**EEOC - KNOW YOUR RIGHTS: WORKPLACE DISCRIMINATION IS ILLEGAL** 

rights regarding disability discrimination or pregnancy

What Employment Practices can be Challenged as

All aspects of employment, including:

Pay (unequal wages or compensation)

Harassment (including unwelcome verbal or

• Failure to provide reasonable accommodation for

condition; or a sincerely-held religious belief,

a disability; pregnancy, childbirth, or related medical

Discharge, firing, or lay-off

physical conduct)

Hiring or promotion

observance or practice

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 • Employees (current and former), including managers discrimination, or participating in a discrimination and temporary employees lawsuit, investigation, or proceeding Interference, coercion, or threats related to exercising

 Job applicants • Union members and applicants for membership in a union What Organizations are Covered? Most private employers · State and local governments (as employers) Educational institutions (as employers) Staffing agencies

What Types of Employment Discrimination are Illegal?

Under the EEOC's laws, an employer may not discriminate

against you, regardless of your immigration status, on the • Assignment

individuals with disabilities from discrimination in hiring, promotion, discharge, pay,

fringe benefits, job training, classification, referral, and other aspects of employmen by Federal contractors. Disability discrimination includes not making reasonable

bases of: Race Color Religion National origin • Sex (including pregnancy, childbirth, and related

other applicants or employee

of employment, including the executive level.

which receive Federal financial assistance.

medical conditions, sexual orientation, or gender identity) Age (40 and older) Disability • Genetic information (including employer requests for,

 Classification Referral • Obtaining or disclosing genetic information of employees or purchase, use, or disclosure of genetic tests, genetic Requesting or disclosing medical information services, or family medical history) of employees

**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

Benefits

Job training

Know Your Rights: Workplace Discrimination is Illegal

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: from active duty), active duty wartime or campaign badge veterans, or Armed Forces Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin service medal veterans. **Retaliation** Retaliation is prohibited against a person who files a complaint Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or of discrimination, participates in an OFCCP proceeding, or otherwise opposes national origin, and requires affirmative action to ensure equality of opportunity in all discrimination by Federal contractors under these Federal laws. Any person who aspects of employment. Asking About, Disclosing, or Discussing Pay Executive Order 11246, as amended, under OFCCP's authorities should contact immediately:

believes a contractor has violated its nondiscrimination or affirmative action obligations protects applicants and employees of Federal contractors from discrimination based on The Office of Federal Contract Compliance Programs (OFCCP inquiring about, disclosing, or discussing their compensation or the compensation of U.S. Department of Labor 200 Constitution Avenue, N.W. **Disability** Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified Washington, D.C. 20210

Conduct that might reasonably discourage someone

Conduct that coerces, intimidates, threatens, or interferes

from opposing discrimination, filing a charge, or

participating in an investigation or proceeding

with someone exercising their rights, or someone

assisting or encouraging someone else to exercise

rights, regarding disability discrimination (including

accommodation) or pregnancy accommodation
What can You Do if You Believe Discrimination has

Occurred? Contact the EEOC promptly if you suspect

limits for filing a charge of discrimination (180 or 300

**Submit** an inquiry through the EEOC's public portal:

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

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

Visit an EEOC field office (information at

Additional information about the FFOC

including information about filing a charge

of discrimination, is available at www.eeoc.gov.

the EEOC in any of the following ways:

**Call** 1–800–669–4000 (toll free)

www.eeoc.gov/field-office)

E-Mail info@eeoc.gov

1-800-669-6820 (TTY)

discrimination. Do not delay, because there are strict time

days, depending on where you live/work). You can reach

1-800-397-6251 (toll-free) If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access accommodation to the known physical or mental limitations of an otherwise qualified ommunications relay services. OFCCP may also be contacted by submitting a individual with a disability who is an applicant or employee, barring undue hardship to question online to OFCCP's Help Desk at <a href="https://ofccphelpdesk.dol.gov/s/">https://ofccphelpdesk.dol.gov/s/</a>, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels Government, Department of Labor and on OFCCP's "Contact Us" webpage 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 Individuals with Disabilities Section 504 of the Rehabilitation Act of 1973, as Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, amended, prohibits employment discrimination on the basis of disability in any prohibits discrimination on the basis of race, color or national origin in programs or program or activity which receives Federal financial assistance. Discrimination is activities receiving Federal financial assistance. Employment discrimination is covered prohibited in all aspects of employment against persons with disabilities who, with or by Title VI if the primary objective of the financial assistance is provision of employment, without reasonable accommodation, can perform the essential functions of the job. or where employment discrimination causes or may cause discrimination in providing If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities agency providing such assistance. (Revised 6/27/2023)

### OCCUPATIONAL SAFETY AND HEALTH PROTECTION

You Have a Right to a Safe and Healthful Workplace.

