

FED

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

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

The law requires employers to display this poster where employees can readily see it.

OVERTIME PAY
At least 1 1/2 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, non-mining, non-hazardous jobs with certain work-hour 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. An employer may tip-paid employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employer's tip 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.

The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for her nursing child at any time 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.

WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243 www.dol.gov/agencies/whd

WH1088

REV. 04/2023

RI

Rhode Island Department of Labor and Training (DLT)

Attention Employees - MINIMUM WAGE - Rhode Island

Effective JANUARY 1, 2023, THIS LAW PROVIDES:

HOURLY MINIMUM WAGE FOR ALL EMPLOYEES \$15.00 (60% of Minimum Wage)

EXCEPT: Full-time students under 19 years of age working in a non-profit, religious, educational, literary or community service organization. **\$12.60** (20% of Minimum Wage)

Minors 14 and 15 years of age working not more than 24 hours in a week. **\$10.50** (70% of Minimum Wage)

Employees receiving grativities (as of Jan. 1, 2017): **\$3.89**

Overtime Pay: At least 1 1/2 times the regular rate of pay for all hours worked over 40 in any one workweek. The law exempts nonfarm minimum wage and/or overtime pay requirements for certain occupations established by the Department of Labor.

Mandatory Nightwork: A hospital may not require certain nurses and certified nurse assistants to work overtime except in an unforeseeable emergency.

Minimum Shift Work: Employees requested or permitted to report for duty at the beginning of a work shift must be provided with 3 hours work or 3 hours wage. Retail establishments employees must be provided with 4 hours work on Sundays and holidays.

1-866-487-9243 www.dol.gov/agencies/whd

WH1088

REV. 01/2019

NOTICE: This state has its own minimum wage law. Employers are also required to display the federal minimum wages. Where federal and state laws both apply to an employee, the U.S. Department of Labor dictates that the employee is entitled to the highest minimum wage rate.

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

RI

Department of Labor and Training (DLT)

You Are Protected under Provisions of the RI EMPLOYMENT SECURITY ACT and the TEMPORARY DISABILITY INSURANCE ACT

UNEMPLOYMENT INSURANCE BENEFITS

If you become totally/partially unemployed:

- File your claim online at www.dlt.rhodeisland.gov or by telephone at (401) 243-8100. Visit www.dlt.rhodeisland.gov for more information. Visit www.dlt.rhodeisland.gov or call (401) 243-8100.
- Monday is a high-volume telephone day; you may prefer to file your claim later in the week. You will need your Social Security number, name, address and telephone number of your employer for the last two years. If you are a U.S. citizen, your alien registration number is required.
- To collect unemployment benefits, the law requires that you must:
 - be unemployed through no fault of your own;
 - have earned minimum qualifying wages while you were working;
 - be physically able to work, available for work, and actively seeking work;
 - begin your work with DLT.

TEMPORARY DISABILITY INSURANCE BENEFITS

Eligible for DLT benefits: If you have become ill or injured and meet all of the requirements, you may be entitled to receive benefits:

- You are unemployed due to illness, surgery, or injury for a minimum of seven consecutive days or more; and
- You are under the care of an approved Qualified Health Care Provider and
- You have a timely medical or an office physical exam within the weekend week in which the first day of unemployment due to sickness occurred or within the calendar week prior to subsequent benefits.
- You earned enough qualifying wages during the base period to be monetarily eligible.

Eligible for Temporary Caregiver Insurance Benefits: If you are caring for a seriously ill child, spouse, parent, in-law, grandparent, domestic partner or you are bonding with a newborn child, adopted child or foster child within the first 12 months of parenting, you may be eligible to receive benefits if you meet the following requirements:

- You are unemployed due to illness, surgery, or injury for a minimum of seven consecutive days or more; and
- You are under the care of an approved Qualified Health Care Provider and
- You have a timely medical or an office physical exam within the weekend week in which the first day of unemployment due to sickness occurred or within the calendar week prior to subsequent benefits.
- You earned enough qualifying wages during the base period to be monetarily eligible.

RI

Commission for Human Rights

Sexual Harassment is Against the Law

Report incidents of harassment to:

NAME: _____ PHONE: _____ ADDRESS: _____ E-MAIL: _____

If you believe you are or have been the victim of sexual harassment, contact:

RHODE ISLAND COMMISSION FOR HUMAN RIGHTS
180 Westminster Street, Third Floor
Providence, RI 02903
(401) 222-2661
TDD: (401) 222-2664
Fax: (401) 222-2616
www.ricrhri.org

RI

Department of Labor and Training (DLT)

HEALTHY AND SAFE FAMILIES AND WORKPLACES ACT

Pursuant to RI General Law §28-57, you are entitled to sick and safe leave to address your own health and safety needs as well as those of your family. This leave may or may not be paid depending on the size of your employer and other factors as detailed in the law.

