Know Your Rights: Workplace Discrimination is Illegal

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

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help. • Employees (current and former), including managers

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

 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 • Pay (unequal wages or compensation) bases of: Race Color

 Religion National origin Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity)

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

from discrimination on the following bases:

**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 doing 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and

Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin service medal veterans. Executive Order 11246, as amended, prohibits employment discrimination by Federal Retaliation Retaliation is prohibited against a person who files a complaint of Asking About, Disclosing, or Discussing Pay Executive Order 11246, as amended, authorities should contact immediately: protects applicants and employees of Federal contractors from discrimination based on nquiring about, disclosing, or discussing their compensation or the compensation of

**Disability** Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not making reasonable If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access all levels of employment, including the executive level.

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

• Retaliation for filing a charge, reasonably opposing • Conduct that coerces, intimidates, threatens, or interferes discrimination, or participating in a discrimination lawsuit, investigation, or proceeding • Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation

What Employment Practices can be Challenged as

• Failure to provide reasonable accommodation for a

disability; pregnancy, childbirth, or related medical

• Obtaining or disclosing genetic information of employees

• Requesting or disclosing medical information of employees

opposing discrimination, filing a charge, or participating in

Conduct that might reasonably discourage someone from

condition; or a sincerely-held religious belief,

All aspects of employment, including:

Discharge, firing, or lay-off

Hiring or promotion

observance or practice

an investigation or proceeding

Benefits

Referral

Job training

Classification

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 discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending

with someone exercising their rights, or someone

assisting or encouraging someone else to exercise

 Harassment (including unwelcome verbal or physical conduct) on where you live/work). You can reach the EEOC in any of the following ways: **Submit** an inquiry through the EEOC's public portal: https://publicportal.eeoc.gov/Portal/Login.aspx

**Call** 1–800–669–4000 (toll free) 1-800-669-6820 (TTY) 1-844-234-5122 (ASL video phone)

Visit an EEOC field office (information at www.eeoc.gov/field-office) E-Mail info@eeoc.gov

Additional information about the EEOC, including information about filing a charge of discrimination, is available at

(Revised 6/27/2023)

ousiness with the Federal Government. If you are applying for a job with, or are an employee requires affirmative action to recruit, employ, and advance in employment, disabled of, a company with a Federal contract or subcontract, you are protected under Federal law veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces

contractors based on race, color, religion, sex, sexual orientation, gender identity, or discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination national origin, and requires affirmative action to ensure equality of opportunity in all by Federal contractors under these Federal laws. Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's

The Office of Federal Contract Compliance Programs (OFCCP) U.S. Department of Labor 200 Constitution Avenue, N.W.

Washington, D.C. 20210 1-800-397-6251 (toll-free)

accommodation to the known physical or mental limitations of an otherwise qualified telecommunications relay services. OFCCP may also be contacted by submitting individual with a disability who is an applicant or employee, barring undue hardship a question online to OFCCP's Help Desk at https://ofccphelpdesk.dol.gov/s/, or by to the employer. Section 503 also requires that Federal contractors take affirmative calling an OFCCP regional or district office, listed in most telephone directories under action to employ and advance in employment qualified individuals with disabilities at U.S. 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 amended.

## CHILD LABOR LAWS

#### **Hours and Times of Day Minors May Work in Wisconsin**

State and federal laws do not limit the hours that minors 16 years of age or over may work, except that they may not be employed or permitted to work during hours of required school attendance under Wis. Stat. § 118.15. State and federal laws also permit minors under 16 to work up to seven days per week in the delivery of newspapers and agriculture. In most other types of labor, minors under 16 may only work six days a week

Most employers must obtain work permits for minors under 16 before permitting them to work. For further information, see the Wisconsin Employment of Minors Guide (ERD-4758-P).

Maximum Hours of Work for 14 & 15 year-old minors	After Labor Day through May 31	June 1 through Labor Day
Daily Hours		
Non-School Days	8 hours	8 hours
School Days	3 hours	3 hours
Weekly Hours		
Non-School Weeks	40 hours	40 hours
School Weeks	18 hours	18 hours
Permitted Time of Day	7am-7pm	7am-9pm

**Employers** subject to both federal and state laws must comply with the more stringent section of the two laws. **State** child labor laws prohibit work during times that minors are required to

exploration programs operated by the school. Minors under 16 years of age are limited to the maximum hours and time of "Opportunity Wage" of \$5.90 per hour for the first 90 days of employment. day restrictions even though they may work for more than one employer during the same day or week.

