

# **MICHIGAN & FEDERAL LABOR LAW POSTER**

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# LaborLawCenter.com -800-745-9970 • Product ID: MI50 Compliance Code: MI-1224-F04 • Check Compliance By Scanning Here •

# WHISTLEBLOWER PROTECTION ACT

# ATTENTION EMPLOYEES

The Michigan Whistleblowers' Protection Act (469 P.A. 1980) creates certain protections and obligations for employees and employers under Michigan law.

PROTECTIONS: It is illegal for employers in Michigan to discharge, threaten or otherwise inquiry, or court action. The Act does not protect you from disciplinary action if you discriminate against you regarding your compensation, terms, conditions, location or make a report to a public body that you know is false. privileges of employment because you or a person acting on your behalf reports or is **ENFORCEMENT:** If you believe that your employer has violated this Act you may bring about to report a violation or a suspected violation of federal, state or local laws, rules or civil action in circuit court within 90 days of the alleged violation of the Act regulations to a public body. It is illegal for employers in Michigan to discharge, threaten **PENALTIES:** Persons found in violation of this Act may be subject to a civil fine of up to or otherwise discriminate against you regarding your compensation, terms, conditions, \$500.00. If your employer has violated this Act the court can order your reinstatement, location or privileges of employment because you take part in a public hearing, the payment of back wages, full reinstatement of fringe benefits and seniority rights, investigation, inquiry or court action. actual damages, or any combination of these remedies. The court may also award all or

**OBLIGATIONS:** The Act does not diminish or impair either your rights or the rights of a portion of the costs of litigation, including reasonable attorney fees and witness fees your employer under any collective bargaining agreement. The Act does not require to the complainant if the court believes such an award is appropriate. your employer to compensate you for your participation in a public hearing, investigation

This poster is provided as a courtesy of the Michigan Occupational Safety and Health Administration (MIOSHA). MIOSHA does not enforce the Michigan Whistleblowers'

Protection Act (469 P.A.1980)

Visit our website at www.michigan.gov/miosha for additional information

# MICHIGAN MINIMUM WAGE

**GRETCHEN WHITMEI** GOVERNOR

Michigan Department of Labor and Economic Opportunity PO Box 30476. Lansing, MI 48909-7976 **GENERAL REQUIREMENTS - MINIMUM WAGE and OVERTIME** 

MICHIGAN DEPARTMENT OF LABOR & ECONOMIC OPPORTUNITY

SUSAN CORBIN

DIRECTOR

### Coverage

Wage and Hour Division

**REQUIRED POSTER** 

The Improved Workforce Opportunity Wage Act (IWOWA), Public Act 337 of 2018, as amended, covers employers who employ 2 or more employees 16 years of age and older.

### Minimum Hourly Wage Rate

Effective Date	Minimum Hourly Wage Rate	Tipped Employee		85%** Rate
		Minimum Hourly Rate	Reported Average Hourly Tips	
February 21, 2025	\$12.48	\$5.99	\$6.49	\$10.61
February 21, 2026	\$13.29	\$7.97	\$5.32	\$11.30
February 21, 2027	\$14.16	\$9.91	\$4.25	\$12.04
February 21, 2028	\$14.97	\$11.98	\$2.99	\$12.72

The minimum hourly wage rate of an employee eligible to be considered tipped employee shall be 48% of the minimum hourly wage rate effective February 21, 2025; beginning February 21, 2026, it shall be 60% of the minimum hourly wage rate; beginning February 21,2027, it shall be 70% of the minimum hourly wage rate; beginning February 21, 2028, it shall be 80% of the minimum hourly wage rate; beginning February 21, 2029, it shall be 90% of the minimum hourly wage rate; and beginning February 21, 2030 and thereafter, it shall be 100% of the minimum hourly wage rate.

### 85% Rate - Minors under the age of 18 may be paid 85% of the minimum hourly wage rate.

Training Wage - A training wage of \$4.25 per hour may be paid to employees under 20 years of age for the first 90 calendar days of employment.

Overtime - Employees covered by the IWOWA must be paid 1-1/2 times their regular rate of pay for hours worked over 40 in a workweek. The following are exempt from overtime requirements: employees exempt from the minimum wage provisions of the Fair Labor Standards Act of 1938, 29 USC 201 to 219 (except certain domestic service employees), professional, administrative, or executive employees; elected officials and political appointees; employees of amusement and recreational establishments operating less than 7 months of the year; agricultural employees, and any employee not subject to the minimum wage provisions of the act. Public sector and certain private sector employers not covered by the FLSA may be able to use compensatory time in lieu of overtime under specific provision. Public sector and certain private sector employers not covered by the FLSA may be able to use compensatory time in lieu of overtime under specific provision.

Equal Pay - An employer shall not discriminate on the basis of sex by paying employees a rate which is less than the rate paid to employees of the opposite sex for equal work on jobs requiring equal skill, effort, and responsibility performed under similar working conditions - except where payment is pursuant to a seniority system, merit system or system measuring earnings on the basis of quantity or quality of production or a differential other than sex.