## IT'S THE LAW!

- You have the right to notify your employer or TOSHA about workplace hazards. You may ask TOSHA to keep your name confidential.
- You have the right to request a TOSHA inspection if you believe that there are unsafe and unhealthful conditions in your workplace. You or your representative may participate in the inspection.
- You can file a complaint with TOSHA within 30 days of discrimination by your employer for making safety and health complaints or for exercising your rights under the TOSHA Act or the Tennessee Hazardous Chemical Right-to-Know Act.
- You have a right to see TOSHA citations issued to your employer. Your employer must post the citations at or near the place of the alleged violation.
- Your employer must correct workplace hazards by the date indicated on the citation and must certify that these hazards have been reduced or eliminated.
- You have rights under the Tennessee Right to Know Law concerning hazardous chemicals in your work area. Your employer must provide training about health effects, protective measures, safe handling procedures, as well as information on interpreting labels and safety data sheets (SDS). You must be provided access to the safety data sheets and the workplace chemical list.
- You have the right to copies of your medical records or records of your exposure to toxic and harmful substances or conditions.
- Your employer must post this notice in your workplace.



The Tennessee Occupational Safety and Health Act of 1972, T.C.A. §§ 50-3-101 et seq., assures safe and healthful working conditions for working men and women throughout the state. The Department of Labor and Workforce Development, Division of Occupational Safety and Health (TOSHA) has the primary responsibility for administering the TOSHA

Act. The rights listed here may vary depending on the particular circumstances. To file a complaint, report an emergency or seek TOSHA advice, assistance or information,

call 800-249-8510 or your nearest TOSHA office. • Chattanooga (423) 634-6424

• Jackson (731) 423-5640 • Kingsport (423) 224-2042 • Knoxville (865) 594-6180 • Memphis (901) 543-7259 • Nashville (615) 741-2793. To file a complaint online or

obtain information on Federal OSHA and other state programs, visit OSHA's website

at www.osha.gov. For additional information on TOSHA visit www. http://tn.gov/workforce/section/tosha.

(REV. 3/16)

Authorization No. 337330

### **EMPLOYEE POLYGRAPH PROTECTION ACT**

**EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT** 

during the course of employment. **PROHIBITIONS** Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or 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 law does not apply to tests given by the Federal Government to certain permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers. The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft,

embezzlement, etc.) that resulted in economic loss to the employer. The law

does not preempt any provision of any State or local law or any collective

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or 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 specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons. **ENFORCEMENT** The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions. EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

WAGE AND HOUR DIVISION IITED STATES DEPARTMENT OF LABOR 1-866-487-9243 www.dol.gov/agencies/whd



### **TENNESSEE RIGHT TO WORK LAW**

Tennessee Code Annotated §50-1-201 et seq. states that it is unlawful for any employer or organization of any kind:

I. To deny or attempt to deny employment to any person by reason of the person's membership in, affiliation with, resignation from or refusal to join or af filiate with any labor union or employee organization of any kind.

2. To enter into any contract, combination or agreement, written or oral, providing for exclusion from employment of any person because of membership in, affiliation with, resignation from or refusal to join or af filiate with any labor union or employee organization of any kind. 3. To exclude from employment an person by reason of the person's payment of or failure to pay dues, fees, assessments or other charges to any labor union or

4. Operating in this state to execute an agreement with a union or employee organization of any kind that includes a maintenance of membership clause prohibiting employees for withdrawing from a labor union or employee organization prior to the agreement's expiration. This section shall not apply to a city,

town, municipality or county including a county having a metropolitan form of government.

An employer or organization of any kind violating any of the provisions of this part commits a Class A misdemeanor.

State Of Tennessee | Department Of Labor And Workforce Development 220 French Landing Drive Nashville, TN 37243



It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because

the documents have a future expiration date may also constitute illegal discrimination. For information, please contact The Office of Special Counsel for Immigration Related Unfair Employment Practices Office at 800-255-7688.

