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LABOR LAWS

FEDERAL

RHODE ISLAND

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 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, 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 her 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.

ENFORCEMENT
The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA.

ADDITIONAL INFORMATION
- Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions. Certain narrow exemptions also apply to the pump at work requirements.
- Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.
- Some state laws provide greater employee protections; employers must comply with both.
- Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not.
- 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.

DEPARTMENT OF LABOR UNITED STATES OF AMERICA
WHD
WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR
1-866-487-9243
www.dol.gov/agencies/whd
WH1088

REV. 04/2023

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 qualifying 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, and
- 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 #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 **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**:
- Follow your employer's normal policies for requesting leave,
- Give notice at least 30 days before your need for FMLA leave, or
- If advance notice is not possible, give notice as soon as possible.

You **do 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 exigency.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

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

What does my employer need to do?
If you are eligible for FMLA leave, your **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 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 eligible, your **employer must notify you in writing**:
- About your FMLA rights and responsibilities, and
- How much of your requested leave, if any, will be FMLA-protected leave.

Where can I find more information?
Call **1-866-487-9243** or visit **dol.gov/fmla** to learn more.

If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against 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

REV. 04/2023

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 be able to help.

Who is Protected?
- Employees (current 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 immigration status, on the bases of:
- Race
- Color
- Religion
- National origin
- Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity)
- Age (40 and older)
- Disability
- Genetic information (including employer requests for, or purchase, 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 pregnancy accommodation

What Organizations are Covered?
- Most private employers
- State and local governments (as employers)
- Educational institutions (as employers)
- Unions
- Staffing agencies

What Employment Practices can be Challenged as Discriminatory?
All aspects of employment, including:
- Discharge, firing, or lay-off
- Harassment (including unwelcome verbal or physical conduct)
- 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
- 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 rights, or someone assisting or encouraging someone else to exercise rights, regarding disability discrimination (including accommodation) or pregnancy accommodation

What can You Do if You Believe Discrimination has Occurred?
Contact the EEOC promptly if you suspect 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*
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 *www.eeoc.gov*.

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. 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 discrimination on the following bases:

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.

Asking 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 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 accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels 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 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.

REV. 06/27/2023

RI

Rhode Island Department of Labor and Training (DLT)

Attention Employees - MINIMUM WAGE - Rhode Island

Effective JANUARY 1, 2025 - THIS LAW PROVIDES **HOURLY MINIMUM WAGE FOR ALL EMPLOYEES**	**$15.00**
EXCEPT: Full-time students under **19** years of age working in a non-profit religious, educational, librarial or community services organization.	**$12.60** (90% of Minimum Wage)
Minors **14** and **15** years of age working not more than 24 hours in a week.	**$10.50** (75% of Minimum Wage)
Employees receiving gratuities (as of Jan. 1, 2017):	**$3.89**

Overtime Pay - At least 1½ times the regular rate of pay for all hours worked over 40 in any one workweek. The law contains exemptions from minimum wage and/or overtime pay requirements for certain occupations or establishments.

Mandatory Nurse Overtime - a hospital may not require certain nurses and certified nurse assistants to work overtime except in an unforeseeable emergency.

Minimum Shift Hours - 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 wages. Retail establishment employees must be provided with 4 hours work on Sundays and Holidays.

Child Labor - Employees must be at least 16 years old to work in most nonfarm jobs and 18 to work in nonfarm jobs declared hazardous by the U.S. Secretary of Labor. Youths 14 and 15 may work, with a special permit issued by local school officials, in various jobs outside school hours under certain conditions. Different rules apply to agriculture employment.

Enforcement - DLT may bring criminal action against any employer who pays substandard wages to an employee, and may seek, upon conviction, a penalty up to $500 and/or imprisonment of up to 90 days. Each week an employer fails to pay the applicable minimum wage constitutes a separate violation.

Any employer who hinders or delays the DLT Director or authorized representative in the performance of duties in the enforcement of the law; refuses to admit the Director or said representative to any place of employment; fails to make, keep, and preserve, any records as required; falsifies any such record; refuses to make such record accessible to the Director or said representative upon demand; or refuses to furnish a sworn statement of such record or any other information needed for the proper enforcement of this law, shall be deemed in violation and subject to a fine of up to $500. Each day such violation occurs constitutes a separate offense.

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

DLT-L-58

REV. 01/2019

NOTICE: This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under the Fair Labor Standards Act posting, which indicates the federal minimum 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.

