Compliance Code: PA-0724-F04 

 Check Compliance By Scanning Here ▶

#### **EMPLOYEE POLYGRAPH PROTECTION ACT**

### EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits most private preempt any provision of any State or local law or any collective screening or during the course of employment.

exercising other rights under the Act.

**EXEMPTIONS** Federal, State and local governments are not affected by unauthorized persons. Government to certain private individuals engaged in national security- restrain violations and assess civil penalties against violators. Employees related activities. The Act permits polygraph (a kind of lie detector) or job applicants may also bring their own court actions. certain prospective employees of security service firms (armored car, **EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.** alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers. The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer. The law does not

**employers from using lie detector tests either for pre-employment** bargaining agreement which is more restrictive with respect to lie detector tests. PROHIBITIONS Employers are generally prohibited from requiring or **EXAMINEE RIGHTS** Where polygraph tests are permitted, they are requesting any employee or job applicant to take a lie detector test, subject to numerous strict standards concerning the conduct and

and from discharging, disciplining, or discriminating against an length of the test. Examinees have a number of specific rights, employee or prospective employee for refusing to take a test or for 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 the law. Also, the law does not apply to tests given by the Federal **ENFORCEMENT** The Secretary of Labor may bring court actions to

tests to be administered in the private sector, subject to restrictions, to THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE



# NO SMOKING NOTICE

## **NO SMOKING**

pennsylvania

DEPARTMENT OF LABOR 8

There's a new Air about Pennsylvania Smoke-Free is now the Law!



### **NO FUMAR**

with productive capacity is obtained from the Bureau of Labor Law

federal certificate is obtained under Section 14(c) of the Fair Labor Standards

**EXEMPTIONS FROM OVERTIME RATES** 

• Any salesman, parts man or mechanic primarily engaged in selling and

servicing automobiles, trailers, trucks, farm implements or aircraft, if

employed by a non-manufacturing establishment primarily engaged in the

selling of such vehicles to ultimate purchasers. (Example: 51% of business is

• Any employee of a motor carrier the Federal Secretary of Transportation has

power to establish qualifications and maximum hours of service under 49

U.S.C. Section 3102 (b)(1) and (2) (relating to requirements for qualifications,

Any employee engaged in the processing of maple sap into sugar (other than

• Announcer, news editor, chief engineer of a radio or television station, the

• The hours of an employee of an air carrier subject to the provisions of Title II

of the Railway Labor Act (Public Law 69-257, 44 Stat. 577, 45 U.S.C. § 181 et

• the hours are voluntarily worked by the employee pursuant to a shift-

trading practice under which the employee has the opportunity to reduce

hours worked in any workweek by voluntarily offering a shift for trade or

• the required hours of work, wages and overtime compensation have been

agreed to either in a collective bargaining agreement between the employer

and labor organization representing employees for purposes of collective

bargaining or pursuant to a voluntary agreement or understanding arrived

Bedford

Blair

Cambria

Cameron

Centre

Clarion

Clearfield

Adams

Columbia

Cumberland

Dauphin

Franklin

Allegheny

Beaver

Butler

Crawford

Erie

Berks

Bradford

Carbon

.ackawanna

Lehigh

Luzerne

**COUNTIES SERVED:** 

Jefferson

McKean

Mifflin

Potter

Somerset

Warren

Westmoreland

Juniata

Lancaster

Lebanon

Montour

Greene

Lawrence

Mercer

Venango

Washington

Sullivan

Susquehanna

Tioga

Wayne

Wyoming

LLC-1 REV 06-22

Clinton

Elk

Fayette

Forest

Fulton

Huntingdon

Indiana

Bucks

Chester

Delaware

Montgomery

Philadelphia

Lycoming

Monroe

Northampton

Pike

Schuylkill

FOR QUESTIONS/COMPLAINTS

is at least 40 airline miles from the principal city in the area

• City or town of 100,000 population or less, if it is not part of a standard

metropolitan statistical area having a total population in excess of 100,000; or • City or town of 25,000 population or less, which is part of such an area but

Act from the U.S. Department of Labor

selling as opposed to 49% in servicing such vehicles)

hours of service, safety and equipment standards)

• Employment by a motion picture theatre

at between the employer and employee

CONTACT:

ireau of Labor Law Compliance

Altoona District Office

1130 12th Avenue, Suite 200

Altoona, PA 16601-3486

Phone: 814-940-6224 or

877-792-8198

Bureau of Labor Law Compliance

Harrisburg District Office

651 Boas Street, Room 1301

Harrisburg, PA 17121-0750

Phone: **717-787-4671** or

800-932-0665

reau of Labor Law Compliance

Philadelphia District Office

110 North 8th St. Suite 203

Philadelphia, PA 19107

Phone: 215-560-1858 or

877-817-9497

Bureau of Labor Law Compliance

Pittsburah District Office

301 5th Avenue, Suite 330

Pittsburgh, PA 15222

Phone: 412-565-5300 or

877-504-8354

Bureau of Labor Law Compliance

Scranton District Office

201-B State Office Bldg.

