### **EMPLOYEE RIGHTS**

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

FED

NY

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

**OVERTIME PAY** At least 11/2 times the regular rate of pay for all hours worked over 40 in a workweek

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-

a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum

least \$2.13 per hour do not equal the minimum hourly wage, the employer must make

wage obligation. If an employee's tips combined with the employer's cash wage of at

e employee needs to express breast milk. Employers must provide a place, other than

# UNDER THE FAIR LABOR STANDARDS ACT

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

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

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

### **WE ARE YOUR DOL Attention Miscellaneous** NEW YORK STATE Department of Labor **Industry Employees**

Minimum Wage hourly rates effective 1/1/2025 – 12/31/2025
New York City

Large Employers (11 or r	nore employees)	Small Employers ( <b>10 or less</b> employees)		
Minimum Wage	\$16.50	Minimum Wage	\$16.50	
Overtime after 40 hours	\$24.75	Overtime after 40 hours	\$24.75	
Tipped workers	\$16.50	Tipped workers	\$16.50	
Overtime after 40 hours	\$24.75	Overtime after 40 hours	\$24.75	
Long Island	and	Remainde	rof	

## **Credits and Allowances** that may reduce your pay below the minimum wage rates

summaries, which are available online.

Tips – Beginning December 31, 2020, your employer must pay the full applicable minimum wage rate, and cannot take any tip credit. Meals and lodging – Your employer may claim a limited amount of your wages for meals and lodging that they provide to you, as long as they do not charge

Minimum Wage Poster

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 ederal 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.

# NY

1-888-392-3644 **NEW YORK STATE** THIS ESTABLISHMENT IS SUBJECT TO THE NEW YORK STATE HUMAN RIGHTS LAW (EXECUTIVE LAW, Piscrimination based upon age, race, creed, color, national origin, sexual orientation

military status, sex, pregnancy, gender identity or expression, citizenship or immigration status, disability, domestic violence victim status, familial status, or marital status is rohibited by the New York State Human Rights Law. Sexual harassment or harassmen based upon any of these protected classes also is prohibited ALL EMPLOYERS, EMPLOYMENT AGENCIES, LABOR ORGANIZATIONS AND APPRENTICESHIP

Also prohibited: discrimination in employment on the basis of Sabbath observance or religious practices; hairstyles associated with race (also applies to all areas listed below); prior arrest or conviction record; predisposing genetic characteristics; pregnancy-related conditions. sonable accommodations for persons with disabilities and pregnancy-related conditions including lactation may be required. A reasonable accommodation is an adjustment to a job or work vironment that enables a person with a disability to perform the essential functions of a job in a Also covered: domestic workers; interns and nonemployees working in the workplace (for example temp or contract workers) are protected from all discrimination described above.

Also prohibited: discrimination on the basis of lawful source of income (for example housing vouchers, disability benefits, child support); familial status (families with children or being pregnant); prior arrest or sealed conviction; commercial boycotts or blockbusting. easonable accommodations and modifications for persons with disabilities may also be required. (1) rental of an apartment in an owner-occupied two-family house

(2) restrictions of all rooms in a housing accommodation to individuals of the same sex

RENTAL, LEASE OR SALE OF HOUSING, LAND AND COMMERCIAL SPACE, INCLUDING ACTIVITIES

(3) rental of a room by the occupant of a house or apartment (4) sale, rental, or lease of accommodations of housing exclusively to persons 55 years of age or older, ALL CREDIT TRANSACTIONS INCLUDING FINANCING FOR PURCHASE, MAINTENANCE AND PLACES OF PUBLIC ACCOMMODATION SUCH AS RESTAURANTS, HOTELS, HOSPITALS AND

MEDICAL OFFICES, CLUBS, PARKS AND GOVERNMENT OFFICES Age is not a covered classification relative to public accommodation asonable accommodations for persons with disabilities may also be required

EDUCATION INSTITUTIONS All public schools and private nonprofit schools, at all education levels, excluding those run by

religious organizations; also for-profit colleges, universities, licensed private career schools or ADVERTISING AND APPLICATIONS RELATING TO EMPLOYMENT. REAL ESTATE. PLACES

A complaint must be filed with the Division within one year for alleged acts of discriminatior that occurred on or before 2/14/2024. Complaints for acts of discrimination that occur on or after employment that occurred on or after 08/12/2020 may be filed with three years of the alleged act. he Division's services are provided free of charge. f you wish to file a complaint in State Court, you may do so within three years of the discrimination ou may not file both with the Division and the State Court. may file a complaint with the Division if you have been retaliated against

etaliation for filing a complaint or opposing discriminatory practices is prohibited. You FOR FURTHER INFORMATION, WRITE OR CALL THE DIVISION'S NEAREST OFFICE, HEADQUARTERS ONE FORDHAM PLAZA, 4TH FLOOR, BRONX, NY 10458

Division of Labor Standard

Harriman State Office Campus

Definitions. For purposes of this section, unless the context specifically indicates otherwis

an employer's business enterprise who are not themselves employers.

"Employee" means an individual who performs services for and under the control and

"Employer" means any person, firm, partnership, institution, corporation, or association

"Law, rule or regulation" includes: (i) any duly enacted federal, state or local statute or

statute or ordinance or executive order; or (iii) any judicial or administrative decision,

(i) the United States Congress, any state legislature, or any elected local governmental

(ii) any federal, state, or local court, or any member or employee thereof, or any grand

(iii) any federal, state, or local regulatory, administrative, or public agency or authority,

(iv) any federal, state, or local law enforcement agency, prosecutorial office, or police

(v) any federal, state or local department of an executive branch of government; or

bodies described in subparagraphs (i) through (v) of this paragraph.

