


YOUR RIGHTS UNDER VETSA

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

You have the right to be reinstated to 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 your service;
- you have five years or less of cumulative service in the uniformed services while with that particular employer;
- you return to work or apply for reemployment in a timely manner after conclusion of service; and
- you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

If you:

- are a past or present member of the uniformed service;
- are obligated to serve in the uniformed service;
- have applied for membership in the uniformed service; or
- have any benefit of membership in the uniformed service;

then an employer may not deny you:

- initial employment;
- promotion or;
- reemployment;
- any benefit of employment;
- retention in employment;

because of this status.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including assisting or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

HEALTH INSURANCE PROTECTION

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 (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

ENFORCEMENT

- The U.S. Department of Labor, Veterans Employment and Training Service (VETS) 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-USAID-2011** or visit its website at <http://www.dol.gov/agencies/vets/>. An interactive online USERRA Advisor can be viewed at <http://www.dol.gov/agencies/vets/interactivedoctor/>.
- 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 Office of Special Counsel, as applicable, for representation.
- You may also bypass VETS process and bring a civil action against an employer for violations of 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: <http://www.dol.gov/agencies/vets/programs/userra/poster>. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.

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

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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 employees with **job-protected leave** for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees.

WHD 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 military servicemember.

An eligible employee may take FMLA leave for the reasons, child, parent or next of kin of a covered servicemember with a serious injury or illness **or 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 not 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 282M(c) for more information.

FMLA leave is **not paid** leave, but you may choose, or be required to use your employer's, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you request 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

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:

- Follow your employer's normal policies for requesting leave,
- Give notice at least 30 days before the leave you need, or
- If advance notice is not possible, give notice as soon as possible.

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 certification of a qualifying emergency.

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 employers may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress.

What does my employer need to do?

If you are eligible for FMLA leave, your **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
- 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 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 you need leave 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 eligible, your **employer must notify you in writing**:

- About your FMLA rights and responsibilities, and
- How much of your requested leave, if any, will be FMLA-protected leave.

Where can I find more information?

Call 1-866-487-9293 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

SCAN ME

WH1420

You are your own boss

There will be no one to tell you how to do things

You can work from home

You can choose your own hours

You can set your own prices

You can make your own decisions

You can grow your business as fast as you want

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FED

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 also be able to help.

Who is Protected?

Employees (contract and former), including managers and temporary employees
Job applicants
Union members and applicants for membership in a union

What Types of Employment Discrimination are Illegal?

Under the EEOC's laws, an employer may not discriminate against you, regardless of your race, ethnicity, sex, on the basis of:

Race
Color
Religion
National origin
Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, and gender identity)
Age (40 and older)
Disability
Genetic information (including employer requests for, or purchase or use, or disclosure of genetic tests, genetic services, or family medical history)

Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding
Interference, coercion, or threats related to exercising rights regarding disability discrimination or workplace accommodation

Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or proceeding
Conduct that coerces, intimidates, threatens, or interferes with someone exercising their right; or someone assisting or encouraging someone else to exercise rights, regarding disability discrimination (including accommodation) or pregnancy accommodation

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 to file a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC at any of the following ways:

Submit: an inquiry through the EEOC's public portal: [www.eeoc.gov/eofee/public-portal](#)

Call: 1-800-669-4000 (toll free)
1-800-669-6820 (TTY)
1-844-764-7132 (USA video phone)

Visit: an EEOK field office (information at [www.eec-field-office.com](#))

E-Mail: [info@eeoc.gov](#)

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

Barriers underbarrier to the employee. Section 502 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

Protected Veteran Status

The Veterans' Readjustment Assistance Act of 1974, as amended, 38 USC 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated reservists 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 EEOC proceeding, or otherwise opposes discrimination by Federal contractors under these Federal laws.
Any person whose beliefs a contractor has violated its nondiscrimination or affirmative action obligations under OFCCPs authorities should contact immediately:
The Office of Federal Contract Compliance Programs (OFCCP)
U.S. Department of Labor
1400 Constitution Avenue, N.W.
Washington, D.C. 20210
1-800-397-6231 (toll free)
If you are deaf hard of hearing, or have a speech disability, please dial 711 to access Telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk ([https://askhelpdesk.dhs.gov/gov](#)) or by calling an OFCCP regional or district office. Listed in most telephone directories under U.S. Government, Department of Labor and an OFCCP "Contact Us" webpage at [http://www.eeoc.gov/ofccp/contact-us/index.cfm](#)

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action commitments of companies doing business with the Federal Government. 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 discrimination on the following bases:

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, and the Rehabilitation Act of 1973,

Aspects of employment, including:

Discharge, hiring, or lay-off
 Harassment (including sexual harassment or physical contact)

Hiring or promotion

Assignment

Pay (unequal wages or compensation)

Failure to provide reasonable accommodation for a disability; pregnancy, childbirth, or related medical condition; or a sincerely held religious belief, observance or practice

Benefits

Job training

Classification

Referral

Obtaining or disclosing genetic information of employees

Requesting or disclosing medical information of employees

Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin

Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

Age

Ageing About, Disclosing, or Discussing Pay

Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing or discussing their compensation or the compensation of other applicants or employees.

Disability

Section 502 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 accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee.

On the basis of race, color, or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VII 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 program. 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 employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

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.

Job Safety and Health

STOP THE LAW!

ALL workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being

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

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retaliated against.

- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

This poster is available free from OSHA.


Contact OSHA. We can help.

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




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

TWO ways to verify poster compliance!

QR CODE Scan with phone camera: 

OR

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