Minors under 14 years of age are allowed to work in certain occupations or write to U.S. Department of Labor, Wage & Hour, 740 Regent Street, Suite (e.g., street trades, agriculture, and work in school lunch programs. See the Wisconsin Employment of Minors Guide, ERD-4758-P, for more detail). These minors are subject to the same hourly and time of day restrictions as minors

who are 14 or 15 years of age.

without having a 30-minute, duty free meal period. Minors 16 & 17 years of age who are employed after 11:00 pm must have be in school, except for students participating in work experience and career 8 hours of rest between the end of one shift and the start of the next shift.

Minimum Wage for minors is \$7.25 per hour. Employers may pay an On the 91st day, the wage must increase to \$7.25 per hour. For further information about the federal child labor laws call (608) 441-5221,

102, Madison, WI 53715. **For further information** about the state child labor laws, call the Equal Rights Division in Madison (608) 266-6860 or Milwaukee (414) 227-4384.

#### **DEPARTMENT OF WORKFORCE DEVELOPMENT - EQUAL RIGHTS DIVISION** PO BOX 8928 MADISON WI 53708

Telephone: (608) 266-6860 Website: https://dwd.wisconsin.gov/er/

DWD is an equal opportunity employer and service provider. If you have a disability and need assistance with this information, please dial 7-1-1 for Wisconsin Relay Service. Please contact the Equal Rights Division at (608) 266-6861 to request information in an alternate format, including translated to another language.

ERD-9212-P (R. 06/2020)

## EMPLOYEE POLYGRAPH PROTECTION ACT

**EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT** The Employee Polygraph Protection Act prohibits most private employers does not preempt any provision of any State or local law or any collective

from using lie detector tests either for pre-employment screening or bargaining agreement which is more restrictive with respect to lie detector tests. PROHIBITIONS Employers are generally prohibited from requiring or numerous strict standards concerning the conduct and length of the test. requesting any employee or job applicant to take a lie detector test, and from Examinees have a number of specific rights, including the right to a written discharging, disciplining, or discriminating against an employee or prospective notice before testing, the right to refuse or discontinue a test, and the right not employee for refusing to take a test or for exercising other rights under the Act. to have test results disclosed to unauthorized persons. **EXEMPTIONS** Federal, State and local governments are not affected by the law. **ENFORCEMENT** The Secretary of Labor may bring court actions to restrain Also, the law does not apply to tests given by the Federal Government to certain violations and assess civil penalties against violators. Employees or job private individuals engaged in national security-related activities. The Act applicants may also bring their own court actions.

sector, subject to restrictions, to certain prospective employees of security

EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT. 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 embezzlement, etc.) that resulted in economic loss to the employer. The law

permits polygraph (a kind of lie detector) tests to be administered in the private

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE WAGE AND HOUR DIVISION **EHW** UNITED STATES DEPARTMENT OF LABOR

**EXAMINEE RIGHTS** Where polygraph tests are permitted, they are subject to

1-866-487-9243



#### **RIGHT TO KNOW ACT** Hazardous Chemicals in the Workplace?

You as a public employee have the right, under the Wisconsin public employees' right-to-know law, to be informed about hazardous chemicals and substances in the workplace. \*

**EMPLOYEES MUST BE PROVIDED WITH:** • A list of all hazardous chemicals and information on toxic substances, pesticides, and infectious agents in the workplace. Access to Material Safety Data Sheets and container labels.

• Formal training in proper procedures for managing hazardous chemicals. • A written chemical hazard communication program.

Wis. Dept. of Safety and Professional Services Industry Services Division 1400 E Washington Avenue Madison, WI 53703

\* State Statute 101.581(1) SBD-6894-P (R01/17)

## WISCONSIN BONE MARROW AND ORGAN DONATION LEAVE ACT

**WISCONSIN BONE MARROW AND ORGAN DONATION LEAVE ACT** A complaint concerning a denial of rights under this law must be filed within Section 103.11, Wisconsin Statutes, requires all employers with 50 30 days after the violation occurs or the employee should have reasonably or more employees to display a copy of this poster in the workplace. known that the violation occurred, whichever is later. Employers with 25 or more employees are required to post their particular For answers to questions about the law, a complete copy of the law, or to

make a complaint about a denial of rights under the law contact: Under state law all employers with 50 or more permanent employees must allow employees of either sex: DEPARTMENT OF WORKFORCE DEVELOPMENT ▶ Up to six (6) weeks leave in a 12-month period for the purpose of serving as a bone marrow or organ donor, provided that the employee provides his or her employer with written verification that the employee is to serve as a bone marrow or organ donor and so long as the leave is only for the