(vi) any division, board, bureau, office, committee, or commission of any of the public

"Retaliatory action" means an adverse action taken by an employer or his or her agent to

discharge, threaten, penalize, or in any other manner discriminate against any employ

or former employee exercising his or her rights under this section, including (i) adverse

employment actions or threats to take such adverse employment actions against

an employee in the terms of conditions of employment including but not limited to

to contact or contacting United States immigration authorities or otherwise reporting

or threatening to report an employee's suspected citizenship or immigration status or

the suspected citizenship or immigration status of an employee's family or household

member, as defined in subdivision two of section four hundred fifty-nine-a of the social

discharge, suspension, or demotion; (ii) actions or threats to take such actions that would

adversely impact a former employee's current or future employment; or (iii) threatening

direction of an employer for wages or other remuneration, including former employees, or natural persons employed as independent contractors to carry out work in furtherance of

NY

§740. Retaliatory action by employers; prohibition

"Public body" includes the following:

or peace officer;

body, or any member or employee thereof

ervices law, to a federal, state, or local agency.

danger to the public health or safety;

a. "Political activities" shall mean (i) running for public office, (ii)

campaigning for a candidate for public office, or (iii) participating in fund-raising activities for the benefit of a candidate, political

o. "Recreational activities" shall mean any lawful. leisure-time

activity, for which the employee receives no compensation and

the viewing of television, movies and similar material;

ncluding article nineteen of this chapter;

mmunity, fraternal or labor organization

eligious organization or association.

of title 5 of the USCA:

of the civil service law: or

religious or political matters.

emed to protect activity which:

which is generally engaged in for recreational purposes, including

out not limited to sports, games, hobbies, exercise, reading and

c. "Work hours" shall mean, for purposes of this section, all time,

employee is suffered, permitted or expected to be engaged in

vork, and all time the employee is actually engaged in work. This

efinition shall not be referred to in determining hours worked

for which an employee is entitled to compensation under any law

. "Political matters" shall mean matters relating to elections for

political office, political parties, legislation, regulation and the cision to join or support any political party or political, civic,

. "Religious matters" shall mean matters relating to religious

iffiliation and practice and the decision to join or support any

iny employer or employment agency to refuse to hire, employ

a. an individual's political activities outside of working hours, off

quipment or other property, if such activities are legal, provided

wever, that this paragraph shall not apply to persons whose

urther that this paragraph shall not apply to persons who would otherwise be prohibited from engaging in political activity

nt to chapter 15 of title 5 and subchapter III of chapter 73

employment is defined in paragraph six of subdivision (a) o

ction seventy-nine-h of the civil rights law, and provided

b. an individual's legal use of consumable products, including

cannabis in accordance with state law, prior to the beginning or after the conclusion of the employee's work hours, and off of the

nployer's premises and without use of the employer's equipm

c. an individual's legal recreational activities, including cannabis

employer's premises and without use of the employer's equipment

granted under Title 29, USCA, Chapter 7 or under article fourteen

e. an individual's refusal to: (i) attend an employer-sponsored

neeting with the employer or its agent, representative or

designee, the primary purpose of which is to communicate the

nployer's opinion concerning religious or political matters; or

(ii) listen to speech or view communications, the primary purpose

of which is to communicate the employer's opinion concerning

3. The provisions of subdivision two of this section shall not be

. creates a material conflict of interest related to the employer's

in accordance with state law, outside work hours, off of the

ninate against an individual in compensation, promotion o

2. Unless otherwise provided by law, it shall be unlawful for

or license, or to discharge from employment or otherwise

terms, conditions or privileges of employment because of:

party or political advocacy group:

NY

provides information to, or testifies before, any public body of

(c) objects to, or refuses to participate in any such activity, policy or practice.

hearing or inquiry into any such activity, policy or practice by such employer; or

 $\underline{www.labor.ny.gov/minimumwage} \ or \ call: \textbf{1-888-469-7365}.$ 

**Extra Pay** you may be owed in addition to the minimum wage rates shown above: Overtime – You must be paid 1½ times your regular rate of pay (no less than amounts shown above) for weekly hours over 40 (or 44 for residential employees) Exceptions: Overtime is not required for salaried professionals, or for executives and administrative staff whose weekly salary is more than 75 times the minimum

> entitled to extra daily pay. The daily rate is equal to one hour of pay at the Uniform maintenance — If you clean your own uniform, you may be entitled to additional weekly pay. The weekly rates are available online.

Post in Plain View

Division of Human Rights ESTE ESTABLECIMIENTO ESTÁ SUJETO A LA LEY DE DERECHOS HUMANOS DEL ESTADO DI NUEVA YORK (LEY EJECUTIVA, SECCIÓN 15) La ley de derechos humanos del estado de nueva york prohíbe la discriminación por edad raza, credo, color, origen nacional, orientación sexual, estatus militar, sexo, embarazo,

dentidad o expresión de género, ciudadanía o estatus migratorio, discapacidad, estad como víctima de violencia doméstica, estado familiar, o estado civil. También está TODOS LOS EMPLEADORES, AGENCIAS DE EMPLEO, ORGANIZACIONES DE TRABAJO Y Asimismo, está prohibida la discriminación en el empleo sobre la base de la observancia del Shaba

continuación) arresto previo o antecedentes penales; las características genéticas predisponentes; l

lambién están cubiertos: trabajadores domésticos; internos y no empleados cuales trabajan en el lugar de trabajo (por ejemplo trabajadores temporarios o contratantes) están protegidos de toda ALOUILI FR. ARRENDAMIENTO O VENTA DE VIVIENDA, TERRENO O ESPACIO COMERCIAL **INCLUYENDO ACTIVIDADES DE AGENTE DE BIENES RAICES Y VENDEDORES** También esta prohibido: la discriminación a base de fuente de ingreso legal (por ejemplo vales.