100 Lackawanna Avenue

major studio of which is located in:

refined sugar) or syrup

seq.) when:

Hay un nuevo aire sobre Pennsylvania Libre de humo es ahora la Ley!

#### PENNSYLVANIA MINIMUM WAGE

**MINIMUM WAGE LAW SUMMARY** 

BUREAU OF LABOR LAW COMPLIANCE MUST BE POSTED IN A CONSPICUOUS PLACE IN EVERY PENNSYLVANIA BUSINESS GOVERNED BY THE MINIMUM WAGE ACT

The Pennsylvania Minimum Wage Act establishes a fixed Minimum Wage and • Individuals with a physical or mental deficiency or injury may be paid less Overtime Rate for employees. It also sets forth compliance-related duties for the than the applicable minimum wage if a license specifying a rate commensurate

Department of Labor & Industry and for employers. In addition, the Minimum Compliance, (651 Boas Street, Room 1301, Harrisburg, PA 17121-0750), or a Wage Act provides penalties for noncompliance. This summary is for general information only and is not an official position formally adopted by the Department of Labor & Industry

Overtime Rate: Workers shall be paid 1½ times their regular rate of pay after 40 hours worked in a workweek (Except as Described)

#### **MINIMUM WAGE RATE:** \$7.25 per hour Effective July 24, 2009

(Except as Described) **Tipped Employees:** An employer may pay a minimum of \$2.83 per hour to an employee who makes \$135.00 per month in tips. The employer must make up

the difference if the tips and \$2.83 do not meet the regular Pennsylvania **Keeping Records:** Every employer must maintain accurate records of each employee's earnings and hours worked, and provide access to Labor & Industry. Penalties: Failure to pay the legal minimum wage or other violations may result

**Exemptions:** Overtime applies to certain employment classifications. **Special Allowances For:** Students, learners and people with disabilities, upon application only.

n payment of back wages and other civil or criminal action where warranted.

#### **EXEMPTIONS FROM BOTH Minimum Wage and Overtime Rates** Labor on a farm

Domestic service in or about the private home of the employer

 Delivery of newspapers to the consumer Publication of weekly, semi-weekly or daily newspaper with a circulation of

less than 4,000 when the major portion of circulation is in the county where published or a bordering county Bona fide outside salesman

Educational, charitable, religious, or nonprofit organization where no employer-employee relationship exists and service is rendered gratuitously Golf caddy

In seasonal employment, if the employee is under 18 years of age or if a student under 24 years of age is employed by a nonprofit health or welfare agency engaged in activities dealing with children with disabilities or by a nonprofit day or resident seasonal recreational camp for campers under the age of 18 years, which operates for a period of less than three months in any one year In employment by a public amusement or recreational establishment, organized camp, or religious or nonprofit educational conference center, if (i) it does not operate more than seven months a year or (ii) during the preceding calendar year, the average receipts for any 6 months were not more than 33% of its average receipts for the other 6 months of such year Switchboard operator employed by an independently-owned public

• Employees not subject to civil service laws who hold elective office or are on the personal staff of such an officeholder, are immediate advisers to the officeholder, or are appointed by the officeholder to serve on a policy making level Executive, Administrative, and Professional employees, as defined by the Department

**ALLOWANCES** 

telephone company which has no more than 750 stations

Wages paid to any employee may include reasonable cost of board, lodging and other facilities. This may be considered as part of the minimum wage if the employee is notified of this condition and accepts it as a usual condition of employment at the time of hire or change of classification. The wages, including food credit plus tips, must equal the current minimum wage. **Board:** Food furnished in the form of meals on an established schedule. **Lodging:** Housing facility available for the personal use of the employee at

all hours. Reasonable Cost: Actual cost, exclusive of profit, to the employer or to anyone affiliated with the employer.

### **EXCEPTIONS FROM MINIMUM WAGE RATES**

Learners and students (bona fide high school or college), after obtaining a Special Certificate from the Bureau of Labor Law Compliance, (651 Boas Street, wage as follows:

Room 1301, Harrisburg, PA 17121-0750) may be paid 85% of the minimum

Scranton, PA 18503 Learners: 40 hours a week. Maximum eight weeks Phone: 570-963-4577 or Students: Up to 20 hours a week. Up to 40 hours a week during school vacation periods

#### 877-214-3962 **MORE INFORMATION IS AVAILABLE ONLINE**

Additional information about the Minimum Wage Act is available online at: www.dli.pa.gov, PA Keyword: Minimum Wage. From the Web site you can submit a complaint form, find answers to frequently asked questions and read more about the Minimum Wage Act.

Auxiliary aids and services are available upon request to individuals with disabilities. Equal Opportunity Employer/Program

**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.

# **CHILD LABOR LAWS**

pennsylvania DEPARTMENT OF LABOR & INDUSTRY BUREAU OF LABOR LAW COMPLIANCE

#### **ABSTRACT OF THE CHILD LABOR ACT HOURS PROVISIONS**

**Exceptions:** During school vacations, minors may be employed until 9p.m.

Employment prohibited before 6 a.m. and after 12 a.m.