Use of Lawful Products

• Pregnancy or Childbirth

Arrest or Conviction

Honesty Testing

National Origin

Genetic Testing

Military Service

Declining to Attend a Meeting or Participate in any Communication About

Sexual Orientation

period necessary for the employee to undergo the bone marrow or organ donation procedure and to recover from the procedure. This law applies only to an employee who has worked for the employer more than 52 consecutive weeks and for at least 1000 hours during that 52-week period. The law also requires that employees be allowed to The Department of Workforce Development is an equal opportunity employer substitute paid or unpaid leave provided by the employer for Wisconsin and service provider. If you have a disability and need to access this information in Bone Marrow or Organ Donation Leave. Employers may have leave policies an alternate format or need it translated to another language, please contact us. that are more generous than leaves required by the law.

Sex

Color

Race

Ancestry

Disability

Marital Staus

Creed (Religion)

Age (40 or Over)

**Religious or Political Matters** 

©©® DWD **EQUAL RIGHTS DIVISION** 819 N 6TH ST, ROOM 723 MADISON WI 53708 MILWAUKEE WI 53203 Telephone: (608) 266-6860 Telephone: (414) 227-4384

Website: https://dwd.wisconsin.gov/er/

STATE OF WISCONSIN

ERD-18114-E-P (06/2020)

## DISCRIMINATION

## **WISCONSIN FAIR EMPLOYMENT LAW**

employee because of the results. Employees may not be harassed in the Section 111.31-111.395 Wisconsin Statutes and DWD 218 Wisconsin workplace based on their protected status nor retaliated against for filing a Administrative Code requires that all employers prominently display complaint, for assisting with a complaint, or for opposing discrimination in the this Poster in all places of employment. workplace. There is a 300-day time limit for filing a discrimination complaint. It is unlawful to discriminate against employees and job applicants For more information or a copy of the law and the administrative rules because of their:

#### STATE OF WISCONSIN **DEPARTMENT OF WORKFORCE DEVELOPMENT**

**EQUAL RIGHTS DIVISION** 201 E WASHINGTON AVE ROOM A100 819 N 6th ST PO BOX 8928 **ROOM 723** MADISON WI 53708 MILWAUKEE WI 53203

Telephone: (608) 266-6860 Telephone: (414) 227-4384 Website: https://dwd.wisconsin.gov/er/

The Department of Workforce Development is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format or need it translated to another language, please ERD-4531-P (R. 06/2020)

This law applies to employers, employment agencies, labor unions and licensing agencies. Employers may not require certain types of honesty testing or genetic testing as a condition of employment, nor discipline an

## 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 child labor provisions. Heightened civil money penalties may be assessed for **OVERTIME PAY** At least 1 ½ times your regular rate of pay for all hours worked over 40 in a workweek. CHILD LABOR An employee must be at least 16 years old to work in most non-

farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules 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 difference. **PUMP AT WORK** The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for their nursing child for

one year after the child's birth each time the employee needs to express breast milk. Employers must provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk. equal amount in liquidated damages in instances of minimum wage, overtime, equal amount in liquidated damages in instances of minimum wage, overtime, liquidated damages in instances of minimum wage, overtime, 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

each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA. Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions. Certain narrow exemptions also

apply to the pump at work requirements. Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico. Some state laws provide greater employee protections; employers must Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are

entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not. Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.



