• Retaliation for filing a charge, reasonably opposing

discrimination, or participating in a discrimination

exercising rights regarding disability discrimination

What Employment Practices can be Challenged as

**Discriminatory?** All aspects of employment, including:

• Harassment (including unwelcome verbal or physical

• Failure to provide reasonable accommodation for a

disability; pregnancy, childbirth, or related medical

condition; or a sincerely-held religious belief,

• Obtaining or disclosing genetic information

lawsuit, investigation, or proceeding

Pay (unequal wages or compensation)

or pregnancy accommodat

Discharge, firing, or lay-off

· Hiring or promotion

observance or practice

Assignment

Benefits

Referral

Job training

Classification

Interference, coercion, or threats related to



**What Organizations are Covered?** 

Most private employers

Who is Protected? • Employees (current and former), including managers and temporary employees Job applicants • Union members and applicants for membership in

 State and local governments (as employers) • Educational institutions (as employers) 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:

 Color Religion National origin • Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender

Age (40 and older)

· Genetic information (including employer requests for,

of employees · Requesting or disclosing medical information or purchase, use, or disclosure of genetic tests, genetic · Conduct that might reasonably discourage someone services, or family medical history) from opposing discrimination, filing a charge, or

### **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 of enforces the nondiscrimination and affirmative action commitments of companies doing 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and business with the Federal Government. If you are applying for a job with, or are an employee requires affirmative action to recruit, employ, and advance in employment, disabled of, a company with a Federal contract or subcontract, you are protected under Federal law veterans, recently separated veterans (i.e., within three years of discharge or release from from discrimination on the following bases: Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin medal veterans.

national origin, and requires affirmative action to ensure equality of opportunity in all by Federal contractors under these Federal laws. Any person who believes a contractor aspects of employment Asking About, Disclosing, or Discussing Pay Executive Order 11246, as amended, authorities should contact immediately 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 If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access accommodation to the known physical or mental limitations of an otherwise qualified telecommunications relay services. OFCCP may also be contacted by submitting a individual with a disability who is an applicant or employee, barring undue hardship question online to OFCCP's Help Desk at https://ofccphelpdesk.dol.gov/s/, or by calling to the employer. Section 503 also requires that Federal contractors take affirmative an OFCCP regional or district office, listed in most telephone directories under U.S. action to employ and advance in employment qualified individuals with disabilities at Government, Department of Labor and on OFCCP's "Contact Us" webpage at all levels of employment, including the executive level.

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.

active duty), active duty wartime or campaign badge veterans, or Armed Forces service

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

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

days, depending on where you live/work). You can reach

limits for filing a charge of discrimination (180 or 300

Submit an inquiry through the EEOC's public portal:

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

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

(including accommodation) or pregnancy

the EEOC in any of the following ways:

**Call** 1–800–669–4000 (toll free)

1-800-669-6820 (TTY)

Visit an EEOC field office (information at

Additional information about the EEOC,

including information about filing a

charge of discrimination, is available

www.eeoc.gov/field-office)

E-Mail info@eeoc.gov

at www.eeoc.gov.

Executive Order 11246, as amended, prohibits employment discrimination by Federal Retaliation Retaliation is prohibited against a person who files a complaint of contractors based on race, color, religion, sex, sexual orientation, gender identity, or discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination has violated its nondiscrimination or affirmative action obligations under OFCCP's 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)

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

**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

FRIDAY

(Revised 6/27/2023)

### PAYMENT OF WAGES STATE OF NEW HAMPSHIRE DEPARTMENT OF LABO



## PROTECTIVE LEGISLATION LAW

Wages In this Establishment Will Be Paid On: ☐ MONDAY ☐ TUESDAY ☐ WEDNESDAY ☐ THURSDAY

PAYMENT OF WAGES. All wages due an employee must be paid on a weekly or biweekly basis. The Labor Commissioner may, upon written petition showing good and sufficient reason, permit payment of wages less frequently, except it shall be at least once each calendar month. NOTICE TO EMPLOYEE. Employer must notify employee in writing when hiring of the rate of pay, or any changes prior to change; make available in writing,

or by posted notice, employment practices and policies on vacation pay, sick leave and other fringe benefits; furnish employee statement of deductions each LUNCH OR EATING PERIOD. An employer may not require an employee to work more than five consecutive hours without granting him a one half-hour lunch or eating period, except if it is feasible for the employee to eat during the performance of his/her work, and the employer permits him/her to do so. ACCESS TO PERSONNEL FILE. Every employer shall provide a reasonable opportunity for an employee who so requests to inspect such employee's personnel file and upon request provide such employee with a copy of all or part of the file.