Enforcement - An employee may either file civil action for recovery of unpaid minimum wages or overtime, or they may file a complaint with the Department of Labor and Economic Opportunity. The department may investigate a complaint and file civil action to collect unpaid wages or overtime due the employee and all employees of an establishment. Recovery under this act can include unpaid minimum wages and/or overtime, plus an equal additional amount as liquidated damages, costs, and reasonable attorney fees. A civil fine of \$1,000 can be assessed to an employer who does not pay minimum wage and/or overtime.

# EMPLOYEE POLYGRAPH PROTECTION ACT

# EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits most private bargaining agreement which is more restrictive with respect to lie detector employers from using lie detector tests either for pre-employment tests. screening or during the course of employment. **EXAMINEE RIGHTS** Where polygraph tests are permitted, they are subject

**PROHIBITIONS** Employers are generally prohibited from requiring or to numerous strict standards concerning the conduct and length of the test. requesting any employee or job applicant to take a lie detector test, and Examinees have a number of specific rights, including the right to a written from discharging, disciplining, or discriminating against an employee or notice before testing, the right to refuse or discontinue a test, and the right prospective employee for refusing to take a test or for exercising other rights not to have test results disclosed to unauthorized persons. under the Act. **ENFORCEMENT** The Secretary of Labor may bring court actions to restrain

**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



applicants may also bring their own court actions.

violations and assess civil penalties against violators. Employees or job

# **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 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**

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 employment, because of this status.

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

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.



WORKERS' COMPENSATION

# 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 managers and temporary employees Job applicants Union members and applicants for membership in a union Vhat 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

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) Disabilit Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)

 Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation What Employment Practices can be Challenged as

Discriminatory? All aspects of employment, including: • Discharge, firing, or lay-off Harassment (including unwelcome verbal or physical conduct) Hiring or promotion

disability; pregnancy, childbirth, or related medical

condition; or a sincerely-held religious belief,

Obtaining or disclosing genetic information

Assignment

 Benefits Job training

Referral

Classification

observance or practice

You can reach the EEOC in any of the following ways: **Submit** an inquiry through the EEOC's public portal: Pay (unequal wages or compensation) https://publicportal.eeoc.gov/Portal/Login.aspx Failure to provide reasonable accommodation for a

> 1-800-669-4000 (toll free) Call –800–669–6820 (TTY) 1-844-234-5122 (ASL video phone)

Conduct that coerces, intimidates, threatens, or

interferes with someone exercising their rights

or someone assisting or encouraging someone

discrimination (including accommodation) or

What can You Do if You Believe Discrimination has

discrimination. Do not delay, because there are strict

(180 or 300 days, depending on where you live/work)

else to exercise rights, regarding disability

Contact the EEOC promptly if you suspect

time limits for filing a charge of discrimination

pregnancy accommodation

Occurred?

Visit an EEOC field office (information at www.eeoc.gov/field-office)

E-Mail info@eeoc.gov

of employees Additional information about the Reguesting 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

EEOC, including information about filing a charge of discrimination, is available at www.eeoc.gov.

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

The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) **Protected Veteran Status** The Vietnam Era Veterans' Readjustment Assistance Act enforces the nondiscrimination and affirmative action commitments of companies of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, doing business with the Federal Gove ant If you are applying for a job with or are an employee of, a company wi protected under Federal law from disc Race, Color, Religion, Sex, Sexual Ori

Executive Order 11246, as amended Federal contractors based on race, co identity, or national origin, and requ opportunity in all aspects of employm

sking About, Disclosing, or Discuss 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.

isability Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, ringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not making reasonable all levels of employment, including the executive level.

accommodation to the known physical or mental limitations of an otherwise qualified access telecommunications relay services. OFCCP may also be contacted by ndividual with a disability who is an applicant or employee, barring undue hardship submitting a question online to OFCCP's Help Desk at https://ofccphelpdesk.dol. o the employer. Section 503 also requires that Federal contractors take affirmative gov/s/, or by calling an OFCCP regional or district office, listed in most telephone action to employ and advance in employment qualified individuals with disabilities at directories under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at <u>https://www.dol.gov/agencies/ofccp/contact</u>.

### **PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE**

ace, Color, National Origin, Sex In addition to the protections of Title VII of the Civil Individuals with Disabilities Section 504 of the Rehabilitation Act of 1973, as Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, amended, prohibits employment discrimination on the basis of disability in any prohibits discrimination on the basis of race, color or national origin in programs program or activity which receives Federal financial assistance. Discrimination or activities receiving Federal financial assistance. Employment discrimination is is prohibited in all aspects of employment against persons with disabilities who, covered by Title VI if the primary objective of the financial assistance is provision with or without reasonable accommodation, can perform the essential functions f employment, or where employment discrimination causes or may cause of the job. If you believe you have been discriminated against in a program of any discrimination in providing services under such programs. Title IX of the Education institution which receives Federal financial assistance, you should immediately Amendments of 1972 prohibits employment discrimination on the basis of sex in 🛛 contact the Federal agency providing such assistance.