## WISCONSIN MINIMUM WAGE

WISCONSIN & FEDERAL LABOR LAW POSTER

**Wisconsin Minimum Wage Rates** Effective July 24, 2009 (Wis. Stat. ch. 104)

**General Minimum Wage Rates** Opportunity Employees: Non-Opportunity Employees: **\$7.25** per Hour **\$5.90** per Hour

**Minimum Wage Rates for Tipped Employees** Opportunity Employees: Non-Opportunity Employees:

Note: "Opportunity employee" means an employee who is not yet 20 years old and who has been in employment status with a particular employer for 90 or fewer consecutive calendar days from the date of initial employment Minimum Wage Rates for All Agricultural Employees \$7.25 per Hour

**\$2.13** per Hour

\$7.25 per Hour

Minimum Wage Rates for Caddies 9 Holes \$5.90 18 Holes \$10.50

For more information contact: **STATE OF WISCONSIN** DEPARTMENT OF WORKFORCE DEVELOPMENT

**EQUAL RIGHTS DIVISION** 201 E WASHINGTON AVE. ROOM A100, MADISON WI 53703 819 N 6TH ST ROOM 723, MILWAUKEE WI 53203 PO BOX 8928, MADISON WI 53708-8928

**\$2.33** per Hour

Telephone: (414) 227-4384 Telephone: (608) 266-6860 Website: https://dwd.wisconsin.gov/er/ The Department of Workforce Development is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format or need it translated to another language, please contact us

> **Wisconsin Maximum Allowances for Board and Lodging** Effective July 24, 2009 **Non-Agricultural Employment**

Non-Opportunity Employees \$87.00 Per Week

**Opportunity Employees** \$70.80 Per Week Meals \$4.15 Per Meal \$3.35 Per Meal \$58.00 Per Week \$47.20 Per Week Lodging \$8.30 Per Day \$6.75 Per Day Agricultural Employment

**All Employees** \$87.00 Per Week Meals \$4.15 Per Meal \$58.00 Per Week Lodging \$8.30 Per Day

**Camp Counselor Employment** Weekly Salary for All Employees [Adults and Minors] **Board & Lodging Board Only** No Board or Lodging Salary Rates \$210.00 \$265.00

#### PAYDAY NOTICE

When board or lodging provided by an employer is accepted and received by an employee, the employer is permitted to deduct up to

the above amounts from the worker's paycheck. The amounts deducted are used to determine if the employee is receiving the required

## **Regular Paydays for Employees of**

(Company Name) Shall be as follows:

Bi-Weekly

Other

\$350.00

ERD-9247-P (R. 06/2020)

### WITHHOLDING STATUS

YOU MAY NEED TO CHECK YOUR WITHHOLDING

Marry or divorce? • Gain or lose a dependent? Change your name? Were there major changes to... Your nonwage income (interest, dividends, capital

gains, etc.)? 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.

Since you last filed form W-4 with your employer did you... See your employer for a copy of Form W-4 or call the IRS at 1-800-829-3676 Now is the time to check your withholding. For more details, get Publication 919, How Do I Adjust My Tax Withholding?, or use the Withholding Calculator at www.irs.gov/individuals on the IRS web site. Employer: Please post or publish this Bulletin Board Poster so

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

#### Cat. No. 11047P Department of the Treasury Internal Revenue Service www.irs.gov

#### **Employee Rights under Wisconsin's Business Closing/Mass Layoff Notification Law** Under Wisconsin law, employees have certain rights and unforeseeable circumstances, natural or man-made disasters, employers have certain obligations to give proper notice to temporary cessation in operations, or businesses in financial

**BUSINESS CLOSING/MASS LAYOFF NOTIFICATION** 

their employees and others before taking certain actions. What employees are entitled to receive notice? Employees are What is a "business closing" or "mass layoff?" **A "business closing"** requires notice if there is a permanent or entitled to receive notice if they are counted as part of "business temporary shutdown of an employment site or of one or more closing" or "mass layoff." New or low-hour employees may also be facilities or operating units at an employment site or within a entitled to receive notice in situations where there is a "business single municipality that affects 25 or more employees (not closing" or "mass layoff."

employees (excluding new or low hour employees) at an employment site or within a single municipality: 1. At least 25% of the employer's workforce or 25 employees, whichever is greater or

2. At least 500 employees.

including "new" or "low-hour" employees). A "mass layoff"

requires notice if there is a reduction in the workforce that is not a

"business closing" and which affects the following number of

Employees are counted if their employment is terminated (not including discharges for cause, voluntary departures, or retirements), if they are laid off for more than 6 months, or if their hours are reduced more than 50 percent during each month of any 6-month period, as the result of a business closing or mass layoff. New or low-hour employees - who have been employed for fewer than 6 of the 12 months preceding the date on which a notice is required or who average fewer than 20 hours of work per week - are **not** counted.

