster placement of a child with you,

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

You have worked for your employer at least 12 months,

workweeks in the current or previous calendar year.

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

You work for an elementary or public or private secondary school, or

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

parent who is a military servicemember.

use FMLA leave in one block of time.

m Leligible to take FMLA leave:

You work for a covered employer,

201-d. Discrimination against the engagement in certain activities Definitions. As used in this section:

a. "Political activities" shall mean (i) running for public office, (ii) campaigning for a candidate for public office, or (iii) participating in fund-raising activities for the benefit of a candidate, political party or political advocacy group YOU MAY NEED TO CHECK YOUR WITHHOLDING . "Recreational activities" shall mean any lawful, leisure-time activity, for which the employee receives no compensation and which is generally engaged in for See your employer for a copy of Form W-4 or call the IRS at 1-800-829-3676. Now is the recreational purposes, including but not limited to sports, games, hobbies, exercise, reading and the viewing of television, movies and similar material: For more details, get Publication 919, How Do I Adjust My Tax Withholding?, or use the "Work hours" shall mean, for purposes of this section, all time, including paid and 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 unpaid breaks and meal periods, that the employee is suffered, permitted or expected to be engaged in work, and all time the employee is actually engaged in work. This see it. Please indicate where they can get forms and information on this subject. definition shall not be referred to in determining hours worked for which an employee is entitled to compensation under any law including article nineteen of this chapter; . "Political matters" shall mean matters relating to elections for political office, political Publication 213 parties, legislation, regulation and the decision to join or support any political party (Rev. 8-2009) or political, civic, community, fraternal or labor organization To any of these questions or you owed extra tax when you filed your last return, you Department of the Treasury "Religious matters" shall mean matters relating to religious affiliation and practice Cat. No. 11047P Internal Revenue Service www.irs.gov and the decision to join or support any religious organization or association.

condition, and

Inless otherwise provided by law, it shall be unlawful for any employer or employment agency to refuse to hire, employ or license, or to discharge from employment or otherwise discriminate against an individual in compensation, promotion or terms, conditions or privileges of employment because of: a, an individual's political activities outside of working hours, off of the employer's premises and without use of the employer's equipment or other property, if such activities are legal, provided, however, that this paragraph shall not apply to persons whose employment is defined in paragraph six of subdivision (a) of section seventynine-h of the civil rights law, and provided further that this paragraph shall not apply to persons who would otherwise be prohibited from engaging in political activity pursuant to chapter 15 of title 5 and subchapter III of chapter 73 of title 5 of the USCA an individual's legal use of consumable products, including cannabis in accordance with state law, prior to the beginning or after the conclusion of the employee's work hours, and off of the employer's premises and without use of the employer's

equipment or other property;

an individual's legal recreational activities, including cannabis in accordance with state law, outside work hours, off of the employer's premises and without use of the employer's equipment or other property; d. an individual's membership in a union or any exercise of rights granted under Title 29, USCA, Chapter 7 or under article fourteen of the civil service law; or . an individual's refusal to: (i) attend an employer-sponsored meeting with the employer or its agent, representative or designee, the primary purpose of which is to communicate the employer's opinion concerning religious or political matters; or (ii) listen to speech or view communications, the primary purpose of which is to communicate the employer's opinion concerning religious or political matters. The provisions of subdivision two of this section shall not be deemed to protect activity a. creates a material conflict of interest related to the employer's trade secrets,

proprietary information or other proprietary or business interest: with respect to employees of a state agency as defined in sections seventy-thre subdivision two, three four five seven, eight or twelve of section seventy-three or of section seventy-four of the public officers law, or of any executive order, policy, directive, or other rule which has been issued by the attorney general regulating outside employment or activities that could conflict with employees' performance with respect to employees of any employer as defined in section twenty-seven-a of this chapter, is in knowing violation of a provision of a collective bargaining agreement concerning ethics, conflicts of interest, potential conflicts of interest, or the proper discharge of official duties:

