FED

DEPARTMENT OF LABOR

FED

UNITED STATES OF AMERICA

### **EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT**

### \$7.25 PER HOUR **BEGINNING JULY 24, 2009**

FEDERAL MINIMUM WAGE

### 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 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, nonmining, non-hazardous jobs with certain work hours restrictions. Different rules apply

FED

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 employee 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

# 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

DEPARTMENT OF LABOR UNITED STATES OF AMERICA

NOTICE

# MINIMUM WAGE RATE

**Effective 01/01/23** 

## BASIC WAGE RATE (TIPPED EMPLOYEES)

**Effective 01/01/23** \$6.59 per hour

**MAXIMUM TIP CREDIT ALLOWED** 

**Effective 01/01/23** \$6.59 per hour Effective 01/01/22 \$6.28 per hour

**Service or Tipped Employees:** "A service or tipped employee" means an employee of a hotel, motel, tourist place, or restaurant who customarily and regularly receives more than \$120.00 a month in tips for direct and personal customer

for service or tipped employees. If an employee does not must make up the difference.

63 Pearl Street Burlington, Vermont 05401 Labor.WageHour@vermont.gov PHONE: (802) 951-4083

# Fax: (802) 865-7655

VT

# **DEPARTMENT OF LABOR**

- As a direct result of the commission or attempted commission of an
- In an affidavit filed by law enforcement with a prosecuting attorney of competent jurisdiction; or The family member of an alleged victim who: is a minor, found to be
- incompetent, alleged to have suffered physical or emotional injury as a result; or was killed as a result of the alleged crime or act of

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. **FNFORCEMENT** 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

### ADDITIONAL INFORMATION Certain occupations and establishments are exempt from the minimum wage,

and/or overtime pay provisions. Certain narrow exemptions also apply to the 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"

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

1-866-487-9243

when they are actually employees under the FLSA. It is important to know the

REV. 04/2023

### MINIMUM WAGE

## FOR VERMONT EMPLOYERS AND WORKERS ADDITIONAL INFORMATION

WAGE AND HOUR DIVISION

\$13.18 per hour

Effective 01/01/22 \$12.55 per hour Effective 01/01/21 \$11.75 per hour

Effective 01/01/22 Effective 01/01/21 \$5.88 per hour

Effective 01/01/21 \$5.88 per hour

**Basic Wage Rate:** The basic wage rate is the minimum required employer contribution towards the minimum wage receive sufficient tips in the work week to at least achieve the minimum wage for all hours worked that week, the employer

# **VERMONT**

Labor.Vermont.gov/Rights-and-Wages

# VT

OTICE: This state has its own minimum waqe law. Employers are also required to display the federal Employee Rights Under the Fair Labor Standards Act posting, which indicates the federal mum wage. Where federal and state rates both apply to an employee, the U.S. Department of Labor dictates that the employee is entitled to the higher minimum wage rate. THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

# **Employment Protections for Victims of Crime**

### **VERMONT** DEPARTMENT OF LABOR

# FOR MORE INFORMATION:

**VERMONT ATTORNEY GENERAL CIVIL RIGHTS UNIT** 109 State St., Montpelier, VT 05062 888-745-9195 OR 802-828-3657

AGO.CivilRights@Vermont.gov **HUMAN RIGHTS COMMISSION** 14-16 Baldwin St., Montpelier, VT 05062

800-416-2010 OR 802-828-2480

## **DEPARTMENT OF LABOR**

# **Earned Sick Time Act**

**HOW IS SICK TIME EARNED?** An employee will earn one hour of earned sick time for every 52 hours of actual work, including overtime. An employee will be entitled to use up to 40 hours in 2019 and subsequent years. **HOW CAN SICK TIME BE USED?** 

An employee can use sick time when the employee or employee's child, parent, grandparent, spouse, or parent-in-law is sick or injured. This includes helping a family member obtain health care or travel to an appointment related to his or her long-term care, or to address the effects of domestic violence, sexual assault or stalking. An employee may use earned sick time to care for a family member because the school or business where the family

### member is located is closed for public health or safety reasons. **VERMONT DEPARTMENT OF LABOR** FOR MORE INFORMATION.

or to report suspected violations of the Act, contact the Vermont Department of Labor at 1-802-828-0267

# **Notice of Employee Rights**

An employee begins accruing sick leave on January 1st, 2017 or on the first day of employment, whichever comes later. IS THERE AN EXCEPTION FOR SMALL BUSINESSES? A small business that employs five or fewer full-time employees will not be

subject to the Act until January 1st, 2018. WHEN WILL PAID SICK TIME BE AVAILABLE TO USE?