MUST BE POSTED IN A CONSPICUOUS PLACE WHERE ANY PERSON UNDER AGE 18 IS EMPLOYED This summary is for general information, and is not to be considered in the same light as official statements contained in the Act or its

regulations. Minors under 16 must have a written statement by the minor's parent or guardian acknowledging the duties and hours of employment and granting permission to work.

**HOURS OF EMPLOYMENT—AGES 14 & 15\* HOURS OF EMPLOYMENT** Employment prohibited after 7 p.m. and before 7 a.m.

**During School Term:** Maximum three hours on school days, eight hours on any other day, and 18 hours per school week (Monday— Friday), and only at a time that does not interfere with school attendance. Plus eight additional hours on Saturdays and Sundays.

Minors at least age 11 may be employed in newspaper delivery from 5a.m. to 8 p.m., except during school vacation, then until 9 p.m. Members Exception: Students 14 and older, whose employment is part of volunteer fire companies may participate in training and firefighting of a recognized school work program, may be employed for hours, when activities until 10 p.m. with written parental consent. combined with school hours, not exceeding eight in a day.

During School Vacations: Maximum eight hours/day, 40 hours/week **HOURS OF EMPLOYMENT—AGES 16 & 17\* \*\*** 

**HOURS OF EMPLOYMENT** 

**During School Term:** Maximum eight hours a day and 28 hours per

Saturdays and Sundays.

school week (Monday—Friday). Plus eight additional hours on **During School Vacations:** Maximum 48 hours/week; 10 hours/day; a

Exceptions: During school vacations, minors may be employed until 1 a.m. Members of volunteer fire companies may continue serving in answer to a fire call until excused by chief. minor may refuse any request to work greater than 44 hours/week.

\* Minors employed as sports attendants are not subject to the Act's hours and work time restrictions.

\*\*EXCEPT: A) Minors who have graduated from high school or who are exempt from compulsory attendance under the Public School Code are not subject to the Act's hours of employment or work time restrictions.

B) Special rules apply to young adults, 16 and 17 years of age, employed during a school vacation as a counselor by a summer

resident camp operated by a religious or scout organization. MAXIMUM EMPLOYMENT: NOT MORE THAN six CONSECUTIVE DAYS (except newspaper delivery).

30 MINUTE MEAL PERIOD REQUIRED ON OR BEFORE five CONSECUTIVE HOURS OF WORK,

EMPLOYER NOTIFICATION: Within five days of the minor's beginning of employment, an Employer's must submit written notification of the minor's normal duties and employment hours, the minor's age and the work permit number to the issuing officer who issued that work permit. Within five days of the minor's last day

## of emploment, the employer shall submit written notification to the issuing officer that the minor is no longer employed.

CHILD LABOR ACT HOURS RULES FOR PERFORMANCES BY MINORS This summary is for general information, and is not to be considered in the same light as official statements contained in the Act or its regulations.

Age	Max. hours (24-hour period) at place of employment (does not include hours at minors' residences	Max. work hours (24-hour period) (including work time at minors' residences)
Infants < 6 mos.	2	Not Applicable
6 mos.—1 year	4	2
2—5 years	6	3
6—8	8	4
9-15	9	5
46 47	10	

• Live performances—maximum number: three/day or 10/calendar week (Sunday—Saturday)

 Meal periods of half hour—one hour are not counted toward maximum hours/non-work time at place of employment

• Non-work time at place of employment includes education, rest and recreation. • Work days for minors may not begin before 5 a.m., and must end by 10 p.m. on evenings preceding

school days or by 12:30 a.m. on evenings preceding nonschool days • 12 hours must elapse between time of dismissal and time of call on the following day.

• Age 14—17 may work during school hours with permission from school authorities for up to two consecutive days, but may not work in excess of eight hours in 24-hour period. · Performances rules do not apply to minors who have graduated from high school or who are exempt from

compulsory attendance under the Public School Code. For further information on the Child Labor Act, please consult the Department of Labor & Industry's website at www.dli.pa.gov and click on "Labor Law Compliance."

Altoona, PA 16601 814-940-6224 or 877-792-8198 **Pittsburgh District Office** Suite 330

Altoona District Office

1130 12th Ave.

Suite 200

717-705-5969 or 800-932-0665 Pittsburgh, PA 15222 412-565-5300 or 877-504-8354

Address inquiries and complaints to one of the offices of the Bureau of Labor Law Compliance:

**Harrisburg District Office** 

1301 Labor & Industry Building

651 Boas St.

Harrisburg, PA 17121

Scranton District Office 100 Lackawanna Ave. Scranton, PA 18503 570-963-4577 or 877-214-3962

**Philadelphia District Office** 

110 North 8th St.

Suite 203

Philadelphia, PA 19107

215-560-1858 or 877-817-9497

LLC-5 REV. 02-24

Email the Bureau of Labor Law Compliance at: RA-LI-SLMR-LLC@pa.gov Auxiliary aids and services are available upon request to individuals with disabilities

