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DISCRIMINATION

 $\star \star \star \star \star \star \star$ LABOR LAW POSTER $\star \star \star \star \star \star$

ATTENTION EMPLOYERS

UNEMPLOYMENT INSURANCE

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

WORKERS' COMPENSATION

WORKERS' COMPENSATION NOTICE

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

DISABILITY BENEFITS LAW

An employer who has had in New York State employment 1 or more employees on each of at least 30 days in any calendar year shall be a "covered employer" subject to the Disability Benefits Law after the 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 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 least one employee who works 40 or more hours per week for that one employer. (NOTE: Prior to January 1, 1984, employers are subject only if they have 4 or more employees.) 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.

RIGHT TO VOTE

ATTENTION ALL EMPLOYEES

TIME ALLOWED EMPLOYEES TO VOTE ON ELECTION DAY

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

• YOU MAY TAKE TIME OFF AT THE BEGINNING OR END OF YOUR WORKING SHIFT, AS YOUR EMPLOYER MAY DESIGNATE, UNLESS OTHERWISE MUTUALLY AGREED.

• YOU MUST NOTIFY YOUR EMPLOYER NOT LESS THAN 2 DAYS, BUT NOT MORE THAN 10 DAYS, BEFORE THE DAY OF THE ELECTION THAT YOU WILL TAKE TIME OFF TO VOTE.

Employers: 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 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. Revised 4.14.2020

WHISTLEBLOWER PROTECTION

Division of Labor Standars Harriman State Office Campus Building 12, Albany, NY 12226

specifically indicates otherwise:

or more employees.

employee thereof;

branch of government; or

§740. Retaliatory action by employers; prohibition.

enterprise who are not themselves employers.

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

(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,

(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 (iii) any

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

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

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

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

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

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

(e) "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 threats to take such adverse employment

actions against an employee in the terms of conditions

of employment including but not limited to discharge,

suspension, or demotion; (ii) actions or threats to take such

actions that would adversely impact a former employee's

current or future employment; or (iii) threatening

to contact or contacting United States immigration

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 of

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

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

organization 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

subparagraphs (i) through (v) of this paragraph.

commission of any of the public bodies described in

public agency or authority, or instrumentality thereof;

elected local governmental body, or any member or

judicial or administrative decision, ruling or order.

employee thereof, or any grand or petit jury;

prosecutorial office, or police or peace officer;

(d) "Public body" includes the following:

institution, corporation, or association that employs one

Notice of Employee Rights, Protections, and **Obligations Under Labor Law Section 740** Prohibited Retaliatory Personnel Action by Employers Effective January 26, 2022



3. Application. The protection against retaliatory action provided by paragraph (a) of subdivision two of this section pertaining to disclosure to a public body shall not apply to an employee who makes such disclosure to a public body unless the employee has made a good faith effort to notify his or her employer by bringing the activity, policy or practice to the attention of a supervisor of the employer and has afforded such employer a reasonable opportunity to correct such activity, policy or practice. Such employer notification shall not be required where: (a) there is an imminent and serious danger to the public health

or safety;

- (b) the employee reasonably believes that reporting to the supervisor would result in a destruction of evidence or other concealment of the activity, policy or practice;
- (c) such activity, policy or practice could reasonably be expected to lead to endangering the welfare of a minor; (d) the employee reasonably believes that reporting to the
- supervisor would result in physical harm to the employee or any other person; or
- (e) the employee reasonably believes that the supervisor is already aware of the activity, policy or practice and will not correct such activity, policy or practice.

4. Violation; remedy.

- (a) An employee who has been the subject of a retaliatory action in violation of this section may institute a civil action in a court of competent jurisdiction for relief as set forth in subdivision five of this section within two years after the alleged retaliatory action was taken.
- (b) Any action authorized by this section may be brought in the county in which the alleged retaliatory action occurred, in the county in which the complainant resides, or in the county in which the employer has its principal place of business. In any such action, the parties shall be entitled to a jury trial.
- (c) It shall be a defense to any action brought pursuant to this section that the retaliatory action was predicated upon grounds other than the employee's exercise of any rights protected by this section.