Who must provide notice and when? With certain exceptions, businesses employing 50 or more persons in the State of Wisconsin must provide written notice 60 days before implementing a "business closing" or "mass layoff" in this state. The federal or state government (and their political subdivisions), charitable or tax exempt institutions and organizations, and independent contractors are not covered under this law and do not have to provide notice. Additional

sales, relocations, temporary or seasonal employment,

private sector employees under standards promulgated by Federal

recover back pay and benefits for each day that required notice was not provided (up to a maximum of 60 days). An affected employee may also recover attorney fees and costs in a lawsuit. If you have questions regarding this law or wish to file a complaint, call or write us at:

What can employees recover if notice is required and not given?

If an employer implements a "business closing" or "mass layoff"

without providing required notice, an affected employee may

STATE OF WISCONSIN

**DEPARTMENT OF WORKFORCE DEVELOPMENT EQUAL RIGHTS DIVISION** 201 E. WASHINGTON AVE. ROOM A100 PO BOX 8928 MADISON WI 53708 Telephone: (608) 266-6860 819 N. 6TH ST. ROOM 723

Website: https://dwd.wisconsin.gov/er/

MILWAUKEE, WI 53203

Telephone: (414) 227-4384

The Department of Workforce Development is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format or need it translated exceptions exist in various situations involving strikes or lockouts, to another language, please contact us.

## PUBLIC EMPLOYEE SAFETY & HEALTH

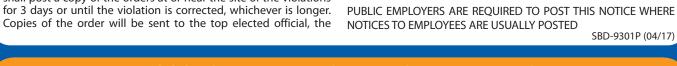
disputed they will be reviewed.

**PUBLIC EMPLOYEE SAFETY AND HEALTH Authority** Wisconsin statute section 101.055 requires the bargaining unit and to the person requesting the inspection. nsin Department of Safety and Professional Services to adopt and enforce safety and health standards that will provide request, a written notice of that decision shall be sent to the public protection to public employees at least equal to that provided to employee who requested the investigation. If decisions are

Occupational Safety and Health Administration (OSHA). Discrimination No public employer may discriminate against or **Inspection** A public employee or public employee representative discharge any public employee for exercising any right afforded who believes that a safety or health standard is being violated, or by his section. A state employee who believes he or she has been discriminated against may file a complaint with the personnel that a situation exists which poses a recognized hazard likely to cause death or serious physical harm, may request the department commission within 30 days of employee's receipt of knowledge of to conduct an inspection. If the requestor so designates, the the discrimination. A public employee, other than a state identity of the requestor will be kept confidential. If the department employee, may file a complaint with the state Division of Equal decides not to make an inspection, the requestor will be notified. Rights within 30 days. A representative of the employer and a public employee For more information, contact: representative will be permitted to accompany the department inspector during the inspection. The employee shall not be discriminated against with respect to either pay received or withheld for time spent on the inspection.

**Enforcement** If the department finds a violation of state standards, abatement orders will be issued to the employer. The employer shall post a copy of the orders at or near the site of the violations for 3 days or until the violation is corrected, whichever is longer. Wisconsin Department of Safety and Professional Services **Industry Services Division** PO Box 7302 1400 E Washington Ave. Madison, WI 53707-7302 608-266-2112

ERD-9006-P (R. 06/2020)



## **WISCONSIN FAMILY & MEDICAL LEAVE ACT**

**WISCONSIN FAMILY AND MEDICAL LEAVE ACT** 

Section 103.10, Wisconsin Statues, requires that all employers rights under this law must be filed within 30 days after the with 50 or more employees display a copy of this poster in the with 50 or more permanent employees must allow employees of Up to six (6) weeks leave in a calendar year for the birth or

adoption of the employee's child, providing the leave begins within sixteen (16) weeks of the birth or placement of that child. Up to two (2) weeks of leave in a calendar year for the care of a child, spouse, domestic partner, as defined in §40.02(1) or 770.01(1) or parent or a parent of a domestic partner with a serious health condition Up to two (2) weeks leave in a calendar year for the employee's own serious health condition.

employees be allowed to substitute paid or unpaid leave provided

by the employer for Wisconsin Family and Medical Leave.

