### **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.

At least 1½ times the regular rate of pay for all hours worked over 40 in a

**CHILD LABOR** 

FED

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

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

PUMP AT WORK

DEPARTMENT OF LABOR

VA

UNITED STATES OF AMERICA

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

wage under special certificates issued by the Department of Labor. WAGE AND HOUR DIVISION

UNITED STATES DEPARTMENT OF LABOR

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

independent contractors are not

from view and free from intrusion from coworkers and the public, which

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

violations of the FLSA's child labor provisions. Heightened civil money

pay provisions of the law. Civil money penalties may also be assessed for

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.

complaint or participate in any proceeding under the FLSA.

ADDITIONAL INFORMATION

Commonwealth of Puerto Rico.

must comply with both.

The law also prohibits retaliating against or discharging workers who file a

Certain occupations and establishments are exempt from the

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

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

Certain full-time students, student learners, apprentices, and

workers with disabilities may be paid less than the minimum

minimum wage, and/or overtime pay provisions. Certain narrow

Some state laws provide greater employee protections; employers

The Department has authority to recover back wages and an equal

may be used by the employee to express breast milk.

**REV. 04/2023** 

Department of Labor and Industry, Division of Labor and Employment Law **Virginia Minimum Wage Act** 

BEGINNING JANUARY 1, 2025, THE VIRGINIA HOURLY MINIMUM WAGE IS

# \$12.41 PER HOUR

As required by law, effective January 1, 2025, the adjusted state hourly minimum wage has been established at \$12.41 per hour. This change is based on a calculation that includes the previous minimum wage rate (\$12.00 per hour) and the annual change in the Consumer Price Index (CPI-U) for 2023. Annual adjustments to the Virginia minimum wage rate will continue in future years using the same methodology.

The Virginia Minimum Wage Act does not exempt employees based on the size of their employer. **Note:** Employees of small businesses must be paid at a rate of no less than \$12.41 per hour if they are not otherwise exempt under the Act.

> Questions? Contact DOLI's Division of Labor and Employment Law: Virginia Department of Labor and Industry Division of Labor and Employment Law www.doli.vi<u>rginia.gov</u>

(804) 786-2706 Laborlaw@doli.virginia.gov

Under the "tip credit" provisions of the Fair Labor Standards Act, tipped

employees (those who regularly receive more than \$30.00 a month in tips)

may be paid at the tipped minimum wage of \$2.13 per hour.

However, an employee's hourly wages plus tips **must** meet the Virginia

minimum wage rate of \$12.41 per hour. If they do not, an employer **must** pay

the difference to an employee so that they earn at least \$12.41 per hour.

employee in violation of this section. An action under this section shall be brought within two years

of the latter of (i) the date the covenant not to compete was signed, (ii) the date the low-wage

mployee learns of the covenant not to compete, (iii) the date the employment relationship i

court shall have jurisdiction to void any covenant not to compete with a low-wage employee and

to order all appropriate relief, including enjoining the conduct of any person or employer, ordering

ayment of liquidated damages, and awarding lost compensation, damages, and reasonable attor

fees and costs. No employer may discharge, threaten, or otherwise discriminate or retaliate against a

E. Any employer that violates the provisions of subsection B as determined by the Commissioner shal

be subject to a civil penalty of \$10,000 for each violation. Civil penalties owed under this subsection

F. If the court finds a violation of the provisions of this section, the plaintiff shall be entitled to recove

same location where other employee notices required by state or federal law are posted. An employe

that fails to post a copy of this section or an approved summary of this section shall be issued by the

Department a written warning for the first violation, shall be subject to a civil penalty not to exceed

\$250 for a second violation, and shall be subject to a civil penalty not to exceed \$1,000 for a third

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms

The law does not preempt any provision of any State or local law or any collective bargaining

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

The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against

ow-wage employee for bringing a civil action pursuant to this section

shall be paid to the Commissioner for deposit in the general fund.