### FEDERAL MINIMUM WAGE

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

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

The law requires employers to display this poster where employees can readily see it. **OVERTIME PAY** At least 1½ times the regular rate of pay for all hours worked

CHILD LABOR An employee must be at least 16 years old to work in most nonfarm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment. TIP CREDIT Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per

hour do not equal the minimum hourly wage, the employer must make up the 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

• Certain full-time students, student learners, apprentices, and workers with be used by the employee to express breast milk. **ENFORCEMENT** The Department has authority to recover back wages and an

equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's

child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA.

• Certain occupations and establishments are exempt from the minimum

wage, and/or overtime pay provisions. Certain narrow exemptions also apply to the pump at work requirements. Special provisions apply to workers in American Samoa, the Commonwealth

of the Northern Mariana Islands, and the Commonwealth of Puerto Rico. Some state laws provide greater employee protections; employers must comply with both. 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. disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.



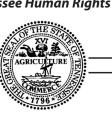
#### DISCRIMINATION

TENNESSEE & FEDERAL LABOR LAW POSTER

### TENNESSEE LAW PROHIBITS DISCRIMINATION IN EMPLOYMENT

IT IS ILLEGAL TO DISCRIMINATE AGAINST ANY PERSON BECAUSE OF RACE, COLOR, CREED, RELIGION, SEX, AGE, DISABILITY, OR NATIONAL ORIGIN IN RECRUITMENT, TRAINING, HIRING, DISCHARGE, PROMOTION, OR ANY CONDITION, TERM OR PRIVILEGE OF EMPLOYMENT.

> If you feel that you have been discriminated against, contact the Tennessee Human Rights Commission.



### LA LEY DE TENNESSEE PROHIBE LA DISCRIMINACIÓN EN EL EMPLEO

ES EN CONTRA DE LA LEY DISCRIMINAR EN CONTRA DE CUALQUIER PERSONA DEBIDO EN BASE A LA RAZA, COLOR, CREDO, RELIGIÓN, SEXO, EDAD, INCAPACIDAD U ORÍGEN EN EL SELECCIÓN, ENTRENAMIENTO, EMPLEO, AL DESPEDIR, PROMOVER O CUALQUIER CONDICIÓN, TÉRMINO O PRIVILEGIO DE EMPLEO.

Si usted cree que ha sido víctima de discriminación, comuníquese con la Comisión de Derechos Humanos de Tennessee.

### **CONTACT US/PARA MAS INFORMACIÓN:**

TENNESSEE HUMAN RIGHTS COMMISSION

**WILLIAM R. SNODGRASS TENNESSEE TOWER** 312 ROSA L. PARKS AVENUE 23RD FLOOR NASHVILLE, TENNESSEE 37243-1102

1-800-251-3589 ESPAÑOL: 1-866-856-1252 WWW.TN.GOV/HUMANRIGHTS

Tennessee Human Rights Commission, Authorization no. 316148, 0 copies. This document was promulgated at a cost of \$0.00 per copy

### **WORKERS' COMPENSATION**

TENNESSEE WORKERS' COMPENSATION INSURANCE

# **POSTING NOTICE**

**How to Report Work-Related Injuries** What should be done if injured at work?

### **Employee**

- 1. Immediately **report the injury** to the employer representative named below.
- 2. **Select a treating physician** from a panel provided by 3. If you have questions or problems, contact the employer
- representative or the Bureau of Workers' Compensation.

### **Employer**

PHONE: (615) 741-5825 OR

Last Revised July 2014

- 1. Complete your company's internal "Workplace Injury form" and **notify your workers' compensation insurance** company immediately, even if you have concerns about the validity of the claim.
- 2. **Offer a panel of physicians** to the employee via Form C-42 available on the Bureau's website. *In cases of emergency, call* an ambulance and provide this form as soon as the injured employee has stabilized.

Printed **name and title** of the employer representative to be notified in the event of a work-related injury

Printed name of an **alternative employer representative** to be notified in the event of a work-related injury

**Telephone number** of employer representative to notify in event of a work-related injury

**Address** of employer representative to notify in event of a work-related injury

The Tennessee Bureau of Workers' Compensation is available to help both employees and employers.

**COMPENSATION** 

220 French Landing Dr. 1-B Nashville, TN 37243-2667 800-332-2667 615-532-4812 TTD: 800-332-2257 tn.gov/workerscomp

Workers' Compensation law requires this notice to be posted in a conspicuous place at the work site at all times.