Employers may have leave policies, which are more generous than

leaves required by the law. A complaint concerning a denial of

PO BOX 8928 This law only applies to an employee who has worked for the employer more than 52 consecutive weeks and for at least 1000 hours during that 52-week period. The law also requires that

violation occurs or the employee should have reasonably known workplace. Employers with 25 or more employees are required to that the violation occurred, whichever is later. For answers to post their particular leave policy. Under state law all employers questions about the law, a complete copy of the law, or to make a complaint about a denial of rights under the law contact: STATE OF WISCONSIN DEPARTMENT OF WORKFORCE DEVELOPMENT **EQUAL RIGHTS DIVISION** 

> 201 E WASHINGTON AVE ROOM A100 819 N 6TH ST. MILWAUKEE WI 53203 MADISON, WI 53708 Telephone: (414) 227-4384 Telephone: (608) 266-6860

Website: https://dwd.wisconsin.gov/er/ The Department of Workforce Development is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format or need it translated to another language, please contact us. ERD-7983-P (R. 06/2020)

## CESSATION OF HEALTH CARE BENEFIT

Wisconsin law (Wis. Stat. § 109.075) requires employers who plan to discontinue health care benefits to current employees, retirees, and dependents of employees or retirees in some instances to provide the affected individuals with 60 days' notice Q. Which employers must comply with this requirement? A. An employer who operates a business enterprise in Wisconsin that employs 50 or more persons in the state must provide written notice of its intention to cease providing health care

Q. Who is an affected individual entitled to this notice? A. Employees, any union representing employees of that business, retirees and dependents of employees and retirees currently covered by the health care benefit plan are entitled to receive 60 days advanced written notice that their benefits will cease. Q. Why should an affected person file a complaint about not receiving 60 days' notice of the cessation of a health care benefit plan? A. A person who did not receive proper notice may receive either

business if the employee is a reasonable suspect. Honesty tests

**can be used** by law enforcement agencies and certain businesses

benefits to affected parties.

ADVANCE NOTICE REQUIRED WHEN EMPLOYERS DECIDE TO CEASE PROVIDING A HEALTH CARE BENEFIT PLAN the non-notification period (maximum of 60 days). Q. If I have questions concerning this requirement or if I wish to file a complaint about not receiving notice, whom should I contact? A. Contact either the Equal Rights Division in Milwaukee or Madison listed below.

819 N 6th ST

ROOM 723

MII WAUKFF WI 53203

819 N 6th ST ROOM 723

Telephone: (414) 227-4384

MILWAUKEE WI 53203

STATE OF WISCONSIN **DEPARTMENT OF WORKFORCE DEVELOPMENT EQUAL RIGHTS DIVISION** 

201 E WASHINGTON AVE, ROOM A100

PO BOX 8928

MADISON WI 53708

Telephone: (608) 266-6860 Telephone: (414) 227-4384 Website: https://dwd.wisconsin.gov/er/ The Department of Workforce Development is an equal opportunity the value of the insurance premium(s) for the period without

employer and service provider. If you have a disability and need to access this information in an alternate format or need it translated notice or the actual value of medical expenses incurred during to another language, please contact us. FRD-11054-P (R. 06/2020)

## EMPLOYEE PROTECTIONS AGAINST USE OF HONESTY TESTING DEVICES

Employee Protections Against Use of Honesty Testing Devices (WIS. STAT. § 111.37)

Employers who use honesty testing must display this poster in complaint within 300 days after the date the unfair honesty

one or more conspicuous places where notices to employees testing occurred, at one of the offices below. are customarily posted. STATE OF WISCONSIN Under Wisconsin law, requiring or requesting that an employee or **DEPARTMENT OF WORKFORCE DEVELOPMENT** applicant take an honesty test (lie detector) is unlawful or heavily **EQUAL RIGHTS DIVISION** regulated. Further, employers may not discriminate against a STREET ADDRESS: person who refuses to take a test or objects to its use. 201 E WASHINGTON AVE ROOM A100 **Exceptions** An employer **may request** that an employee take a test MADISON WI 53703 n connection with an investigation involving economic loss or injury

engaged in providing security services, alarm systems, and who manufacture, distribute or sell controlled substances. Website: https://dwd.wisconsin.gov/er/ The Department of Workforce Development is an equal opportunity Employee & Applicant Rights Any legally permitted honesty test is subject to strict safeguards, including an examinee's right to employer and service provider. If you have a disability and need to access this information in an alternate format or need it translated to proper notice, the right to discontinue a test at any time and the another language, please contact us. right to advance written notice of the questions to be asked. **nforcement** Victims of unlawful honesty testing may file a ERD-10861-P (R. 06/2020)