peneficios de discapacidad, manutención de niños); estado familiar (familias con niños o en estado de embarazo); arresto previo o condena sellada; boicot comercial o acoso inmobiliario. También es posible que sea necesario realizar modificaciones y arreglos razonables para personas (1) alguiler de un apartamento en una casa para dos familias ocupada por el dueño (2) restricciones de todas las habitaciones en una vivienda para individuos del mismo sexo

de 55 años y al cónyuge de dichas personas TODAS TRANSACCIONES CREDITICIAS INCLUYENDO FINANCIAMENTO PARA LA COMPRA MANTENIMIENTO Y REPARACION DE VIVIENDAS LUGARES DE ALOJAMIENTO PÚBLICO, COMO RESTAURANTES, HOTELES, HOSPITALES Y CONSULTORIOS MÉDICOS, CLUBS, PARQUES Y OFFICINAS DEL GOBIERNO

necesario realizar arreglos razonables para personas con discapacidade INSTITUCIONES EDUCATIVAS

Todas las escuelas publicas y escuelas privadas sin ánimo de lucro, en todos los niveles, excluyendo escuelas dirigidas por organizaciones religiosas; también están cubiertos: escuelas profesionales outorizadas o escuelas certificadas de inglés como segundo idioma PUBLICIDAD Y SOLICITUDES RELACIONADAS CON EL EMPLEO, LOS INMUEBLES, LOS LUGARES

Para actos que ocurran el 14/02/2024 o antes, debe presentar su querella en un plazo de un año a partir del acto más reciente de presunta discriminación. Para actos realizados a partir del 15/02/2024, debe presentar su querella en un plazo de tres años posterior al acto más reciente de presunta discriminación. Una denuncia que alega acoso sexual en el empleo que ocurrió a partir de . 12/08/2020 puede presentarse con tres años del presunto acto. Los servicios de la División se ofrec

Si desea presentar una demanda ante el Tribunal Estatal, puede hacerlo dentro de los tres años desde que ocurriera la discriminación. No puede presentar una demanda ante la División y ante el Tribunal Se prohíben las represalias por presentar una demanda u oponerse a prácticas discriminatorias. Puede presentar una demanda ante la División si sufrió represalias.

www.labo<u>r.ny.gov</u>

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### **EMPLOYEE RIGHTS EMPLOYEE POLYGRAPH PROTECTION ACT** The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms

that resulted in economic loss to the employer.

**EXAMINEE RIGHTS** 

agreement which is more restrictive with respect to lie detector tests.

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

The Employee Polygraph Protection Act prohibits most private who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) employers from using lie detector tests either for pre-employment screening or during the course of employment The law does not preempt any provision of any State or local law or any collective bargaining

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.

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

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 quard), and of pharmaceutical manufacturers. distributors and dispensers

**WE ARE YOUR DOL** 

NEW YORK STATE

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

UNITED STATES DEPARTMENT OF LABOR

www.dol.gov/agencies/whd

1-866-487-9243

ndards, Worker Protection
Summary of New York State Child Labor Law,
Permitted Working Hours for
Minors Under 18 Years of Age

Age of Minor Girls and Boys		Industry or Occupation	Maximum			
			Daily Hours	Weekly Hours	Days Per Week	Permitted Hours
	14 and 15	All occupations except farm work, newspaper carrier and street trades	3 hours on school days. 8 hours on other days.	18¹	6	7 AM to 7 PM
Attending School, When school is in session:	16 and 17	All occupations except farm work, newspaper carrier and street trades.	4 hours on days preceding school days: Monday, Tuesday, Wednesday, Thursday <sup>2</sup> . 8 hours on: Friday, Saturday, Sunday and Holidays <sup>4</sup> .	284	64	6 AM to 10 PM <sup>3</sup>
Attending School, When School is not in session (vacation):	14 and 15	All occupations except farm work, newspaper carrier and street trades.	8 hours	40	6	7 AM to 9 PM June 21 to Labor Day
	16 and 17	All occupations except farm work, newspaper carrier and street trades	8 hours⁴	48 <sup>4</sup>	64	6 AM to Midnight⁴
Not Attending School:	16 and 17	All occupations except farm work, newspaper carrier and street trades	8 hours <sup>4</sup>	48 <sup>4</sup>	64	6 AM to Midnight⁴
Farm Work:	12 and 13	Hand harvest of berries, fruits and vegetables.	4 hours			June 21 to Labor Day, 7 AM to 7 PM. Day after Labor Day to June 20, 9 AM to 4 PM.
	14 to 18	Any farm work				
Nowenanor Carriore	11 to 19	Delivers, or sells and delivers newspapers, shopping papers or	4 hours on school days.			5 AM to 7 PM or 30 minutes

Self-employed work in public place: 6 AM to 7 PM Street Trades: 14 to 18 selling newspapers or work as a hootblack <sup>3</sup>6 AM to 10 PM or until midnight with written parental and educational authorities consent on day preceding a school day and until midnight on day preceding a non-

hours on other days

school is in session, as long as the hours are in conjunction with the Program.

periodicals to homes or business

The Employer must post a schedule of work hours for minors under 18 years old in the establishment. An Employment Certificate (Working Paper) is required for all employed minors under 18 years old. Penalties for Child Labor Laws violations:

First violation: maximum \$1,000\*

11 to 18

Second violation: maximum \$2.000

Third or more violations: maximum \$3,000\*

Syracuse, NY 13202

(315) 428-4057

st If a minor is seriously injured or dies while illegally employed, the penalty is three times the maximum penalty. Also, Section 14A of the Workers' Compensation Law provides double compensation and death benefits for minors illegally employed. Note: There are many prohibited occupations for minors in New York State.

