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OHIO & FEDERAL LABOR LAW POSTER

DISCRIMINATION

KNOW YOUR RIGHTS - EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW

The Ohio Civil Rights Act protects applicants and employees of private employers, state, county and local governments, educational

institutions, labor organizations, employment agencies and personnel placement services from unlawful discriminatory employment

LaborLawCenter.com 1-800-745-9970 • Product ID: OH50 Compliance Code: OH-1024-F04 • Check Compliance By Scanning Here •



Know Your Rights: Workplace Discrimination is Illegal The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help.

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 Who is Protected? Employees (current and former), including managers and temporary employees Job applicants Union members and applicants for membership in a union What Organizations are Covered? Most private employers State and local governments (as employers) Educational institutions (as employers) Unions Staffing agencies What Types of Employment Discrimination are Illegal? Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of: Race Color Religion National origin Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity) Age (40 and older) Disability Genetic information (including employer requests for 	 Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding Interference, coercion, or threats related to exercisrights regarding disability discrimination or pregna accommodation What Employment Practices can be Challenged a Discriminatory? All aspects of employment, including: Discharge, firing, or lay-off Harassment (including unwelcome verbal or physical conduct) Hiring or promotion Assignment Pay (unequal wages or compensation) Failure to provide reasonable accommodation for a disability; pregnancy, childbirth, or related medic condition; or a sincerely-held religious belief, observance or practice Benefits Job training Classification Referral Obtaining or disclosing genetic information of employees
3	

 Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or proceeding Conduct that coerces, intimidates, threatens, or interferes nation or pregnancy with someone exercising their rights, or someone assisting or encouraging someone else to exercise rights, regarding disability discrimination (including accommodation) or pregnancy accommodation What can You Do if You Believe Discrimination has **Occurred?** Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways: **Submit** an inquiry through the EEOC's public portal:

https://publicportal.eeoc.gov/Portal/Login.aspx Call 1-800-669-4000 (toll free) 1-800-669-6820 (TTY) 1-844-234-5122 (ASL video phone) Visit an EEOC field office (information at www.eeoc.gov/field-office) E-Mail info@eeoc.gov Additional information about the EEOC, including information about filing a charge of discrimination, is available at www.eeoc.gov.

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS Protected Veteran Status The Vietnam Era Veterans' Readjustment Assistance Act of

The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action commitments of companies doing business with the Federal Government. If you are applying for a job with, or are an employee of, a company with a Federal contract or subcontract, you are protected under Federal law from discrimination on the following bases: Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin

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

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

Disability Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise gualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

Race, Color, National Origin, Sex In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans. Retaliation Retaliation is prohibited against a person who files a complaint

of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors under these Federal laws. Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP) U.S. Department of Labor 200 Constitution Avenue, N.W. Washington, D.C. 20210 1-800-397-6251 (toll-free)

If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at https://ofccphelpdesk.dol.gov/s/, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at https://www.dol.gov/agencies/ofccp/contact.

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

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.

(Revised 6/27/2023)

30 W. Spring St

Columbus, OH 43215

WORKERS' COMPENSATION

OHIO BUREAU OF WORKERS' COMPENSATION

REQUIRED POSTING

of the Revised Code, shall post conspicuously in the employer's place or places Effective October 13, 2004, Section 4123.54 of the Ohio Revised Code requires of employment notices, which shall be furnished at least annually by the notice of rebuttable presumption. Rebuttable presumption means that an bureau of workers' compensation . The notice shall state that it is proof of



Race and Color Ohio law prohibits discrimination on the basis of *race or* an undue hardship. color in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, Military Status Ohio law prohibits discrimination on the basis of military

classification, referral, terms, conditions and privileges of employment, or any status in hiring, promotion, tenure, discharge, pay, fringe benefits, other matter directly or indirectly related to employment. In addition, any job training, classification, referral, terms, conditions and privileges facially neutral employment policy or practice that results in a discriminatory of employment, or any other matter directly or indirectly related to impact on the basis of race or color is a prohibited form of discrimination unless employment. In addition, employees who leave employment to perform such policy or practice is job-related and based upon business necessity. military service, which includes the performance of duty, on a voluntary or National Origin and Ancestry Ohio law prohibits discrimination on the involuntary basis, in a uniformed service, under competent authority, must basis of *national origin or ancestry* in hiring, promotion, tenure, discharge, be reemployed upon conclusion of such service.