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

(a) an injunction to restrain continued violation of this section; (b) the reinstatement of the employee to the same position held before the retaliatory action, or to an equivalent position, or front pay in lieu thereof;

- (c) the reinstatement of full fringe benefits and seniority riahts:
- (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

Division of Human Rights

THIS ESTABLISHMENT IS SUBJECT TO THE NEW YORK STATE HUMAN RIGHTS ESTE ESTABLECIMIENTO ESTÁ SUJETO A LA LEY DE DERECHOS HUMANOS DEL LAW (EXECUTIVE LAW, ARTICLE 15)

NEW YORK

NEW

YORK

STATE

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 status, familial status, or marital status is prohibited by the New York migratorio, discapacidad, estado como víctima de violencia doméstica, estado State Human Rights Law. Sexual harassment or harassment based upon any of these protected classes also is prohibited

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 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 workplace (for example temp or contract workers) are protected from all discrimination described above.

RENTAL, LEASE OR SALE OF HOUSING, LAND AND COMMERCIAL SPACE, INCLUDING ACTIVITIES OF REAL ESTATE BROKERS AND SALES PEOPLE

Also prohibited: discrimination on the basis of lawful source of income (for example housing vouchers, disability benefits, child support); familial status (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

same sex (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

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

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. **EDUCATION INSTITUTIONS**

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 language schools

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 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.

Discrimination based upon age, race, creed, color, national origin, sexual La ley de derechos humanos del estado de nueva york prohíbe la discriminación militar, sexo, embarazo, identidad o expresión de género, ciudadanía o estatus familiar, o estado civil. También está prohibido el acoso sexual o el acoso por cualquiera de estas clases protegidas.

ESTADO DE NUEVA YORK (LEY EJECUTIVA, SECCIÓN 15)

1-888-392-3644

WWW.DHR.NY.GOV

TODOS LOS EMPLEADORES, AGENCIAS DE EMPLEO, ORGANIZACIONES DE 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 elacionadas con el embarazo.

Es posible que sea necesario hacer acomodos razonables para personas con discapacidades y condiciones relacionadas con el embarazo incluyendo lactación Un arreglo razonable es una adaptación a un trabajo o entorno laboral que permita que una persona con discapacidad realice las tareas esenciales de un trabajo de manera razonable

También están cubiertos: trabajadores domésticos; internos y no empleados cuales trabajan en el lugar de trabajo (por ejemplo trabajadores temporarios o

ALQUILER, ARRENDAMIENTO O VENTA DE VIVIENDA, TERRENO O ESPACIO COMERCIAL INCLUYENDO ACTIVIDADES DE AGENTE DE BIENES RAICES Y **VENDEDORES**

- También esta prohibido: la discriminación a base de fuente de ingreso legal (por ejemplo vales, beneficios de discapacidad, manutención de niños); estado familiar (familias con niños o en estado de embarazo); arresto previo o condena sellada; boicot comercial o acoso inmobiliario.
- También es posible que sea necesario realizar modificaciones y arreglos razonables para personas con discapacidades.

Excepciones:

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

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

TODAS TRANSACCIONES CREDITICIAS INCLUYENDO FINANCIAMENTO PARA LA COMPRA, MANTENIMIENTO Y REPARACION DE VIVIENDAS

LUGARES DE ALOJAMIENTO PÚBLICO, COMO RESTAURANTES, HOTELES, HOSPITALES Y CONSULTORIOS MÉDICOS, CLUBS, PARQUES Y OFFICINAS DEL GOBIERNO.

La edad no es una clasificación cubierta respecto a los alojamientos públicos. Es posible que sea necesario realizar arreglos razonables para personas con discapacidades.

niveles, excluyendo escuelas dirigidas por organizaciones religiosas; también están cubiertos: escuelas profesionales autorizadas o escuelas certificadas de inglés como segundo idioma.

PUBLICIDAD Y SOLICITUDES RELACIONADAS CON EL EMPLEO, LOS INMUEBLES, LOS LUGARES DE ALOJAMIENTO PÚBLICO Y LAS TRANSACCIONES CREDITICIAS NO DEBEN EXPRESAR NINGUN ACTO DISCRIMINATORIO

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

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

Excepción:

INSTITUCIONES EDUCATIVAS

Todas las escuelas publicas y escuelas privadas sin ánimo de lucro, en todos los

Para actos que ocurran el 14/02/2024 o antes, debe presentar su querella en un 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 guerella en un plazo de tres años posterior al acto más reciente de presunta discriminación. Una denuncia que alega acoso sexual en el empleo que ocurrió a partir del 12/08/2020 puede presentarse con

contratantes) están protegidos de toda discriminación descrita arriba.