WITHHOLDING WAGES. Employer may not withhold or divert any portion of an employee's wages unless required or empowered by state or federal law; or unless by written authorization by the employee for a lawful purpose accruing to the benefit of the employee, per regulation promulgated by the EMPLOYEES SEPARATED. When an employee guits, resigns, or is suspended because of labor dispute wages must be paid not later then the next regular payday or by mail if the employee so requests. Employees discharged must be paid in full within seventy-two hours. Willful failure to pay as above subjects employer to liquidated damages of ten percent of the unpaid wages for each day except Sunday and legal holidays. In case of dispute over amount due, employer shall pay amount conceded by him to be due, leaving employee remedies of law for balance.

The acceptance of payment by employee shall not constitute a release to the balance of a claim and any release required by an employer as a condition of payment shall be null and void and in violation of the law. **REQUIRED PAY** On any day an employee reports to work at an employer's request, the employee shall be paid not less than 2 hours pay at their regular rate of pay. This does

not apply to employees of counties or municipalities.

There may be a minimum civil penalty of \$100.00 per violation of any section of the New Hampshire Labor Laws.

**INSPECTION DIVISION** P.O. BOX 2076, CONCORD, NH 03302-2076 TELEPHONE - (603) 271-1492 & 271-3176

**Ken Merrifield** Rev. 02-01-18

THIS NOTICE MUST BE POSTED IN A CONSPICUOUS PLACE

Rudolph W. Ogden, III

## **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.

## EMPLOYEE POLYGRAPH PROTECTION ACT

### EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT The Employee Polygraph Protection Act prohibits most private employers does not preempt any provision of any State or local law or any collective

from using lie detector tests either for pre-employment screening or bargaining agreement which is more restrictive with respect to lie detector tests. during the course of employment. **PROHIBITIONS** Employers are generally prohibited from requiring or 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. private individuals engaged in national security-related activities. The Act applicants may also bring their own court actions. sector, subject to restrictions, to certain prospective employees of security EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT. 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 embezzlement, etc.) that resulted in economic loss to the employer. The law

**EXAMINEE RIGHTS** Where polygraph tests are permitted, they are subject 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 from notice before testing, the right to refuse or discontinue a test, and the right not **ENFORCEMENT** The Secretary of Labor may bring court actions to restrain Also, the law does not apply to tests given by the Federal Government to certain violations and assess civil penalties against violators. Employees or job

WAGE AND HOUR DIVISION



UNITED STATES DEPARTMENT OF LABOR 1-866-487-9243

# **EQUAL PAY LAW**



### STATE OF NEW HAMPSHIRE DEPARTMENT OF LABOR **EQUAL PAY RSA 275:37**

It is illegal in New Hampshire under both state and federal law to pay employees different wages for the same work based solely on sex. If you think that your employer has violated this provision, please contact the New Hampshire Department of Labor, 95 Pleasant St, Concord, NH 03301 Phone: (603) 271-1492, 271-6294, or 271-3176 | Fax: (603) 271-2668 | **Email: InspectionDiv@dol.nh.gov** You may file a wage claim by downloading the form at: http://www.nh.gov/labor/documents/wage-claim.pdf

The full text of RSA 275:37 Equal Pay can be found at this link: http://www.gencourt.state.nh.us/rsa/html/XXIII/275/275-37.htm

RSA 275:38-a Non-Retaliation Provision. No employer shall discharge or in any other manner discriminate against any employee because they invoke their rights under this statute, including filing charges or complaints, or causing any investigation, proceeding, hearing, or action under or related to this subdivision, or has testified or is planning to testify or has assisted or participated in any manner in any such investigation, proceeding, hearing, or action or has inquired about, discussed, or disclosed his or her wages or those of another employee. This section shall not apply to any employee who has access to the wage information of other employees as a part of such employee's essential job

functions who discloses the wages of such other employees to individuals who do not otherwise have access to such information, unless such disclosure is in response to a complaint or charge or in furtherance of an investigation, proceeding, hearing, or action under RSA 275:41-a including an investigation conducted by the employer. Nothing in this section shall be construed to limit the rights of an employee provided under any other RSA 275:41-b Pay Disclosure. No employer shall require that an employee refrain from disclosing the amount of his or her wages or sign a waiver or other document that purports to deny the employee the right to disclose the amount of his or her wages, salary, or paid benefits, as a condition of

employment. No employer shall discharge, formally discipline, or otherwise discriminate against an employee who discloses the amount of his or her wages, salary, or paid benefits. RSA 275:41 Limitation of Actions. Any action to recover unpaid wages and liquidated damages based on violation of RSA 275:37, shall be commenced within 3 years of discovery of the violation. No action brought under this section shall include any violation that occurred more than 4

years prior to the commencement of such action. Effective Date: January 1, 2015 **Inspection Division** Rudolph W. Ogden, III