RI

DLT RHODE ISLAND | STATE OF RHODE ISLAND HOPE

RHODE ISLAND DEPARTMENT OF LABOR AND TRAINING (DLT)
Notice to All Employees - Information Employers Must Post
Pay Equity Act

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, however, that 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 within the state of Rhode Island will 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 necessity."
"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.

Employer Wage Inquiry
+ Pursuant to Rhode Island General Law § 28-6-22, employers 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 as a condition of employment.
+ An employer may, for the limited purpose of "support[ing] a wage higher than the wage [initially] offered by the employer," consider and seek to confirm a job applicant's wage history if such wage history was voluntarily provided.
+ At the time of hire or internal transfer to a new position, and whenever requested by an employee, an employer must disclose to the hired, transferred, or inquiring individual, the wage range for the position the individual's position.

Wage Discussion among Employees
Pursuant to Rhode Island General Law § 28-6-18, it is unlawful for an employer to prohibit employees from discussing wages or asking other employees about their wages. Employers may not request or require that employees or applicants waive the right to discuss wages.

Retaliation Prohibited
Any discriminatory or disciplinary action taken against an employee for exercising these rights under the Act, or for opposing any practice made unlawful by the Act, is prohibited.

RI General Laws § 28-6-18 states that this notice must be posted and maintained in conspicuous places where workers are employed. Fines may be imposed for noncompliance.

DLT is an equal opportunity employer/program, auxiliary aids and services are available on request to individuals with disabilities. TTY via RI Relay 7111

REV. 12/2022

FED

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
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 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;
- have applied for membership in the uniformed service; or
- are obligated to serve in the uniformed service;

then an employer may not deny you:
- initial employment;
- reemployment;
- retention in employment;
- promotion; or
- any benefit of employment

because of this status.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying 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-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 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: https://www.dol.gov/agencies/vets/programs/userra/poster Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.

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

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:
1. File your claim for benefits with the DLT the same week you are unemployed or working reduced hours.
2. File your claim online at www.dlt.ri.gov/ui or by telephone at (401) 243-9100. Visit www.dlt.ri.gov/ui for hours of operation. For more information, visit www.dlt.ri.gov/ui or call (401) 243-9100.
3. 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 and name, address and telephone numbers of your employers for the last two years. If you are not a U.S. citizen, your alien registration number is required.
4. To collect unemployment benefits, the law requires that you must:
   a. Be unemployed through no fault of your own,
   b. Have earned minimum qualifying wages while you were working,
   c. Be physically able to work, available for work, and actively seeking work, and
   d. Register for work with DLT.

TEMPORARY DISABILITY INSURANCE BENEFITS

Eligible for TDI Benefits - If you have become ill or injured and meet all of the requirements, you may be entitled to receive benefits:
1. You are unemployed due to illness, surgery, or injury for a minimum of seven consecutive days or more, and
2. You are under the care of an approved Qualified Health Care Provider and
3. You have a timely exam: an in-office physical exam the week within the calendar week in which the first day of unemployment due to sickness occurs or within the calendar week prior or subsequent thereto.
4. 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, 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:
1. You are unemployed because you are caring for a seriously ill family member or bonding with a child and
2. You provide the department with the required medical evidence of the seriously ill family member and your need to care for him/her or the required proof of parent child relationship for bonding claims and
3. You earned enough in qualifying wages to be monetarily eligible.

To Apply - Complete a TDI/TCI application. TDI claims must be filed within 90 days of the first week out of work due to illness. The DLT Director may extend this period up to 26 weeks if the individual can show a good medical reason for the delay in filing. TCI claims must be filed within 30 days after the first day of leave is taken for reasons of bonding or caregiving. TDI/TCI application may be obtained online at www.dlt.ri.gov/tdi. or call (401) 462-8420, Option #1 to request an application be mailed to you. For more information, visit www.dlt.ri.gov/tdi or call (401) 462-8420.

NOTE: You may be entitled to a refund of a portion of your contributions if during the calendar year TDI contributions were deducted from your pay by more than one employer. Information may be obtained regarding a refund by calling (401) 574-8700 or writing to the RI Division of Taxation, Employer Tax Section, One Capitol Hill, Suite 36, Providence, RI 02908-5829.

EMPLOYMENT AND TRAINING SERVICES
If you need help finding a job, DLT offers free employment and training related services including:
1. Job referral and placement services.
2. Resource rooms with a wide range of employment and training resources.
3. Career counseling and testing to help assess aptitudes and interests.
4. Internet access for employment and training information.
5. Job Search workshops to help you develop interviewing skills.
6. Résumé writing seminars to help you create an effective résumé and cover letter.