(3) alquiler de una habitación por parte del ocupante de una casa o apartamento personas mayores de 55 años y al cónyuge de dichas person

If you wish to file a complaint in State Court, you may do so within three years of the discrimination. You may not file both with the 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 retaliated against.

FOR FURTHER INFORMATION, WRITE OR CALL THE DIVISION'S NEAREST OFFICE. HEADQUARTERS: ONE FORDHAM PLAZA, 4TH FLOOR, BRONX, NY 10458

Si desea presentar una demanda ante el Tribunal Estatal, puede hacerlo dentro de los tres años desde que ocurriera la discriminación. No puede presentar una demanda ante la División y ante el Tribunal Estatal.

Se prohíben las represalias por presentar una demanda u oponerse a prácticas

discriminatorias. Puede presentar una demanda ante la División si sufrió represalias. PARA OBTENER MÁS INFORMACIÓN, ESCRIBA O LLAME A LA OFICINA MÁS CERCANA DE LA DIVISIÓN. OFICINA CENTRAL: ONE FORDHAM PLAZA. 4TH FLOOR, BRONX, NY 10458

NEW YORK MINIMUM WAGE

Attention Miscellaneous Industry Employees WE ARE YOUR DOL STATE OF STATE OF OF COMPORTUNITY. Minimum Wage hourly rates effective 1/1/2025 – 12/31/2025

New York City				
Large Employers (11 or more employees)	Small Employers (10 or less employees)			
Minimum Wage \$16.50	Minimum Wage \$16.50			
Overtime after 40 hours \$24.75	Overtime after 40 hours \$24.75			
Tipped workers \$16.50	Tipped workers \$16.50			
Overtime after 40 hours \$24.75	Overtime after 40 hours \$24.75			
Long Island and Westchester County	Remainder of New York State			
Minimum Wage \$16.50	Minimum Wage \$15.50			
Overtime after 40 hours \$24.75	Overtime after 40 hours \$23.25			
Tipped workers \$16.50	Tipped workers \$15.50			
Overtime after 40 hours \$24.75	Overtime after 40 hours \$23.25			

If you have questions, need more information or want to file a complaint, please visit <u>www.labor.ny.gov/minimumwage</u> 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 regular rate of pay (no less than amounts shown above) for weekly hours over 40 (or 44 for residential employees).	• Call-in pay – If you go to work as scheduled and your employer sends you home early, you may be entitled to extra hours of pay at the minimum wage rate for that day.	 Uniform maintenance – If you clean your own uniform, you may be entitled to additional weekly pay. The weekly rates are available online.
<i>Exceptions:</i> Overtime is not required for salaried professionals, or for executives and administrative staff whose weekly salary is more than 75 times	• 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 Poster Post in Plain View
the minimum wage rate.	minimum wage rate.	LS 207 (12/2

Poster LS 207 (12/24)

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

NEW YORK CORRECTION LAW ARTICLE 23-A

Section 750. Definitions.

- 751. Applicability. **752.** Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited.
- 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 ollowing meanings (1) "Public agency" means the 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, nclude any license or permit to own, possess, carry, or fire any explosive, pistol, nandgun, 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. or 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 een 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 imposed by law, and has not been removed by an executive pardon, certificate of relief om 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 n connection with an application for employment made by a prospective employee or

previously made by a current employee. Unfair discrimination against persons previously convicted of one or mor

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 velfare 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 nployment 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. 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. 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 equest, 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.

NO SMOKING NOTICE

NO SMOKING



STATE OF NEW YORK Department of Health - Antonia C. Novello, M.D., M.P.H., Dr. P.H., Commissioner For more information about the Act, call 1-800-458-1158, ext. 2-7600.

RIGHT OF NURSING MOTHERS TO EXPRESS BREAST MILK

Guidelines Regarding the Rights of Nursing Mothers to Express Breast Milk in the Work Place

Section 206-c of the New York State Labor Law provides are returning to work, following the birth of a child, and their right to take unpaid leave for the purpose as follows: Right of Nursing Mothers to Express Breast Milk. An employer shall provide reasonable unpaid of expressing breast milk. Such notice may either be provided individually to affected employees or to break time or permit an employee to use paid break time or meal time each day to allow an employee to all employees generally through publication of such express breast milk for her nursing child for up to three notice in the employee handbook or posting of the years following child birth. The employer shall make notice in a central location reasonable efforts to provide a room or other location, in close proximity to the work area, where an employee can express milk in privacy. No employer shall discriminate in any way against an employee who chooses to express preast milk in the workplace.