REV. 11/2024

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 dicates 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 THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

VA Code of Virginia § 40.1-28.7:8. Covenants not to compete prohibited; exceptions; civil penalty

"Covenant not to compete" means a covenant or agreement, including a provision of a contract of ndividual's ability, following the termination of the individual's employment, to compete with his ormer employer. A "covenant not to compete" shall not restrict an employee from providing a service to a customer or client of the employer if the employee does not initiate contact with or solicit the

"Low-wage employee" means an employee (i) whose average weekly earnings, calculated by viding the employee's earnings during the period of 52 weeks immediately preceding the date of termination of employment by 52, or if an employee worked fewer than 52 weeks, by the number of weeks that the employee was actually paid during the 52-week period, are less than the average eekly wage of the Commonwealth as determined pursuant to subsection B of § <u>65.2-500</u> or (ii) who, regardless of his average weekly earnings, is entitled to overtime compensation under the ovisions of 29 U.S.C. § 207 for any hours worked in excess of 40 hours in any one workweek. "Low-wage employee" includes interns, students, apprentices, or trainees employed, with or without pay, at a trade or occupation in order to gain work or educational experience. "Low-wage employee also includes an individual who has independently contracted with another person to perform services independent of an employment relationship and who is compensated for such services  $\gamma$  such person at an hourly rate that is less than the median hourly wage for the Commonwealth for all occupations as reported, for the preceding year, by the Bureau of Labor Statistics of the U.S.

mployee whose earnings are derived, in whole or in predominant part, from sales commissions entives, or bonuses paid to the employee by the employer. B. No employer shall enter into, enforce, or threaten to enforce a covenant not to compete with any C. Nothing in this section shall serve to limit the creation or application of nondisclosure agreements intended to prohibit the taking, misappropriating, threatening to misappropriate, or sharing of certain information to which an employee has access, including trade secrets, as defined in § 59.1-336, and proprietary or confidential information.

D. A low-wage employee may bring a civil action in a court of competent jurisdiction against any rmer employer or other person that attempts to enforce a covenant not to compete against such

#### reasonable costs, including costs and reasonable fees for expert witnesses, and attorney fees from the former employer or other person who attempts to enforce an unlawful covenant not to compe against such plaintiff G. Every employer shall post a copy of this section or a summary approved by the Department in the

and each subsequent violation as determined by the Commissioner. Civil penalties owed under this epartment of Labor. For the purposes of this section, "lowwage employee" shall not include any subsection shall be paid to the Commissioner for deposit in the general fund. he Commissioner shall prescribe procedures for the payment of proposed assessments of penalties that are not contested by employers. Such procedures shall include provisions for an employer to consent to abatement of the alleged violation and to pay a proposed penalty or a negotiated sum in lieu of such penalty without admission of any civil liability arising from such alleged violation 2020, cc. 948, 949, § 40.1-28.7:7; 2025, c. 585. The chapters of the acts of assembly referenced in the historical citation at the end of this section(s)

**EMPLOYEE RIGHTS** 

**EMPLOYEE POLYGRAPH PROTECTION ACT** 

The Employee Polygraph Protection Act prohibits most private employers from using lie ector tests either for pre-employment screening or during the course of employment. mployers 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 spective employee for refusing to take a test or for exercising other rights under the Act.

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ederal, 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 The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector,

ubject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers.

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

**WAGE AND HOUR DIVISION** UNITED STATES OF AMERICA

UNITED STATES DEPARTMENT OF LABOR www.dol.gov/agencies/whd

that resulted in economic loss to the employer

**EXAMINEE RIGHTS** 

results disclosed to unauthorized per

agreement which is more restrictive with respect to lie detector tests

1-866-487-9243

violators. Employees or job applicants may also bring their own court actions

# **REV. 02/2022**

REV. 07/08/2025

### **Workers' Compensation Commission WORKERS' COMPENSATION NOTICE** THE EMPLOYER SHOULD

THE EMPLOYEE SHOULD: Immediately give notice to the employer, in writing, of the injury or occupational disease and the date of accident or notice of the occupational

case of injury by accident or notice of an occupational disease:

Promptly give to the employer and to the Virginia Workers' Compensation Commission notice of any claim for compensation for the period of disability beyond the seventh day after the accident. In case of fatal injuries, notice must be given by one or more dependents of the deceased or by a person in their

In case of failure to reach an agreement with the employer in regard to compensation under the act, file application with the Commission for a hearing within two years of the date of accidental injury or first communication of the diagnosis of an occupational disease. If medical treatment is anticipated for more than two years from the date of

the accident and no award has been entered, the employee should file a claim with the Commission within two years from the date of the accident **NOTE:** The employer's report of accident is not the filing of a claim for the employee.