Visit dlt.ri.gov for a location near you. You can access many services online at www.employri.org.

DLT-TX-6

REV. 01/2019

RI

Department of Labor and Training (DLT)

RHODE ISLAND PARENTAL AND FAMILY MEDICAL LEAVE ACT

Employers with 50 or more employees must grant an unpaid leave of absence upon the request of an eligible employee, for 13 consecutive weeks in any two calendar years, under certain conditions.

Employees are Eligible to apply for leave if they work full-time, an average of 30 hours or more per week and have been employed continuously for at least 12 months.

Purpose of Leave - Under the Act, the leave must be for one or more of the following reasons:
1. Birth of a child of an employee.
2. Placement of a child 16 years of age or less with an employee in connection with the adoption of such child by the employee.
3. "Serious illness" of the employee or the employee's parent, spouse, child, mother-in-law, or father-in-law. (Serious Illness is defined to mean a disabling physical or mental illness, injury, impairment or condition that involves in-patient care in a hospital, nursing home, hospice or out-patient care requiring continuing treatment or supervision by a health care provider).

Requests for Leave - To be entitled to the leave, the employee must give at least 30 days notice of the intended date upon which the requested leave is to begin and end, unless prevented by medical emergency from doing so. Employees may be requested to provide written certification from the physician of the person who is the reason for the leave request, which certification shall specify the probable duration of the requested leave.

School Involvement Leave - An employee who has been employed for 12 consecutive months is entitled to 10 hours of leave during any 12-month period to attend school conferences or other school-related activities for a child of whom the employee is the parent, foster parent, or guardian. A notice of 24 hours prior to the leave must be given to the employer by the employee. The leave is not required to be paid; however, an employee may substitute any accrued paid vacation leave or other appropriate paid leave.

Use of Sick Leave by Adoptive Parent - Any employer who allows sick time or sick leave of an employee to be used after the birth of a child shall allow the same time to be used for the placement of a child 16 years of age or less with an employee in connection with the adoption of the child by the employee.

Continuation of Health Benefits - Prior to the commencement of leave, the employee must pay his employer a sum equal to the premium required to maintain the employee's health benefits in force during the period of leave, which sum is required to be returned to the employee within 10 days following return to work.

Return from Leave - Employees who are granted leave under the Act are entitled to be restored to the position held when the leave commenced, or to a position with equivalent seniority, status, employment benefits, pay and other terms and conditions of employment, including all fringe benefits and service credits that the employee had been entitled to at the commencement of the leave.

Prohibited Acts - It is unlawful for any employer to interface with, restrain or deny employees the rights provided under the Act. Any discrimination or disciplinary action taken against an employee for exercising these rights under the Act, or for opposing any practice made unlawful by the Act, is also prohibited.

Enforcement - Alleged violations of the Act may be complained of (1) in a civil action brought by an employee, (2) by a complaint filed with the DLT Director. Civil penalties are provided for violations of the Act or any order issued by the Director of Labor and Training.

REV. 01/2018

FED

EMPLOYEE RIGHTS EMPLOYEE POLYGRAPH PROTECTION ACT

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

PROHIBITIONS
Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

EXEMPTIONS
Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain 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 (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers.

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.

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

EXAMINEE RIGHTS
Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

ENFORCEMENT
The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions.

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

DEPARTMENT OF LABOR
UNITED STATES OF AMERICA
WHD
WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR
1-866-487-9243
www.dol.gov/agencies/whd
WH1462

REV. 02/2022

RI

Commission for Human Rights

Sexual Harassment is Against the Law

Sexual harassment is a form of discrimination that occurs when an individual makes unwelcome sexual advances, requests for sexual favors and/or other verbal or physical conduct of a sexual nature against his or her wishes.

The harasser can be
- a supervisor
- an agent of the employer
- a supervisor in another area
- a co-worker
- a non-employee
- the same sex as the victim

Sexual harassment occurs when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment.

Sexual harassment is a violation of state and federal laws.

The prohibition against sexual harassment does not only apply to employers. It also applies to labor organizations, employment agencies, and to individuals who aid and abet an unlawful employment practice.

Report incidents of harassment to:
NAME: The Stepping Stones Group
ADDRESS: 184 High St. Boston, MA 02110
PHONE: 866-600-7598
E-MAIL: hr.requests@ssg-healthcare.com

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.richr.ri.gov

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.ri.gov/wrs or call (401) 462-WAGE (9243) for more information.