Equal Opportunity Employer/Program

#### DISCRIMINATION

PENNSYLVANIA & FEDERAL LABOR LAW POSTER

COMMONWEALTH OF PENNSYLVANIA HUMAN RELATIONS COMMISSION **EMPLOYMENT PROVISIONS OF THE PENNSYLVANIA HUMAN RELATIONS ACT** 

(Act of October 27, 1955, P.L. 744, as Amended)

PURPOSE OF PROVISIONS The purpose of the employment provisions of the Pennsylvania Human Relations Act is to prevent and eliminate unlawful discriminatory practices in employment because of race, color, religion, ancestry, age (40 and above), sex, national origin, non-job related disability, known association with a disabled individual, possession of a diploma based on passing a general education development test, or willingness or refusal to participate in abortion or sterilization. **UNLAWFUL DISCRIMINATORY PRACTICES** It is unlawful — on the basis of the facts listed above — for an employer, labor union or employment agency to: 1. Deny any person an equal opportunity to obtain employment, to be promoted and to be accorded all other rights to compensation, tenure and other terms, conditions and privileges of employment. 2. Deny membership rights and privileges in any labor organization. 3. Deny any person equal opportunity to be referred for employment. 4. Refuse to contract or otherwise discriminate in contracting with any independent contractor as defined by Section 4(x) of the PHRA. It is also unlawful for any person, employer, labor union or employment agency to retaliate against an individual because the individual has filed a complaint with the Commission, or has otherwise participated in any Commission proceeding, or for any person to aid or abet any unlawful discriminatory practice under the Human Relations Act.

PARTIES SUBJECT TO THE ACT The employment provisions of the Pennsylvania Human Relations Act apply to: (1) Employers of 4 or more persons, including units of state and local government, (2) Labor organizations, and (3) Employment agencies. WHO MAY FILE A COMPLAINT Complaints may be filed within 180 days of the alleged act of discrimination by any of the following: (1) Any person who believes he or she has been discriminated against, (2) The Pennsylvania Human Relations Commission, (3) The Attorney General of Pennsylvania, or (4) An employer whose employees hinder compliance with the provisions of the Act. PARTIES EXEMPT FROM THE ACT The employment provisions of the Pennsylvania Human Relations Act do not apply to: (1) Any individual employed in agriculture or domestic service, (2) any individual who, as part of his or her employment, resides in the personal residence of the employer, (3) Any individual employed by his or her parents, spouse or child. VHO MUST POST THIS NOTICE Every employer, labor organization and employment agency subject to the employment provisions of this Act is required by law to post this notice in a conspicuous, easily accessible and well-lighted location customarily frequented by applicants, employees or members.

WARNING: Removing, defacing, covering up or destroying this notice is a violation of the Pennsylvania Crimes Code and may subject you to fine or imprisonment.

For further information, write, phone or visit the Pennsylvania Human Relations Commission: **Executive Offices:** 333 Market Street, 8th Floor · Harrisburg, PA 17126 (717) 787-4410 • (717) 787-7279 (TTY) or visit us at www.phrc.state.pa.us

To file a complaint, contact the Regional Office nearest you: **Pittsburgh** 301 5th Ave., Suite 390 Harrisburg 333 Market Street, 8th Floor Piatt Place Harrisburg, PA 17104 (717) 787-9780 Pittsburgh, PA 15222 (412) 565-5711 (TTY

110 N. 8th St.. Suite 501 Philadelphia, PA 19107 (215) 560-2496 (717) 787-7279 (TTY) (215) 560-3599 (TTY)

### **WORKERS' COMPENSATION**

pennsylvania REMEMBER: IT IS IMPORTANT TO TELL YOUR EMPLOYER ABOUT YOUR INJURY

The name, address and telephone number of your employer's workers' compensation insurance company, third-party administrator (TPA), or person handling the workers' compensation claims for your company, as shown below. **Employer Name:** Date Posted: IF SOMEONE OTHER THAN INSURER IS HANDLING CLAIMS (Complete all applicable spaces) (Complete all applicable Spaces) Name of TPA (Claims administrator): Name of Insurance Company: Address: Telephone Number: Telephone Number: IF SOMEONE OTHER THAN SELF-INSURER IS HANDLING CLAIMS (Complete all applicable spaces) (Complete all applicable Spaces) Name of TPA (Claims administrator): Name of person handling claims at the self-insured: Telephone Number Telephone Number: Any individual filing misleading or incomplete information knowingly and with the intent to defraud is in violation of Section 1102 of the Pennsylvania

Services toll-free inside PA: 800.482.2383 PA Relay 7-1-1 ra-li-bwc-helpline@pa.gov 717.772.3702 local & outside PA: 717.772.4447 Auxiliary aids and services are available upon request to individuals with disabilities. LIBC-500 REV 09-22 Equal Opportunity Employer/Program

Claims Information Services

### PAYDAY NOTICE

Workers' Compensation Act, 77 P.S. §1039.2, and may also be subject to criminal and civil penalties under 18 Pa. C.S.A. §4117 (relating to insurance fraud).