### Workers' Compensation Act is available without cost from: THE VIRGINIA WORKERS' COMPENSATION COMMISSION

Report the injury to the Commission through your carrier or directly to the Accurately determine the employee's average weekly wage, including overtime, meals, uniforms, etc. Ouestions may be answered by contacting the Commission. A booklet explaining the

> 333 E. Franklin St RICHMOND, VIRGINIA 23219 1-877-664-2566

Every employer within the operation of the Virginia Workers' Compensation Act MUST POST

At the time of the accident, give the employee the names of at least three

physicians from which the employee may select the treating physician.

www.workco<u>mp.virginia.gov</u>

THIS NOTICE IN A CONSPICUOUS PLACE in his place of business. Form VWC1

# Department of the Treasury, Internal Revenue Service

# **EITC** EARNED INCOME TAX CREDIT

VA

Life's a little easier with **EITC** 

applies to the entire refund, not just the portion associated with the EITC.

Go to www.irs.gov/eitc for free information and to check out the

interactive EITC Assistant to see if you qualify for the credit and

Visit a Volunteer Income Tax Assistance (VITA) site for free tax help

and preparation. Go to www.irs.gov/VITA or call 1-800-906-9887

Use FreeFile at www.irs.gov/FreeFile for free online filing through

commercially available tax preparation software.

Errors on the tax return can cause a delay in processing your claim

Do you want help with the EITC?

estimate the amount of your EITC

#### EITC provides a boost to help pay your bills or save for a rainy day. EITC is for people who work for someone else or own or run a business or a farm. To qualify, you must have low to mid income and meet the following rules. To qualify, you and your spouse (if filing a joint return): To claim the EITC, you have to file a federal tax return even if you owe no tax and are not required to file. File your tax return as soon as you have all

Generally must be a U.S. citizen or resident alien all year the information you need about how much you earned. However, refunds for returns claiming the FITC can't be issued before mid-February. This delay

Must have a Social Security number that is valid for employment issued on or before the due date of the return (including extensions) Cannot have investment income, such as interest income, over a certain

Must have a qualifying child and meet other requirements if you are married but not filing a joint return May not be a qualifying child of another person May not file Form 2555 (related to foreign earned income)

You must also have a qualifying child or if you do not have a qualifying You or your spouse (if filing a joint return) must be at least age 25 but

for more than half the year, and

You and your spouse (if filing a joint return) must live in the United States\* You and your spouse (if filing a joint return) must not qualify as a

for the tax credits dependent of another person

\* U.S. military personnel on extended active duty outside the United States are considered to live in the United States while on active duty. Just imagine what you could do with EITC.

El *EITC* proporciona un incentivo para ayudar a pagar sus facturas o ahorrar para los tiempos difíciles. El EITC es para las personas que trabajan para alguien más o son dueñas o dirigen un negocio o una granja. Para tener derecho, usted debe tener ingresos bajos a medios y cumplir con las siguientes reglas. Para reclamar el EITC, usted tiene que presentar una declaración del impuesto

Para calificar, usted y su cónyuge (si presentan una declaración conjunta): Por lo general, tienen que ser ciudadanos estadounidenses o extranjeros residentes de los Estados Unidos todo el año Tienen que tener ingresos de trabajo

Tienen que tener un número de Seguro Social válido para el empleo, prórrogas), o antes No pueden tener ingresos de inversión, como ingresos de intereses, que superen cierta cantidad Deben tener un hijo calificado y cumplir otros requisitos si están casados

pero no presentan una declaración conjunta

No pueden ser un hijo calificado de otra persona No pueden presentar el Formulario 2555 (relacionado con los ingresos ganados en el extraniero Usted también tiene que tener un hijo calificado o si no tiene un hijo

Usted o su cónyuge (si presentan una declaración conjunta) deben tener al Su vivienda y la de su cónyuge (si presentan una declaración conjunta) debe haber estado en los Estados Unidos\* por más de la mitad del año v

federal, aún si no adeuda impuestos y no tiene el requisito de presentar una declaración. Presente su declaración de impuestos tan pronto como tenga toda la información que necesita sobre cuánto ganó. No obstante, los reembolsos de las declaraciones en las que se reclama el EITC no se pueden emitir antes de mediados de febrero. Esta demora se aplica al reembolso total, no sólo a la parte asociada al EITC. ¿Desea ayuda con el EITC?