with respect to employees of any employer as defined in section twenty-seven-a of this chapter who are not subject to section seventy-three or seventy-four of the public officers law, is in knowing violation of article eighteen of the general municipal law or any local law, administrative code provision, charter provision or rule or directive of the mayor or any agency head of a city having a population of one million or more, where such law, code provision, charter provi directive concerns ethics, conflicts of interest, potential conflicts of interest, or the proper discharge of official duties and otherwise covers such employees; and with respect to employees other than those of any employer as defined in section

twenty-seven-a of this chapter, violates a collective bargaining agreement or a certified or licensed professional's contractual obligation to devote his or her entire

compensated working hours to a single employer, provided however that the provisions of this paragraph shall apply only to professionals whose compensation is at least fifty thousand dollars for the year nineteen hundred ninety-two and in subsequent years is an equivalent amount adjusted by the same percentage as the annual increase or decrease in the consumer price index. otwithstanding the provisions of subdivision three of this section, an employer shall not be in violation of this section where the employer takes action based on the belief either that: (i) the employer's actions were required by statute, regulation, ordinance or other governmental mandate, (ii) the employer's actions were permissible pursuant to an established substance abuse or alcohol program or workplace policy, professional contract or collective bargaining agreement, or (iii) the individual's actions were deemed by an employer or previous employer to be illegal or to constitute habitually

poor performance, incompetency or misconduct. 4-a. Notwithstanding the provisions of subdivision three or four of this section, an employer shall not be in violation of this section where the employer takes action related to the use of cannabis based on the following: (i) the employer's actions were required by state or federal statute, regulation, ordinance, or other state or federal governmental mandate;) the employee is impaired by the use of cannabis, meaning the employee manifests specific articulable symptoms while working that decrease or lessen the employee's performance of the duties or tasks of the employee's job position, or such specific articulable symptoms interfere with an employer's obligation to provide a safe and healthy work place, free from recognized hazards, as required by state and federal occupational safety and health law; or) the employer's actions would require such employer to commit any act that would

federal contract or federal funding. Nothing in this section shall apply to persons who, on an individual basis, have a professional service contract with an employer and the unique nature of the services provided is such that the employer shall be permitted, as part of such professional service contract, to limit the off-duty activities which may be engaged in by such individual. Nothing in this section shall prohibit an organization or employer from offering, imposing or having in effect a health, disability or life insurance policy that makes distinctions between employees for the type of coverage or the price of coverage based upon the employees' recreational activities or use of consumable products, provided that fferential premium rates charged employees reflect a differential cost to the employer and that employers provide employees with a statement delineating the differential rates used by the carriers providing insurance for the employer, and provided further that such distinctions in type or price of coverage shall not be utilized to expand, limit or curtail the rights or liabilities of any party with regard to a civil cause of action. 7. a. Where a violation of this section is alleged to have occurred, the attorney general may apply in the name of the people of the state of New York for an order enjoining or restraining the commission or continuance of the alleged unlawful acts. In any such proceeding, the court may impose a civil penalty in the amount of three hundred dollars for the first violation and five hundred dollars for each subsequent violation.

cause the employer to be in violation of federal law or would result in the loss of a

b. In addition to any other penalties or actions otherwise applicable pursuant to this chapter, where a violation of this section is alleged to have occurred, an aggrieved individual may commence an action for equitable relief and damages. and seventy-four of the public officers law respectively, is in knowing violation of 8. Nothing in this section shall prohibit: (i) an employer or its agent, representative or designee from communicating to its employees any information that the employer is required by law to communicate, but only to the extent of such legal requirement; (ii) an employer or agent, representative or designee from communicating to its employees any informatior that is necessary for such employees to perform their job duties; (iii) an institution of higher education, or any agent, representative or designee of such institution, from meeting with or participating in any communications with its employees that are part of coursework, any symposia or an academic program at such institution; (iv) casual conversations between employees or between an employee and an agent, representative or designee of an iployer, provided participation in such conversations is not required; or (v) a requirement limited to the employer's managerial and supervisory employees. The provisions of this section shall not apply to a religious corporation, entity, association, educational institution or society that is exempt from the requirements of Title VII of the Civil Rights Act of 1964 pursuant to 42 USC 2000e-1(a) with respect to speech on religious matters to employees who perform work connected with the activities undertaken by such religious corporation, entity, association, educational institution or society.