practices

pay, fringe benefits, job training, classification, referral, terms, conditions and **Disability** Ohio law prohibits discrimination on the basis of **disability** in hiring, privileges of employment, or any other matter directly or indirectly related to promotion, tenure, discharge, pay, fringe benefits, job training, classification, employment. In addition, any policy or practice limiting or prohibiting the use referral, terms, conditions and privileges of employment, or any other matter of any language in the workplace is a prohibited form of discrimination unless directly or indirectly related to employment. In addition, applicants and such limitation or prohibition is jobrelated and based upon business necessity. employees must be provided with a reasonable accommodation for their **Sex, Including Pregnancy, Sexual Orientation, and Gender Identity** disabilities, except when the accommodation imposes an undue hardship. Ohio law prohibits discrimination on the basis of sex or pregnancy in hiring, Age Ohio law prohibits discrimination against persons 40 years of age promotion, tenure, discharge, pay, fringe benefits, job training, classification, or older on the basis of age in hiring, promotion, tenure, discharge, pay, referral, terms, conditions and privileges of employment, or any other fringe benefits, job training, classification, referral, terms, conditions and matter directly or indirectly related to employment. Women affected by privileges of employment, or any other matter directly or indirectly related pregnancy, childbirth or related medical condition must be afforded leave to employment. for a reasonable period of time and may not be discharged under a policy Harassment Ohio law prohibits harassment in the workplace on any basis providing insufficient or no leave. The U.S. Supreme Court, in the case of set forth herein, which includes the creation of a racially or sexually hostile Bostock v. Clayton Cty., Georgia. U.S. 140 S. Ct. 1731 (2020), as well as other work environment, verbally or physically abusive treatment, and requiring federal court cases, have extended sex discrimination to include prohibition submission to sexual advances as a condition of employment, continued of employment discrimination on the basis of sexual orientation and gender employment or promotion. In addition, all reasonable steps should be taken

identity.

Religion Ohio law prohibits discrimination on the basis of religion in hiring, the establishment of a policy against harassment and a procedure for receiving, promotion, tenure, discharge, pay, fringe benefits, job training, classification, investigating and remedying complaints of workplace harassment. referral, terms, conditions and privileges of employment, or any other **Retaliation** Ohio law prohibits retaliation against any person because that matter directly or indirectly related to employment. In addition, applicants person has opposed any unlawful discriminatory practice, or because that and employees must be provided with a reasonable accommodation for person has made a charge, testified, assisted or participated in any manner religious beliefs and practices, except when the accommodation imposes in any investigation, proceeding or hearing.

ENFORCEMENT: The Ohio Civil Rights Commission (OCRC) investigates complaints of discrimination and harassment in employment. Complaints must be filed with the OCRC within two years of the last act of discrimination or harassment. For more information

or assistance in filing a complaint, please call toll free: 1-888-278-7101, TTY (614) 752-2391 or visit our website at: www.civ.ohio.gov

FEDERAL MINIMUM WAGE

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE

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

OVERTIME PAY At least 1 ½ times your regular rate of pay for all hours worked over 40 in a workweek.

CHILD LABOR An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment.

TIP CREDIT Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.

civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA.

\$7.25 PER HOUR BEGINNING JULY 24, 2009

ADDITIONAL INFORMATION

 Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions. Certain narrow exemptions also apply to the pump at work requirements.

Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico. Some state laws provide greater employee protections; employers must comply with both.

• Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees

USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

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

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

REEMPLOYMENT RIGHTS

You have the right to be reemployed in your civilian job if you leave that job to • If you leave your job to perform military service, you have the right to perform service in the uniformed service and:

 you ensure that your employer receives advance written or verbal notice of your service;

you have five years or less of cumulative service in the uniformed services while with that particular employer:

you return to work or apply for reemployment in a timely manner after conclusion of service; and

you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you: • are a past or present member of the uniformed service; • have applied for membership in the uniformed service; or • are obligated to serve in the uniformed service; then an employer may not deny you: • initial employment; reemployment; • retention in employment; • promotion; or • any benefit of

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.