PO Box 2076 Concord NH 03302-2076 Telephone - (603) 271-1492 & 271-3176 **Ken Merrifield** Commissioner

Rev 06/25/18

**Deputy Commissione** 

# FEDERAL MINIMUM WAGE

# **EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT**

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

readily see it. over 40 in a workweek farm jobs and at least 18 to work in non-farm jobs declared hazardous by the under the FLSA.

Secretary of Labor. Youths 14 and 15 years old may work outside school hours ADDITIONAL INF in various non-manufacturing, non-mining, non-hazardous jobs with certain • Certain occupations and establishments are exempt from the minimum 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 • Special provisions apply to workers in American Samoa, the Commonwealth 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 • Some state laws provide greater employee protections; employers must 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

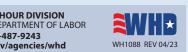
The law requires employers to display this poster where employees can child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor **OVERTIME PAY** At least 1 ½ times your regular rate of pay for all hours worked employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against CHILD LABOR An employee must be at least 16 years old to work in most non- or discharging workers who file a complaint or participate in any proceeding

wage, and/or overtime pay provisions. Certain narrow exemptions also

of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.

• 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

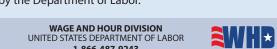




**Ken Merrifield** 

Commissioner

Rev. 02-01-18









# EMPLOYEE OR INDEPENDENT CONTRACTOR

# **State of New Hampshire Department of Labor**

Criteria to Establish an Employee or Independent Contractor "Employee" means and includes every person who may be permitted, required, or directed by any employer, in consideration of direct or indirect gain or profit, to engage in any employment, but shall not include any person exempted from the definition of employee as stated in RSA 281-A:2, VI(b)(2), (3), or (4), or RSA 281-A:2, VII(b), or a person providing services as part of a residential placement for individuals with developmental, acquired, or emotional disabilities, or any person who meets all of the following criteria:

in writing to carry out the responsibilities imposed on employers under this chapter. (b) The person has control and discretion over the means and manner of performance of the work, in that the result of the work, rather than the

(a) The person possesses or has applied for a federal employer identification number or social security number, or in the alternative, has agreed

means or manner by which the work is performed, is the primary element bargained for by the employer. (c) The person has control over the time when the work is performed, and the time of performance is not dictated by the employer. However, this shall not prohibit the employer from reaching an agreement with the person as to completion schedule, range of work hours, and maximum number of work hours to be provided by the person, and in the case of entertainment, the time such entertainment is to be presented. (d) The person hires and pays the person's assistants, if any, and to the extent such assistants are employees, supervises the details of the

(e) The person holds himself or herself out to be in business for himself or herself or is registered with the state as a business and the person has continuing or recurring business liabilities or obligations. (f) The person is responsible for satisfactory completion of work and may be held contractually responsible for failure to complete the work.

(g) The person is not required to work exclusively for the employer. **INSPECTION DIVISION** 

Rudolph W. Ogden, III P.O. Box 2076, Concord, NH 03302-2076 **Deputy Commissioner** (603) 271-1492 & 271-3176

THIS NOTICE MUST BE POSTED IN A CONSPICUOUS PLACE

NEW HAMPSHIRE MINIMUM WAGE

### STATE OF NEW HAMPSHIRE DEPARTMENT OF LABOR **NEW HAMPSHIRE MINIMUM WAGE LAW**

Revised Statutes Annotated Chapter 279, as amended Unless otherwise provided by statute, no person, firm, or corporation shall employ any employee at an hourly rate lower than that set forth in the federal

## minimum wage law, as amended

\$7.25 PER HOUR EFFECTIVE SEPTEMBER 1, 2008 Exempt from RSA 279 are: Employees engaged in Household Labor, Domestic Labor, Farm Labor, Outside Sales Representatives, Summer Camps for Minors, Newspaper Carriers, Non-Professional Ski Patrol and Golf Caddies