Visite www.irs.gov/eitc para obtener información gratuita y consultar el asistente EITC interactivo para ver si califica para el crédito y estimar la cantidad de su EITC. Visite un sitio de Asistencia Voluntaria al Contribuyente con los Impuestos sobre los Ingresos (VITA, por sus siglas en inglés). Visite www.irs.gov/VITA o llame al 1-800-906-9887 para encontrar un

Utilice Free File en www.irs.gov/FreeFile para la presentación gratuita en línea a través de software de preparación de impuestos, Los errores en la declaración de impuestos pueden causar un retraso en el trámite de su reclamación de los créditos tributarios.

REV. 01/2025

\* El personal militar de los EE. UU. en servicio activo prolongado fuera de los Estados Unidos se considera que vive en los Estados Unidos mientras está en servicio activo. Sólo imagine lo que podría hacer con el *EITC*.

Publication 962 (en-sp) Catalog Number 34506V Department of the Treasury Internal Revenue Service www.irs.gov

period for:

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LABOR

LAWS

YOUR EMPLOYEE RIGHTS UNDER THE **FAMILY AND MEDICAL LEAVE ACT** 

# What is FMLA leave?

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 The Family and Medical Leave Act (FMLA) is a federal law that provides eligible for FMLA protection. You must also inform your employer if FMLA leave was 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 Eligible employees can take up to 12 workweeks of FMLA leave in a 12-month

The birth, adoption or foster placement of a child with you, Your serious mental or physical health condition that makes you unable greater family or medical leave rights. State employees may be subject to certain limitations in pursuit of direct lawsuits

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 Your employer has at least 50 employees within 75 miles of your work

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,

previously taken or approved for the same reason when requesting additional 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

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

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 <u>must</u> 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?

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.

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

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



**REV. 04/2023** 

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

Even if you don't elect to continue coverage during your military

plan when you are reemployed, generally without any waiting

for service-connected illnesses or injuries.

service, you have the right to be reinstated in your employer's health

periods or exclusions (e.g., pre-existing condition exclusions) except

The U.S. Department of Labor, Veterans Employment and Training

Service (VETS) is authorized to investigate and resolve complaints of

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

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 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 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

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION are a past or present member •

have applied for membership in the uniformed service; or then an employer may not deny you: initial employment;

of the uniformed service:

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 testifying or making a statement

in connection with a proceeding under USERRA, even if that person has no service connection.

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

# Office of the Attorney General, Office of Civil Rights

**VIRGINIA HUMAN RIGHTS ACT** 

REASONABLE ACCOMMODATIONS FOR DISABILITY Protections from Discrimination – Va. Code § 2.2-3905.1 Effective July 1, 2021, employers with more than five employees for a 20-week period in the current or preceding year must provide reasonable accommodations for otherwise qualified persons with disabilities if necessary to assist such person in performing a particular job, unless the accommodation would impose an undue hardship on the employer. "Person with a disability"

means any person who has a physical or mental impairment that substantially

limits one or more of her major life activities or who has a record of such impairment. Employers also may not, in response to a request for a reasonable accommodation for disability take adverse actions against an employee

deny employment or promotions; or require an employee to take leave if another reasonable accommodation can be provided.

**Reasonable Accommodations** Examples of reasonable accommodations include modifying work policies, permitting the use of leave, reassignment to a vacant position, acquisition or modification of equipment, assistance with manual labor, job restructuring, a nodified work schedule, and light duty assignments.