For more information about New York State Child Labor Laws and provisions please visit the Department of Labor's website at <a href="http://www.labor.ny.gov">http://www.labor.ny.gov</a>. If you have

•	of the offices listed below at: abor, Division of Labor Standards:		
Y <b>District</b> Defice Campus  12 Room 185A  v, NY 12226  457-2730	Buffalo District 295 Main Street Suite 914 Buffalo, NY 14203 (716) 847-7141	GARDEN CITY DISTRICT 400 OAK STREET SUITE 102 GARDEN CITY, NY 11530 (516) 794-8195	New York City Distric 55 Hanson Place 11th Floor Brooklyn, NY 11217 (212) 775-3880
<b>DISTRICT</b> NSON PLACE	Syracuse District 333 East Washington Street Room 121	White Plains District 120 Bloomingdale Road White Plains, NY 10605	Rochester District 276 Waring Road Room 104

Brooklyn, NY 11217

lewspaper Carriers:

(914) 997-9521

### **ARTICLE 23-A** LICENSURE AND EMPLOYMENT OF PERSONS PREVIOUSLY CONVICTED OF ONE OR MORE CRIMINAL OFFENSES

fact that the individual has previously been convicted of one or more criminal offenses Section 750. Definition

Department of Labor

NEW YORK CORRECTION LAW

 $752.\ Unfair\ discrimination\ against persons\ previously\ convicted\ of\ one\ or\ more\ criminal\ offenses\ prohibited.$ individual; or 753. Factors to be considered concerning a previous criminal conviction; 754. Written statement upon denial of license or employment

**§750. Definitions.** For the purposes of this article, the following terms shall have the

"Public agency" means the state or any local subdivision thereof, or any state or local department, agency, board or commission. "Private employer" means any person, company, corporation, labor organization or association which employs ten or more persons.

"Direct relationship" means that the nature of criminal conduct for which the person was convicted has a direct bearing on his fitness or ability to perform one or more of the duties or responsibilities necessarily related to the license, opportunity, or job in question "License" means any certificate, license, permit or grant of permission required

by the laws of this state, its political subdivisions or instrumentalities as a condition for the lawful practice of any occupation, employment, trade, vocation, business, or profession. Provided, however, that "license" shall not for the purposes of this article, include any license or permit to own, possess, carry, or fire any explosive, pistol, handgun, rifle, shotgun, or other firearm. "Fmnlovment" means any occupation, vocation or employment, or any form

of vocational or educational training. Provided, however, that "employment shall not, for the purposes of this article, include membership in any law enforcement agency §751. Applicability. The provisions of this article shall apply to any application by

any person for a license or employment at any public or private employer, who has previously been convicted of one or more criminal offenses in this state or in any other iurisdiction, and to any license or employment held by any person whose conviction. of one or more criminal offenses in this state or in any other jurisdiction preceded such employment or granting of a license, except where a mandatory forfeiture, disability or bar to employment is imposed by law, and has not been removed by an executive pardon, certificate of relief from disabilities or certificate of good conduct. Nothing in this article shall be construed to affect any right an employer may have with respect to an intentional misrepresentation in connection with an application for employment made by a prospective employee or previously made by a current employee §752. Unfair discrimination against persons previously convicted of one or **nore criminal offenses prohibited** . No application for any license or employmen and no employment or license held by an individual, to which the provisions of this article are applicable, shall be denied or acted upon adversely by reason of the individual's having been previously convicted of one or more criminal offenses, or by

# offenses and the specific license or employment sought or held by the

safety or welfare of specific individuals or the general public §753. Factors to be considered concerning a previous criminal conviction;

The public policy of this state, as expressed in this act, to encourage the licensure and employment of persons previously convicted of one or more criminal offenses The specific duties and responsibilities necessarily related to the license or

presumption. 1. In making a determination pursuant to section seven hundred fifty

two of this chapter, the public agency or private employer shall consider the following

mployment sought or held by the person The bearing, if any, the criminal offense or offenses for which the person was previously convicted will have on his fitness or ability to perform one or more such duties or responsibilities The time which has elapsed since the occurrence of the criminal offense or

The age of the person at the time of occurrence of the criminal offense or The seriousness of the offense or offenses. Any information produced by the person, or produced on his behalf, in regard

to his rehabilitation and good conduc The legitimate interest of the public agency or private employer in protecting property, and the safety and welfare of specific individuals or the general

offense or offenses specified therein. §754. Written statement upon denial of license or employment. At the request of any person previously convicted of one or more criminal offenses who has been denied a license or employment, a public agency or private employer shall provide, within thirty days of a request, a written statement setting forth the reasons for such **§755. Enforcement.** 1. In relation to actions by public agencies, the provisions of this

the civil practice law and rules 2. In relation to actions by private employers, the provisions of this article shall be enforceable by the division of human rights pursuant to the powers and procedures set forth in article fifteen of the executive law, and, concurrently, by the New York city

**TAX BENEFITS** 

EDUCATION, WORKFORCE,

AND TRAINING RESOURCES

New York State Civil Service Credits for Veterans Program: www.cs.ny.gov

ADDITIONAL RESOURCES

**NEW YORK STATE DEPARTMENT** 

OF LABOR VETERANS' PROGRAM

Help Line: 1-888-469-7365

Email: Ask.Vets@labor.ny.gov

Services: Workforce and training resource

program, and more

**WE ARE YOUR DOL** 

The New York State Department of Labor is an Equal Opportunity Employer/Program

**YORK** 

STATE

Department

REV. 02/2024

of Labor

NYS Department of Tax and Finance

Property tax exemption

Information for military personnel and veterans

Veteran Readiness and Employment (VR&E) Program:

NYS Domestic and Sexual Violence Hotline

NYS Workplace Sexual Harassment Hotline

Veteran Status Designation Photo Document:

dmv.ny.gov/plates/military-and-veterans

dmv.ny.gov/more-info/veteran-statusdesignation

Call: 800-942-6906 Text: 844-997-2121

NYS Department of Motor Vehicles:

Veteran License Plate

Call: 1-800-HARASS-3

tax.ny.gov/pit/file/military\_page.htm

# **Job Safety and Health** IT'S THE LAW!

# A safe workplace.

- Raise a safety or health concern with related injury or illness, without being retaliated against.
- hazards, including all hazardous substances in your workplace. Request a confidential OSHA inspection
- of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.
- participate) in an OSHA inspection and speak in private to the inspector.