NO SMOKING NOTICE

Department of Health





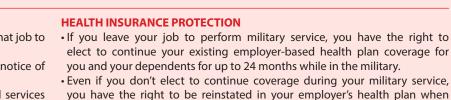


To report violations call 1-866-559-OHIO (6446) in accordance with Chapter 3794 of the Ohio Revised Code. www.smokecomplaint.ohio.gov

PUBLIC EMPLOYEE RISK REDUCTION POSTER

Ohio Bureau of Workers' Compensation





you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

ENFORCEMENT

• The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations. • For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL or visit its website at https://www.dol.gov/agencies/vets/. An interactive online USERRA Advisor

can be viewed at https://webapps.dol.gov/elaws/vets/userra • If you file a complaint with VETS and VETS is unable to resolve it, you may

request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation. · You may also bypass the VETS process and bring a civil action against

an employer for violations of USERRA.

Publication Date — May 2022

employment, because of this status. n 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

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**



to prevent and promptly correct harassment in the workplace, which includes

Publication Date 08-22

service connection.

employee may dispute or prove untrue the presumption (or belief) that alcohol workers' compensation coverage, or that the employer has complied with or a controlled substance not prescribed by the employee's physician is the section 4123.35 of the Revised Code and has been authorized by the proximate cause (main reason) of the work-related injury.

controlled substance was not the proximate cause of the work-related injury. An due. The notice, when posted, constitutes sufficient notice to the employer's employee who tests positive or refuses to submit to chemical testing may be disgualified for compensation and benefits under the Workers' Compensation Act.

THIS LANGUAGE MUST BE POSTED WITH THE CERTIFICATE OF COVERAGE section 4123.35 of the Revised Code.

ATTENTION OHIO EMPLOYERS Notice Regarding Ohio's Workers' Compensation **Posting Requirement**

Each employer paying premiums into the state insurance fund or electing directly to pay compensation to the employer's injured employees or the dependents of the employer's killed employees as provided in section 4123.35

administrator of workers' compensation directly to compensate employees or dependents, and the date of the authorization. The notice shall indicate that The burden of proof is on the employee to prove that the presence of alcohol or a coverage is contingent on continued payment of premiums and assessments

employees of the fact that the employer carries workers' compensation coverage or that the employer has complied with the elective provisions of

Amended by 130th General Assembly File No. TBD, HB 493, §1, eff. 9/17/2014. 30 West Spring St., L-B2, Columbus, OH 43215 (800) 644-6292, press 3 then 2 (614) 621-1137 (fax)

and 4123.64 to 4123.67 of the Revised Code.

PUMP AT WORK 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 the employee needs to express breast milk. Employers must provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

ENFORCEMENT The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened

(unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are

 Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR 1-866-487-9243 **D**SS www.dol.gov/agencies/whd

PAYDAY NOTICE

WH1088 REV 04/23

Regular Paydays for Employees of

(Company Name) Shall be as follows Bi-Weekly Other Weekly Monthly Title: By:

WITHHOLDING STATUS

YOU MAY NEED TO CHECK YOUR WITHHOLDING

See your employer for a copy of Form W-4 or call the IRS at 1-800-829-Since you last filed form W-4 with your employer did you... 3676. Now is the time to check your withholding. For more details, get Marry or divorce? Gain or lose a dependent? Change vour name? Were there major changes to... • Your nonwage income (interest, dividends, capital gains, etc.)? • Your family wage income (you or your spouse started or ended a

• Your itemized deductions? Your tax credits If you can answer "YES"...

To any of these questions or you owed extra tax when you filed your

Publication 919, How Do I Adjust My Tax Withholding?, or use the Withholding Calculator at www.irs.gov/individuals on the IRS web site. Employer: Please post or publish this Bulletin Board Poster so that your employees will see it. Please indicate where they can get forms and information on this subject.