Now is the time to check your withholding. For more details,

get Publication 919, How Do I Adjust My Tax Withholding?, or

use the Withholding Calculator at www.irs.gov/individuals

**Employer:** Please post or publish this Bulletin Board Poster

Authorization No. 337545 (REV. 4/18) RDA 10183

WITHHOLDING STATUS

1-800-829-3676.

on the IRS web site.

#### YOU MAY NEED TO CHECK YOUR WITHHOLDING Since you last filed form W-4 with your employer did See your employer for a copy of Form W-4 or call the IRS at

you... · Marry or divorce?

Gain or lose a dependent? Change your name? Were there major changes to...

Your nonwage income (interest, dividends, capital gains,

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

If you can answer "YES"... To any of these questions or you owed extra tax when you filed your last return, you may need to file a new form W-4.

so that your employees will see it. Please indicate where they can get forms and information on this subject. IRS

Publication 213 (Rev. 8-2009) Cat. No. 11047P

Department of the Treasury **Internal Revenue Service www.irs.gov** 

### PAYDAY NOTICE & CHILD LABOR LAWS



#### TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT **WAGE REGULATIONS ACT**

#### It is unlawful for any employer to employ, permit or suffer to work any person without first informing the employee of the amount of wages to be paid (T.C.A. §50-2-101). All wages or compensation of employees in private employment shall be due and payable not less frequently than

once per month. Notice of regular paydays shall be posted by each employer in at least two conspicuous places.

DECLII AD DAVDAV IS DOSTED AS EQUIONIS.

Each employee must have a 30-minute unpaid rest break or meal period if scheduled to work 6 hours consecutively, except adult employees in workplace environments that by the nature of business provide for ample opportunity to rest or take an appropriate break. Such break shall not be scheduled during or before the first hour of scheduled work activity (T.C.A. §50-2-103). No employer shall discriminate between employees in the same establishment on the basis of sex by paying any employee salary or wage rates less than the employer pays to any employee of opposite sex for comparable skill, effort, and responsibility, and which are performed

CHILD LABOR ACT

Minors 14 and 15 years of age may not be employed (T.C.A. §50-5-104): 1. During school hours;

2. Between 7:00 pm and 7:00 am if the next day is a school day; 3. Between 9:00 pm and 6:00 am if the next day is not a school day;

4. More than 3 hours a day on school days: 5. More than 18 hours a week during school weeks; 6. More than 8 hours a day on non-school days;

under similar working conditions (T.C.A. §50-2-202).

7. More than 40 hours a week during non-school weeks. • "School hours" means that period of time during a school day when school is in session and students are required to attend class.

Minors 16 and 17 years of age may not be employed (T.C.A. §50-5-105): 1. During those hours when the minor is required to attend classes;

2. Between the hours of 10:00 pm and 6:00 am, Sunday through Thursday evenings preceding a school day, except with valid parental consent form kept in the minor's personnel file. Then, the minor may work until midnight no more than 3 of the Sunday through Thursday nights. "School days" means any day when normal classes are in session during regular school year in the school district.

A minor must have a 30-minute unpaid break or meal period if scheduled to work 6 hours consecutively. Such break shall not be scheduled during or before the first hour of scheduled work activity.

### OCCUPATIONS PROHIBITED FOR MINORS UNDER THE AGE OF 18 (T.C.A. §50-5-106)

(a) A minor may not be employed in connection with the following: . Occupations in or about plants or establishments manufacturing or storing explosives or articles containing explosive components; 2. Motor vehicle driving occupations; 3. Coal mine occupations;

4. Logging occupations and occupations in the operation of any sawmill, lath mill, shingle mill or cooperage-stock mill; 5. Occupations involved in the operation of power-driven woodworking machines;

5. Occupations involving exposure to radioactive substances and to 7. Occupations involved in the operation of elevator and other powerdriven hoisting apparatus; 3. Occupations involved in the operation of power-driven metal-

forming, punching and shearing machines; O. Occupations in connection with mining elements other than coal; 0. Occupations involving slaughtering, meat-packing, processing or 1. Occupations involved in the operation of hazardous power-driven

2. Occupations involved in the operation of hazardous power-driven

3. Occupations involved in the manufacture of brick, tile and kindred

1. Occupations involved in the operation of circular saws, band saws

15. Occupations involved in wrecking, demolition and ship-breaking operations;

16. Occupations involved in roofing operations; 17. Occupations in excavation operations; 18. Occupations that the commissioner shall by regulation, pursuant to this part, declare to be hazardous or injurious to the life, health, safety and welfare of minors;

19. Occupations involving posing or modeling, alone or with others, while engaged in sexual conduct for the purpose of preparing a film, photograph, negative, slide or motion picture; 20. Occupations involved in youth peddling.

