



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



#### Know Your Rights: Workplace Discrimination is Illegal

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

**Who is Protected?**  
• Employees (current and former), including State and local governments 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 testing for or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)  
• Retaliation for filing a charge, reasonably opposing discrimination, or participating

in a discrimination lawsuit, investigation, or proceeding  
• Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation

**What Employment Practices can be Challenged as Discriminatory?**  
All aspects of employment, including:  
• Discharge, firing, or lay-off  
• Harassment (including unwelcome verbal or physical conduct)  
• Hiring or promotion  
• Assignment  
• Pay (unequal wages or compensation)  
• Failure to provide reasonable accommodation for a disability: pregnancy, childbirth, or related medical condition; or a sincerely held religious belief, observance or practice  
• Benefits  
• Job training  
• Classification  
• Referral  
• Obtaining or disclosing genetic information of employees  
• Requesting or disclosing medical information of employees  
• Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or proceeding

• Conduct that coerces, intimidates, threatens, or interferes with someone exercising their rights, or someone assisting or encouraging someone else to exercise rights, regarding disability discrimination (including accommodation) or pregnancy accommodation

**What can You Do if You Believe Discrimination has Occurred?** Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:  
**Submit** an inquiry through the EEOC's public portal: <https://publicportal.eeoc.gov/Portal/Login.aspx>  
**Call** 1-800-669-4000 (toll free) 1-800-669-6820 (TTY) 1-844-234-5122 (ASL video phone)  
**Visit** an EEOC field office (information at [www.eeoc.gov/field-office](http://www.eeoc.gov/field-office))  
**E-Mail** [info@eeoc.gov](mailto:info@eeoc.gov)  
Additional information about the EEOC, including information about filing a charge of discrimination, is available at [www.eeoc.gov](http://www.eeoc.gov).



#### EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

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

**Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin** Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

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

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

**Protected Veteran Status** The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.

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

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

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

#### PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

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

**Individuals with Disabilities** Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job. If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

(Revised 6/27/2023)

#### REEMPLOYMENT ASSISTANCE

### Notice to Employees: Availability of Unemployment Compensation

Employees in this establishment are covered under the South Dakota Reemployment Assistance (RA) law. Benefits are available to workers who become unemployed or whose working hours are reduced to less than full time, if they are:

- Able to work,
- Available for full-time work, and
- Meet certain eligibility requirements.

Employees who voluntarily quit without good cause, are discharged or suspended for misconduct, or refuse to accept suitable work may be denied benefits.

You may file an RA claim in the first week employment ends or hours are reduced.

Employees working less than full time or who become totally unemployed, if available for work, should register for work at one of the Job Service offices listed below. View an office directory at [www.sdjobs.org](http://www.sdjobs.org).

- Aberdeen • Lake Andes • Pierre • Spearfish • Winner
- Brookings • Madison • Rapid City • Vermillion • Yankton
- Huron • Mitchell • Sioux Falls • Watertown (Sisseton)

If you have questions about the status of your RA claim, you can call the Customer Service Center at 605.626.2452, email [DLRRADivision@state.sd.us](mailto:DLRRADivision@state.sd.us), or log in to your account.

PLEASE POST THIS NOTICE IN A VISIBLE PLACE.



Reemployment Assistance Division  
420 S. Roosevelt St | PO Box 4730  
Aberdeen, SD 57402-4730

REV 10/2022

#### WORKPLACE SAFETY PHONE NUMBERS

### WORKPLACE SAFETY!

It is our company policy to ensure the safety of our employees!

If you have a safety-related issue, please contact:

Name: \_\_\_\_\_  
Job Title: \_\_\_\_\_  
Department: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

#### FEDERAL MINIMUM WAGE

### EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

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

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

**OVERTIME PAY** At least 1 1/2 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.

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

#### ADDITIONAL INFORMATION

- Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions.
- Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.
- Some state laws provide greater employee protections; employers must comply with both.
- Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not.
- Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.



WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR  
1-866-487-9243  
[www.dol.gov/agencies/whd](http://www.dol.gov/agencies/whd)

#### 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 pre-employment screening or during the course of employment.

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

**EXEMPTIONS** Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities. The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers. The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer. The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.

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

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

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



WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR  
1-866-487-9243  
[www.dol.gov/agencies/whd](http://www.dol.gov/agencies/whd)



WH1462 REV 02/22

#### PAYDAY NOTICE

### Regular Paydays for Employees of

(Company Name)

Shall be as follows:

- Weekly  Bi-Weekly  Monthly  Other

By: \_\_\_\_\_

Title: \_\_\_\_\_

#### WITHHOLDING STATUS

### YOU MAY NEED TO CHECK YOUR WITHHOLDING

Since you last filed form W-4 with your employer did you...