(Revised 6/27/2023)

	EARNED SICK TIME ACT	
Ĩ	Michigan Department of Labor and Economic Opportunity Wage and Hour Division PO Box 30476, Lansing, MI 48909-7976	MICHIGAN DEPARTH LABOR & ECC OPPORTUNIT
ICHEN WHITMER	REQUIRED POSTER   GENERAL REQUIREMENTS – EARNED SICK TIME ACT*	SUSAN CORBI

Your employer's 'year' for the purposes of the Earned Sick Time Act is:

ernment. If you are applying for a job with,	and requires affirmative action to recruit, employ, and advance in employment,
th a Federal contract or subcontract, you are	disabled veterans, recently separated veterans (i.e., within three years of discharge
rimination on the following bases:	or release from active duty), active duty wartime or campaign badge veterans, or
ientation, Gender Identity, National Origin	Armed Forces service medal veterans.
d, prohibits employment discrimination by	Retaliation Retaliation is prohibited against a person who files a complaint
olor, religion, sex, sexual orientation, gender	of discrimination, participates in an OFCCP proceeding, or otherwise opposes
ires affirmative action to ensure equality of	discrimination by Federal contractors under these Federal laws. Any person who
nent.	believes a contractor has violated its nondiscrimination or affirmative action
sing Pay Executive Order 11246 as amended	obligations under OECCP's authorities should contact immediately

is prohibited against a person who files a complaint ipates in an OFCCP proceeding, or otherwise opposes al contractors under these Federal laws. Any person who as violated its nondiscrimination or affirmative action P'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

HEALTH INSURANCE PROTECTION • If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you

and your dependents for up to 24 months while in the military. 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.,

(VETS) is authorized to investigate and resolve complaints of USERRA violations. • For assistance in filing a complaint, or for any other information on USERRA

gov/agencies/vets/. An interactive online USERRA Advisor can be viewed

### 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.

pre-existing condition exclusions) except for service-connected illnesses or injuries. ENFORCEMENT • The U.S. Department of Labor, Veterans Employment and Training Service

contact VETS at 1-866-4-USA-DOL or visit its website at https://www.dol.

educational programs or activities which receive Federal financial assistance.