**OVERTIME PAY.** Those employees covered by RSA 279, with the following exceptions, shall in addition to their regular compensation, be paid at the rate of time and one-half for all time worked in excess of 40 hours in any one week: (a) Any employee employed by an amusement, seasonal, or recreational establishment if:

(1) it does not operate for more than 7 months in any calendar year; or (2) during the preceding calendar year, its average receipts for any 6 months of such year were not more than 33 1/3 percent of its average receipts for the other 6 months of such year

(b) Any employee of employers covered under the provisions of the Federal Fair Labor Standards Act Tipped employees of a restaurant, hotel, motel, inn or cabin, who customarily and regularly receive more than \$30 a month in tips directly from the customers will receive a base rate from the employer of not less than 45 percent of the applicable minimum wage. Restaurant shall include an establishment in a temporary or permanent building, kept, used, maintained, advertised, and held out to the public to be a place where meals are regularly prepared or served

for which a charge is made and where seating and table service is available for customers or where delivery services are available. The term does not include establishments which do not primarily prepare and serve food. Tipped employees shall also include employees who deliver meals prepared in a restaurant to the customer's home, office, or other location. If an employee shows to the satisfaction of the commissioner that the actual amount of wages received at the end of each pay period did not equal the minimum wage for all hours worked, the employer shall pay the employee the difference to guarantee the applicable minimum wage.

RECORDS. Every employer of employees shall keep a true and accurate record of the hours worked by each, wages paid to each, and classification of employment when necessary.

**NEW HAMPSHIRE YOUTH EMPLOYMENT LAW** No youth under the age of 16 shall be employed or permitted to work without first obtaining a New Hampshire Youth Employment Certificate except for his/her parents, grandparents, guardian, or at work defined as casual or farm labor. Certificates shall be obtained by an employer within 3 business days of the first day of employment. Copies of certificates shall be kept on file by all employers of youths. An employer shall not employ a youth 16 or 17 years of age, unless the employer obtains and maintains on file a signed written document from the youth's parent or legal guardian permitting the youth's employment. The parental permission shall be on file at the establishment's worksite prior to the first day of employment. Written parental permission is not required for a 16 or 17 year old youth who has graduated from high school or obtained a general equivalency diploma.

INSPECTION DIVISION P.O. BOX 2076 CONCORD, NH 03302-2076 (603) 271-1492 & 271-3176

THIS NOTICE MUST BE POSTED IN CONSPICUOUS PLACE

Rudolph W. Ogden, III **Deputy Commissioner** 

**Ken Merrifield** Commissioner Rev. 02-01-18

**NEW HAMPSHIRE WORKERS' COMPENSATION** 

## **NOTICE TO EMPLOYERS - WORKERS' COMPENSATION**

Employers need to post their Workers' Compensation, "Notice of Compliance" notice in a conspicuous place. "The primary responsibility for obtaining workers' compensation insurance coverage rests upon employers who must apply for and obtain coverage prior to the hiring of any employee. Insurance agencies and carriers, however, share in this coverage responsibility, beginning with their receipt of an application for coverage. If an agency or carrier refuses to provide coverage on a voluntary basis, they must advise the employer about the availability of coverage under the Assigned Risk Plan of the National Council on Compensation Insurance and must also provide the necessary application form.

After coverage is in éffect, the employer will receive from the insurance carrier a NOTICE OF COMPLIANCE, Form No. WCP-1, which needs

to be posted in a conspicuous spot in the place of business. This poster contains basic information regarding the rights and responsibilities

State of New Hampshire - Department of Labor - State Office Park South

95 Pleasant Street - Concord, New Hampshire 03301 - (603) 271-3176

# PAYDAY NOTICE

of both employer and employees, as well as the name of the insurance carrier underwriting the workers' compensation coverage.

**Regular Paydays for Employees of** 

(Company Name) Shall be as follows:

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

## WITHHOLDING STATUS

## YOU MAY NEED TO CHECK YOUR WITHHOLDING

Since you last filed form W-4 with your employer did you... 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 · Marry or divorce? Gain or lose a dependent? 919, How Do I Adjust My Tax Withholding?, or use the Withholding Calculator at www.irs.gov/individuals on the IRS web site. Change your name? **Employer:** Please post or publish this Bulletin Board Poster so that your Were there major changes to... • Your nonwage income (interest, dividends, capital gains, etc.)? employees will see it. Please indicate where they can get forms and • Your family wage income (you or your spouse started or ended a job)? information on this subject. Your itemized deductions? Your tax credits?