Participate (or have your representative

- (by phone, online or by mail) if you have been retaliated against for using your rights. See any OSHA citations issued to your
- that measure hazards in the workplace, and the workplace injury and illness log.

This poster is available free from OSHA.

Contact OSHA. We can help.

**TWO** ways to verify poster compliance!

QR CODE Scan with phone camera:

**ONLINE** 

Go to: JJKeller.com/LLPverify

Enter this code: 69446-012025

# YOUR EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

Your employer may request certification from a health care provider to verify medical leave and may request certification of a qualifying 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 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 gualify 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 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 mo If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against you employer in court. Scan the OR code to learn about our WHD complaint process.

DEPARTMENT OF LABOR

UNITED STATES OF AMERICA WAGE AND HOUR DIVISION

UNITED STATES DEPARTMENT OF LABOR

**REV. 04/2023** 

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

Employer Support of the Guard and Reserve • 1-800-336-4590

U.S. Equal Employment Opportunity Commission

Conduct that coerces, intimidates, threatens, or interferes with someone

What can You Do if You Believe Discrimination has Occurred?

**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 busines

Race, Color, Religion, Sex, Sexual Orientation, Gender

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

Executive Order 11246, as amended, protects applicants and employees of Federal

contractors from discrimination based on inquiring about, disclosing, or discussing their

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals

with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits,

Disability discrimination includes not making reasonable accommodation to the known

physical or mental limitations of an otherwise qualified individual with a disability

iob training, classification, referral, and other aspects of employment by Federal contractors

Asking About, Disclosing, or Discussing Pay

compensation or the compensation of other applicants or employees

Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are

you live/work). You can reach the EEOC in any of the following ways:

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

an EEOC field office (information at

1-800-669-4000 (toll free)

www.eeoc.gov/field-office)

info@eeoc.gov

**Identity, National Origin** 

Disability

Additional information about the EEOC, including

nformation about filing a charge of discrimination, is

1-800-669-6820 (TTY)

an inquiry through the EEOC's public portal:

https://publicportal.eeoc.gov/Portal/Login.aspx

**ENFORCEMENT** 

complaints of USERRA violations

https://webapps.dol.gov/elaws/vets/userra

### 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.

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.

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

Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember

An eliqible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness may take up

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

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

You have at least 1,250 hours of service for your employer during the 12 months before your leave, and

leave intermittently in separate blocks of time, or on a reduced schedule by working less hours each day or week. Read Fact Sheet

You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendary

You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of

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

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:

Your serious mental or physical health condition that makes you unable to work

to 26 workweeks of FMLA leave in a single 12-month period to care for the servicemember.

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

You work for an elementary or public or private secondary school, or

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.

To care for your spouse, child or parent with a serious mental or physical health condition, and

The birth, adoption or foster placement of a child with you,

employer's paid leave policy covers the reason for which you need FMLA leave.

You have worked for your employer at least 12 months

Airline flight crew employees have different "hours of service" requirements

You work for a covered employer if one of the following applie.

Am I eligible to take FMLA leave?

You work for a covered employer.

How do I request FMLA leave?

same reason when requesting additional leave

ly, to request FMLA leave you must

You are an **eligible employee** if **all** of the following apply:

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

are a past or present member of the uniformed service: • are obligated to serve in the uniformed service: have applied for membership in the uniformed

then an employer may not deny you initial employment: promotion; or

discriminated against at work or in applying for a job, the EEOC may be able to help.

Employees (current and former), including managers and temporary employees

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

Sex (including pregnancy, childbirth, and related medical conditions, sexual

Genetic information (including employer requests for, or purchase, use, or

Interference, coercion, or threats related to exercising rights regarding disability

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

any benefit of employmen reemployment; retention in employment because of this status.

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

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

If you leave your job to perform military service, you have the right to elect to continue your existing employer-based

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

The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve

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

If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the

health plan coverage for you and your dependents for up to 24 months while in the military.

Department of Justice or the Office of Special Counsel, as applicable, for representation

condition exclusions) except for service-connected illnesses or injuries.

U.S. Department of Labor • 1-866-487-2365 U.S. Department of Justice Office of Special Counsel

**REV. 05/2022** 

**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

who is an applicant or employee, barring undue hardship to the employer. Section 503 exercising their rights, or someone assisting or encouraging someone else to also requires that Federal contractors take affirmative action to employ and advance in exercise rights, regarding disability discrimination (including accommodation) or employment qualified individuals with disabilities at all levels of employment, including

**Protected Veteran Status** The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. strict time limits for filing a charge of discrimination (180 or 300 days, depending on where 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veteran

(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

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

action obligations under OFCCP's authorities should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP)

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 PROGRAMS OR ACTIVITIES RECEIVING FEDERAL

a question online to OFCCP's Help Desk at https://ofccphelpdesk.dol.gov/s/, or by

FINANCIAL ASSISTANCE 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 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

> 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

assistance is provision of employment, or where employment discrimination causes

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

REV. 06/27/2023

ATTENTION ALL EMPLOYEES

providing such assistance

### **New York State Election Law** (As amended by Chapter 56 of the Laws of 2020)

§ 3-110. Time allowed employees to vote. If a registered voter does not have sufficient time outside of his or her scheduled working hours, within which to vote on

any day at which he or she may vote, at any election, he or she may, without loss of pay for up to two hours, take off so much working time as will, when added to his or her voting time outside his or her working hours, enable him or her to If an employee has four consecutive hours either between the opening of the polls and the beginning of his or her working shift, or between the end of his or her working shift and the closing of the polls, he or she shall be deemed to have sufficient time outside his or her working hours within which to vote. If he or she has less than four consecutive hours he or she may take off so much working time as will, when added to his or her voting time outside his or her working hours

unless otherwise mutually agreed. If the employee requires working time off to vote the employee shall notify his or her employer not more than ten nor less than two working days before the day of the election that he or she requires time off to vote in accordance with the