MAILING ADDRESS

Telephone: (608) 266-6860

PO BOX 8928, MADISON, WI 53708-8928

FMLA - FAMILY AND MEDICAL LEAVE ACT

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

Vhat is FMLA leave? The Family and Medical Leave Act (FMLA) is a federal law that You do not have to share a medical diagnosis but must provide enough information provides eligible employees with job-protected leave for qualifying family and medical to your employer so they can determine whether the leave qualifies for FMLA protection. reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the You must also inform your employer if FMLA leave was previously taken or approved FMLA for most employees

Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month period for: The birth, adoption or foster placement of a child with you, Your serious mental or physical health condition that makes you unable to work, To care for your spouse, child or parent with a serious mental or physical health any state or local law or collective bargaining agreement that provides greater family or condition, and Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

In eligible employee who is the spouse, child, parent or next of kin of a covered congressional employees are also covered by the law but are subject to the jurisdiction servicemember with a serious injury or illness may take up to 26 workweeks of FMLA of the U.S. Office of Personnel Management or Congress. You have the right to use FMLA leave in one block of time. When it is medically must:

eave in a single 12-month period to care for the servicemembe necessary or otherwise permitted, you may take FMLA leave intermittently in separate • Allow you to take job-protected time off work for a qualifying reason, 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. Am I eligible to take FMLA leave? You are an eligible employee if <u>all</u> of the following

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 before FMLA, your employer must confirm whether you are eligible or not eligible for FMLA Your employer has at least 50 employees within 75 miles of your work location.

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

ou 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 the FMLA have been violated, ederal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management

w 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 fadvance notice is not possible, give notice as soon as possible.

the department of health and family services must display this poster in one or

more conspicuous places where notices to employees are customarily posted.

Under section 146.997 of Wisconsin Statutes, as an employee of a health

care facility or provider, you may not be disciplined at work for good faith

any potential violations of state or federal law by the health care facility

any situation where care is provided in a manner that violates state or

ed reporting includes internal reports to any director, officer,

supervisor of the health care facility or provider, or reports to an agency or

body that accredits, certifies, or approves the facility or provider, unless

disclosure is prohibited by law.

 You are totally unemployed, Your weekly earnings are reduced,

Information You Need To Apply  $\square$  A username and password (for filing online).

Your current address.

expiration date.

your account number.

translated to another language.

applicants to the uniformed services.

while with that particular employer:

conclusion of service; and

Your social security number

■ Employers' business names.

■ Employers' phone number.

You expect to be laid off within the next 13 weeks, or

A valid email address or mobile phone number.

■ Employers' addresses (including zip code).

Your work history for the last 18 months, including:

First and last dates of work with each employer.

Reason for no longer working with each employer.

If you served in the military in the last 18 months, Form DD-214.

If you are a union member, the name and local number of your union hall.

If you want UI benefit payments by direct deposit, your bank's routing number and

DWD is an equal opportunity employer and service provider. If you have a disability

and need assistance with this information, please dial 7-1-1 for Wisconsin Relay Service. Please contact the Unemployment Insurance Division at (414) 435-7069 or

toll-free at (844) 910-3661 to request information in an alternate format, including

If you are a federal civilian employee, Form SF-50 or SF-8.

You are participating in the Trade Adjustment Assistance (TAA) program.

Your Wisconsin driver license or identification number (if you have one)

federal standards, laws, or recognized clinical or ethical standards.

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 medical leave rights. State employees may be subject to certain limitations in pursuit of direct lawsuits

What does my employer need to do? If you are eligible for FMLA leave, your employer Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave. Your employer cannot interfere with your FMLA rights or threaten or punish you for

regarding leave for their own serious health conditions. Most federal and certain

exercising your rights under the law. For example, your employer cannot retaliate against

you for requesting FMLA leave or cooperating with a WHD investigation. After becoming aware that your need for leave is for a reason that may qualify under the 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 informa Call 1-866-487-9243 or visit dol.gov/fmla to learn more. If you believe your rights under

you may file a complaint with WHD or file a private lawsuit against your employer in court.

UNITED STATES DEPARTMENT OF LABOR WH1420 REV 04/2:



## ANTI-DISCRIMINATION NOTICE

Scan the QR code to learn

about our WHD

complaint process.

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.