WHEN DOES ACCRUAL BEGIN?

An employer may elect to allow the use of earned sick time as it accrues, or may impose a waiting period of up to one year after January 1st, 2017 or the first day of employment, whichever comes later. ARE ALL EMPLOYEES ENTITLED TO SICK TIME?

Not all employees are subject to the protections of the Act. There are limited exemptions for certain types of employment, as well as for certain seasonal and part time employees. For a complete list, go to:  $\underline{http://legislature.vermont.gov/statutes/section/21/005/00481}$ 

### VT **Notice: Workers' Compensation Reinstatement Rights**

**VERMONT LAW REQUIRES POSTING OF THIS NOTICE** 21 VSA §643b Reinstatement; seniority and benefits protected This law provides that an employer who regularly employs **ten or** more people (at least 10 of whom work more than 15 hours a week), has an obligation to rehire a worker who has suffered a work related

The worker recovers from the injury within two (2) years of the onset of disability; and

The worker keeps the employer informed of his or her interest in reinstatement and his or her current mailing address; and The worker had an expectation of continuing work had the

injury not occurred; and The worker is physically capable of performing either his or

Reinstatement must be with all benefits earned up to the date of

injury, including both seniority and accrued leave time. Obviously,

not more than 24 hours in any 12 month period) of unpaid leave:

VT

such benefits need not accrue **during** the period of actual disability.

her prior job, if available, or an alternative suitable position.

### available suitable job. Thus, the employer is not obligated either to create an "extra" position for a returning worker or to lay-off a current employee in order to comply with this law. injury **provided** that the following conditions are met: Should you have questions regarding the above, please contact the Vermont Department of Labor, Workers' Compensation and Safety

Division at 802-828-2286 or our website: www.labor.vermont.gov. www.labor.vermont.gov FOR FURTHER INFORMATION CONTACT: VERMONT DEPARTMENT OF LABOR

P. O. Box 488 Montpelier, Vermont 05601-0488

Please note that the right to reinstatement applies only to the first

**EMAIL: LABOR.WCComp@vermont.gov** Telephone: (802) 828-2286 TDD: (800) 650-4152 Fax: (802) 828-2195

**VERMONT DEPARTMENT OF LABOR** REV. 06/2017

### DEPARTMENT OF LABOR Parental Leave, Family Leave and Short-Term Family Leave

Vermont's **Parental Leave** Law covers employers with 10 or more workers who work an average of 30 hours per week over the course of a year. Vermont's Family Leave Law, which includes Short-Term Family Leave, covers employers with 15 or more workers who work an average of 30 hours per week over the course of a year.

WC-9

A worker who has worked for a covered employer for an average of 30 hours a week for a year is entitled to leave under these laws. During any 12 month period, the worker is entitled to up to 12 weeks of unpaid leave: Parental Leave: during the pregnancy and/or after childbirth; or, within a year following the initial placement of a child 16 years of age or

younger with the worker for the purpose of adoption; Family Leave: for the serious illness of the worker, worker's child, stepchild, ward, foster child, party to a civil union, parent, spouse, or parent and, in addition to the leave provided in 21 V.S.A. Sec. 472, a worker is entitled to **short-term family leave** of up to 4 hours in any 30 day period (but

Short-Term Family Leave: to participate in preschool or school activities directly related to the academic advancement of the worker's child, stepchild, foster child or ward who lives with the worker; to attend or to accompany the worker's child, stepchild, foster child or ward who lives with the worker or the worker's parent, spouse or parent-in-law to **routine medical or dental appointments**; to accompany the worker's parent, spouse, or parent-in-law to other appointments for professional services related to their care and well-being; to respond to a medical emergency involving the employee's child, stepchild, foster child or ward who lives with the worker or the employee's parent, spouse or parent-in-law.