- Marry or divorce?
- Gain or lose a dependent?
- Change your 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 job)?
- 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 last return, you may need to file a new form W-4.

See your employer for a copy of Form W-4 or call the IRS at 1-800-829-3676. Now is the time to check your withholding.

For more details, get Publication 919, How Do I Adjust My Tax Withholding?, or use the Withholding Calculator at [www.irs.gov/individuals](http://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**  
Department of the Treasury  
Internal Revenue Service [www.irs.gov](http://www.irs.gov)  
Publication 213  
(Rev. 8-2009)  
Cat. No. 11047P

#### 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

### CHILD LABOR LAWS

**How Do Child Labor Laws Affect Teenagers?**

Most teenagers would probably yell and scream if anyone called them a child, but when it comes to employment, that's how the law views anyone under 18.

The laws aren't there to prevent young people from getting a job; in fact the laws recognize that many young people want to work. The main reason for child labor laws is to protect young people from hazardous jobs, and to make sure employers aren't asking them to work long hours, especially during the school year. Child labor laws are broken down into three age groups: \*16 and 17-year-olds \*14 and 15-year-olds \*Under 14

#### 16 and 17 Year Olds

The only job restrictions for 16 and 17-year-olds are hazardous occupations. Jobs in this category include:  
Working with explosives and radioactive materials.  
Mining of any kind.  
Logging and saw milling.  
Manufacturing brick, tile or similar products.  
Excavation, wrecking, demolition and salvage work.  
Operating power-driven bakery machines, including dough mixers used in pizza restaurants.  
Operating power-driven woodworking machines, including circular band saws and table saws.  
Operating power-driven metal forming, punching or shearing machines.  
Operating power-driven paper product machines, including paper balers.  
Operating or riding on power-driven hoisting apparatus, including non-automatic elevators, fork lifts and cranes, and work that involves riding on a manlift or unattended freight elevator.  
All jobs in roofing operations, except work on gutters and downspouts, or installing air conditioners or ventilation equipment.

Most jobs involved in slaughtering and meatpacking, and all jobs involved with operating meat slicing or processing machines. Driving and/or delivery work (as of October 31, 1998, 16-year-olds are no longer permitted to perform on-the-job driving. The minimum age to drive on public roadways as part of employment is now 17. Seventeen-year-olds are not prevented from occasionally using a vehicle to run an errand for an employer. They may do so only during daylight hours, they must have completed a driver's education course, and they must wear seat belts). Exceptions are provided in some of the hazardous occupations for apprentices and students in vocational education programs.

#### 14 and 15 Year-Olds

Youth in this age group may work in various jobs outside school hours, but the types of jobs open to them are more restricted than 16 and 17-year-olds. Workers under 16 cannot use ladders or scaffolds, or work from windows sills washing outside windows. They cannot work in freezers or meat coolers or in meat preparation, except packaging it away from the prohibited areas. They may not operate most power-driven machinery. They may not load or unload goods from trucks, railroad cars or conveyors. They also may not work in warehouses or on construction sites.

The following types of employment are generally open to 14 and 15-year-olds:  
They can perform office and clerical work.  
They can cashier, sell, model, produce artwork and work in advertising departments.  
They can bag and carry out customer orders.  
They can price, mark and tag merchandise, as well as assemble, pack and shelve.  
They can perform grounds maintenance and clean-up work, including the use of a vacuum cleaner or floor waxer, but not a power driven mower or cutter.  
They can wait on tables and work in kitchens including the use of dishwashers, toasters, popcorn poppers and blenders. They can also prepare salads and other food, but only at lunch counters or diners where the work can be seen from the counter.  
They can work at service stations pumping gasoline or oil, washing or vacuuming cars and providing other courtesy services.  
They can perform errand and delivery work by foot, bicycle or using public transportation.

#### Under Age 14

Fourteen is the minimum age for employment outside of school hours, but there are some jobs open to those in the under 14 age group. They may work for their parents as long as it's not one of the hazardous occupations described in this article. They may also perform "independent contractor" services such as newspaper delivery, household cleaning, babysitting, snow shoveling or yard work. Exempt work also includes performing in theatrical, motion picture or broadcast productions.