Not less than ten working days before every election, every employer shall post conspicuously in the place of work where it can be seen as employees come or go to their place of work, a notice setting forth the provisions of this section. Such notice shall be kept posted until the close of the polls on election day.

enable him or her to vote, but not more than two hours of which shall be without loss of pay, provided that he or she shall

be allowed time off for voting only at the beginning or end of his or her working shift, as the employer may designate,

TIME ALLOWED EMPLOYEES TO VOTE ON ELECTION DAY N.Y. ELECTION LAW SECTION 3-110<sup>1</sup> STATES THAT: IF YOU DO NOT HAVE 4 CONSECUTIVE HOURS TO VOTE, EITHER FROM THE OPENING OF THE POLLS TO THE

BEGINNING OF YOUR WORKING SHIFT, OR BETWEEN THE END OF YOUR WORKING SHIFT AND THE CLOSING OF THE POLLS, YOU MAY TAKE OFF UP TO 2 HOURS, WITHOUT LOSS OF PAY, TO ALLOW YOU TIME TO VOTE IF YOU ARE A REGISTERED VOTER YOU MAY TAKE TIME OFF AT THE BEGINNING OR END OF YOUR WORKING SHIFT, AS YOUR EMPLOYER MAY DESIGNATE, UNLESS OTHERWISE MUTUALLY AGREED.

YOU MUST NOTIFY YOUR EMPLOYER NOT LESS THAN 2 DAYS, BUT NOT MORE THAN 10 DAYS, BEFORE THE DAY OF THE ELECTION THAT YOU WILL TAKE TIME OFF TO VOTE Employers: Not less than ten working days before any Election Day, every employer shall post conspicuously in the place of work where it can be seen as employees come or go to their place of work, a notice setting forth the provisions of this law. Such notice



**Employers must:** 

of an eye.

# All workers have the right to:

- your employer or OSHA, or report a work-
- Receive information and training on job
- File a complaint with OSHA within 30 days
- Request copies of your medical records, tests

citation or penalty, through OSHA-supported consultation programs in every state.



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

J. J. Keller & Associates, Inc. JJKeller.com/laborlaw 800-327-6868 JAN2025 65838F

To update your labor law posters contact

Rev. 04/14/2020



rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.

Provide employees a workplace free from

recognized hazards. It is illegal to retaliate

against an employee for using any of their

 Comply with all applicable OSHA standards. Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss

 Prominently display this poster in the workplace. Post OSHA citations at or near the place of the alleged violations.

On-Site Consultation services are available to

small and medium-sized employers, without

Provide required training to all workers in a

language and vocabulary they can understand.



62878 FED-NY-ENG

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

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

The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for their nursing child for one year after the child's birth each time

1-866-487-9243

REV. 04/2023

LABOR

LAWS

\$15.50

\$23.25

\$15.50

\$23.25

Remainder of **New York State** 

**Westchester County** Minimum Wage \$16.50 Minimum Wage Overtime after 40 hour \$24.75 Overtime after 40 hours **Tipped workers** \$16.50 **Tipped workers** Overtime after 40 hours \$24.75 Overtime after 40 hours If you have questions, need more information or want to file a complaint, please visit

you anything else. The rates and requirements are set forth in wage orders and

Call-in pay – If you go to work as scheduled and your employer sends you home early, you may be entitled to extra hours of pay at the minimum wage rate for

PROGRAMAS DE CAPACITACIÓN DE APRENDICES o prácticas religiosas; peinados asociados con la raza (también se aplica a las áreas enumeradas a Es posible que sea necesario hacer acomodos razonables para personas con discapacidades y condiciones relacionadas con el embarazo incluyendo lactación. Un arreglo razonable es una adaptación a un trabajo o entorno laboral que permita que una persona con discapacidad realice las

(3) alquiler de una habitación por parte del ocupante de una casa o apartamento

PARA OBTENER MÁS INFORMACIÓN, ESCRIBA O LLAME A LA OFICINA MÁS CERCANA DE LA DIVISIÓN

Notice of Employee Rights, Protections, and Obligations Under Labor Law Section 740 ibited Retaliatory Personnel Action by Employers Effective January 26, 2022 Application. The protection against retaliatory action provided by paragraph (a) of subdivision two of this section pertaining to disclosure to a public body shall not apply to an employee who makes such disclosure to a public body unless the employee has made a good faith effor

> such activity, policy or practice could reasonably be expected to lead to endangering th  $(d) \quad \text{the employee reasonably believes that reporting to the supervisor would result in physical} \\$ harm to the employee or any other person; or e) the employee reasonably believes that the supervisor is already aware of the activity

(a) An employee who has been the subject of a retaliatory action in violation of this section

policy or practice and will not correct such activity, policy or practice.

(b) Any action authorized by this section may be brought in the county in which the alleged retaliatory action occurred, in the county in which the complainant resides, or in the ounty in which the employer has its principal place of business. In any such action, the parties shall be entitled to a jury trial. It shall be a defense to any action brought pursuant to this section that the retaliatory action was predicated upon grounds other than the employee's exercise of any rights protected by this section.