GRETCH

Publication Date — May 2022

		State of Michigan	four employer's year for the purposes of the earlied sick fille Act is.		
LEO is an equal opportunity employer/program. Auxiliary aids, services and other reasonable accommodations are available, upon request, to individuals with disabilities.		LABOR AND ECONOMIC OPPORTUNITY Workers' Disability Compensation Agency	Earned Sick Time Accrual		
www.michigan.gov/wagehour • Toll Free 1-855-4MI-WAGE (1-855-464-9243)		Trenkers Bisdonity compensation rigency	Number of Employees         Minimum Accrual         Minimum Paid Sick Time         Unpaid Sick Time		
WHD 9904 (Revised • 9/2024)		Employees Know Your Rights!	Less than 10 employees 1 hour for every 30 hours 40 hours in a year 32 hours (if more than 40 accrued)		
			10 or more employees 1 hour for every 30 hours 72 hours in a year		
		Remember - It is important to report your injury to your employer.	• Earned sick time shall carry over from year to year, a business with less than 10 employees is not required to permit an employee to use more than 40 hours		
RIGHT TO KNOW LAW		Medical Care	of paid earned sick time and 32 hours of unpaid earned sick time in a single year, employers with 10 or more employees are not required to permit an em		
	-	You are entitled to reasonable and necessary medical care for work-related injuries or diseases. Employers or their insurance carriers are required by law			
This Workplace Covered by the	the share	to provide these services. During the first 28 days of treatment, your employer has the right to choose the physician. After 28 days you are free to change	• Earned sick time shall begin to accrue on the effective date of this law, or upon commencement of the employee's employment, whichever is later.		
This Workplace Covered by the		physicians, but you must notify your employer of the change. If you receive treatment from a physician of your choice, you shall obtain and promptly furnich a report to your employer.	<ul> <li>An employee may use accrued earned sick time as it is accrued.</li> <li>An employer is in compliance with the act if it provides any paid leave in at least the same amounts as that provided under this act that may be used for the</li> </ul>		
Michigan Right To Know Law	MIOSHA	furnish a report to your employer.	• An employer is in compliance with the act in t provides any paid leave in at least the same amounts as that provided under this act that may be used for the same purposes and under the same conditions provided in this act and that is accrued at a rate equal to or greater than the rate described in subsections (1)		
Michigan Right to Rhow Law	Michigan Occupational Safety and Heagth Administration	If your employer refuses to provide medical care, you should contact Michigan's Workers' Disability Compensation Agency at its toll-free telephone number: <b>1-888-396-5041</b> .	and (2) of Section 3 of the act. Paid leave includes, but is not limited to, paid vacation days, personal days, and paid time off.		
Employers must make available for employees in a readily					
accessible manner, Safety Data Sheets (SDS) for those hazardous	SDS(s) For This Workplace Are Located At	You should not receive a bill from a health care provider for treatment of a covered work-related injury or illness. If you do receive such a bill, you should	Earned Sick Time Uses An employer shall permit an employee to use the earned sick time accrued for any of the following:		
chemicals in their workplace.	505(5) FOI THIS WORKPIACE ARE LOCATED AR	contact your employer or the employer's insurance carrier.	•The employee's or the employee's family member's mental or physical illness, injury, or health condition; medical diagnosis, care, or treatment of the employee's		
-		Wage Loss Benefits	mental or physical illness, injury, or health condition; or preventative medical care for the employee.		
Employees cannot be discharged or discriminated against for		You are entitled to weekly workers' compensation benefits if you suffer a wage loss for more than seven consecutive days. These benefits may be claimed	• If the employee or the employee's family member is a victim of domestic violence or sexual assault, for medical care or psychological or other counseling for		
exercising their rights including the request for information on hazardous chemicals.	Location(s)	as long as a disability and wage loss continue. Generally, the benefit rate is 80% of your after-tax average weekly wage, subject to a maximum rate.	physical or psychological injury or disability; to obtain services from a victim services organization; to relocate due to domestic violence or sexual assault; to		
		Vocational Rehabilitation	obtain legal services; or to participate in any civil or criminal proceedings related to or resulting from the domestic violence or sexual assault.		
Employees must be notified and given direction (by employer		If you are unable to perform the work that you have done previously, you are entitled to vocational rehabilitation. The number one goal is your return to	<ul> <li>For meetings at a child's school or place of care related to the child's health or disability, or the effects of domestic violence or sexual assault on the child; or</li> <li>For closure of the employee's place of business by order of a public official due to a public health emergency; for an employee's need to care for a child whose</li> </ul>		
posting) for locating Safety Data Sheets and the receipt of new or	Location(s)	work with your employer. If you cannot do this or require assistance in finding a new job, vocational rehabilitation services can help.	school or place of care has been closed by order of a public official due to a public health emergency; or when it has been determined by the health authorities		
revised SDS(s).	Location(s)		having jurisdiction or by a health care provider that the employee's or employee's family member's presence in the community would jeopardize the health of		
When the employer has not provided a SDS, employees may		To be completed by the employer	others because of the employee's or family member's exposure to a communicable disease.		
request assistance in obtaining SDS from the:			An employer shall not require an employee to search for or secure a replacement worker as a condition for using earned sick time.		
	Person(s) responsible for SDS(s)		Exercise of Rights		
Michigan Department of Labor and Economic Opportunity (LEO)			• An employer or any other person shall not interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected under this act.		
Michigan Occupational Safety and Health Administration General		Employer Name	• An employer shall not take retaliatory personnel action or discriminate against an employee because the employee has exercised a right protected under this		
Industry Safety and Health Division (517) 284-7750 Construction			act. "Retaliatory personnel action" means any of the following:		
Safety and Health Division and Asbestos Licensing (517) 284-7680	Phone		<ul> <li>Denial of any right guaranteed under this act.</li> <li>A threat discharge summaries denotion reduction of hours or other educes action explores on former employee for evening of a right guaranteed.</li> </ul>		
www.michigan.gov/miosha		Employer Contact Derson and Talanhana Nymber	• A threat, discharge, suspension, demotion, reduction of hours, or other adverse action against an employee or former employee for exercise of a right guaran- teed under this act.		
MIOSHA/CET #2105 (Rev. 12/19)	LEO is an equal opportunity employer/program.	Employer Contact Person and Telephone Number	<ul> <li>Sanctions against an employee who is a recipient of public benefits for exercise of a right guaranteed under this act.</li> </ul>		