**Regular Paydays for Employees of** 

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

#### WITHHOLDING STATUS

tax when you filed your last return, you may

YOU MAY NEED TO CHECK YOUR WITHHOLDING Since you last filed form W-4 with your Your itemized deductions My Tax Withholding?, or use the Withholding Calculator at www.irs.gov/individuals on the employer did you... Your tax credits? Marry or divorce? If you can answer "YES"... IRS web site. Gain or lose a dependent? To any of these questions or you owed extra **Employer:** Please post or publish this Bulletin

Were there major changes to... need to file a new form W-4. Your nonwage income (interest, dividends, See your employer for a copy of Form W-4 or call the IRS at 1-800-829-3676. Now is the capital gains, etc.)? time to check your withholding. For more spouse started or ended a job)? details, get Publication 919, How Do I Adjust

Change your name?

ion on Basis of Sex Prohibited Prohibits discrimination by any employer in any place of employment between employees on the basis of sex, by paying wages to any employee at a rate less than the rate paid to employees of the opposite sex for work under equal conditions on jobs which require equal skills. Provides that variation in payment of wages is not prohibited when based on a seniority, training or merit increase system that does not discriminate on the basis of sex.

**nistration** Empowers the Secretary of Labor & Industry to administer the provisions of the act, and to issue rules and regulations to make effective the provisions of the act. Collection of Unpaid Wages in Case of Discrimination Provides for the collection of unpaid wages due under the act and in addition, an equal amount of liquidated damages and reasonable attorney's fee and costs. Authorizes the Secretary of Labor & Industry and upon an employee's request, to take assignment of such a wage claim for ollection. Limits the period for such action to two years from the

**EQUAL PAY LAW** Must be Posted in a Conspicuous Place in Every Pennsylvania Business Governed by the Equal Pay Law Department of Labor & Industry ABSTRACT OF THE EQUAL PAY LAW Bureau of Labor date upon which the violation occurs. **Records Required** Requires employer to keep and maintain records of wages, wage rates, job classifications and other terms and conditions of employment of the persons employed, as the Secretary of Labor & Industry shall prescribe. Requires that employers post an abstract of the law.

alties Provides for a fine of not less than \$50 nor more than \$200, or imprisonment of not less than 30 days nor more than 60 days, for: (1) employer who wilfully and knowingly violates provisions of the act, or discharges or otherwise discriminates against an employee who makes a complaint, institutes, or testifies at, proceedings under the act; and (2) employer who fails to keep required records, falsifies such records, hinders, delays, or otherwise interferes with the Secretary or his authorized representative in the performance of his duties in the enforcement of the act. Each day a violation continues shall constitute a separate offense

Board Poster so that your employees will see it.

Please indicate where they can get forms and

information on this subject.

**WIRS** 

**More Information is Available Online** Additional information about the Equal Pay Law is available online at: www.state.pa.us, PA Keyword: labor & industry. Click on "Labor Law Compliance" under Quick Links. Auxiliary aids and services are available upon request to individuals with disabilities. Equal Opportunity Employer/Program

## PUBLIC ACCOMMODATION

COMMONWEALTH OF PENNSYLVANIA HUMAN RELATIONS COMMISSION PUBLIC ACCOMMODATION PROVISIONS PENNSYLVANIA HUMAN RELATIONS ACT Under this Act, a public accommodation is any accommodation which is open to, accepts or solicits the patronage of the general public,

including government services. It is unlawful for any owner, lessee, proprietor, manager, superintendent, agent, or employee of any public accommodation to discriminate against any person in the full use and enjoyment of such public accommodation, on the basis of race, color, religion, sex, ancestry, national origin, disability, known association with a person with a disability, use of a guide or support animal due to blindness, deafness or physical disability or because the user is a handler or trainer of such animals. This notice, which has been prepared and distributed by the Pennsylvania Human Relations Commission, must be posted by any owner, lessee, proprietor or manager of a public accommodation. Notices must be posted conspicuously in easily accessible and well-lighted places at the public accommodation, where they may be readily seen by those seeking or granting any of the accommodations, advantages, facilities or privileges of such public accommodation. Complaints must be filed within 180 days of the alleged act of discrimination. WARNING: Removing, defacing, covering up or destroying this notice is a violation of the Pennsylvania Crimes Code and may subject you to fine or imprisonment. For further information, write, phone or visit the Pennsylvania Human Relations Commission: Executive Offices: 333 Market Street. 8th Floor • Harrisburg, PA 17126-0333 (717) 787-4410 • (717) 787-7279 (TTY) • www.phrc.state.pa.us

To file a complaint contact the Regional Office nearest you: **Pittsburgh** 301 5th Ave., Suite 390, Piatt Place Pittsburgh, PA 15222 (412) 565-5395 (412)565-5711 (TTY)

R333 Market Street Harrisburg, PA 17126-0333 (717) 787-9780 (717) 787-7279 (TTY)

110 N. 8th Street Suite 501 Philadelphia, PA 19107 (215) 560-2496 (215) 560-3599 (TTY

interferes with someone exercising their rights,

or someone assisting or encouraging someone

discrimination (including accommodation) or

else to exercise rights, regarding disability

What can You Do if You Believe Discrimi

Contact the EEOC promptly if you suspect

are strict time limits for filing a charge of

discrimination. Do not delay, because there

discrimination (180 or 300 days, depending on

where you live/work). You can reach the EEOC in

**Submit** an inquiry through the EEOC's public portal:

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

1–844–234–5122 (ASL video phone)

pregnancy accommodation

any of the following ways:

E-Mail info@eeoc.gov

**Call** 1–800–669–4000 (toll free)

-800-669-6820 (TTY)

www.eeoc.gov/field-office)

Visit an EEOC field office (information at

## EEOC - KNOW YOUR RIGHTS: WORKPLACE DISCRIMINATION IS ILLEGAL

discrimination, or participating in a discrimination

lawsuit, investigation, or proceeding

What Employment Practices can be

All aspects of employment, including:

Pay (unequal wages or compensation)

Discharge, firing, or lay-off

physical conduct)

Hiring or promotion

Interference, coercion, or threats related

to exercising rights regarding disability

discrimination or pregnancy accommodation

Harassment (including unwelcome verbal or

Failure to provide reasonable accommodation

for a disability; pregnancy, childbirth, or related

medical condition; or a sincerely-held religious

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. Retaliation for filing a charge, reasonably opposing Conduct that coerces, intimidates, threatens, or

Know Your Rights: Workplace Discrimination is Illegal

 Union members and applicants for membership in a union Most private employers State and local governments (as employers) Educational institutions (as employers) Staffing agencies

Employees (current and former), including

managers and temporary employees

Job applicants

Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of:

 National origin • Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation,

or gender identity) Age (40 and older Genetic information (including employer requests for, or purchase, use, or disclosure

 Referral of employees of genetic tests, genetic services, or family

belief, observance or practice Job training Classification • Obtaining or disclosing genetic information Requesting or disclosing medical information

Additional information about the EEOC, including information about filing a Conduct that might reasonably discourage someone from opposing discrimination, filing a charge of discrimination, is charge, or participating in an investigation available at www.eeoc.gov. or proceeding

## **EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS**

f you are applying for a job with, or are an employee of, a company with a Féderal contract or subcontract, you are protected under Federal law from discrimination on the following bases: , Color, Religion, Sex, Sexual Orientation, Gender Identity, Nationa Origin Executive Order 11246, as amended, prohibits employment of discrimination, participates in an OFCCP proceeding, or otherwise opposes 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 nended, 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. ility Section 503 of the Rehabilitation Act of 1973, as amended protects qualified individuals with disabilities from discrimination n hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or

employment discrimination on the basis of sex in educational programs or providing such assistance.

advance in employment qualified individuals with disabilities at all levels

of employment, including the executive level.

activities which receive Federal financial assistance

The Department of Labor's Office of Federal Contract Compliance Protected Veteran Status The Vietnam Era Veterans' Readjustment Assistance Programs (OFCCP) enforces the nondiscrimination and affirmative action. Act of 1974 as amended, 38 U.S.C. 4212, prohibits employment discrimination mmitments of companies doing business with the Federal Government. 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. n Retaliation is prohibited against a person who files a complaint 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

Washington, D.C. 20210 1-800-397-6251 (toll-free) f you are deaf, hard of hearing, or have a speech disability, please dial -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, employee, barring undue hardship to the employer. Section 503 also Department of Labor and on OFCCP's "Contact Us" webpage at requires that Federal contractors take affirmative action to employ and

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE Race, Color, National Origin, Sex In addition to the protections of Title VII Individuals with Disabilities Section 504 of the Rehabilitation Act of 1973, of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act as amended, prohibits employment discrimination on the basis of disability of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons ployment discrimination is covered by Title VI if the primary objective of with disabilities who, with or without reasonable accommodation, can the financial assistance is provision of employment, or where employment perform the essential functions of the job. If you believe you have been

https://www.dol.gov/agencies/ofccp/contact

## FEDERAL MINIMUM WAGE

discrimination causes or may cause discrimination in providing services discriminated against in a program of any institution which receives Federal

under such programs. Title IX of the Education Amendments of 1972 prohibits financial assistance, you should immediately contact the Federal agency

**EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT** FEDERAL MINIMUM WAGE \$7.25 PER HOUR BEGINNING JULY 24, 2009

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 nonfarm 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. FIP 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

The law requires employers to display this poster where employees

hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference. PUMP AT WORK The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for their nursing child for one year after the child's birth each time the employee needs to express 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

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. 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

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

(Revised 6/27/2023)

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. breast milk. Employers must provide a place, other than a bathroom, that is • 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.