IRS 🕄 Publication 213 Cat. No. 11047P

(Rev. 8-2009)

Mike DeWine

Jon Husted Lt. Governor

Sheryl Maxfield

Department of the Treasury Internal Revenue Service www.irs.gov

UNEMPLOYMENT INSURANCE

NOTICE TO EMPLOYEES

THIS EMPLOYER PROVIDES UNEMPLOYMENT

INSURANCE COVERAGE FOR EMPLOYEES Employees who become unemployed (or are working less than full time) may be eligible for unemployment insurance benefits. Apply by phone at 1-877-644-6562 (OHIOJOB) or online at http://unemployment.ohio.gov

Be prepared to provide the following information when applying: Social Security number • Driver's license or State ID number • Names, Social Security numbers, and dates of birth of all

• Employer's identification notice (pay stubs or W2 form) Name and address of all other employers for whom work was

performed during the past 18 months

APPLY FOR WORK AT YOUR NEAREST OHIOMEANSJOBS CENTER

Mike DeWine, Governor Matt Damschroder, Director JFS 55341 (Rev. 1/2024) This institution is an equal opportunity provider and employer. A proud partner of the American Job Center network

OHIO MINIMUM WAGE

STATE OF OHIO

2025 MINIMUM WAGE www.com.ohio.gov

NON-TIPPED EMPLOYEES

A Minimum Wage of \$10.70 per hour

"Non-Tipped Employees" includes any employee who does not engage in an occupation in which he/she customarily and regularly receives more than thirty dollars (\$30.00) per month in tips.

"Employers" who gross less than \$394,000 shall pay their employees no less than the current federal minimum wage rate.

"Employees" under the age of 16 shall be paid no less than the current federal minimum wage rate.

Job Safety and Health Shio It's the Law!

All Ohio public employees have the right to:

- A safe workplace.
- o Raise a safety or health concern with your employer or the Public Employment Risk Reduction Program (PERRP), or report a work-related injury or illness, without fear of retaliation.
- File a complaint with PERRP about any safety or health concerns you may have about your workplace. You may have a representative file a complaint with PERRP on your behalf.
- o Receive information and training about job hazards, including all hazardous substances in your workplace.
- Refuse a work assignment if you believe it presents an imminent (life-threatening) danger to you or your co-workers. You may have a representative contact PERRP on your behalf.
- o Participate (or have your representative participate) in a PERRP inspection and speak in private to the compliance officer.
- File a union grievance or file a complaint with the State Personnel Board of Review within 60 days (by phone, online or by mail) if you have suffered retaliation for using your rights.
- See any citations PERRP issues to your employer.
- o Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

All Ohio public employers must:

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against employees for using any of their rights under the law, including raising a health and safety concern with you or with PERRP, or reporting a work-related injury or illness.
- o Comply with all adopted PERRP standards.
- Report to PERRP all work-related fatalities within eight hours, and all incidents resulting in a hospitalization, amputation or loss of an eye within 24 hours.
- Provide required training to workers in a manner they can understand.
- Prominently display this poster in the workplace.
- Post PERRP citations at or near the place of the alleged violations.
- o Maintain, post and submit injury and illness statistics to PERRP.

Free compliance assistance to identify and correct hazards is available to all public employers, without citation or penalty.

To request compliance assistance visit our website, or send an email to: PERRPRequest@bwc.state.oh.us



Contact PERRP at 1-800-671-6858. We can help! Fax 614-621-5754 • TTY 1-800-750-0750 • www.bwc.ohio.gov This poster is available free from PERRP. Minimum reproduction size is 8 1/2 x 14 inche

SELF-INSURED WORKERS' COMPENSATION

Bureau of Workers' Compensation

NOTICE TO EMPLOYEES Section 4123.84 of the Ohio Revised Code (workers' compensation) reads as stated below.

(A) In all cases of injury or death, claims for compensation or benefits for the specific part or parts of the body injured shall be forever barred unless, within one year after the injury or death

As used in division (A) (3) (b) of this section, "benefits" means payment by a (1) Written notice of the specific part or parts of the body claimed to have self-insuring employer to, or on behalf of, an employee for: been injured has been made to the Industrial Commission or the Bureau of (1) A hospital bill; Workers' Compensation

(2) The Employer, with knowledge of a claimed compensable injury or occupational disease, has paid wages in lieu of compensation for total disability;