			Interference with, or punishment for, an individual's participation in any manner in an investigation, proceeding, or hearing under this act.		
As Required by the Michigan Right To Kno	ow Law New or Revised SDS		• An employer's absence control policy shall not treat earned sick time taken under this act as an absence that may lead to or result in retaliatory personnel action.		
		Workers' Compensation Insurance Carrier Name	Complaint Filing		
TO BE POSTED THROUGHOUT THE WORKPLACE NEXT TO TH			An employee affected by an alleged violation, at any time within 3 years after the alleged violation or the date when the employee knew of the alleged violation, whichever is later, may do any of the following:		
New or Revised Receipt Date	Posting Date Locations of New or Revised SDS	If you have questions, please call the			
		State of Michigan Workers' Disability Compensation Agency	(a) Bring a civil action for appropriate relief, including, but not limited to, payment for used earned sick time; rehiring or reinstatement to the employee's previ-		
· · · · · · · · · · · · · · · · · · ·		Toll-free 1-888-396-5041	ous job; payment of back wages; reestablishment of employee benefits to which the employee otherwise would have been eligible if the employee had not		
		Additional information is on the agency's website at http://michigan.gov/wdca.	been subjected to retaliatory personnel action or discrimination; and an equal additional amount as liquidated damages together with costs and reasonable attorney fees as the court allows.		
		EMPLOYER: PLEASE POST THIS NOTICE FOR YOUR EMPLOYEES TO SEE!	(b) File a claim with the department, which shall investigate the claim. Filing a claim with the department is neither a prerequisite nor a bar to bringing a civil action.		
		WC-PUB-005 (8/19)	*For procise language of the statute see Dublic Act 229 of 2019, as amended		
· · · · · · · · · · · · · · · · · · ·			*For precise language of the statute, see Public Act 338 of 2018, as amended		
		PAYDAY NOTICE	Auxiliary aids services and other reasonable accommodations are available upon request to individuals with disabilities		
			Auxiliary aids, services and other reasonable accommodations are available, upon request, to individuals with disabilities. www.michigan.gov/wagehour • Toll Free 1-855-4MI-WAGE (1-855-464-9243) • WHD 9911 (Revised • 8/22/2024)		
		Regular Paydays for Employees of			
			CHILD LABOR LAWS		
	n part with OSHA funds For further information,				
			STATE OF MICHIGAN		
Consultation Education and Training Division MIOSHA/CET #2106 (Revised 12/19) Visit our website at: (517) 284-7720 LEO is an equal opportunity employer/program.			DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY Informational Sheet		
	tunity employen program.	(Company Name)	Informational Sheet		
			Youth Employment Standards Act 90 of 1978 as amended		
ANTI-DISCRIMINATION NOTICE		Shall be as follows:	GRETCHEN WHITMER GOVERNOR POSTING REQUIREMENT DIRECTOR		
		Weekly Bi-Weekly Monthly Other	MCL 409.110 Minor under 16 years; days and hours of employment. sorting or packaging of fruits or vegetables. (b) "Farming operations involved		
It is illegal to discriminate against work-authorized individu	als. Employers CANNOT specify which document(s)		A minor under 16 years shall not be employed in an occupation subject to this act for more than 6 days in 1 week, nor for a period longer than a weekly in the production of seed, including plant detasseling, hand-pollination		
they will accept from an employee. The refusal to hire an individual because the documents have a future expiration			average of 8 hours per day or 48 hours in 1 week, nor more than 10 hours in 1 roguing, or hoeing, and any other similar farming activity required for		
			day. The minor shall not be employed between the hours of 9 p.m. and 7 a.m. A commercial seed production.		
date may also constitute ille	egal discrimination.	By:	minor who is a student in school shall not be employed more than a combined History: Am. 1978, Act 90, Eff. June 1, 1978 ; Am. 1995, Act 251, Eff. Mar. 28		
			school and work week of 48 hours during the period when school is in session. 1996 ; Am. 1996, Act 499, Imd. Eff. Jan. 9, 1997 ; Am. 2000, Act 418, Imd. Eff.		
For information, please contact			MCL 409.111 Minor 16 years and over; days and hours of employment; Jan. 8, 2001 ; Am. 2011, Act 197, Imd. Eff. Oct. 18, 2011		
The Office of Special Counsel for Immigration Related Uni			employment in agricultural processing. MCL 409.112 Meal and rest period.		
The office of special courser for minigration helated offi	fair Employment Practices Office at 800-255-7688.				
The office of special course for initiagration related offi	fair Employment Practices Office at 800-255-7688.	FEDERAL MINIMUM WAGE	Sec. 11. (1) Except as provided in subsection (3), a person shall not employ Sec. 12. A minor shall not be employed for more than 5 hours continuous		
The office of special course for initiagration ficialized office	fair Employment Practices Office at 800-255-7688.		a minor 16 years of age or older in an occupation subject to this act for more without an interval of at least 30 minutes for a meal andrest period. An interva		
	fair Employment Practices Office at 800-255-7688.	EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT	a minor 16 years of age or older in an occupation subject to this act for more than any of the following periods: (a) Six days in 1 week. (b) An average of 8 of less than 30 minutes shall not be considered to interrupt a continuou		
		EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT	a minor 16 years of age or older in an occupation subject to this act for more than any of the following periods: (a) Six days in 1 week. (b) An average of 8 hours per day in 1 week. (c) Ten hours in 1 day. (d) Subject to subdivision (e), 48 period of work.		
OCCUPATIONAL SAFETY AND		EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT	a minor 16 years of age or older in an occupation subject to this act for more than any of the following periods: (a) Six days in 1 week. (b) An average of 8 hours per day in 1 week. (c) Ten hours in 1 day. (d) Subject to subdivision (e), 48 hours in 1 week. (e) If the minor is a student in school and school is in session,		
OCCUPATIONAL SAFETY AND	D HEALTH PROTECTION		a minor 16 years of age or older in an occupation subject to this act for more than any of the following periods: (a) Six days in 1 week. (b) An average of 8 hours per day in 1 week. (c) Ten hours in 1 day. (d) Subject to subdivision (e), 48 hours in 1 week. (e) If the minor is a student in school and school is in session, 24 hours in 1 week.		
OCCUPATIONAL SAFETY AND	D HEALTH PROTECTION	EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT FEDERAL MINIMUM WAGE \$7.25 PERHOUR BEGINNING JULY 24, 2009	<ul> <li>a minor 16 years of age or older in an occupation subject to this act for more than any of the following periods: (a) Six days in 1 week. (b) An average of 8 hours per day in 1 week. (c) Ten hours in 1 day. (d) Subject to subdivision (e), 48 hours in 1 week. (e) If the minor is a student in school and school is in session, 24 hours in 1 week.</li> <li>(2) Except as provided in subsection (3), a person shall not employ a minor</li> </ul>		
	D HEALTH PROTECTION	EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT	a minor 16 years of age or older in an occupation subject to this act for more than any of the following periods: (a) Six days in 1 week. (b) An average of 8 hours per day in 1 week. (c) Ten hours in 1 day. (d) Subject to subdivision (e), 48 hours in 1 week. (e) If the minor is a student in school and school is in session, 24 hours in 1 week.		