## RETALIATION PROTECTION FOR HEALTH CARE WORKERS

**Retaliation Protection for Health Care Workers in Wisconsin** Any facility, as defined in s. 647.01 (4), or any hospital, nursing home, Victims of unlawful retaliation may file a complaint, within 300 days of the community based residential facility, county home, county infirmary, county date the retaliation or threat of retaliation occurred, at one of the offices below hospital, county mental health complex or other place licensed or approved by

STATE OF WISCONSIN DEPARTMENT OF WORKFORCE DEVELOPMENT **EQUAL RIGHTS DIVISION** 201 E WASHINGTON AVE, ROOM A100 819 N 6th ST PO BOX 8928 **ROOM 723** 

MADISON WI 53708 MII WAUKEE WI 53203 Telephone: (414) 227-4384 Telephone: (608) 266-6860 Website: https://dwd.wisconsin.gov/er/

The Department of Workforce Development is an equal opportunity

employer and service provider. If you have a disability and need to access

this information in an alternate format or need it translated to another ERD-12210-P (R. 06/2020)

## UNEMPLOYMENT INSURANCE

language, please contact us.

## **Notice to Employees About Applying for WISCONSIN UNEMPLOYMENT BENEFITS**

dwd.wisconsin.gov/uiben/handbook/apply.htm **How To Apply** 

3. Create a username and password. Unsure if you will qualify? Apply to find out if you are eligible. Only DWD can determine Note: When you authorize to use online services, you may be mailed an identity verification letter with a code that **must** be entered within **IMPORTANT:** You must file an initial claim application within seven days of the end of seven davs. the calendar week in which you want to receive a UI benefit paymen 4. Log on to access your claimant portal. 5. Complete your initial claim application.

> **Apply Online During These Times** vailable 24 Hours Midnight - 3:00 PM Saturday **Need Help?** For access to a computer and workforce services:

> > Visit your closest Job Center wisconsinjobcenter.org/directory

1. Go to my.unemployment.wisconsin.gov

2. Read and accept terms and conditions.

For help using online services or if you are unable to go online: ■ Call Unemployment Insurance (UI) at (414) 435-7069 or toll-free If you are not a U.S. citizen, your alien registration number, document number and (844) 910-3661 during business hours. STATE OF WISCONSIN **©®**DWD

**HEALTH INSURANCE PROTECTION** 

dwd.wisconsin.gov/ui Notice to Employers: All employers covered by Wisconsin's Unemployment Insurance law are required to prominently display this poster where employees will easily see it. If employers do not have a permanent work site regularly accessed by employees, an individual copy is to be provided to each employee. For additional copies, visit: dwd. wisconsin.gov/dwd/publications/ui/notice.htm or call (414) 438-7705. **Notice to Employees:** The federal Social Security Act requires that you give us your social security number. It will be used to verify your identity and determine your eligibility. If you do not provide your social security number, we cannot take your claim.

## USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

YOUR RIGHTS UNDER USERRA THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and

You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and: · you ensure that your employer receives advance written or verbal notice of you have five years or less of cumulative service in the uniformed services

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

• If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military. • Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions you return to work or apply for reemployment in a timely manner after (e.g., pre-existing condition exclusions) except for service-connected illnesses you have not been separated from service with a disqualifying discharge or

> • The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA • 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/userra • If you file a complaint with VETS and VETS is unable to resolve it, you may

request that your case be referred to the Department of Justice or the Office

of Special Counsel, as applicable, for representation. ·You may also bypass the VETS process and bring a civil action against an

enforcement of USERRA rights, including testifying or making a statement employer for violations of USERRA. in connection with a proceeding under USERRA, even if that person has no 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

#### Employer Support Of The Guard And Reserve 1-800-336-4590 Office of Special Counsel U.S. Department of Justice

OSHA - THE OCCUPATIONAL SAFETY AND HEALTH ACT

employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.



# Job Safety and Health IT'S THE LAW!

## All workers have the right to:

A safe workplace.

employer.

 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.

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

Request a confidential OSHA inspection

• File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your

speak in private to the inspector.

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

See any OSHA citations issued to your

This poster is available free from OSHA.

Contact OSHA. We can help.

#### **Employers must:** Provide employees a workplace free from

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

 Comply with all applicable OSHA standards.

Notify OSHA within 8 hours of a

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

Provide required training to all workers

in a language and vocabulary they can

understand. Prominently display this poster in the workplace.

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

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



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

## WI-0224-F04