- (3) In the event the employer has elected to pay compensation or benefits directly, one of the following has occurred;
- (a) Written notice of the specific part or parts of the body claimed to have and prior approval has been given by the bureau. been injured has been given to the commission or bureau, or the employer has furnished treatment by a licensed physician in the employ of an employer; providing, however, that the furnishing of such treatment shall not constitute a recognition of a claim as compensable, but shall do no more than satisfy the requirements of this section;
- (2) A medical bill to a licensed physician or hospital; (3) An orthopedic or prosthetic device. Section 4121.65 of the Ohio Revised Code grants authority to self-insuring employers to furnish rehabilitation services as long as the quality and content is equal to or greater than that provided by the bureau of workers' compensation,

(b) Compensation or benefits have been paid or furnished equal to or greater than is provided for in Sections 4123.52, 4123.55 to 4123.62,

(4) Written notice of death has been given to the commission or bureau.

Note: This notice is to be posted and maintained at all times in one or more conspicuous places in workshops or places of employment by all self-insuring employers.

EMPLOYEE POLYGRAPH PROTECTION ACT

EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for preemployment screening or during the course of employment. **PROHIBITIONS** Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

EXEMPTIONS Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities. The Act permits polygraph (a kind of lie detector) tests to be administered

in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard) and of pharmaceutical manufacturers, distributors and dispensers. The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that



ANTI-DISCRIMINATION NOTICE

It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination.

For information, please contact The Office of Special Counsel for Immigration Related Unfair Employment Practices Office at 800-255-7688.

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

resulted in economic loss to the employer. The law does not preempt

any provision of any State or local law

respect to lie detector tests.

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

WAGE AND HOUR DIVISION

UNITED STATES

DEPARTMENT OF LABOR 1-866-487-9243

Mike Dewine

Governor Jon Husted

Lt. Governor

Sheryl Maxfield,

Director

(REV.11/20/23)

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



dependent children

Commerce

Commerce

CHILD LABOR LAWS

Ohio	Department of	STATE OF OHIO
	Commerce Division of Industrial Compliance	MINOR LABOR LAWS
		www.com.ohio.gov

OHIO REVISED CODE CHAPTER 4109* "MINOR" MEANS ANY PERSON LESS THAN 18 YEARS OF AGE

WORKING PERMITS: Every minor 14 through 17 years of age must have a working permit unless otherwise stated in Chapter 4109.

WAGE AGREEMENT: No employer shall give employment to a minor without agreeing with him/her as to the wages or compensation he/she shall receive for each day, week, month, year or per piece for work performed.

REST PERIOD: No employer shall employ a minor more than 5 consecutive hours without a rest period of at least 30 minutes.

LIST OF MINORS EMPLOYED: Employer shall keep a list of minors employed at each establishment and a list must be posted in a conspicuous place to which all minor employees have access

TIME RECORDS: Every employer shall keep a time book or other written record showing actual starting and stopping time of each work and rest period. These records must be kept for two (2) years

RESTRICTIONS ON WORKING HOURS FOR MINORS 14 and 15 YEARS OF AGE

No person under 16 shall be employed:

I. During school hours except where specifically permitted by Chapter 4109

- 2. Before 7 a.m. or after 9 p.m. from June 1st to September 1st or during any school holiday of 5 school days or more; or after 7 p.m. at any other time 3. For more than 3 hours a day in any school day
- 4. For more than 18 hours in any school week

5. For more than 8 hours in any day when school is not in session

6. For more than 40 hours in any week that school is not in session nor during school hours, unless employment is incidental to bona fide programs of vocational cooperative training, work-study, or other work-oriented programs with the purpose of educating students, and the program meets standards established by the state board of education

RESTRICTIONS ON WORKING HOURS FOR MINORS 16 and 17 YEARS OF AGE

No person 16 or 17 who is required to attend school shall be employed:

. Before 7 a.m. on any day that school is in session or 6 a.m. if the person was not employed after 8 p.m. the previous night 2. After 11 p.m. on any night preceding a day that school is in session.

PROHIBITED OCCUPATIONS FOR MINORS UNDER 16 YEARS OF AGE

1. All manufacturing; mining; processing; public messenger service 2. Work in freezers and meat coolers and all preparation of meats for sale (except wrapping, sealing, labeling, weighing, pricing and stocking) 3. Transportation; storage; communications; public utilities; construction; repair 4. Work in boiler or engine rooms; maintenance or repair of machinery 5. Outside window washing from window sills or scaffolding and/or ladders 6. Cooking and baking; operating, setting up, adjusting, cleaning, oiling or repairing power-driven food slicers, grinders, food choppers, cutters, bakery type mixers 7. Loading or unloading goods to and from trucks 8. All warehouse work except office and clerical 9. Work in connection with cars and trucks involving the use of pits, racks or lifting apparatus or involving the inflation of any tire mounted on a rim equipped with a removable retaining ring.