# **PROTECTION ON THE JOB**

THE MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ACT, 1974 P.A. 154, AS AMENDED, REQUIRES POSTING OF

be assessed for each child labor violation that results in the death or OVERTIME PAY At least 1 1/2 times your regular rate of pay for all

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

older who is a student in school until 11:30 p.m. on any of the following days:(a) On Fridays and Saturdays. (b) During school vacation periods. (c) During 18 years of age or older is present at the fixed location during those hours. periods when the minor is not regularly enrolled in school.

(3) A person may employ a minor 16 years of age or older in farming operations involved in the production of seed or in agricultural processing for a period greater than the periods described in subsections (1) and (2) OF AGE OR OI DER all of the following conditions are met: If a minor is a student in school, the period greater than the periods described in subsections (1) and (2) occurs when school is not insession.(a) The minor is employed for not more Auxiliary aids, services and other reasonable accommodations are available, than 11 hours in 1 day. (b) The minor is employed for not more than 62 hours in any week. However, the employer shall not require the minor to work more than 48 hours during any week without the consent of the minor. (c) The minor is not employed between 2 a.m. and 5:30 a.m. (d) The agricultural OVERNIGHT MAIL ADDRESS: 2407 N. GRAND RIVER • LANSING, MICHIGAN 48906 processing employer maintains on file a written acknowledgment of the Toll Free: 1-855-4MI-WAGE (1-855-464-9243 • (517) 284-7800 • FAX (517) 763-0110 minor's parent or guardian consenting to the period of employment authorized under this subsection. (4) As used in this section: (a) "Agricultural processing" means the cleaning,

nitted under this act to be all not beemployed in an to this act after sunset or 8 p.m., whichever is earlier, at a fixed location unless an employer or other employee

History: Add. 1980, Act 436, Eff. Mar. 31, 1981.

**IMPORTANT:** Administrative Rule, R408.6207 <u>REQUIRES</u> A MINOR SUBJECT TO ACT 90 BE SUPERVISED BY THE EMPLOYER OR ANOTHER EMPLOYEE 18 YEARS

LEO is an equal opportunity employer/program.

upon request, to individuals with disabilities.

WAGE AND HOUR DIVISION

P.O. Box 30476 • Lansing, Michigan 48909-7976

www.michigan.gov/wagehour

WHD-9919 08/21

Now is the time to check your withholding. For more details, get

Publication 919, How Do I Adjust My Tax Withholding?, or use the

**Employer:** Please post or publish this Bulletin Board Poster so that your

employees will see it. Please indicate where they can get forms and

ION. FAILURE TO DO SO MAY RESULT IN A PENALTY. THIS DOCUMENT IN A CENTRAL AND CONSPICUOUS LOCAT

The Michigan Occupational Safety and Health Act (MIOSH Act), Act No. 154 of the Public Acts of 1974, as amended, provides job safety and health protection for Michigan employees through the maintenance of safe and healthful working conditions. Under the MIOSH Act and a Department of Labor and Economic Opportunity. If a condition exists state plan approved in September 1973 by the U.S. Department of Labor, the Michigan Department of Labor and Economic Opportunity notified in the most expedient manner without regard to a written notice. is responsible for administering the Act. Department representatives The names of complainants will be kept confidential and not revealed conduct job site inspections and investigations to ensure compliance with the Act and with safety and health standards.

The contents of this poster describe many important provisions of the Act. These provisions apply equally to employers and employees in either private industry or the public sector.

### **EMPLOYER REQUIREMENTS:** MIOSHA requires that each employer:

1. Furnish to each employee employment and a place of employment which is free from recognized hazards that are causing or are likely to cause death or serious physical harm to the employee.