1. If a minor is fifteen (15) years of age or younger, the minor must not be employed in a place of employment where the average monthly gross receipts from the sale of intoxicating beverages exceed twenty-five percent (25%) of the total gross receipts of the place of employment or where a minor will be permitted to take orders for or serve intoxicating beverages, regardless of the amount of

intoxicating beverages sold in the place of employment. 2. If a minor is sixteen (16) or seventeen (17) years of age, the minor may be employed in a place of employment where the average monthly gross receipts from the sale of intoxicating beverages exceed twenty-five percent (25%) of the total gross receipts of the place of employment if the minor is not permitted to take orders for or serve intoxicating beverages.

### **DUTIES OF EMPLOYERS (T.C.A. §50-5-111)**

c. Accurate daily time record for all minors;

paper products machines;

and guillotine shears;

Employers of minors shall: 1. Maintain a separate file record for each minor employed which shall be kept at the minor's place of employment and shall include the following: a. Employment application;

2. Allow the department to inspect all premises where minors are or could be employed and the contents of the individual file records;

3. Post in a conspicuous place on the business premises a printed notice of the provisions of the Child Labor Act furnished by the 4. Furnish the department with records relative to the employment of minors;

b. Copy of minor's birth certificate, driver's license, state issued ID, or passport;

d. Any records qualifying a minor for exemption under T.C.A. §50-5-107 (8)-(13).

For information on state laws, contact the Tennessee Department of Labor and Workforce Development – Labor Standards Unit Toll Free (844) 224-5818 (REGULATIONS) www.tn.gov/workforce

• If a minor is 16 or 17 years of age and is home schooled, the file must include documentation from the Director of the LEA, the home

school, or church-related school that confirms the minor's enrollment and authorization to work (T.C.A. §50-5-105).

aids and services are available upon request to individuals with disabilities. Callers with hearing impairments may use TTY/TDD 711.

Tennessee Department of Labor & Workforce Development; Authorization #337477; 1.000 copies; May 2024. This public document was promulgated at a cost of \$0.44 per copy.

The TN Department of Labor and Workforce Development is committed to principals of equal opportunity, equal access, and affirmative action. Auxiliary

#### FMLA - FAMILY AND MEDICAL LEAVE ACT

#### Your Employee Rights Under the Family and Medical Leave Act

**What is FMLA leave?** The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with **job-protected leave** for qualifying family and nedical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees.

Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month The birth, adoption or foster placement of a child with you, Your serious mental or physical health condition that makes you unable to work, To care for your spouse, child or parent with a serious mental or physical health

Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

n eligible employee who is the spouse, child, parent or next of kin of a covered ervicemember with a serious injury or illness may take up to 26 workweeks of FMLA leave in a single 12-month period to care for the servicemember. ou have the right to use FMLA leave in one block of time. When it is medically necessary or otherwise permitted, you may take FMLA leave intermittently in separate blocks of time, or on a reduced schedule by working less hours each day or week. Read Fact Sheet #28M(c) for more information FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave m I eligible to take FMLA leave? You are an eligible employee if all of the following apply:

 You work for a covered employer You have worked for your employer at least 12 months, You have at least 1,250 hours of service for your employer during the 12 months

Airline flight crew employees have different "hours of service" requirements. You work for a **covered employer** if **one** of the following applies: You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year, You work for an elementary or public or private secondary school, or You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management. ow do I request FMLA leave? Generally, to request FMLA leave you must: Follow your employer's normal policies for requesting leave,

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

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

You do <u>not</u> have to share a medical diagnosis but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You must also inform your employer if FMLA leave was previously taken or approved for the same reason when requesting additional leave. Your employer may request certification from a health care provider to verify

medical leave and may request certification of a qualifying exigency. The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights. State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress. What does my employer need to do? If you are eligible for FMLA leave, your

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

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

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your employer must confirm whether you are eligible or not Your employer has at least 50 employees within 75 miles of your work location. eligible for FMLA leave. If your employer determines that you are eligible, your employer must notify you in writing: About your FMLA rights and responsibilities, and · How much of your requested leave, if any, will be FMLA-protected leave.