The worker must give reasonable written notice of intent to take **family** or **parental** leave, including the anticipated dates the leave will start and end. The employer may not require notice more than 6 weeks prior to birth or adoption. If serious illness is claimed, the employer may require certification from a physician. For **short-term family leave**, a worker must give notice as early as possible, at least seven days before the leave is to be taken unless waiting seven days could have a significant adverse impact on the employee's family member. A worker may choose to use sick leave, or vacation leave, or any other accrued paid leave time during the leave, up to six weeks. The employer may not

require the worker to do so. Use of paid leave does not extend the overall leave time to which the worker is entitled. The employer must continue to provide all worker benefits unchanged during the leave period but may require the worker to contribute to the cost at the existing rate of worker contribution. Upon return from leave, a worker must be offered the job held previously or a comparable one at equal pay, benefits, seniority, and other terms and

Exceptions: A worker is not entitled to leave under the Parental and Family Leave Act if the employer can prove by clear and convincing evidence that: Layoff: during the period of leave the employee's job would have been terminated or the worker would have been laid off for reasons

Unique Services: the worker performed unique services and hiring a permanent replacement during the leave, after giving the worker **notice of intent to do so**, was the employer's **only** available alternative to prevent substantial and grievous economic injury. This law sets a minimum standard for parental and family leave rights. It does not prevent an employer from offering a more

generous leave policy and does not reduce an employer's obligation under a collective bargaining agreement or existing program that provides greater leave rights than the law requires. EMPLOYEES ARE PROTECTED FROM RETALIATION OF ANY KIND IN CONNECTION WITH THE ENFORCEMENT OF THIS LAW.

bring a private lawsuit for injunctive relief, economic damages including prospective lost wages for a period not to exceed one year, attorney (if you are not a state worker) lodge a complaint with the Office of the Attorney General at 828-3657, or (if you are a state worker)

To obtain copies of this poster, call the Vermont Department of Labor at 802-951-4083 or visit our website at:

Copyright 2023 J. J. Keller & Associates, Inc. • Neenah, WI • Printed in the USA

http://labor.vermont.gov/wordpress/wp-content/uploads//WH-14-Parental-Family-Leave-Poster.pdf

lodge a complaint with the Vermont Human Rights Commission at 828-2480. These agencies may investigate your complaint and bring action

Equal Opportunity is the Law

A worker aggrieved by a violation of this law may:

The State of Vermont is an Equal Opportunity/Affirmative Action Employer. Applications from women, individuals with disabilities, and people from diverse cultural backgrounds are encouraged. Auxiliary aids and services are available upon request to individuals with disabilities. 711 (TTY/Relay Service) or 802-828-4203 TDD (Vermont Department of Labor). REV. 06/2019

This poster is in compliance with federal and state posting requirements.

### **EMPLOYEE RIGHTS**

**EMPLOYEE POLYGRAPH PROTECTION ACT** 

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

### The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the

ployers 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 ther rights under the Act. Federal, State and local governments are not affected by the law. Also, the law does not

apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities. The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms rmored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and

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 employe The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests 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

test, and the right not to have test results disclosed to unauthorized person 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

including the right to a written notice before testing, the right to refuse or discontinue a

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 (e.g.,

pre-existing condition exclusions) except for service-connected illnesses or

The U.S. Department of Labor, Veterans Employment and Training Service (VETS)

https://www.dol.gov/agencies/vets/. An interactive online USERRA Advisor can

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

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

is authorized to investigate and resolve complaints of USERRA violations.

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

be viewed at https://webapps.dol.gov/elaws/vets/userra.

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

Counsel, as applicable, for representation

employer for violations of USERRA.

REV. 02/2022

**FEDERAL** 

FED

Color

National origin

Age (40 and older)

medical history)

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

Sex (including pregnancy, childbirth, and related medical

Genetic information (including employer requests for, or purchase,

Retaliation for filing a charge, reasonably opposing discrimination,

use, or disclosure of genetic tests, genetic services, or family

or participating in a discrimination lawsuit, investigation, or

Harassment (including unwelcome verbal or physical conduct)

pregnancy, childbirth, or related medical condition; or a sincerely

held religious belief, observance or practice

Benefits

FFD

Job training

Classification

conditions, sexual orientation, or gender identity)

regardless of your immigration status, on the bases of:

### 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 applicants to the uniformed services.

REEMPLOYMENT RIGHTS **HEALTH INSURANCE PROTECTION** You have the right to be reemployed in your civilian job if you leave that job to perform If you leave your job to perform military service, you have the right to elect to service in the uniformed service and: continue your existing employer-based health plan coverage for you and your

you ensure that your employer receives advance written or verbal notice of your 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 after

If you are eligible to be reemployed, you must be restored to the job and benefits you

you have not been separated from service with a disqualifying discharge or

would have attained if you had not been absent due to military service or, in some cases, RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

under other than honorable conditions

are obligated to serve in the are a past or present member of the uniformed service: uniformed service: have applied for membership in the uniformed service; or hen an employer may not deny you promotion: or initial employment: any benefit of employment reemployment;

retention in employment

because of this status In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding

U.S. Department of Labor • 1-866-487-2365 U.S. Department of Justice Office of Special Counsel Employer Support of the Guard and Reserve • 1-800-336-4590

REV. 05/2022

## **UNEMPLOYMENT INSURANCE**

If you have become unemployed, or your work hours have been reduced, you may be eligible for

**UNEMPLOYMENT BENEFITS** 

Call the

TTY/Relay Service at 711

**Vermont Department of Labor** 1-877-214-3330

TDD services at 1-800-650-4152 If you are forced to leave your job as a result of domestic violence, sexual violence, or stalking,

Auxiliary aides and services are available upon request for individuals with disabilities. Interpretive services are also

available for persons with limited English proficiency.

perform work or services," even if they are not "employees" under state or federal law.

Submission to that conduct is made either explicitly or implicitly a term or

Submission to, or rejection of, such conduct by an individual is used as a

complaint of sexual harassment or for cooperating in an investigation of sexual

Employers **must** ensure a workplace free of sexual harassment for all individuals

VT

onduct of a sexual nature wher

condition of work, or

Vermont **Department of Labor** 

A proud partner of the americanjobcenter network A-24

# REV. 12/2019

# DEPARTMENT OF LABOR

Under Vermont Law, sexual harassment and is illegal and is prohibited by **the Vermont** Fair Employment practices act (VFEPA) (Title 21, Chapter 5, Subchapter 6 of the Disciplinary action • From a verbal warning to dismissal • Damages and other ermont Statutes) and Title VII of the Civil Rights Act of 1964 (42 United State Code Section 2000e et sea.) ermont law protects all workers not just employees. Effective July 1, 2018, /ermont's protections against sexual harassment extend to all individuals engaged "to

References to "employer," "employee," and "employment" below should be understood to apply to work agreements beyond the traditional employer-employee relationship. (A) HIS OR HER SUPERVISOR **'Sexual Harassment"** is a form of sex discrimination and means unwelcome sexual advances, requests for sexual favors, and other verbal, physical, written, auditory, or visual

component of the basis for work related decisions affecting that individual, or The conduct has the purpose or effect of substantially interfering with the individual's work performance or creating an intimidating, hostile, or offensive Sexual harassment does not need to be severe or pervasive to be unlawful. t is unlawful to retaliate against an individual performing work or services for filing

performing work or services. Every supervisor is responsible for promptly responding to or eporting any complaint or suspected acts of sexual harassment Examples of sexual harassment include:

Jnwelcome sexual advances • Suggestive or lewd remarks • Unwanted hugs, touches, kisses • Requests for sexual favors • Pornographic posters, cartoons, or drawings • Unwelcome sexual jokes and banter.

# Address and Telephone Number

knowledge of sexual harassment. You may also contact the **State of Vermont Attorney General's Office**, 109 State Street, Montpelier, VT 05609-1001 (888-745-9195 (Toll Free VT) or 802-828-3657; ago.civilrights@vermont.gov. If you work for an employer with at least 15 employees, you may also contact the **Equal Employment Opportunity Commission**, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203 (617-565-3196). You may also contact the **Human Rights Commission**, 14-16 Baldwin Street, Montpelier, VT 05633-6301 (800-416-2010 (Toll Free VT) or 802-828-24 human.rights@vermont.gov) if you work for a Vermont State Agency.

### DEPARTMENT OF LABOR **Employer's Liability and Workers' Compensation**

, HAS COMPLIED WITH THE PROVISIONS OF TITLE 21 OF THE VERMONT STATUTES, ANNOTATED §687, BY OBTAINING WORKERS' COMPENSATION INSURANCE COVERAGE THROUGH:

Vorkers' Compensation benefits for lost time, medical expenses, disability or death pecause of a work-related injury are available through the above named company. An injured employee MUST immediately notify his/her employer of an injury. The employer MUST file an Employee Claim and Employer's First Report of Injury (Form 1) with the Vermont Department of Labor within 72 hours of the notice of an injury that requires medical attention or results in time lost from work. The employer must also provide a copy of the Form 1 to the injured worker and to the insurance carrier.