- 2. Comply with promulgated rules and standards and with orders issued pursuant to the Act.
- 3. Post this and other notices and use other appropriate measures to keep his or her employees informed of their protection and obligations under the Act, including the provisions of applicable rules and standards.
- 1. Notify the Michigan Department of Labor and Economic Opportunity within 8 hours of any work-related fatality. Notification may be accomplished by calling 1-800-858-0397.
- 5. Notify the Michigan Department of Labor and Economic Opportunity within 24 hours of all work-related inpatient hospitalizations, amputations and losses of an eye. Notification may be accomplished by calling 844-464-6742 (4MIOSHA).
- 5. Make available to employees, for inspection and copying, all medical records and health data in the employer's possession pertaining to that employee.
- Afford an employee an opportunity with or without compensation to attend all meetings between the Michigan Department of Labor and Economic Opportunity and the employer relative to any appeal of a citation by the employer.
- Give the representative of employees the opportunity to accompany the department during the inspection or investigation of a place of employment and to prohibit the suffering of any loss of wages or fringe benefits or discriminate against the representative of employees for time spent participating in the inspection, investigation, or opening and closing conferences.
- 9. Provide personal protective equipment, at the employer's expense, when it is specifically required by a MIOSHA standard.
- 10. Not permit an employee, other than an employee whose presence is necessary to avoid, correct or remove an imminent danger, to operate equipment or engage in a process which has been tagged by the Department and which is the subject of an order issued by the Department identifying that an imminent danger exists.
- 11. To promptly notify an employee who was or is being exposed to toxic materials or harmful physical agents in concentrations or at levels which exceed those prescribed by a MIOSHA standard.

### EMPLOYEE REQUIREMENTS: MIOSHA requires that each employee:

- I. Comply with promulgated rules and standards and with orders issued pursuant to the Act.
- 2. Not remove, displace, destroy, or carry off a safeguard furnished or provided for use in a place of employment, or interfere in any way with the use thereof by any other person.

**INSPECTIONS/INVESTIGATIONS:** Inspections and investigations are conducted by trained personnel. The Act requires that an employer representative and a representative of employees be given an opportunity to accompany the department representative for the purpose of aiding in the inspection or investigation.

If a representative of employees does not participate, the department representative will consult with a number of employees concerning matters of safety or health in the place of employment.

MIOSHA

**COMPLAINTS:** Employees and employee representatives who believe that an unsafe or unhealthful condition exists in their workplace have the right to request an inspection by giving written notice to the Michigan which may present an immediate danger, the Department should be upon the request of the employee. Employees also have the right to bring unsafe or unhealthful conditions to the attention of the department representative during the conduct of an inspection or investigation.

The Act provides that employees may not be discharged or in any manner discriminated against for filing a complaint or exercising any of their rights under the Act. An employee who believes he or she has been discriminated against may file a complaint with the Michigan Department of Labor and Economic Opportunity within 30 days of the alleged discrimination.

The U.S. Department of Labor is monitoring the operation of the Michigan Occupational Safety and Health Administration (MIOSHA) to assure the effective administration of the state act. Any person may make a written complaint regarding the state administration of the state act directly to the Regional Office of OSHA, 230 South Dearborn, Chicago, Illinois 60604.

**CITATIONS:** If upon inspection or investigation the Michigan Department of Labor and Economic Opportunity believes that a requirement of the Act has been violated, a citation alleging such violation and setting a time period for correction will be issued to the employer. The citation must be prominently posted at or near the place of the alleged violation for three days or until the violation is corrected, whichever is later.

The Act provides for first instance penalties of up to \$7,000 for a violation. Penalties of up to \$7,000 per day may be assessed for failure to correct a violation within a proposed abatement period. Any employer who willfully or repeatedly violates the Act may be assessed penalties of up to \$70,000 for each such violation. Employers may appeal the alleged citation, the proposed penalties or the abatement periods to the Department and to the Board of Health and Safety Compliance and Appeals. Employees may appeal the abatement period in a similar manner. Employees also may appeal to the Board of Health and Safety Compliance and Appeals any decision issued by the Department in response to an employer appeal.

Criminal penalties also are provided for in the Act. A person who knowingly makes a false statement or report pursuant to the Act upon conviction is punishable by a fine of up to \$10,000 or may be imprisoned for not more than 6 months or both. Any willful violation resulting in death of an employee, upon conviction, is punishable by a fine of up to \$10,000 or by imprisonment for not more than one year or both. A second conviction doubles the maximum monetary penalty and is punishable by imprisonment for up to three years.

VOLUNTARY ACTIVITY & COMPLIANCE ASSISTANCE: The act encourages employers and employees to reduce workplace hazards voluntarily

The Michigan Department of Labor and Economic Opportunity offers limited on-site consultation assistance to employers to assist them in achieving compliance with occupational safety and health standards. Training specialists are available and can give advice on the correction of hazardous conditions and on the development of safety and health systems. Department staff are available to conduct seminars and training relative to occupational safety and health for both employer and employee groups. Requests for service should be addressed to the department at the address shown below.

The U.S. Department of Labor will continue to enforce federal standards governing maritime operations of long shoring, shipbuilding, ship breaking and ship repairing. These issues are not covered by the Michigan Plan for Occupational Safety and Health.

MICHIGAN DEPARTMENT OF LABOR & ECONOMIC OPPORTUNITY

MIOSHA/CET 2010 (06/21)

### **MORE INFORMATION:**

Michigan Department of Labor and Economic Opportunity Michigan Occupational Safety and Health Administration 530 W. Allegan Street, P.O. Box 30643 Lansing, Michigan 48909-8143 www.michigan.gov/miosha

most non-farm jobs and at least 18 to work in non-farm jobs the FLSA. 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.

**CHILD LABOR** An employee must be at least 16 years old to work in

hours worked over 40 in a workweek.