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







### **UNEMPLOYMENT INSURANCE**

#### **UNEMPLOYMENT INSURANCE** POSTER FOR EMPLOYEES

Your employer provides insurance to help protect you when you become unemployed through no fault of your own. Tennessee employers pay the full cost of unemployment insurance for their employees. Nothing is deducted from your pay to cover the cost of this insurance nor does any money come from State of

code to learn about our WHD

complaint process.

To be eligible for benefits you must • Be separated from employment through no fault of your own. · Have qualifying wages in the base period.

· Search for work by making a minimum of four work search activities and documenting during weekly certification process. You may log in to www.Jobs4tn.gov to search for work online. Failure to do four work search activities will result in a loss of benefits unless you are job attached, a member of a hiring union, or attending training approved

If you become unemployed you may file for benefits at www.Jobs4tn.gov Before beginning the claim filing process, you should have your

location of the most convenient Tennessee American Job Center.

 Social Security Number Telephone Number

REV. 09/2024

TN Department of Labor & Workforce

Tennessee funds.

Address

· Be able and available for work.

 Name of county of residence • Employment data for the last 18 months including employer name and address, and

• Bank routing number and bank account number if you elect to receive benefits by direct deposit; otherwise, you will receive benefits on the You must keep your address current with the Department of Labor and Workforce Development

to view and update your choice of type of unemployment benefit payment. You may log in to www.Jobs4tn.gov to register and search for work by using services offered by our Tennessee American Job Centers. The Tennessee Department of Labor and Workforce Development has staff available to help you find a job or pursue training opportunities. You may go to the Department's website at www.tn.gov/workforce/jobs-and-education/job-search1/find-local-american-job-center.html to find the

Go to www.Jobs4tn.gov to apply for unemployment benefits, to file a wage protest, to file an appeal of an agency decision, to view/update information, and

Please post in a conspicuous place. The TN Department of Labor and Workforce Development is committed to principles of equal opportunity, equal access, and affirmative action.

Auxiliary aids and services are available upon request to individuals with disabilities. Tennessee Relay Service is 711.

Authorization No. 337386

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



## USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

YOUR RIGHTS UNDER USERRA THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS AC

applicants to the uniformed services. REEMPLOYMENT RIGHTS You have the right to be reemployed in your civilian job if you leave • If you leave your job to perform military service, you have the right to

you ensure that your employer receives advance written or verbal notice of your service; you have five years or less of cumulative service in the uniformed services while with that particular employer; you return to work or apply for reemployment in a timely manner

that job to perform service in the uniformed service and:

after conclusion of service; and

person has no service connection.

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

promotion; or • any benefit of employment, because of this status.

In addition, an employer may not retaliate against anyone assisting

n the enforcement of USERRA rights, including testifying or making a

statement in connection with a proceeding under USERRA, even if that

you have the right to be reinstated in your employer's health plan when youarereemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected you have not been separated from service with a disqualifying • The U.S. Department of Labor, Veterans Employment and Training

> Service (VETS) is authorized to investigate and resolve complaints of • For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL or visit its website at https://www.dol.gov/agencies/vets/. An interactive online USERRA Advisor can be viewed at https://webapps.dol.gov/elaws/vets/

elect to continue your existing employer-based health plan coverage

for you and your dependents for up to 24 months while in the military.

• Even if you don't elect to continue coverage during your military service,

• 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.

Publication Date — May 2022

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

**OSHA - THE OCCUPATIONAL SAFETY AND HEALTH ACT** 



Job Safety and Health IT'S THE LAW!

### All workers have the right to:

A safe workplace.

rights.

 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

employer. Request copies of your medical records, tests that measure hazards in the

See any OSHA citations issued to your

workplace, and the workplace injury and illness log.

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

 Comply with all applicable OSHA standards.

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

understand. Prominently display this poster in the

of the alleged violations. On-Site Consultation services are available

Post OSHA citations at or near the place

to small and medium-sized employers, without citation or penalty, through OSHAsupported consultation programs in every state.



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

TN-1124-F04

Notify OSHA within 8 hours of a

# This poster is available free from OSHA.

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