If the employer fails to file a First Report, an employee may file a Notice of Injury and Claim for Compensation (Form 5) with the Vermont Department of Labor within six months of the date of injury Information concerning injured worker rights and benefits is available on the department's Workers' Compensation website at http://www.labor.vermont.gov or by calling (802) 828-2286

REV. 12/2005

### DEPARTMENT OF LABOR **Posting of Safety Records**

**NOTICE TO EMPLOYEES** Jnder Vermont law (21 V.S.A. §691a) all Vermont employers must advise their

employees of where they may review the employer's record of workplace safety, ncluding workplace injury and illness. The employer's data shall be available for review by any employee and by the Commissioner of Labor, but this information shall not otherwise be public information. he employer's data is available at:

For more information, contact the Vermont Department of Labor at (802) 828-2286. REV. 09/2014

## **DEPARTMENT OF LABOR Child Labor Poster**

jobs, transporting of persons or property, workrooms where products are manufactured, mined or processed, or warehousing and storage. **Children Age 14 and 15 MAY** work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs under the following conditions: No more than 3 hours on a school day or 18 hours in a school week; 8 hours hour. If the farm is "small," workers under 12 years of age can only be employed

movie theater, baseball park, amusement park, or gasoline service station. An employee must be at least 16 years old to work in most non-farm jobs. No person less than 18 years old may work in any occupation declared hazardous by he Secretary of the USDOL or the Commissioner of the Vermont Department of Labor. The following occupations have been declared hazardous (see child labor

Manufacturing and storing of explosives, driving a motor vehicle and being

an outside helper on a motor vehicle; coal mining, logging and sawmilling,

rules for additional information):

on a non-school day or 40 hours in a non-school week. Also, work may not

begin before 7 a.m. or end after 7 p.m., except from June 1 through Labor Day,

when evening hours are extended to 9 p.m. Different rules apply in agricultural

power-driven woodworking machines, exposure to radioactive substances, power-driven hoisting apparatus, power-driven metal-forming, punching, and shearing machines, mining, other than coal mining, meat packing or processing including the use of power-driven meat slicing machines), power-driven bakery machines, power-driven paper-product machines, manufacturing brick, tile, shears, wrecking, demolition, and shipbreaking operations, roofing operations, or excavation operations. There are some exemptions for apprentice/student-

Once a person turns **16 years old**, he or she can do any job in agriculture.

Notice: Sexual Harassment is Illegal **Consequences for committing sexual harassment may include:** 

> relief for the victim civil penalties of up to \$10,000 per violation • Criminal Employees or individuals engaged to perform work or services who believe that they have been sexually harassed or retaliated against for complaining of sexual harassment are encouraged to report the situation as soon as possible to one or

more of the following (THE HEAD OF THIS ORGANIZATION); (c) THE PERSON WHO IS DESIGNATED TO RECEIVE SUCH COMPLAINTS AND REPORTS:

The above-named individuals can also provide copies of this employer's written sexual harassment policy The employer will promptly investigate and respond to all reports and

# Effective July 1, 2023

# REV. 07/01/2023

# Notice to Employees

The State of Vermont is an Equal Opportunity/Affirmative Action Employer. Applications from women, individuals with disabilities, and people from diverse cultural backgrounds are encouraged. Auxiliary aids and services are available upon request to individuals with disabilities. 711 (TTY/Relay Service) or 802-828-4203 TDD (Vermont Department of Labor)

A youth 12 or 13 years of age can only work in agriculture on a farm if a parent has given written permission or if a parent is working on the same farm as his or her child, and only in non-hazardous jobs. If the youth is **younger than 12**, he or she can only work in agriculture on a farm if the farm is not required to pay the Federal minimum wage. Under the FLSA, "small" farms are exempt from the minimum wage requirements, "Small" farm means any farm that did not use more than 500 "man-days" of agricultural labor in any calendar quarter (3-month period) during the preceding calendar vear. "Man-day" means any day during which an employee works at least one

Operating or helping to operate Corn picker, cotton picker, grain combine, hay mower, forage harvester, hay baler, potato digger, unloading wagon or trailer; or, Power post-hole digger, power post driver, or nonwalking-type rotary tiller, Trencher or earthmoving

Loading, unloading, felling, bucking, or skidding timber with a butt (large end) diameter of more than 6 inches. Working from a ladder or scaffold at a height of over 20 feet. Driving a bus, truck, or automobile when transporting passengers, or on a tractor as a passenger or helper.

with umbilical cord present

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION 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. Conduct that coerces, intimidates, threatens, or interferes Who is Protected?

with someone exercising their rights, or someone assisting or Employees (current and former), including managers and encouraging someone else to exercise rights, regarding disability temporary employees discrimination (including accommodation) or pregnancy Job applicants Union members and applicants for membership in a union