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 • Some state laws provide greater employee protections; employers 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

FMLA - FAMILY AND MEDICAL LEAVE ACT

# Your Employee Rights Under the Family and Medical Leave Act

qualifying exigency.

rights.

reason

writina

You **do not have to share a medical diagnosis** but must provide What is FMLA leave? The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with **job-protected** enough information to your employer so they can determine leave for qualifying family and medical reasons. The U.S. Department whether the leave qualifies for FMLA protection. You must also of Labor's Wage and Hour Division (WHD) enforces the FMLA for inform your employer if FMLA leave was previously taken or approved for the same reason when requesting additional leave. most employees Eligible employees can take up to 12 workweeks of FMLA leave in a Your employer may request certification from a health care provider to verify medical leave and may request certification of 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 gualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember. An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness **may take** up to 26 workweeks of FMLA leave in a single 12-month period to care for the servicemember.

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

#28M(c) for more information FMLA leave is **not paid leave**, but you may choose, or be required by

your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave. Am I eligible to take FMLA leave? You are an eligible employee if

all of the following apply: You work for a covered employer,

You have worked for your employer at least 12 months,

You have at least 1,250 hours of service for your employer during the 12 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 **<u>one</u>** 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

If you believe your rights under the FMLA have been violated, you You work for an elementary or public or private secondary school, nt with WHD or file a private lawsuit against yo may file a compla or employer in court. You work for a public agency, such as a local, state or federal Scan the QR code to learn about government agency. Most federal employees are covered by Title our WHD complaint process. II of the FMLA, administered by the Office of Personnel Management. How do I request FMLA leave? Generally, to request FMLA leave you <u>must</u>: WAGE AND HOUR DIVISION Follow your employer's normal policies for requesting leave, JNITED STATES DEPARTMENT Give notice at least 30 days before your need for FMLA leave, or F LABOR • If advance notice is not possible, give notice as soon as possible. WH1420 REV 04/23

### **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.

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.



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

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.

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

· Allow you to take job-protected time off work for a qualifying

· Continue your group health plan coverage while you are on leave

Allow you to return to the same job, or a virtually identical job with

the same pay, benefits and other working conditions, including

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

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

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

determines that you are eligible, your employer must notify you in

on the same basis as if you had not taken leave, and

Office of Personnel Management or Congress.

shift and location, at the end of your leave.

leave or cooperating with a WHD investigation.

• About your FMLA rights and responsibilities, and

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

Where can I find more information?

leave, your **employer** <u>must</u>:

# 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"...

**IRS** 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 Department of the Treasury of Form W-4 or call the IRS at 1-800-829-3676.

Internal Revenue Service www.irs.gov

www.irs.gov/individuals on the IRS web site.

Withholding Calculator at

information on this subject.

Publication 213 (Rev. 8-2009) Cat. No. 11047P

# DISCRIMINATION

# **MICHIGAN LAW**

PROHIBITS DISCRIMINATION

IN EMPLOYMENT, EDUCATION, HOUSING, PUBLIC ACCOMMODATION, LAW ENFORCEMENT OR PUBLIC SERVICE

# **BASED ON**

religion, race (including hair texture and protective hairstyles), color, national origin, sex, disability, sexual orientation, gender identity or expression, age<sup>1</sup>, marital status<sup>1</sup>, height<sup>2</sup>, weight<sup>2</sup>, arrest record<sup>2</sup>, genetic information<sup>2</sup>, and familial status<sup>3</sup>

> Persons with disabilities needing accommodations for employment must notify their employers in writing within 182 days.

<sup>1</sup> Under the education article, age and marital status are prohibited considerations for admissions only <sup>2</sup> in employment only <sup>3</sup> in housing only

If you think you have been **discriminated** against, you may file a complaint with the Michigan Department of Civil Rights. Call 1-800-482-3604 | Video Phone: 313-437-7035 www.michigan.gov/mdcr

MI-1224-F04

# UNEMPLOYMENT INSURANCE

### **Notice To All Employees:**

Information about Unemployment Benefits

### This employer is covered by the

MICHIGAN EMPLOYMENT SECURITY ACT

Unemployment benefits are payable to qualified and eligible workers of this employer through Michigan's Unemployment Insurance Agency.

### File an unemployment claim online

If you become unemployed, you can file your new unemployment claim or reopen an established claim online through the Michigan Web Account Manager (MiWAM) at michigan.gov/uia. Click on MiWAM for Workers.

UIA 1710

A claim for benefits begins the week it is filed. File your claim the first week you become unemployed.

For complete information about your benefit rights and responsibilities,

review the Handbook for Unemployed Workers at michigan.gov/uia.

### THIS IS AN IMPORTANT DOCUMENT - DO NOT COVER!

MIOSHA Complaint Hotline ... . 1-800-866-4674 Fatality Hotline ... . 1-800-858-0397 . 1-844-464-6742 MIOSHA Injuries/Illnesses Reporting .. 1-517-284-7720 Consultation and Training Assistance .

The Michigan Department of Labor and Economic Opportunity (LEO) is a equal opportunity employers/program.