#### FMLA - FAMILY AND MEDICAL LEAVE ACT

#### **Your Employee Rights Under the Family and Medical Leave Act**

What is FMI A leave? The Family and Medical Leave Act (FMI A) is a federal law that provides eligible employees with job-protected leave for qualifying family and medical easons. 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: he birth, adoption or foster placement of a child with you, Your serious mental or physical health condition that makes you unable to work, To care for your spouse, child or parent with a serious mental or physical health Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember. n eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness <u>may</u> take up to 26 workweeks of FMLA leave in a single 12-month period to care for the servicemember. You have the right to use FMLA leave in one block of time. When it is medically necessary or otherwise permitted, you may take FMLA leave **intermittently in separate blocks of time, or on a reduced schedule** by working less hours each day or week. Read Fact Sheet #28M(c) for more information FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave. Am I eligible to take FMLA leave? You are an eligible employee if all of the following

You work for a covered employer, You have worked for your employer at least 12 months, You have at least 1,250 hours of service for your employer during the 12 months before your leave, and Your employer has at least 50 employees within 75 miles of your work location.
 Airline flight crew employees have different "hours of service" requirements. You work for a **covered employer** if **one** of the following applies: You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,

ou work for an elementary or public or private secondary school, or You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of w do I request FMLA leave? Generally, to request FMLA leave you must: Follow your employer's normal policies for requesting leave,

Give notice at least 30 days before your need for FMLA leave, or f advance notice is not possible, give notice as soon as possible

You **do <u>not</u> 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

leave and may request certification of a qualifying exigency. The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides 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 sional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress.

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

approved for the same reason when requesting additional leave.

Your **employer may request certification** from a health care provider to verify medical

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 **employer** <u>cannot</u> 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** <u>must</u> **confirm whether you are eligible** or not eligible for FMLA

leave. If your employer determines that you are eligible, your employer must notify you in writing:About your FMLA rights and responsibilities, and How much of your requested leave, if any, will be FMLA-protected leave.

Where can I find more info Call **1-866-487-9243** or visit **dol.gov/fmla** to learn more. If you believe your rights under the FMLA have been violated, you may

file a complaint with WHD or file a private

lawsuit against your employer in court.

Scan the QR code to learn about

our WHD complaint process.





Scan with your

mobile phone

### PENNSYLVANIA WORKER AND COMMUNITY RIGHT TO KNOW ACT

#### **EMPLOYEE WORKPLACE NOTICE | PUBLIC SECTOR**

Pennsylvania Worker and Community Right To Know Act The Pennsylvania Worker and Community Right to Know Act requires that information about hazardous substances in the workplace and in the environment is available to public sector employees and employees of private sector workplaces not covered by the Federal Occupational Safety and Health Administration (OSHA) Hazard Communication Standard and to all persons living or working in the state. Employee rights listed below are further defined in the Worker and Community Right to Know Act (P.L. 734, No. 159) and Regulations. For additional information, contact the Department of Labor & Industry, Bureau of Workers' Compensation, Health & Safety Division, 651 Boas Street Harrisburg, PA 17121, or by phone (717) 772-1635, or by email at RA-LI-BWC-SAFETY@pa.gov.

OSHA Hazard Communication Standard must provide an annual education and program may be presented either in written form or in training sessions. sector employers and private sector employers not covered by OSHA must post the HSSF prominently in the workplace and must provide a copy to any employee upon request. in a specific work area in the workplace. Public sector employers and private sector employers not covered by the OSHA Hazard Communication Standard must update a OSHA (under 29 CFR 1910.1200) or by the Mine Safety Health Administration (under Work Area List at least annually, must provide a copy to any employee of the work area 30 CFR 70.210 and 71.210). upon request, and must offer a copy to any employee newly assigned to that work area. Non-discrimination: If a public sector employee or an employee of a private Safety Data Sheet: The Safety Data Sheet (SDS) provides detailed information about sector workplace not covered by the OSHA Hazard Communication Standard believes the work area where the hazardous substance it describes is used. SDSs must be Community Right to Know Act, that employee has 180 days from the date of the or supervisors, and any employee may obtain and examine an SDS for any hazardous

EMPLOYER NAME

PA UC ACCOUNT NUMBER

reopen an existing claim during the first week in

which you are unemployed or that your hours

are reduced. You may risk losing some benefit

**ADDRESS** 

unemployed.

Employee Workplace Notice: Public sector employers (including state and local work with the substance. government agencies and public schools and public universities) and private sector Environmental Hazard Survey Form: The Environmental Hazard Survey Form (EHSF) employers not covered by the OSHA Hazard Communication Standard must post this provides information about any environmental hazards emitted, discharged or disposed notice informing employees of their rights under the law. This notice must be posted of from the workplace. All employers are required to complete an EHSF when and if prominently in the workplace at a location where employee notices are normally posted. requested to do so by the Department of Labor & Industry. If an EHSF has been completed Training: Public sector employers and private sector employers not covered by the by a public sector employer or a private sector employer not covered by the OSHA Hazard Communication Standard, a copy must be provided to any employee upon request. training program to employees exposed to hazardous substances. The training Labeling: All containers and ports of pipelines of hazardous and non-hazardous substances in public sector workplaces and private sector workplaces not covered by Hazardous Substance Survey Form: The Hazardous Substance Survey Form (HSSF) the OSHA Hazard Communication Standard must be properly labeled. Employers provides an inventory of the hazardous substances found in the workplace during the must ensure that each label, sign, placard or other operating instruction is prominently prior calendar year. All employers must complete a workplace HSSF annually. Public affixed and displayed on the container or port of a pipeline system so that employees can easily identify the contents. **Health and Exposure Records:** Public sector employers and private sector employers Work Area List: The Work Area List names the hazardous substances used or produced not covered by the OSHA Hazard Communication Standard must maintain and allow employee access to records of employee chemical exposure to the extent required by