#### Limitations on Hours Worked

The law limits the number of hours that children under 16 are allowed to work. They may not work during school hours except as part of a Work Experience or Career Exploration program. They may not work before 7:00 a.m. or after 7:00 p.m., except during the summer months when the evening hour is extended to 9:00 p.m. They may not work more than three hours a day on a school day and no more than 18 hours a week during a school week. They may not work more than eight hours a day on non-school days or more than 40 hours a week in non-school weeks.

#### Agricultural Employment is Different

A different set of laws applies to work performed on farms and ranches. Generally speaking, there are no restrictions on agricultural employment for anyone 16 or older. Fourteen and 15-year-olds can work on a farm or ranch outside of school hours, as long as the job doesn't involve any hazardous work. Jobs considered hazardous would involve:  
Operating a tractor of over 20 PTO horsepower.  
Operating any harvesting or hay cutting equipment or feed grinders.  
Working around bulls, boars, stud horses, sows with suckling pigs or cows with newborn calves.  
Working inside grain storage bins, silos within two weeks after silage has been added, or in manure pits. Applying a chemicals or anhydrous ammonia, or handling or using a blasting agent.  
There are a couple exceptions to these laws. The prohibition does not apply to youths employed on farms owned or operated by their parents. In addition, a 14 or 15-year-old may perform some hazardous farm work if they are enrolled in a vocational agricultural program, if there is a written training agreement with the employer and the student is closely supervised. They may also operate machinery if they have completed a 4-H or other approved tractor or machine operation program. There are some other exceptions to the agricultural employment laws. Youths 12 and 13 years old may work outside school hours on a farm with their parent's consent. In addition, local youth 10 and 11 years old may work outside school hours to hand harvest crops such as fruits and vegetables.  
Youths of any age may work at any time in any job on a farm owned or operated by their parents.

#### Minimum Wage for Children

The federal minimum wage is \$5.85 per hour effective July 24, 2007, \$6.55 per hour effective July 24, 2008, \$7.25 per hour effective July 24, 2009.

#### Summary

There are many regulations affecting the employment of children, and there are also a number of exceptions. Anyone who has a question about whether a particular job can be performed by someone under 18 should contact the South Dakota Division of Labor and Management at (605) 773-3682.

#### 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 law that provides eligible employees with job-protected leave for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees. Eligible employees can take up to 12 workweeks of FMLA leave in a 12-month period for:

- The birth, adoption or foster placement of a child with you,
- Your serious mental or physical health condition that makes you unable to work,
- To care for your spouse, child or parent with a serious mental or physical health condition, and
- Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness may take up to 26 workweeks of FMLA leave in a single 12-month period to care for the servicemember.

You have the right to use FMLA leave in one block of time. When it is medically necessary or otherwise permitted, you may take FMLA leave intermittently in separate blocks of time, or on a reduced schedule by working less hours each day or week. Read Fact Sheet #28M(f) for more information.

FMLA leave is not paid leave, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave.

**Am I eligible to take FMLA leave?** You are an eligible employee if all of the following apply:  
• You work for a covered employer,  
• You have worked for your employer for at least 12 months,  
• You have at least 1,250 hours of service for your employer during the 12 months before your leave, and  
• Your employer has at least 50 employees within 75 miles of your work location.

Airline flight crew employees have different "hours of service" requirements.  
You work for a covered employer if one of the following applies:  
• You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,  
• You work for an elementary or public or private secondary school, or  
• You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management.

**How do I request FMLA leave?** Generally, to request FMLA leave you must:  
• Follow your employer's normal policies for requesting leave,  
• Give notice at least 30 days before your need for FMLA leave, or  
• If advance notice is not possible, give notice as soon as possible.

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

**Your employer may request certification** from a health care provider to verify medical leave and may request certification of a qualifying exigency.

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

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

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

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

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

- About your FMLA rights and responsibilities, and
- How much of your requested leave, if any, will be FMLA-protected leave.

**Where can I find more information?**  
Call 1-866-487-9243 or visit [dol.gov/fmla](http://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.



WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR  
WH1462 REV 04/23



#### SAFETY POSTER

# TEAM WORK MAKES THE DREAM WORK BE PART OF THE SAFETY TEAM

#### 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 perform service in the uniformed service and:  
• you ensure that your employer receives advance written or verbal notice of your service;  
• you have five years or less of cumulative service in the uniformed services while with that particular employer;  
• you return to work or apply for reemployment in a timely manner after conclusion of service; and  
• you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to