PROHIBITED OCCUPATIONS FOR MINORS 14 through 17 YEARS OF AGE

- 1. Occupations involving slaughtering, meat-packing, processing or rendering 2. Power-driven bakery machines 3. Occupations involved in the manufacture of brick, tile and kindred products 4. Occupations involved in the manufacture of chemicals 5. Manufacturing or storage occupations involving explosives 6. Occupations involving exposure to radioactive substances and to ionizing radiations 7. Power-driven paper products machines 8. Power-driven metal forming, punching and shearing machines 9. Occupations involved in the operation of power-driven circular saws, band saws and guillotine shears 10. Power-driven woodworking machines 11. Coal mines 12. Occupations in connection with mining, other than coal 13. Logging and sawmilling 14. Motor vehicle occupations 15. Maritime and longshoreman occupations 16. Railroads 17. Excavation operations 18. Power-driven and hoisting apparatus 19. Roofing operations 20. Wrecking, demolition, and shipbreaking. MINORS UNDER 16 YEARS OF AGE MAY NOT ENGAGE IN DOOR-TO-DOOR EMPLOYMENT UNLESS The for-profit employer is REGISTERED with the Ohio Department of Commerce. DOOR-TO-DOOR SALES EMPLOYERS SHALL:
- . Be in compliance with all applicable Ohio and Federal laws relating to the employment of minors 2. Provide at least one supervisor who is over the age of eighteen, for each six minor employees 3. Have been and be in compliance with Ohio's Motor Vehicle Financial Responsibility, Workers' Compensation, Unemployment Compensation, and all other applicable laws
- 4. Require all minors to work at least in pairs 5. Not employ any minor who does not have an appropriate Age and Schooling Certificate
- 6. Provide each minor employee with a photo identification card

"Current Federal Minimum Wage" is \$7.25 per hour.

TIPPED EMPLOYEES A Minimum Wage of \$5.35 per hour PLUS TIPS

"Tipped Employees" includes any employee who engages in an occupation in which he/she customarily and regularly receives more than thirty dollars (\$30.00) per month in tips. Employers electing to use the tip credit provision must be able to show that tipped employees receive at least the minimum wage when direct or cash wages and the tip credit amount are combined.

INDIVIDUALS EXEMPT FROM MINIMUM WAGE OVERTIME 1. An employer shall pay an employee for overtime at a wage rate of $\,$ 1. Any individual employed by the United States; one and one-half times the employee's wage rate for hours in 2. Any individual employed as a baby-sitter in the employer's home, excess of 40 hours in one work week, except for employers or a live-in companion to a sick, convalescing, or elderly person grossing less than \$150,000 per year. whose principal duties do not include housekeeping; RECORDS TO BE KEPT BY THE EMPLOYER 3. Any individual employed as an outside salesman compensated by 1. Each employer shall keep records for at least three years, available commissions or in a bona fide executive, administrative, or for copying and inspection by the Director of the Ohio Department professional capacity, or computer professionals; of Commerce, showing the following information concerning each 4. Any individual who volunteers to perform services for a public employee: agency which is a State, a political subdivision of a State, or an A. Name interstate government agency, if B. Address (i) the individual receives no compensation or is paid expenses, C. Occupation reasonable benefits, or a nominal fee to perform the services D. Rate of Pay for which the individual volunteered; and (ii) such services are not the same type of services which the E. Amount paid each pay period individual is employed to perform for such public agency; F. Hours worked each day and each work week 2. The records may be opened for inspection or copying at any 5. Any individual who works or provides personal services of a charitable nature in a hospital or health institution for which reasonable time and no employer shall hinder or delay the Director compensation is not sought or contemplated; of the Ohio Department of Commerce in the performance of these 6. Any individual in the employ of a camp or recreational area for duties. children under eighteen years of age and owned and operated by SUB-MINIMUM WAGE RATE a non-profit organization or group of organizations. To prevent the curtailment of opportunities for employment and avoid undue hardship to individuals whose earning capacity is 7. Employees of a solely family owned and operated business who affected or impaired by physical or mental deficiencies or injuries, a are family members of an owner. sub-minimum wage may be paid, as provided in the rules and * For information about additional exemptions, please visit the regulations set forth by the Director of the Ohio Department of Ohio Division of Industrial Compliance or U.S. Department of Commerce Labor websites.