10. Every employer shall post a sign in every workplace at the location or locations where notices to employees are normally posted, to inform employees of their rights pursuant to this section. FRINGE BENEFITS AND HOURS

Section 195.5 of the New York State Labor Law effective December 12, 1981 provides as follows: "Every employer shall notify his employees in writing or by publicly posting the employer's policy on sick leave, vacation, personal leave, holidays and hours." For written information on your employer's policy on sick leave, vacation, personal leave, holidays and hours can be obtained at:

NOTICE REQUIREMENTS FOR FRINGE BENEFITS AND HOURS

(Please advise employees where they may obtain written information on fringe benefits and hours.)

EQUAL PAY NOTICE

Equal Pay Provision of the New York State Labor Law Article 6, Section 194 § 194. Differential in rate of pay because of protected class status prohibited.

(b) An employer may, in a written policy provided to all employees, establish reasonable workplace and workday limitations on the time, place and manner for inquires about, discussion of, or the disclosure of wages. Such limitations shall be consistent with standards promulgated by the commissioner and shall be consistent with all other state and federal laws. Such limitations may include prohibiting an employee from discussing or disclosing the wages of another employee without such employee's prior permission.) Nothing in this subdivision shall require an employee to disclose his or her wages.

The failure of an employee to adhere to such reasonable limitations in such written

policy shall be an affirmative defense to any claims made against an employer

under this subdivision, provided that any adverse employment action taken by the

employer was for failure to adhere to such reasonable limitations and not for mere

inquiry, discussion or disclosure of wages in accordance with such reasonable

to the wage information of other employees as a part of such employee's essential

job functions discloses the wages of such other employees to individuals who do

not otherwise have access to such information, unless such disclosure is in response

to a complaint or charge, or in furtherance of an investigation, proceeding, hearing,

or action under this chapter, including an investigation conducted by the employer.

e) Nothing in this section shall be construed to limit the rights of an employee

provided under any other provision of law or collective bargaining agreement.

For questions, write or call your nearest office, (listed below), of the

Division of Labor Standards

www.labor.ny.gov

(ii) a merit system; (iii) a system which measures earnings by quantity or quality of production; or (iv) a bona fide factor other than status within one or more protected class or classes, such as education, training, or experience. Such factor: (A) shall not be based upon or derived from a differential in compensation based (d) This prohibition shall not apply to instances in which an employee who has access on status within one or more protected class or classes and (B) shall be job-related with respect to the position in question and shall be

No employee with status within one or more protected class or classes shall be paid a

wage at a rate less than the rate at which an employee without status within the same

protected class or classes in the same establishment is paid for: (a) equal work on a job

the performance of which requires equal skill, effort and responsibility, and which is

performed under similar working conditions, or (b) substantially similar work, when

viewed as a composite of skill, effort, and responsibility, and performed under similar

working conditions; except where payment is made pursuant to a differential based on:

consistent with business necessity. Such exception under this paragraph shall not apply when the employee demonstrates (1) that an employer uses a particular employment practice that causes a disparate impact on the basis of status within one or more protected class or classes, (2) that an alternative employment practice exists that would serve the same business purpose and not produce such differential, and (3) that the employer has refused to adopt such alternative practice.

For the purpose of subdivision one of this section: (a) "business necessity" shall be defined as a factor that bears a manifest relationship to the employment in question, and (b) "protected class" shall include age, race, creed, color, national origin, sexual orientation, gender identity or expression, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, or domestic violence victim status, and any employee protected from discrimination pursuant to paragraphs (a), (b), and (c) of subdivision one of section two hundred ninety-six

and any intern protected from discrimination pursuant to section two hundred ninety-six-c of the executive law. for the purposes of subdivision one of this section, employees shall be deemed to work in the same establishment if the employees work for the same employer at workplaces located in the same geographical region, no larger than a county, taking into account population distribution, economic activity, and/or the presence of municipalities. (a) No employer shall prohibit an employee from inquiring about, discussing, or disclosing the wages of such employee or another employee

New York State Department of Labor Division of Labor Standards **New York City District Albany District** State Office Campus 75 Varick Street, 7th Floor New York, NY 10013 Bldg. 12, Rm. 185A

(518)457-2730 **Buffalo District** Buffalo, NY 14202 (716) 847-7141 **Garden City District** 400 Oak Street, Suite 10 Garden City, NY 11530 (516) 794-8195

Syracuse District 333 East Washington Street, Rm. 121 Syracuse, NY 13202 (315) 428-4057 Rochester Sub-District **White Plains District** 276 Waring Road, Rm. 104

120 Bloomingdale Road White Plains, NY 10605 (914) 997-9521 LS 603 (08/20)

limitations in such written policy.