(b) the reinstatement of the employee to the same position held before the retaliatory action,

) the payment by the employer of reasonable costs, disbursements, and attorney's fees

a civil penalty of an amount not to exceed ten thousand dollars; and/or "Supervisor" means any individual within an employer's organization who has the g) the payment by the employer of punitive damages, if the violation was willful, malicio authority to direct and control the work performance of the affected employee; or who has managerial authority to take corrective action regarding the violation of the law, rule Employer relief. A court, in its discretion, may also order that reasonable attorneys' fees and ourt costs and disbursements be awarded to an employer if the court determines that an Prohibitions. An employer shall not take any retaliatory action against an employee, whether action brought by an employee under this section was without basis in law or in fact. or not within the scope of the employee's job duties, because such employee does any of the Existing rights. Nothing in this section shall be deemed to diminish the rights, privileges, o

(a) an injunction to restrain continued violation of this section:

or to an equivalent position, or front pay in lieu thereof:

(c) the reinstatement of full fringe benefits and seniority rights:

(d) the compensation for lost wages, benefits and other remuneration:

Department of Labor Discrimination against the Engagement in Certain Activities **New York Labor Law Section 201-D** trade secrets, proprietary information or other proprietary or (iii) the employer's actions would require such employer to b. with respect to employees of a state agency as defined in sections seventy-three and seventy-four of the public officers law commit any act that would cause the employer to be in violation of federal law or would result in the loss of a federal contract or ectively, is in knowing violation of subdivision two, three, section seventy-four of the public officers law, or of any executiv

customarily frequented by employees and applicants for employment

order, policy, directive, or other rule which has been issued by th

attorney general regulating outside employment or activities that

could conflict with employees' performance of their official duties;

c. with respect to employees of any employer as defined in section twenty-seven-a of this chapter, is in knowing violation of a

provision of a collective bargaining agreement concerning ethics conflicts of interest, potential conflicts of interest, or the proper

d. with respect to employees of any employer as defined in section

enty-seven-a of this chapter who are not subject to section

professionals whose compensation is at least fifty thousand

subsequent years is an equivalent amount adjusted by the same

percentage as the annual increase or decrease in the consume

4. Notwithstanding the provisions of subdivision three of this

the employer takes action based on the belief either that: (i) the

dollars for the year nineteen hundred ninety-two and in

discharge of official duties

seventy-three or seventy-four of the public officers law, is in nowing violation of article eighteen of the general municipa law or any local law, administrative code provision, charter differential rates used by the carriers providing insurance for the employer, and provided further that such distinctions in type or price of coverage shall not be utilized to expand, limit or curtail ion or rule or directive of the mayor or any agency head of a city having a population of one million or more, where such law, code provision, charter provision, rule or directive concerns ethics, conflicts of interest, potential conflicts of interest, or the he rights or liabilities of any party with regard to a civil cause proper discharge of official duties and otherwise covers such 7. a. Where a violation of this section is alleged to have occurred, the attorney general may apply in the name of the people of the state of New York for an order enjoining or restraining the e. with respect to employees other than those of any employe as defined in section twenty-seven-a of this chapter, violates sion or continuance of the alleged unlawful acts. In any a collective bargaining agreement or a certified or licensed such proceeding, the court may impose a civil penalty in the fessional's contractual obligation to devote his or her entire amount of three hundred dollars for the first violation and five wever that the provisions of this paragraph shall apply only b. In addition to any other penalties or actions otherwis

or other governmental mandate, (ii) the employer's actions were permissible pursuant to an established substance abuse of higher education, or any agent, representative or designee or alcohol program or workplace policy, professional contract or collective bargaining agreement, or (iii) the individual's actions were deemed by an employer or previous employer to be illegal communications with its employees that are part of coursework any symposia or an academic program at such institution; (iv) or to constitute habitually poor performance, incompetency of 4-a. Notwithstanding the provisions of subdivision three or four of this section, an employer shall not be in violation of this section ment limited to the employer's managerial and sur 9. The provisions of this section shall not apply to a religious (i) the employer's actions were required by state or federal statute, corporation, entity, association, educational institution or society that is exempt from the requirements of Title VII of the Civil Right Act of 1964 pursuant to 42 USC 2000e-1(a) with respect to speed regulation, ordinance, or other state or federal governmental on religious matters to employees who perform work connected with the activities undertaken by such religious corporation, (ii) the employee is impaired by the use of cannabis, meaning employee manifests specific articulable symptoms while

posted, to inform employees of their

entity, association, educational institution or society.

10. Every employer shall post a sign in every workplace at the

location or locations where notices to employees are normally

DEPARTMENT OF LABOR

NY

UNITED STATES OF AMERICA

WAGE AND HOUR DIVISION

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

**REV. 02/2022** 

prior to sunset, whichever

FED

Who is Protected

Race

Job applicants

immigration status, on the bases of:

National origin

Age (40 and older)

orientation, or gender identity)

What Organizations are Covered?

Most private employers

Staffing agencies

All aspects of employment, including

Hiring or promotion

observance or practice

Classification

Referral

Discharge, firing, or lay-off

Pay (unequal wages or compensation)

Discriminatory?

discrimination or pregnancy accommodation

State and local governments (as employers)

What Employment Practices can be Challenged as

Harassment (including unwelcome verbal or physical conduct)

Obtaining or disclosing genetic information of employee

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

Failure to provide reasonable accommodation for a disability; pregnancy,

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

Educational institutions (as employers)

FED

What is FMLA leave?