Visit www.dlt.rhodeisland.gov or call (401) 462-WAGE (9243) for more information.

REV. 01/2018

RI

CHAPTER 28-50

The Rhode Island Whistleblowers' Protection Act

§ 28-50-1. Short title. — This chapter may be cited as the "Rhode Island Whistleblowers' Protection Act."

§ 28-50-2. Definitions. — As used in this chapter:

- "Employee" means a person employed by any employer, and shall include, but not be limited to: at-will employees, contract employees, prospective employees, and independent contractors.
- "Employer" means any person, partnership, association, sole proprietorship, corporation or other business entity, including any department, agency, commission, committee, board, council, bureau, or authority or any subdivision thereof in state or municipal government, the shall employ another's services are performed for wages or under any contract of hire, written or oral, expressed or implied.
- "Person" means an individual, sole proprietorship, partnership, corporation, or any other legal entity.
- "Public body" means all of the following:
 - A state officer, employee, agency, department, division, bureau, board, commission, authority, or other body in the executive branch of state government.
 - An agency, board, commission, council, members, or employee of the legislative branch of state government.
 - A county, city, town, or regional governing body, a council, school district, or a board, department, division, bureau, or any member or employee of that body.
 - Any other body that is created by a state or local authority or that is primarily funded by or receives its financial support from a state or any member or employee of that body.
 - A law enforcement agency or any member or employee of a law enforcement agency.
 - The judiciary and any member or employee of the judiciary.
- "Supervisor" means any individual to whom an employee has given the authority to direct and control the work performance of the affected employee or any individual who has the authority to take corrective action regarding the employee, including any individual who has the authority to discipline or suspend the employee.

§ 28-50-3. Protection. — No employer shall discharge, threaten, or otherwise discriminate against an employee regarding the employee's compensation, terms, conditions, location, or privileges of employment nor shall an employer report or threaten to report an employee's immigration status to the Department of Homeland Security (ICE) or any other immigration agency or law enforcement agency including local law enforcement.

- Because the employee is a person acting in behalf of the employer, reports or threats to report to a public body, verbally or in writing, a violation that the employee knows or reasonably believes has occurred or is about to occur, of a law or regulation or rule promulgated under the law of this state, a political subdivision of this state, or the United States, unless the employee knows or reasonably believes that the award is appropriate.

§ 28-50-4. Relief and damages. — (a) A person who alleges a violation of this chapter shall file a written complaint with the commission, or both within three (3) years after the occurrence of the alleged violation. (b) An action commenced pursuant to subsection (a) may be brought in the superior court for the county where the alleged violation occurred, the county where the complainant resides, or the county where the person against whom the civil complaint is filed resides or has his principal place of business.

§ 28-50-5. Reinstatement. — A court, in rendering a judgment in an action brought under this act, shall order, in the event of a judgment of reinstatement of the employee, the payment of back wages, full reinstatement of fringe benefits and seniority rights, actual damages, or any combination of these remedies. A court may also award the complainant all or a portion of the costs of litigation, including attorneys' fees if the court determines that the award is appropriate.

§ 28-50-6. Collective bargaining. — This chapter shall not be construed to diminish the rights of a person under any collective bargaining agreement.

§ 28-50-7. Exemption. — This chapter shall not be construed to require an employer to compensate an employee for participation in an investigation, hearing or inquiry held by a public body in accordance with § 28-50-3.

§ 28-50-8. Notice posted. — No employer shall post notices and/or any other material in a conspicuous place in the workplace that is applicable to any person or circumstance held in violation or constitutional, the inability or unavailability shall not affect other provisions or applications of this act which can be given effect without the invalid or unconstitutional provisions in application, and to this end the provisions of this chapter are declared to be severable.

RI

Office of Veterans Services

VETERANS' BENEFITS AND SERVICES

Veterans can access the following free resources and hotlines to learn about their rights, protections, benefits, and accommodations.

Mental Health Resources

Rhode Island Office of Veterans Services

For Veterans programs and services, visit the RI Office of Veterans Services

Call: (401) 921-2119
Website: vets.rhri.gov
Address: 30 Jefferson Blvd., Warwick, RI 02886

Legal Services

Find legal information related to veterans' needs.

Operation Stand Down Rhode Island
oldi.org

Tax Benefits

Learn about tax exemptions and other benefits available to veterans in Rhode Island.