Rochester, NY 14609 (585) 258-4550

RIGHT TO KNOW

YOU HAVE A RIGHT TO KNOW!

Your employer must inform you of the health effects and hazards of toxic substances at your worksite. Learn all you can about toxic substances on your job. For more information, contact:

Location & Phone Numbe

(i) a seniority system;

THE RIGHT TO KNOW LAW WORKS FOR YOU.

OSHA - THE OCCUPATIONAL SAFETY AND HEALTH ACT



Job Safety and Health IT'S THE LAW!

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

days (by phone, online or by mail) if you have been retaliated against for using your See any OSHA citations issued to your

employer. Request 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.

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.

 Provide required training to all workers in a language and vocabulary they can understand.

Prominently display this poster in the

 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.



NY-0125-F04

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

NEW YORK STATE DEPARTMENT OF LABOR VETERANS' PROGRAM Website: veterans.ny.gov Services: Workforce and training resources, unemployment insurance,

TTY/TDD 711 or 1-800-662-1220 (English) / 1-877-662-4886. P37 (2/24)

dmv.ny.gov/more-info/veteran-statusdesignation-photo-document • Veteran License Plate: dmv.ny.gov/plates/military-and-veterans

employee's exercise of any rights protected by this section. in the terms of conditions of employment including but not limited to 5. Relief. In any action brought pursuant to subdivision four of this section

the retaliatory action was predicated upon grounds other than the

attorneys' fees and court costs and disbursements be awarded to an

under any collective bargaining agreement or employment contract. To Be Posted Conspicuously in easily accessible and well-lighted places LS 740 (02/22)

customarily frequented by employees and applicants for employment

THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain 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

service in the uniformed service and: · you ensure that your employer receives advance written or verbal notice of ou have five years or less of cumulative service in the uniformed services while with 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 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 GHT TO BE FREE FROM DISCRIMINATION AND RETALIATION 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 not deny you: • initial employment; • reemploymen In addition, an employer may not retaliate against anyone assisting in the enforcement of

dependents for up to 24 months while in the military. 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 The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.

VETS at 1-866-4-USA-DOL or visit its website at http://www.dol.gov/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.

USERRA rights, including testifying or making a statement in connection with a proceeding Publication Date — May 2022 under USERRA, even if that person has no service connection. 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

neet this requirement by displaying the text of this notice where they customarily place notices for employees. Employer Support Of The Guard 1-866-487-2365

state or any local subdivision thereof, or any state or local department, agency, board or commission. (2) "Private employer" means any person, company, corporation, labor organization or association which 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 necessarily related to the license, opportunity, or job in question. (4) "License" means any certificate, license, permit or grant of permission required by the laws of this state, its political subdivisions or instrumentalities as a condition for 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 purposes 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 employment 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 by 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. §752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited. No application for any license or employment, and no employment or license held by an individual, to which the provisions of this article are applicable, shall be denied or acted upon adversely by reason of the 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 offenses and the specific license or employment sought or held by the individual; or (2) the issuance or continuation of the license or the granting or continuation of the employment would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public. §753. Factors to be considered concerning a previous criminal conviction; presumption. 1. In making a determination 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, if 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 a 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. §754. Written statement upon denial of license or employment. At the request of any person previously convicted 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. §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 commission on human rights

VETERAN BENEFITS AND SERVICES
The following resources and hotlines are available at no-cost to help veterans understand their rights, protections, benefits, and accommodations: dol.ny.gov/veteran-benefits-and-services