**Division of Labor Star** 

<sup>1</sup>Students 14 and 15 enrolled in an approved work/study program may work 3 hours on a school day, 23 hours in any one-week when school is in session school day with written parental consent. <sup>2</sup>Students 16 and 17 enrolled in an approved Cooperative Education Program may work <sup>4</sup>This provision does not apply to minors employed in resort hotels or restaurants in up to 6 hours on a day preceding a school day other than a Sunday or Holiday when Additional Child Labor Law Information

REV. 11/2023

ROCHESTER, NY 14609

(585) 258-4550

There is a direct relationship between one or more of the previous criminal the issuance or continuation of the license or the granting or continuation of the employment would involve an unreasonable risk to property or to the

2. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall also give consideration to a certificate of relief from disabilities or a certificate of good conduct issued to the applicant, which certificate shall create a presumption of rehabilitation in regard to the

# reason of a finding of lack of "good moral character" when such finding is based upon the Department of Labor, Division of Veterans' Services

their rights, protections, benefits, and accommodations

dol.ny.gov/veteran-benefits-and-services

**VETERAN BENEFITS AND SERVICES** 

The following resources and hotlines are available at no-cost to help veterans understand

MENTAL HEALTH AND SUBSTANCE ABUSE RESOURCES All calls and texts are free and confidential U.S. Department of Veterans Affairs Veterans Crisis Line Call: 988, press 1

Suicide and Crisis Lifeline: www.veteranscrisisline.ne

NYS Office of Addiction Services and Supports (OASAS)

NYS Office of Mental Health (OMH):

www.oasas.ny.gov/hopeline

Call: 1-877-8-HOPENY (467469)

NY

**Crisis Textline** 

Text: 741741

NYS Defenders Association Veteran Defense Program: https://www.nysda.org/page/VDP **NEW YORK STATE DEPARTMENT** OF VETERANS' SERVICES

Email: DVSInfo@veterans.ny.gov

Services: Legal, education, employment and

Chat: crisistextline.org

volunteer, financial, health care, and more

**Department of Veterans' Services** 

not included on the New York Labor Law Poster but should be posted separately. Model plans are available from the state Department of Labor.

posting. Employees should contact their local unemployment office for information on how to claim unemployment benefits.

Labor Law §202-j, Leave of absence for blood donation granted to employees

Labor Law §206-c, Right of nursing mothers to express breast milk

IT DOES NOT FULFILL THE HERO ACT POSTING REQUIREMENT. nsurance carrier or the appropriate state agency to obtain a copy of this state's Workers' Compensation posting or notice of compliance/certificate of insurance. Employees should refer to the Workers' Compensation posting or notice of compliance/certificate of insurance furnished by the state or the employer's insurance carrier for information about Workers

Auxiliary aides and services are available upon request and free of charge to individuals with disabilities TTY/TDD 711 or 1-800-662-1220 (English) / 1-877-662-4886.

NOTICE: Under the New York Health and Essential Rights Act, employers must post their airborne infectious disease exposure prevention plan. Because a plan is company-specific, it is

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT FULFILL THIS STATE'S WORKERS' COMPENSATION POSTING REQUIREMENT.

NOTICE: Employers must contact their local unemployment office or the state agency responsible for unemployment compensation to receive the official Unemployment Insurance

The notification may be published in an employee handbook or posted in a central location. More information is available from the New York Department of Labor.

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT FULFILL THE NOTIFICATION REQUIREMENTS FOR BLOOD DONATION LEAVE

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT FULFILL THIS STATE'S UNEMPLOYMENT INSURANCE POSTING

NOTICE: Employers must post the Paid Family Leave Notice of Compliance provided by their insurance carrier. An employer who is self-insured can obtain this notice from the THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT FULFILL THIS STATE'S PAID FAMILY LEAVE POSTING REQUIREMENT. NOTICE: The New York Department of Labor requires employers to provide employees with written notification of their rights under

OR THE RIGHTS OF NURSING MOTHERS. This poster is in compliance with federal and state posting requirements.

working that decrease or lessen the employee's performance of

articulable symptoms interfere with an employer's obligation

to provide a safe and healthy work place, free from recognized

hazards, as required by state and federal occupational safety and

the duties or tasks of the employee's job position, or such specific

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based on the following:

REV. 12/2024

**Spread of hours** – If your workday lasts longer than ten hours, you may be

tareas esenciales de un trabajo de manera razonable.

La edad no es una clasificación cubierta respecto a los alojamientos públicos. Es posible que sea

**WE ARE YOUR DOL** NEW YORK STATE Departmen

> to notify his or her employer by bringing the activity, policy or practice to the attention of a supervisor of the employer and has afforded such employer a reasonable opportunity to corre such activity, policy or practice. Such employer notification shall not be required where (a) there is an imminent and serious danger to the public health or safety: b) the employee reasonably believes that reporting to the supervisor would result in a

> Relief. In any action brought pursuant to subdivision four of this section, the court may order

subdivision five of this section within two years after the alleged retaliatory action was

Text: HOPENY (467369) remedies of any employee under any other law or regulation or under any collective bargainin (a) discloses, or threatens to disclose to a supervisor or to a public body an activity, policy or **LEGAL SERVICES** practice of the employer that the employee reasonably believes is in violation of law, rule Publication. Every employer shall inform employees of their protections, rights and obligation regulation or that the employee reasonably believes poses a substantial and specific under this section, by posting a notice thereof. Such notices shall be posted conspicuously in Veterans Treatment Courts (VTC): easily accessible and well-lighted places customarily frequented by employees and applicants ww2.nycourts.gov/courts/problem\_solving/vet/courts.shtml Email: ProblemSolving@courts.state.ny.us To Be Posted Conspicuously in easily accessible and well-lighted places

REV. 02/2022

5. Nothing in this section shall apply to persons who, on an individual basis, have a professional service contract with an employer and the unique nature of the services provided is such service contract, to limit the off-duty activities which may be 6. Nothing in this section shall prohibit an organization or oyer from offering, imposing or having in effect a health, mployees for the type of coverage or the price of coverage base

applicable pursuant to this chapter, where a violation of this section is alleged to have occurred, an aggrieved individual may commence an action for equitable relief and damages. 8. Nothing in this section shall prohibit: (i) an employer or its employees any information that the employer is required by law nunicate, but only to the extent of such legal requir (ii) an employer or its agent, representative or designee from junicating to its employees any information that is necessar for such employees to perform their job duties; (iii) an institution casual conversations between employees or between an employe and an agent, representative or designee of an employer, provide

upon the employees' recreational activities or use of consumable products, provided that differential premium rates charged employees reflect a differential cost to the employer and that