When an employee requests an accommodation, employers must engage in a timely, good faith interactive process with the employee to determine if the requested accommodation is reasonable and, if not, discuss alternative reasonable accommodations that may be provided

Any person who believes they were discriminated against on this basis may file a complaint with the Office of Civil Rights. Office of the Attorney General

Office of Civil Rights 202 North 9th Street Richmond, Virginia 23219 www.ag.virginia.gov civilrights@oag.state.va.us

Office of the Attorney General, Division of Human Rights

It is the policy of the Commonwealth of Virginia to: Safeguard all individuals within the Commonwealth from unlawful discrimination because of race, color, religion, ethnic or national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, sexual orientation, gender identity, military status, or disability in employment, places of public accommodation, including

ational institutions, in real estate transactions; preserve the public

safety, health and general welfare; and further the interests, rights

and privileges of individuals within the Commonwealth; and protect

citizens of the Commonwealth against unfounded charges of unlawful

**Unlawful Discriminatory Practice Defined** Conduct that violates any Virginia or federal statute or regulation governing discrimination is an unlawful discriminatory practice under

> Complaints may be filed with: **OFFICE OF THE ATTORNEY GENERAL** OFFICE OF CIVIL RIGHTS 202 North 9th Street RICHMOND, VIRGINIA 23219 www.oag.state.va.us CivilRights@oag.state.va.us P: (804) 225-2292 | F: (804) 225-3294

VA

your Base Period

VA

VA

**NOTICE TO WORKERS** Unemployment Insurance (UI) benefits are available to workers who are unemployed and who meet the requirements of Virginia UI eligibility laws. You may file a UI claim in the first week that employment stops or work hours are

You are working reduced wages or hours. YOU WILL NEED TO PROVIDE: Your full legal name Your Social Security Numbe Your authorization to work (if you are not a US Citizen or resident)

**WORKING REDUCED HOURS:** The first week you are unemployed, register for work, and file a claim for benefits. You can file your claim online at www.vec.virginia.gov or by calling our Customer Contact Center at 1-866-832-2363. Register for work online at TO BE ELIGIBLE FOR BENEFITS, THE LAW REQUIRES THAT YOU:

Must be able and available for work and actively searching for work. Continue to report as instructed by the Virginia Employment You cannot be paid unemployment benefits until you have filed your claim and have met all of the eligibility requirements. You should file your claim as soon as you become unemployed, or your hours are reduced. If you have any questions

about your rights and responsibilities under the Virginia Unemployment

Compensation Act, visit website <a href="www.vec.virginia.gov">www.vec.virginia.gov</a> or call our Customer

Contact Center at 1-866-832-2363. THE LAW REQUIRES EMPLOYERS TO POST THIS NOTICE IN A PLACE VISIBLE TO ALL WORKERS. EFFECTIVE MARCH, 14, 2024, EMPLOYERS MUST ALSO PROVIDE

A COPY OF THIS NOTICE TO EACH WORKER AT THE TIME OF SEPARATION FROM EMPLOYMENT (42 USC, §1103 (h)(2)). An Equal Opportunity Employer/Program Auxiliary aids and services are available upon request to individuals with disabilities. Please call 866-832-2363 or Email: translation@vec.virginia.gov for Language Access/Assistance.

This notice is available in Spanish Direct requests to: Employer Accounts P.O. Box 26441 Richmond, VA 23261-6441

Department of Taxation

Did you know Virginia has an income tax credit for low-income, working individuals and families? Could you be eligible?

Two ways to increase your income:

The Federal Earned Income Tax Credit

The Virginia Credit for Low Income Individuals Call the Virginia Department of Taxation at: (804) 367-8031, PAY-VTAX at: (804) 339-1307 or visit: www.tax.virginia.gov

VA

Office of the Attorney General, Division of Human Rights **VIRGINIA HUMAN RIGHTS ACT** 

Effective July 1, 2020, employers with five or more employees for a 20-week period in the current or preceding year must provide reasonable accommodations for pregnancy, childbirth or related medical conditions, including lactation, unless the accommodation would impose an undue hardship. Employers also may not, in response to a request for a reasonable accommodation for pregnancy:

modification of equipment or access to or modification of employee seating,

a temporary transfer to a less strenuous or hazardous position, assistance

with manual labor, job restructuring, a modified work schedule, light duty

assignments, and leave to recover from childbirth.