What can You Do if You Believe Discrimination has Occurred? What Types of Employment Discrimination are Illegal? Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways

**Submit** an inquiry through the EEOC's public portal: https://publicportal.eeoc.gov/Portal/Login.aspx

an EEOC field office (information at www.eeoc.gov/field-office)

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

1-800-669-4000 (toll free)

1-800-669-6820 (TTY)

### Additional information about the EEOC, including information about filing a charge of discrimination, is available at www.eeoc.gov.

proceeding Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation **EMPLOYERS HOLDING FEDERAL CONTRACTS OR** What Organizations are Covered? **SUBCONTRACTS** Most private employers

The Department of Labor's Office of Federal Contract Compliance State and local governments (as employers) Programs (OFCCP) enforces the nondiscrimination and affirmative action Educational institutions (as employers) commitments of companies doing business with the Federal Government. If you are applying for a job with, or are an employee of, a company with a Federal contract or subcontract, you are protected under Federal law from Staffing agencies

### discrimination on the following bases: What Employment Practices can be Challenged as Race, Color, Religion, Sex, Sexual Orientation, Gender **Discriminatory? Identity, National Origin** All aspects of employment, including: Executive Order 11246, as amended, prohibits employment discrimination Discharge, firing, or lay-off

gender identity, or national origin, and requires affirmative action to ensure Hiring or promotion equality of opportunity in all aspects of employment Assignment **Asking About, Disclosing, or Discussing Pay** Pay (unequal wages or compensation) Executive Order 11246, as amended, protects applicants and employees of Failure to provide reasonable accommodation for a disability; Federal contractors from discrimination based on inquiring about, disclosing

employees

**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 Obtaining or disclosing genetic information of employees aspects of employment by Federal contractors. Disability discrimination includes not making reasonable accommodation to the known physical or Requesting or disclosing medical information of employees mental limitations of an otherwise qualified individual with a disability Conduct that might reasonably discourage someone from opposing who is an applicant or employee, barring undue hardship to the employer. discrimination, filing a charge, or participating in an investigation

employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

**Protected Veteran Status** The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled 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 service medal veterans.

Retaliation

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors under these Federal laws. Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities should contact

### immediately: 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) If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at https://ofccphelpdesk.dol.gov/s/, or by calling an OFCCP regional or

### district office, listed in most telephone directories under 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 Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is

provision of employment, or where employment discrimination causes or

may cause discrimination in providing 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 which receive Federal financial assistance. **Individuals with Disabilities** Section 504 of the Rehabilitation Act of 1973, as amended, prohibits or discussing their compensation or the compensation of other applicants or employment discrimination on the basis of disability in any program

> prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the iob. 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 agency providing such assistance.

or activity which receives Federal financial assistance. Discrimination is

REV. 06/27/2023

# YOUR EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

by Federal contractors based on race, color, religion, sex, sexual orientation,

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with **job-protected** 

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

An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious

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 **all** of the following apply:

You work for a covered employer,

**leave** for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD)

injury or illness **may take up to 26 workweeks** of FMLA leave in a single 12-month period to care for the You have the right to use FMLA leave in **one block of time**. When it is medically necessary or otherwise permitted, you may take FMLA leave intermittently in separate blocks of time, or on a reduced schedule by working less hours each day or week. Read Fact Sheet #28M(c) for more information FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to use any employer-provided

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 your leave, and Your employer has at least 50 employees within 75 miles of your work location. Airline flight crew employees have different "hours of service" requirements.

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

What does my employer need to do? If you are eligible for FMLA leave, your **employer must** Allow you to take job-protected time off work for a qualifying reason, Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and

working conditions, including shift and location, at the end of your leave.

Your **employer cannot interfere with your FMLA rights** or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your **employer** must confirm whether you are eligible or not eligible for FMLA leave. If your employer determines that you are

If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. Scan the QR code to learn about our WHD complaint process. DEPARTMENT OF LABOR **UNITED STATES OF AMERICA** 

Where can I find more information?

Call 1-866-487-9243 or visit dol.gov/fmla to learn more.

SCAN ME WH1420

REV. 04/2023

# DEPARTMENT OF LABOR

perform her job. A pregnancy-related condition is one caused by pregnancy, childbirth, or a medical condition related to pregnancy or childbirth. The law applies to all Vermont workplaces and all pregnant employees. WHEN DOES IT BECOME EFFECTIVE? January 1, 2018

An employee with a pregnancy-related condition has a right to reasonable accommodations in the workplace to

requesting a reasonable accommodation could expose the employer to damages and civil penalties. DOES AN EMPLOYER HAVE TO GRANT EVERY ACCOMMODATION REQUEST?