Additional Resources

National Domestic Violence Hotline
Call: 800-799-7273

RI Workplace Sexual Harassment Hotline
Call: (401) 222-2661

RI Department of Motor Vehicles
Website: dmv.rhri.gov

Rhode Island Legal Services
Call: (401) 846-2364

Education, Workforce, and Training Resources

Explore educational, workforce development programs, and training opportunities.

DLT Veterans' Employment and Training Services (VETS)
vets.dlt.rhodeisland.gov

REV. 01/2025

FED

YOUR EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

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

Eligible employees can take up to **12 workweeks** of FMLA leave in a 12-month 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.
- Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness may take up to **26 workweeks** of FMLA leave in a single 12-month period to care for the servicemember.

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 #28(FMLA) 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 all of the following apply:

- You work for a covered employer.
- You have worked for your employer at least 12 months.
- You have at least 1,250 hours of service for your employer during the 12 months 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 work for a **covered employer** if one of the following applies:

- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year.
- You work for an elementary or public or private secondary school, or
- You work for a public agency, such as a local state, or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management.

How do I request FMLA leave?
Generally, to request FMLA leave you must:

- Notify your employer's normal place of business, usually by phone, giving notice to your employer at least 30 days before you need FMLA leave, or
- If advance notice is not possible, give notice as soon as possible.

Where can I find more information?
Call 1-866-487-9243 or visit dol.gov/fmla to learn more. If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. **Scan the QR code to learn about our WHD complaint process.**

DEPARTMENT OF LABOR UNITED STATES OF AMERICA

WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243 www.dol.gov/agencies/whd

WH1420

REV. 04/2023

RI

DLT

RHODE ISLAND DEPARTMENT OF LABOR AND TRAINING (DLT)

Notice to All Employees - Information Employers Must Post

Pay Differentials for Comparable Work

Pursuant to Rhode Island General Law § 28-6-18, it is unlawful for an employer to pay a differential wage based on race, color, religion, sexual orientation, gender, gender identity or expression, disability, age, and country of ancestral origin for comparable work. A differential wage is permissible where one or more of the following factors is found to apply:

- A seniority system, provided that the time spent on leave due to a pregnancy related condition or parental, family and medical leave shall not reduce seniority.
- A merit system.
- A system that measures earnings by quantity or quality of production.
- Geographic location when the locations correspond with different costs of living, provided that no location-based cost-of-living differential shall be considered to have a sufficiently different cost of living.
- "Reasonable shift differential, which is not based upon or derived from a differential in compensation based on a protected characteristic."
- "Education, training, or experience to the extent such factors are job-related and consistent with a business need for wages. Employers may not request or require that employees or applicants waive the right to discuss wages."
- "Work-related travel, if the travel is regular and a business necessity."
- "A bona fide factor other than a protected characteristic."

Which is not based upon or derived from a differential in compensation based on a protected characteristic. ... which is job-related with respect to the position in question, and which is consistent with business necessity."

Enforcement

Alleged violations of the Act may be complained of (1) in a civil action brought by an employee, or (2) by a complaint filed with the DLT Director.

Pay Equity Act

Employer Wage Inquiry

Pursuant to Rhode Island General Law § 28-6-22, employees are prohibited from inquiring into or requiring the disclosure of a job applicant's wage history, from relying upon a job applicant's wage history when considering the individual's candidacy, and from setting a minimum or maximum threshold of prior wage earnings.

A seniority system, provided that the time spent on leave due to a pregnancy related condition or parental, family and medical leave shall not reduce seniority.

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Alleged violations of the Act may be complained of (1) in a civil action brought by an employee, or (2) by a complaint filed with the DLT Director.

Pay Equity Act

Employer Wage Inquiry

Pursuant to Rhode Island General Law § 28-6-22, employees are prohibited from inquiring into or requiring the disclosure of a job applicant's wage history, from relying upon a job applicant's wage history when considering the individual's candidacy, and from setting a minimum or maximum threshold of prior wage earnings.

A seniority system, provided that the time spent on leave due to a pregnancy related condition or parental, family and medical leave shall not reduce seniority.

A merit system.

A system that measures earnings by quantity or quality of production.

Geographic location when the locations correspond with different costs of living, provided that no location-based cost-of-living differential shall be considered to have a sufficiently different cost of living.

"Reasonable shift differential, which is not based upon or derived from a differential in compensation based on a protected characteristic."

"Education, training, or experience to the extent such factors are job-related and consistent with a business need for wages. Employers may not request or require that employees or applicants waive the right to discuss wages."

"Work-related travel, if the travel is regular and a business necessity."

"A bona fide factor other than a protected characteristic."

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