a hazardous substance. In public sector workplaces and private sector workplaces not that he or she has been discharged, disciplined or discriminated against by an covered by the OSHA Hazard Communication Standard, an SDS must be accessible in employer for exercising his or her rights granted under the Pennsylvania Worker and readily available to employees without the intervention or permission of management alleged violation to file a written complaint with the Department of Labor & Industry, Bureau of Workers' Compensation substance in the workplace. If an employee's request to obtain a copy of an SDS is made to the employer in writing and, after five working days from the date the request Auxiliary aids and services are available upon request to individuals with disabilities. s made, the employer fails to furnish the employee with an SDS in the employer's Equal Opportunity Employer/Program

possession or fails to provide the employee with proof of the employer's effort to 🛮 pennsylvania obtain the requested SDS from the manufacturer, importer, supplier or distributor and EPARTMENT OF LABOR & INDUSTRY LIBC-262 REV 05-24 rom the Department of Labor & Industry, the requesting employee may refuse to

### UNEMPLOYMENT COMPENSATION

pennsylvania PENNSYLVANIA UNEMPLOYMENT COMPENSATION Under the provisions of the Pennsylvania Unemployment Compensation (UC) Law, I am registered with the Pennsylvania Department of Labor & Industry as:

If you become UNEMPLOYED or your HOURS ARE REDUCED due to LACK OF WORK, the company, department, agency, commission, or bureau where you worked may provide you with a completed Form UC-1609, How to Apply for Unemployment Compensation (UC) Benefits.

Name, address, and account number of employer(s) from Form UC-1609

**IMPORTANT** Your UC application will be dated effective the **NOTE:** To file an application for UC benefits, you will need to provide your: week in which you actually file the application · Social Security Number for benefits. You should file a new claim or Alien registration number (if not a U.S. citizen)

Complete mailing and home address

The UC Law can provide you with an income during periods when you are either partially or totally unemployed through no fault of your own.

eligibility if you file after the first week you are • Dates of employment and reasons for leaving · Most recent pay stub (optional but helpful) • Personal Identification Number (PIN) (if you have one from a prior claim) ou may file your new application, reopen an existing claim or get information about the UC Program online at www.uc.pa.gov, or by calling the UC Service Center at

388-313-7284. TTY: (Hearing Impaired) at 888-334-4046 When claiming UC benefits, you must report gross wages that you earned during any week for which you are claiming UC benefits. Computer crossmatching is used to detect the illegal receipt of UC payments resulting from unreported work and earnings, as well as unreported pensions. REMEMBER: Whenever you have questions or any problem regarding your UC claim, contact your UC Service Center. Do not take outside advice. Outside advice may

A person who knowingly makes a false statement or knowingly withholds information to obtain UC benefits commits a criminal offense under section 801 of the UC Law, 43 P.S. §871, and may be subject to a fine, imprisonment, restitution and loss of future benefits. Auxiliary aids and services are available upon request to individuals with disabilities. Equal Opportunity Employer/Program

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

## USERRA - 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.

THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

be incorrect and could adversely affect your eligibility to receive UC benefits.

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 employe 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

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 f you: • are a past or present member of the uniformed service; • have applied for

then an employer may not deny you: • initial employment; • reemployment; • retention in employment; • promotion; or • any benefit of employment, because of this status. In addition, an employer may not retaliate against anyone assisting in the enforcement • You may also bypass the VETS process and bring a civil action against an employer for of USERRA rights, including testifying or making a statement in connection with a violations of USERRA.

• 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. membership in the uniformed service; or • are obligated to serve in the uniformed service; • If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation.

exclusions) except for service-connected illnesses or injuries.

authorized to investigate and resolve complaints of USERRA violations.

to 24 months while in the military.

Office of Special Counsel

your existing employer-based health plan coverage for you and your dependents for up

• Even if you don't elect to continue coverage during your military service, you have

the right to be reinstated in your employer's health plan when you are reemployed

generally without any waiting periods or exclusions (e.g., pre-existing condition

•The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is

proceeding under USERRA, even if that person has no service connection. 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. Employer Support Of The Guard And Reserve 1-800-336-4590

## OSHA - THE OCCUPATIONAL SAFETY AND HEALTH ACT

U.S. Department of Justice



service in the uniformed service and:

than honorable conditions.

# **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

See any OSHA citations issued to your employer.

Request copies of your medical records,

workplace, and the workplace injury and

This poster is available free from OSHA.

tests that measure hazards in the

illness log.

Contact OSHA. We can help.

## **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.

workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.

understand. Prominently display this poster in the

Provide required training to all workers

 Post OSHA citations at or near the place of the alleged violations.

to small and medium-sized employers, without citation or penalty, through OSHAsupported consultation programs in every state.

On-Site Consultation services are available



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

PA-0724-F04

Notify OSHA within 8 hours of a

in a language and vocabulary they can workplace.