WHAT ARE THE EMPLOYEE'S RIGHTS? If you feel you need reasonable accommodations to perform your job, you must request the accommodation by communicating with your employer. Examples of pregnancy-related accommodations include, but are not limited to: More breaks for the bathroom, water intake, or rest

WHAT ARE THE EMPLOYER'S OBLIGATIONS?

Access to a chair or stool

Time off for prenatal appointments

A private, clean space for breast feeding

### 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.

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.

Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other

**WAGE AND HOUR DIVISION** UNITED STATES DEPARTMENT OF LABOR

Assistance with specific duties, such as manual labor or heavy lifting Time off to recover from medical conditions related to pregnancy or childbirth If you feel you need reasonable accommodations to perform the essential functions of your job, you must request the accommodations by communicating with your employer. **VERMONT DEPARTMENT OF LABOR** 

www.labor.vermont.gov

FOR MORE INFORMATION:

ATTORNEY GENERAL'S OFFICE: 109 STATE STREET, MONTPELIER, VT 05602 888-745-9195 or 802-828-3657 AGO.CivilRights@vermont.gov YOU MAY ALSO CONTACT THE

HUMAN RIGHTS COMMISSION

14-16 BALDWIN St., MONTPELIER, VT 05633

800-416-2010 or 802-828-2480

human.rights@vermont.gov

**REV. 11/2017** 

**Department of Labor** 

You have a right to a safe and healthy workplace.

**Accommodations for Pregnant Employees** 

**Notice of Employee Rights** 

# The Vermont Occupational Safety and Health Code (Title 21 V.S.A. Chapter 3, Sub-Chapters 4 and 5, and the rules adopted (there under) provides job safety

The purpose of the law is to assure safe and healthful working conditions throughout the State.

Your employer must post this notice in your workplace.

exercising their rights under the Code.

You can file a complaint with VOSHA within 30 days of discrimination by your employer for making safety and health complaints or for exercising your rights under the Vermont Occupational Safety and Health Act.

eliminated.

The Statute also provides that employees who are discriminated against may bring a private action in Superior Court for appropriate relief Including reinstatement, triple wages, damages, costs and reasonable attorney's fees. The Occupational Safety and Health Act of 1970 (OSH Act), P.L. 91-596, assures safe and healthful working conditions for working men and women

administering the OSH Act in Vermont. To file a complaint, report an emergency, or seek VOSHA advice or assistance call 1-800-287-2765. Under a plan approved October 1, 1973, by the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA), the State of Vermont Is providing job safety and health protection for workers throughout the State. OSHA will monitor the operation of this plan to assure that continued approval is merited. Any person may make a complaint regarding Vermont's administration of this plan directly to the Occupational Safety and Health

### The plan provides that employers and employees may request free voluntary compliance consultative or training assistance, which is provided by non-enforcement Project WorkSAFE personnel.

Administration, John F. Kennedy Federal Building, Room E-340, Boston, MA, 02203, Telephone (617) 565-9860.

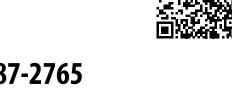
DEPARTMENT OF LABOR 5 Green Mountain Drive **P.O.** Box 488 Montpelier, Vermont 05601-0488 TELEPHONE (888) SAFE-YES

Toll-free at 1-888-723-3937.

**TWO** ways to verify poster compliance!

**QR CODE** Scan with phone camera:

ONLINE





**DEPARTMENT OF LABOR** 

**VERMONT** 

To update your labor law posters contact J. J. Keller & Associates, Inc. JJKeller.com/laborlaw 800-327-6868

# You have the right to request a VOSHA inspection if you believe that there are unsafe and unhealthful conditions in your workplace. You or your representative may participate in the inspection.

VT Children Age 14 and 15 MAY NOT work in any of the hazardous occupations above and may not work in communications or public utilities jobs, construction or repair jobs, driving a motor vehicle or helping a driver, manufacturing and mining occupations, power-driven machinery or hoisting apparatus other than typical office machines, processing occupations, public messenger

Examples of permitted jobs include office, grocery store, retail store, restaurant,

**Equal Opportunity is the Law** earner programs in some of these hazardous occupations. The State of Vermont is an Equal Opportunity/Affirmative Action Employer. A person must be at least 18 to work in any of the hazardous non-farm Applications from women, individuals with disabilities, and people from diverse jobs listed above. cultural backgrounds are encouraged. Auxiliary aids and services are available upon request to individuals with disabilities. 711 (TTY/Relay Service) or Agricultural Employment 802-828-4203 TDD (Vermont Department of Labor).