B. An employee wishing to avail herself of this benefit is required to give her employer advance notice. Such notice shall preferably be provided to the employer prior to the employee's return to work following the birth of the child in order to allow the employer an opportunity to establish a location and schedule leave time amongst

Please indicate administrator

LS 702 (10/23)

A. Employers shall provide written notification of the provisions of Labor Law §206-c to employees who multiple employees if needed.

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 Alternatives

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.

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

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 nourishment after donating, and to return to work.

Our company's blood donation will occur: Please indicate time and place

Should you have any questions, please contact:

LS 703 (03-16)

Prohibitions. An employer shall not take any retaliatory action against an employee, whether or not within the scope of the employee's job duties, because such employee does any of the following:

which the employee complains.

- (a) discloses, or threatens to disclose to a supervisor or to a public body an 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 health or safety;
- (b) provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any such activity, policy or practice by such employer; or (c) objects to, or refuses to participate in any such activity, policy or practice.

that reasonable attorneys' fees and court costs and disbursements be awarded to an employer if the court determines that an action brought by an employee under this section was without basis in law or in fact.

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

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

To Be Posted Conspicuously in easily accessible and well-lighted places customarily frequented by employees and applicants for employment.

LS 740 (02/22)

EQUAL PAY NOTICE

NEW YORK STATE OF OPPORTUNITY. Of Labor Department

Equal Pay Provision of the New York State Labor Law Division of Labor Standards Article 6, Section 194 www.labor.ny.gov nety-six and any intern protected from to section two hundred ninety-six-c of

§ 194. Differential in rate of pay prohibited.

. No employee with status with classes shall be paid a wage at 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: (i) a seniority system;

(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 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 consistent with business necessity. Such exception under this paragraph shall not apply when the
- (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
- 2. 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

limitations in such written policy. (d) This prohibition shall not apply to instances in which an employee who has access 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.

TAX BENEFITS

NYS Department of Tax and Finance Information for military personnel and veterans: tax.ny.gov/pit/file/

Property tax exemptions: tax.ny.gov/pit/property/exemption/vetexempt.htm

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

ADDITIONAL RESOURCES

NYS Domestic and Sexual Violence Hotline:

Call: 800-942-6906 Text: 844-997-2121

NYS Workplace Sexual Harassment Hotlines

Call: 1-800-HARASS-3

NYS Department of Motor Vehicles:

Veteran Status Designation Photo Document:

dmv.nv.gov/more-info/veteran-statusdesignation-photo-documen

• Veteran License Plate: dmv.ny.gov/plates/military-and-veterans

NEW YORK STATE DEPARTMENT OF LABOR VETERANS' PROGRAM

Website: dol.ny.gov/services-veterans

Help Line: 1-888-469-7365 Email: Ask.Vets@labor.ny.gov

Services: Workforce and training resources, unemployment insurance,

For questions, write or call your nearest office, (listed below), of the: **New York State Department of Labo Division of Labor Standards**

Albany District State Office Campus Bldg. 12, Rm. 185A Albany, NY 12240 (518)457-2730	New York City District 75 Varick Street, 7th Floor New York, NY 10013 (212) 775-3880	Syracuse District 333 East Washington Street, Rm. 121 Syracuse, NY 13202 (315) 428-4057	Garden City District 400 Oak Street, Suite 101 Garden City, NY 11530 (516) 794-8195
Buffalo District	Rochester Sub-District	White Plains District	LS 603 (08/20)
290 Main Street, Rm. 226	276 Waring Road, Rm. 104	120 Bloomingdale Road	
Buffalo, NY 14202	Rochester, NY 14609	White Plains, NY 10605	
(716) 847-7141	(585) 258-4550	(914) 997-9521	

VETERAN BENEFITS AND SERVICES

because of protected class status	section two hundred nin
	discrimination pursuant
nin one or more protected class or	the executive law.
a rate less than the rate at which an	3. For the purposes of subdivis

sion 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.

4. (a) No employer shall prohibit an employee from inquiring about, discussing, or disclosing the wages of such employee or another employee.