REV. 01/2018

RI

Department of Labor and Training (DLT)

WORKERS' COMPENSATION ACT of the State of Rhode Island

WORKERS' COMPENSATION INSURANCE COMPANY: PMA
ADJUSTING COMPANY: PMA
TELEPHONE: 815-846-0010 POLICY EFFECTIVE DATE: 11/23

In accordance with RI General Law §28-32-1, employers must report to the DLT Director every personal injury sustained by an employee if the injury incapacitates the employee from earning full wages for at least 3 days or requires medical treatment, regardless of the period of incapacity. If the injury proves fatal, the report must be filed within 48 hours. If not fatal, the report shall be made within 10 days of the injury.

An injured employee shall have freedom to choose medical treatment initially. The employee's first visit to any facility under contract or agreement with the employer or insurer to provide priority care shall not be considered the employee's initial choice. For more information, call the Education Unit at (401) 462-8100, press #1. If you suspect fraud, contact the Fraud Prevention Unit at (401) 462-8100, press #7.

DWC-8

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:
(1) "Employee" means a person employed by any employer, and shall include, but not be limited to: at-will employees, contract employees, applicants, prospective employees, and independent contractors.
(2) "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. One shall employ another if services are performed for wages or under any contract of hire, written or oral, express or implied.
(3) "Person" means an individual, sole proprietorship, partnership, corporation, association, or any other legal entity.
(4) "Public body" means all of the following:
(i) A state officer, employee, agency, department, division, bureau, board, commission, council, authority, or other body in the executive branch of state government;
(ii) An agency, board, commission, council, member, or employee of the legislative branch of state government;
(iii) A county, city, town, or regional governing body, a council, school district, or a board, department, commission, agency, or any member or employee of the entity;
(iv) Any other body that is created by state or local authority or that is primarily funded by or through state or local authority, or any member or employee of that body;
(v) A law enforcement agency or any member or employee of a law enforcement agency;
(vi) The judiciary and any member or employee of the judiciary;
(vii) Any federal agency.
(5) "Supervisor" means any individual to whom an employer 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 violation of a law, rule, or regulation about which the employee complains.

§ 28-50-3. Protection. – An employer shall not 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 Immigration and Customs Enforcement (ICE) or any other immigration agency or law enforcement agency including local and state police:
(1) Because the employee, or a person acting on behalf of the employee, reports or is about 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 has reason to know that the report is false; or
(2) Because an employee is requested by a public body to participate in an investigation, hearing, or inquiry held by that public body, or a court action; or
(3) Because an employee refuses to violate or assist in violating federal, state, or local law, rule, or regulation; or
(4) Because the employee reports verbally or in writing to the employer or to the employee's supervisor a violation, which the employee knows or reasonably believes has occurred or is about to occur, of a law or regulation or rule promulgated under the laws of this state, a political subdivision of this state, or the United States, unless the employee knows or has reason to know that the report is false. Provided, that if the report is verbally made, the employee must establish by clear and convincing evidence that the report was made.

§ 28-50-4. Relief and damages. – (a) A person who alleges a violation of this act may bring a civil action for appropriate injunctive relief, or treble damages, or both within three (3) years after the occurrence of the alleged violation of this chapter.
(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 their principal place of business.
(c) As used in subsection (a) of this section, "damages" means damages for injury or loss caused by each violation of this chapter.
(d) [Deleted by P.L. 2012, ch. 306, § 5 and P.L. 2012, ch. 344, § 5.]

§ 28-50-5. Reinstatement. – A court, in rendering a judgment in an action brought under this act, shall order, as the court considers appropriate, 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 or impair 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. Notices posted. – An employer shall post notices and use other appropriate means to keep his or her employees informed of their protections and obligations under this chapter, including posting in prominent locations in all languages known to be spoken by employees.

§ 28-50-9. Severability. – If any provision of this chapter or its application to any person or circumstances is held invalid or unconstitutional, the invalidity or unconstitutionality shall not affect other provisions or applications of this act which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this chapter are declared to be severable.

RI

Department of Labor and Training (DLT)

BAN-THE-BOX

Pursuant to RI General Law §28-6.14-1, it is unlawful for an employer to include on a job application any questions regarding whether an applicant has ever been arrested, charged with or convicted of any crime. Limited exceptions exist for law enforcement agencies and related positions. Employers in violation of this law may be fined between $100-$500 per offense. Visit www.dlt.ri.gov/ls or call (401) 462-WAGE (9243) for more information.

REV. 01/2018