Information for military personnel and veterans: tax.ny.gov/pit/file/military_page.htm U.S. Department of Veterans Affairs Veterans Crisis Property tax exemptions: tax.ny.gov/pit/property/exemption/vetexempt.htm Line: www.veteranscrisisline.net Call: 988, press 1 Text: 838255 Suicide and Crisis Lifeline: www.veteranscrisisline.net Call: 988 **Crisis Textline:** NYS Office of Mental Health (OMH): www.omh.ny.gov

LEGAL SERVICES Veterans Treatment Courts (VTC): ww2.nvcourts.gov/courts/problem solving/vet/courts.shtml Email: ProblemSolving@courts.state.nv.us NYS Defenders Association Veteran Defense Programs https://www.nysda.org/page/VDP **NEW YORK STATE DIVISION OF VETERANS' SERVICES**

Section 750. Definitions. 751. Applicability. 752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited.

NEW YORK CORRECTION LAW ARTICLE 23-A **NEW YORK CORRECTION LAW ARTICLE 23-A** LICENSURE AND EMPLOYMENT OF PERSONS PREVIOUSLY CONVICTED OF ONE OR MORE CRIMINAL OFFENSES

VETERAN BENEFITS AND SERVICES

MENTAL HEALTH AND SUBSTANCE ABUSE RESOURCES All calls and texts are free and confidential **NYS Department of Tax and Finance**

the Experience Counts program, and more.

WE ARE YOUR DOL NEW YORK STATE Of Labor

Effective July 24, 2003, the amended New York State Clean Indoor Air Act (Public Health Law, Article 13-E) prohibits smoking in virtually all workplaces, including restaurants and bars. The changes in the Act reflect the state's commitment to ensuring that all workers are protected from secondhand smoke. Localities may continue to adopt and enforce local laws regulating smoking. However, these regulations must be STATE OF NEW YORK - Department of Health - Antonia C. Novello, M.D., M.P.H., Dr. P.H., Commissioner

ATTENTION ALL EMPLOYEES TIME ALLOWED EMPLOYEES TO VOTE ON ELECTION DAY N.Y. ELECTION LAW SECTION 3-1101 STATES THAT: • 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. nployers: Not less than ten working days before any Election Day, every employer shall post conspicuously in the place of work where it can be seen as employees come or

ANTI-DISCRIMINATION NOTICE

It is illegal to discriminate against work-authorized individuals

at 800-255-7688.

Revised 4.14.2020

www.labor.ny.gov

Employers CANNOT specify which document(s) they will Family Leave insurance. Your insurance carrier will provide you with a notice to accept from an employee. The refusal to hire an individual employees (Notice of Compliance) stating that you have Paid Family Leave because the documents have a future expiration date may insurance. The Notice will include information about your carrier. also constitute illegal discrimination. If you are self-insured, you can get this notice by contacting the NYS For information, please contact The Office of Special Counsel Workers' Compensation Board at <u>certificates@wcb.ny.gov</u>. for Immigration Related Unfair Employment Practices Office

> WHISTLEBLOWER PROTECTION Notice of Employee Rights, Protections, and NEW YORK | Department **Obligations Under Labor Law Section 740** Prohibited Retaliatory Personnel Action by Employers

> > 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

(e) the employee reasonably believes that the supervisor is already aware

of the activity, policy or practice and will not correct such activity, policy

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

(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

3. Application. The protection against retaliatory action provided by paragraph

or practice. 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 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

2. Prohibitions. An employer shall not take any retaliatory action against an employee, whether or not within the scope of the employee's job duties, employer if the court determines that an action brought by an employee under this section was without basis in law or in fact. (a) discloses, or threatens to disclose to a supervisor or to a public body an 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 activity, policy or practice of the employer that the employee reasonably believes is in violation of law, rule or regulation or that the employee reasonably believes poses a substantial and specific danger to the public 8. Publication. Every employer shall inform employees of their protections, rights and obligations under this section, by posting a notice thereof. Such (b) provides information to, or testifies before, any public body conducting notices shall be posted conspicuously in easily accessible and well-lighted an investigation, hearing or inquiry into any such activity, policy or places customarily frequented by employees and applicants for employment.

USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

HEALTH INSURANCE PROTECTION You have the right to be reemployed in your civilian job if you leave that job to perform • 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

753. 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