- (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.
- (c) 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
- employee demonstrates

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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 een previously convicted of one or more criminal offenses, or by reason of a finding of lack

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

DISCRIMINATION AGAINST CERTAIN ACTIVITIES

New York Labor Law

201-d. Discrimination against the engagement in certain activities. nitions. 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;
- p. "Recreational activities" shall mean any lawful, leisure-time activity, for which the employee receives no compensation and which is generally engaged in for recreational purposes, including but not limited to sports, games, hobbies, exercise, reading and the viewing of television, movies and similar material;
- c. "Work hours" shall mean, for purposes of this section, all time, including paid and 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 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;
- d. "Political matters" shall mean matters relating to elections for political office, political parties, legislation, regulation and the decision to join or support any political party or political, civic, community, fraternal or labor organization;
- 'Religious matters" shall mean matters relating to religious affiliation and practice and the decision to join or support any religious organization or association.
- Unless 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 seventy nine-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; b. 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;
- c. 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
- e. 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:
- b. with respect to employees of a state agency as defined in sections seventy-three and seventy-four of the public officers law respectively, is in knowing violation of 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 of their official duties:
- 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 ne proper discharge of official duties;
- d. 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 nunicipal 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 provision, rule or directive concerns ethics, conflicts of interest, potential conflicts of interest, or the proper discharge of official duties and otherwise covers such employees; and
- e. 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.

- vithstanding 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, ar employer shall not be in violation of this section where the employer takes action related to the use of cannabis based on the following:
- the employer's actions were required by state or federal statute, regulation ordinance, or other state or federal governmental mandate;
- (ii) 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
- (iii) the employer's actions would require such employer to commit any act that would cause the employer to be in violation of federal law or would result in the loss of a 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 differential premium rates charged employees reflect a differential cost to the employer and that employers provide employees with a statement delineating the differentia 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. 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.

- 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 it: agent, representative or designee from communicating to its employees any information 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 betwee employees or between an employee and an agent, representative or designee of ar employer 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.

Most private employers with one or more employees are required to obtain Paid Family Leave insurance. Your insurance carrier will provide you with a notice to employees (Notice of Compliance) stating that you have Paid Family Leave insurance. The Notice will include information about your carrier.

PAID FAMILY LEAVE NOTICE

- If you are self-insured, you can get this notice by contacting the NYS Workers' Compensation Board at certificates@wcb.ny.gov.
- · Post and maintain this notice in plain view.

FRINGE BENEFITS AND HOURS

NOTICE **REQUIREMENTS FOR 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: (Please advise employees where they may obtain written information on fringe benefits and hours.)

RIGHT TO KNOW

YOU HAVE A RIGHT TO KNOW!

■ 然誌■ 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

military_page.htm

MENTAL HEALTH AND SUBSTANCE ABUSE RESOURCES

All calls and texts are free and confidential **U.S. Department of Veterans Affairs Veterans Crisis** Line: www.veteranscrisisline.net Text: 838255 Call: 988, press 1 Suicide and Crisis Lifeline: www.veteranscrisisline.net Call: 988 Text: 988 **Crisis Textline:** Text: 741741 Chat: crisistextline.org NYS Office of Mental Health (OMH): www.omh.ny.gov NYS Office of Addiction Services and Supports (OASAS):

www.oasas.ny.gov/hopeline Call: 1-877-8-HOPENY (467469) Text: HOPENY (467369)

LEGAL SERVICES

Veterans Treatment Courts (VTC): ww2.nycourts.gov/courts/problem_solving/vet/courts.shtml Email: ProblemSolving@courts.state.ny.us NYS Defenders Association Veteran Defense Program: https://www.nysda.org/page/VDP

NEW YORK STATE DIVISION OF VETERANS' SERVICES

Website: veterans.ny.gov Help Line: 1-888-838-7697 Email: DVSInfo@veterans.ny.gov Services: Legal, education, employment and volunteer, financial, health care, and more.

the Experience Counts program, and more WE ARE YOUR DOL The New York State Department of Labor is an Equal Opportunity Employer/Program Division of Veterans' Services Auxiliary aides and services are available upon request and free of charge to individuals with disabilities TTY/TDD 711 or 1-800-662-1220 (English) / 1-877-662-4886. P37 (2/24)

SCHEDULE OF HOURS OF WORK FOR MINORS

Following are the HOURS OF WORK FOR MINORS UNDER EIGHTEEN employed at



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: Name

Location & Phone Number

4/00 Revised 8/2010 THE RIGHT TO KNOW LAW WORKS FOR YOU. **NEW YORK STATE DEPARTMENT OF HEALTH** 2706