take adverse actions against an employee; deny employment or promotions; or a complaint with the Office of Civil Rights or seek relief by filing a civil action require an employee to take leave if another reasonable **Reasonable Accommodations** Examples of reasonable accommodations include more frequent or longer bathroom breaks, breaks to express breast milk, access to a private location other than a bathroom for the expression of breast milk, acquisition or

When an employee requests an accommodation, employers must engage in a timely, good faith interactive process with the employee to determine if the requested accommodation is reasonable and, if not, discuss alternative reasonable accommodations that may be provided. Complaints Any person who believes they were discriminated against on this basis may file

> OFFICE OF CIVIL RIGHTS 202 North 9th Street RICHMOND, VIRGINIA 23219 www.ag.virginia.gov CivilRights@oag.state.va.us P: (804) 225-2292; F: (804) 225-3294

FED

Union members and applicants for membership in a union

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 Employment Practices can be Challenged as Discriminatory

Harassment (including unwelcome verbal or physical conduct)

Obtaining or disclosing genetic information of employees

commodation) or pregnancy accommodation

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

exercising their rights, or someone assisting or encouraging someone

else to exercise rights, regarding disability discrimination (including

Failure to provide reasonable accommodation for a disability; pregnancy,

childbirth, or related medical condition; or a sincerely-held religious belief,

State and local governments (as employers)

Educational institutions (as employers)

Pay (unequal wages or compensation)

What Types of Employment Discrimination are Illegal?

Job applicants

your immigration status, on the bases of:

National origin

Age (40 and older)

What Organizations are Covered?

All aspects of employment, including:

Hiring or promotion

observance or practice

Job training

Classification

Discharge, firing, or lay-off

Most private employers

orientation, or gender identity)

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.

What can You Do if You Believe Employees (current and former), including managers and temporary **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 1-800-669-4000 (toll free)

1-800-669-6820 (TTY) 1-844-234-5122 (ASL video phone) Sex (including pregnancy, childbirth, and related medical conditions, sexual an EEOC field office (information at www.eeoc.gov/field-office)

> Additional information about the FFOC. 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 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 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

If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help. 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 is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal ontractors under these Federal law Any person who believes a contractor has violated its nondiscrimination or affirmative

action obligations under OECCP'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

### https://www.dol.gov/agencies/ofccp/contact. **PROGRAMS OR ACTIVITIES RECEIVING FEDERAL**

U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at

**FINANCIAL ASSISTANCE** Race, Color, National Origin, Sex n addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Fitle VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the pasis of race, color or national origin in programs or activities receiving Federal inancial 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 iscrimination 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

Department of Labor and Industry Seizure First Aid How to help someone having a seizure

**STAY** with the person until they are awake and alert after the seizure. ✓ **Time** the seizure ✓ Remain **calm** ✓ Check for **medical ID** Keep the person **SAFE**. ✓ Move or guide away from harm Turn the person onto their **SIDE** if they are not awake and aware. ✓ Keep airway clear ✓ Loosen tight clothes around neck ✓ Put **something small and soft** under the head Repeated seizures Seizure lasts longer than 5 minutes First time seizure Call 911 if... Person does not return to their usual state Difficulty breathing Person is injured, pregnant, or sick Seizure occurs in water Do **NOT** restrain. Do NOT Do **NOT** put any objects in their mouth.

Learn More and Register for Training: epilepsy.com/firstaid

✓ Rescue medicines can be given if prescribed by a health care professional

**EPILEPSY FOUNDATION** 

epilepsy.com 24/7 Helpline: 1-800-332-1000 In Partnership with Virginia Department of Labor and Industry

VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

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REV. 03/2021

# **Job Safety and Health Protection**

THE VIRGINIA OCCUPATIONAL SAFETY AND HEALTH (VOSH) LAW, BY AUTHORITY OF TITLE 40.1 OF THE LABOR LAWS OF VIRGINIA, PROVIDES JOB SAFETY AND HEALTH PROTECTION FOR WORKERS. SAFETY AND HEALTH STANDARDS. AND EMPLOYERS AND EMPLOYEES ARE REQUIRED TO COMPLY WITH THESE STANDARDS. THESE STANDARDS MAY BE FOUND AT THE FOLLOWING WEB ADDRESS: https://doli.virginia.gov/regulatory\_information/. YOU MAY ALSO CONTACT THE DEPARTMENT OF LABOR AND INDUSTRY OFFICES LISTED BELOW TO RECEIVE PRINTED COPIES OF THE VIRGINIA UNIQUE STANDARDS AND OBTAIN THE NAMES OF PUBLISHERS OF THE FEDERAL IDENTICAL STANDARDS.