A youth **14 or 15 years old** can work in agriculture, on any farm, but only in non-hazardous jobs.

with a parent's permission and only in non-hazardous jobs. Hazardous agricultural occupations include: Operating a tractor of over 20 PTO (Power-Take-Off) horsepower, or connecting or disconnecting implements or parts to such a tractor. or mobile pea viner, Feed grinder, crop dryer, forage blower, auger conveyor, or the unloading mechanism of a non-gravity-type self-

equipment; Fork lift; Potato combine; or Power-driven circular, band or

Working on a farm in a yard, pen, or stall occupied by Bull, boar, or stud

horse for breeding, or Sow with suckling pigs, or cow with newborn calf

REV. 09/2007

Go to: JJKeller.com/LLPverify Enter this code: 69502-082023

AUG2023 65894F

FED-VT-ENG

62934

Notice of Employee Rights you may be eligible for benefits under the Domestic and Sexual Violence Survivor's Transitional You work for a **covered employer** if **one** of the following applies: WHAT IS THE LAW? **EMPLOYEE RIGHTS** You work for a private employer that had at least 50 employees during at least 20 workweeks in the Employment Program. When speaking with a representative at the toll-free number listed Under Vermont law, alleged victims are protected from harassment or other Employees who are alleged victims have the right to take unpaid leave to current or previous calendar year. discrimination by employers based on their status as an alleged victim. above, please ask to speak with the Domestic Violence Program Manager. You work for an elementary or public or private secondary school, or Employers are also required to provide alleged victims with job-protected, Criminal proceedings where the employee is an alleged victim and You work for a public agency, such as a local, state or federal government agency. Most federal unpaid leave to attend certain legal proceedings relating to a relevant crime. has a legal right or obligation to appear at the proceeding; mployees are covered by Title II of the FMLA, administered by the Office of Personnel Management. **EFFECTIVE AS OF:** Relief from abuse hearings and neglect or exploitation hearings For free professional help in finding a job, an internship or job training opportunities, How do I request FMLA leave? under when the employee is a plaintiff; or July 1, 2022 Generally, to request FMLA leave you must: visit a Department of Labor Career Resource Center near you. Hearings concerning an order against stalking or sexual assault. WHO IS AN ALLEGED VICTIM? Follow your employer's normal policies for requesting leave, While on alleged victim leave, employees may use any accrued sick leave, Under the law, a "alleged victim" is a person who: To find your local Center, visit: Give notice at least 30 days before your need for FMLA leave, or vacation leave, or any other paid leave. Employees must continue to receive Is alleged to have sustained; If advance notice is not possible, give notice as soon as possible employment benefits while on leave and have the right to return to their labor.vermont.gov or call 888-807-7072 Physical, emotional, or financial injury or death; same job or a comparable position upon return. As a direct result of the commission or attempted commission of a

# VT

When employees request a reasonable accommodation pertaining to pregnancy, the employer should take time to work with the employee to fulfill the request. Ignoring a request, retaliating against, or firing the employee  $\frac{1}{2}$ An employer may decline a reasonable accommodation if the accommodation would constitute an undue hardship. An accommodation creates an undue hardship if it would be significantly difficult, unduly expensive or unworkable to

# Safety and Health Protection on the Job

and health protection for workers.

IT'S THE LAW! You have the right to notify your employer or VOSHA about workplace hazards. You may ask VOSHA to keep your name confidential.

Your employer must correct workplace hazards by the date indicated on the citation and must certify that these hazards have been reduced or You have the right to copies of your medical records or records of your exposure to toxic and harmful substances or conditions.

You have a right to see VOSHA citations issued to your employer. Your employer must post the citations at or near the place of the alleged violation.

The Statute provides that employees may not be discharged or discriminated against in any way for filing safety or health complaints or otherwise

throughout the Nation. To obtain more information on OSHA federal programs, call 1-800-321-OSHA or visit OSHA's website at www.osha.gov. The Vermont Occupational Safety and Health Administration (VOSHA), in the Vermont Department of Labor, has the primary responsibility for

### Further information, including copies of the Code and of specific safety and health standards, may be obtained by contacting: PROJECT WORKSAFE

1-800-287-2765 www.labor.vermont.gov