For further information about minimum wage issues, please contact: The Ohio Department of Commerce, Division of Industrial Compliance, 6606 Tussing Road, Reynoldsburg, Ohio 43068. Phone: 614-644-2239. TTY/TDD: 1-800-750-0750. An Equal Opportunity Employer and Service Provider. (REV. 9/30/24)

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FMLA - FAMILY AND MEDICAL LEAVE ACT

Your Employee Rights Under the Family and Medical Leave Act

What is FMLA leave? The Family and Medical Leave Act (FMLA) is a federal aw that provides eligible employees with **job-protected leave** for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees. Eligible employees can take **up to 12 workweeks** of FMLA leave in a 2-month period for: The birth, adoption or foster placement of a child with you, Your serious mental or physical health condition that makes you unable to 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 Congress. 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 <u>all</u> of the following apply: You work for a covered employer, You have worked for your employer at least 12 months,

You have at least 1,250 hours of service for your employer during the 12 months before your leave, and Your employer has at least 50 employees within 75 miles of your work location.

Airline flight crew employees have different "hours of service" requirements. ou work for a **covered employer** if **one** of the following applies:

You do not have to share a medical diagnosis but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You must also inform your employer if FMLA leave was previously taken or approved for the same reason when

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

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

What does my employer need to do? If you are eligible for FMLA leave, your employer must:

Allow you to take job-protected time off work for a qualifying reason, • Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave.

Your employer cannot interfere with your FMLA rights or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your employer must confirm whether you are eligible or not eligible for FMLA leave. If your employer determines that you are eligible, your employer must notify you in writing: About your FMLA rights and responsibilities, and

Where can I find more information?

OSHA - THE OCCUPATIONAL SAFETY AND HEALTH ACT



Job Safety and Health IT'S THE LAW!

All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a workrelated injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

How much of your requested leave, if any, will be FMLA-protected leave.

Employers must:

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- 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 of an eye.
- Provide required training to all workers in a language and vocabulary they can understand.
- 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 citation or penalty, through OSHAsupported consultation programs in every state.



requesting additional leave. provides greater family or medical leave rights.

Not employ any minor in any door-to-door sales activity during school hours except where specifically permitted 8. Not employ minors under 16 in door-to-door sales activity before 7 a.m. or after 7 p.m. 9. Not employ minors 16 and 17 years of age in door-to-door sales activity before 7 a.m. or after 8 p.m.

*For Exceptions to Coverage See Chapter 4109.06 This is a summary of ORC 4109. This summary does not include all of the requirements for minor labor laws. Persons should refer to 4109 for specific requirements applicable to them. This information can be accessed through the Ohio Department of Commerce website at www.com.ohio.gov.

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For further information about Minor Labor issues, please contact: The Ohio Department of Commerce, Division of Industrial Compliance & Labor, 6606 Tussing Road, Reynoldsburg, OH 43068 Phone: 614-644-2239. TTY/TDD: 800-750-0750. An Equal Opportunity Employer and Service Provider

Call 1-866-487-9243 or visit dol.gov/fmla You work for a private employer that had at least 50 employees during at to learn more. If you believe your rights under least 20 workweeks in the current or previous calendar year, the FMLA have been violated, you may file a You work for an elementary or public or private secondary school, or complaint with WHD or file a You work for a public agency, such as a local, state or federal government private lawsuit against your agency. Most federal employees are covered by Title II of the FMLA, employer administered by the Office of Personnel Management. in court. How do I request FMLA leave? Generally, to request FMLA leave you must: Scan the QR code • Follow your employer's normal policies for requesting leave, to learn about Give notice at least 30 days before your need for FMLA leave, or our WHD If advance notice is not possible, give notice as soon as possible. complaint process.