**Employers** 

free from recognized hazards that are causing or are likely to cause death or serious harm to his employees, and shall comply with occupational safety and health standards issued under the law. **Employees** 

Each employer shall furnish to each of his employees employment and a place of employment

Each employee shall comply with all occupational safety and health standards, rules, regulations and orders issued under the Law that apply to his own actions and conduct on the job. Inspection

The Law requires that a representative of the employer and a representative authorized by the employees be given an opportunity to accompany the VOSH inspector for the purpose of aiding Where there is no authorized employee representative, the VOSH inspector must consult with a reasonable number of employees concerning safety and health conditions in the workplace.

If upon inspection VOSH believes an employer has violated the Law, a citation alleging such violations will be issued to the employer. Each citation will specify a time period within which the alleged violation must be corrected. The VOSH citation must be prominently displayed at or near the place of alleged violation for three

Citation

days or until the violation is corrected, whichever is later, to warn employees of dangers that may

**Proposed Penalty** The Law provides for mandatory penalties against private sector employers of up to \$16,287 for violation. Penalties of up to \$16,287 per day may be proposed for failure to correct violations

each serious violation and for optional penalties of up to \$16,287 for each other—than—serious within the proposed time period. Also, any employer who willfully or repeatedly violates the Law may be assessed penalties of up to \$162,849 for each such violation.

Public Sector employers, all departments, agencies, institutions or other political subdivisions of the Commonwealth, are subject to the penalty provisions of 16VAC 25-60-260. Criminal penalties are also provided for in the Law. Any willful violation resulting in the death of an employee is punishable, upon conviction, by a fine of not more than \$70,000 or by imprisonment for not more than six months, or by both. Subsequent conviction of an employer

**VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY** 

**BROOKFIELD PLACE** 

6606 WEST BROAD ST, SUITE 500

RICHMOND, VIRGINIA 23230

**VOICE (804) 371-2327** 

FAX (804) 371-6524

after a first conviction doubles these maximum penalties.

Headquarters

BROOKFIELD PLACE

(804) 371-2327

6606 WEST Broad Street, Suite 500

Central Virginia/Richmond

**TWO** ways to verify poster compliance!

QR CODE Scan with phone camera:

Go to: JJKeller.com/LLPverify

Enter this code: 69498-082025

RICHMOND, VIRGINIA 23230

North Run Business Park

1570 East Parham Road

RICHMOND, VA 23228

(804) 371-3104

ONLINE

Complaint

Discrimination

It is illegal to retaliate against an employee for using any of their right under the law, including

Employees or their representatives have the right to file a complaint with the nearest VOSH office requesting an inspection if they believe unsafe or unhealthy conditions exist in their workplace. VOSH will withhold, on request, names of employees filing complaints. Complaints may be made at the Department of Labor and Industry addresses shown below.

raising a safety or health concern with the employer or VOSH, or reporting a work-related injury An employee who believes they have been discriminated against for exercising their rights under the Law, may file a complaint with the Commissioner of the Virginia Department of Labor and

Complaints about State Plan Administration: Any person may complain to the Regional Administrator of OSHA (address below) concerning the Administration of the State Safety and

Industry within 60 days of the alleged discrimination.

**Industry addresses** 

The VOSH program shall apply to all public and private sector businesses in the State except for Federal agencies, businesses under the Atomic Energy Act, railroad rolling stock and tracks, certain Federal enclaves, and businesses covered by the Federal Maritime jurisdiction. **Voluntary Activity** 

Voluntary efforts by the employer to assure its workplace is in compliance with the Law are

encouraged. Voluntary Safety and Health Consultation and Training Programs exist to assist

State Coverage

Recordkeeping

employers. These services may be obtained by contacting the Virginia Department of Labor and

Employers now have a new system for tracking workplace injuries and illnesses. OSHA's new recordkeeping log (Form 300) is simpler to understand and use. Using a question and answer format, the revised recordkeeping rule provides guidance for recording occupational injuries and illnesses and explains how to classify specific cases. Smaller employers (10 or fewer employees) are exempt from most requirements. To see if your industry is partially exempt, visit the OSHA

U.S. DEPARTMENT OF LABOR

OSHA REGIONAL ADMINISTRATOR

Website at www.osha.gov/recordkeeping/pub3169text.html. **Accident Reporting** 

All fatalities must be reported to VOSH within eight (8) hours. All injuries or illnesses that result in an in-patient hospitalization, amputation or loss of an eye must be reported to VOSH within twenty-four (24) hours. Failure to report may result in significant monetary penalties. www.doli.virginia.gov

THE CURTIS CENTER, STE 740 WEST 170 South Independence Mall West PHILADELPHIA, PA 19106-3309 (215) 861-4900

BRAMMER VILLAGE 3013 PETERS CREEK ROAD ROANOKE, VA 24019 (540) 562-3580 Abingdon

Southwest/Roanoke

The Johnson Center 468 East Main Street, **SUITE 114,** ABINGDON, VA 24210 (276) 676-5465

(434) 385-0806 Verona P.O. Box 772 201 LEE HIGHWAY Verona, VA 24482 (540) 248-9280

Lynchburg

SUITE B

3704 OLD FOREST ROAD

Lynchburg, VA 24501

Commissione **VIRGINIA SAFETY AND HEALTH CODES BOARD** EMPLOYERS: THIS POSTER MUST BE DISPLAYED IN A PROMINENT PLACE IN THE ESTABLISHMENT TO WHICH YOUR EMPLOYEES NORMALLY REPORT TO WORK.

**VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY** 

Gary G. Pan

**OCCUPATIONAL SAFETY AND HEALTH OFFICE LOCATIONS** 

Northern Virginia/Manassas

9400 Innovation Drive, Suite 120,

Manassas, VA 20110.

Tidewater/Norfolk

6363 CENTER DRIVE

**BUILDING 6, SUITE 101** 

Norfolk, VA 23502

(757) 455-0891

(703) 392-0900

REV. 08/2025

JJKeller.com/laborlaw 800-327-6868 AUG2025 65890F

To update your labor law posters contact

**FED-VA-ENG** 

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FED

If advance notice is not possible, give notice as soon as possible.

Give notice at least 30 days before your need for FMLA leave, or

YOUR RIGHTS UNDER USERRA THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

**HEALTH INSURANCE PROTECTION** You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:

after conclusion of service: and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

you return to work or apply for reemployment in a timely manne

https://www.dol.gov/agencies/vets/. An interactive online USERRA are obligated to serve in the Advisor can be viewed at https://webapps.dol.gov/elaws/vets/userra. uniformed service 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.

**ENFORCEMENT** 

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.

REV. 05/2022

Interactive Process

Complaints

P: (804) 225-2292; F: (804) 225-3294

Virginia Human Rights Act Code of Virginia – Title 2.2, Chapter 39

the Virginia Human Rights Act.

**Virginia Employment Commission** 

YOU MAY APPLY FOR UNEMPLOYMENT INSURANCE BENEFITS IF: You are totally unemployed

IF TOTALLY UNEMPLOYED, ON A TEMPORARY LAYOFF, OR IF

File a claim with the Virginia Employment Commission. Have earned sufficient wages from employers who are subject to the Virginia Unemployment Compensation Act or any other State within Must be unemployed through no fault of your own.

**FIND OUT IF YOU QUALIFY** for the Commonwealth of Virginia income tax credit today! Visit the Low Income Individuals Credit page on the Virginia Tax site: www.tax.virginia.gov/low-income-individuals-credit

> REASONABLE ACCOMMODATIONS FOR PREGNANCY Protections from Discrimination – Va. Code § 2.2-3909 Interactive Process

> > OFFICE OF THE ATTORNEY GENERAL

J. J. Keller & Associates, Inc.

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