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

DES 218B 1/12

## **VACATION SHUTDOWN NOTICE**

PLEASE HELP YOUR EMPLOYEES BY VOLUNTARILY POSTING THIS IN A CONSPICUOUS PLACE

### **IS YOUR COMPANY HAVING A VACATION SHUTDOWN?** After your last day of work open a claim on the Internet at **www.nhes.nh.gov**

If you do not have Internet access, please go immedately to your nearest NH Employment Security office • File as directed on the Internet application. · Vacation and holiday pay count as wages in reference to Unemployment Compensation, but if you are unsure about eligibility because of vacation or

holiday pay, please open a claim and file. Failure to apply immediately may result in a loss in your entitlement to some benefits! What should you have available before you file?

 Your social security number Know where you worked in the past 18 months, including names of companies, addresses and approximate dates you worked there. Have your check stubs, W2s, and 1099 forms available for easy reference You have to open a claim and then file a claim each week as directed to know if you are eligible! Eligibility for Unemployment Compensation is determined on an individual basis and based on the law.

Visit the NH Employment Security Resource Center in an Employment Security office near you for free resources, tools, and information, or visit our website at: www.nhes.nh.gov **NH EMPLOYMENT SECURITY OFFICES** Portsmouth Littleton Rerlin Claremont Manchester

Keene

Concord Laconia Nashua NHES is a proud member of America's Workforce Network and NH WORKS. NHES is an Equal Opportunity Employer and complies with the Americans with Disabilities Act. Auxiliary aids and services are available upon request to individuals with Disabilities.

UNEMPLOYMENT COMPENSATION

YOU ARE REQUIRED BY LAW TO POST THIS IN A CONSPICUOUS PLACE

# TDD Access: Relay NH 1-800-735-2964

Salem



Your social security number

If you can answer "YES"...

return, you may need to file a new form W-4.

### **UNEMPLOYMENT NOTICE** IF YOU BECOME PARTIALLY OR TOTALLY UNEMPLOYED:

Failure to apply as explained below may result in a loss in your entitlement to some benefits! You must file your initial claim within 3 business days of becoming unemployed or not later than the last calendar day of the first week for which you wish to file for benefits. For filing purposes you are considered to be unemployed on the last day you actually work or on the day your work hours are significantly reduced. Your claim is effective the calendar week it is opened.

Filing in person File a claim in person at the office nearest you and register for work. **Example:** If your last day of work was a Friday and you worked a full week, visit the office nearest you the following week

Office Hours: 8am - 4:30pm Monday - Friday

Filing over the Internet File on-line and register for work at www.nh.gov/nhes **Example:** If your last day of work was a Friday and you worked a full week, do not open your claim on-line that week. Open your claim the following Sunday - Saturday (before midnight).

# Your most recent check stubs, W2s and 1099 forms from the last 18 months

· Information about where you worked in the past 18 months, including company names, addresses and approximate dates you worked there

What should you have available before you file?

• The amounts of your separation pay, severance, vacation, holiday, sick, bonus pay and wages in lieu of notice you received or expect to receive Who pays for Unemployment Compensation Taxes?

 Employers pay the tax that is deposited in the Unemployment Compensation Trust Fund from which benefits are paid. Eligibility for Unemployment Compensation is determined on an individual basis and based on the law. You have to open a claim and then file a claim each week to know if you are eligible

# **NH EMPLOYMENT SECURITY OFFICES**

Claremont Keene Concord Laconia

Mancheste Nashua NHES is a proud member of America's Workforce Network and NH WORKS.

NHES is an Equal Opportunity Employer and complies with the Americans with Disabilities Act.

Auxiliary aids and services are available upon request to individuals with disabilities. TTY/TDD Access: Relay NH 1-800-735-2964

## **DES 218 R1/12** WHISTLEBLOWERS' PROTECTION ACT

### STATE OF NEW HAMPSHIRE DEPARTMENT OF LABOR THE WHISTLEBLOWERS' PROTECTION ACT - RSA 275-E

An employer shall not discharge, threaten, or discriminate against any public or private employee · If the employee, in good faith, reports or causes to be reported an alleged violation of any law or rule adopted under the laws of this state, a political subdivision

OR, the employee objects to or refuses to participate in any activity that the employee, in good faith, believes is a violation of the law or rule; · OR, the employee refuses to execute a directive which the employee, in good faith, believes violates any law or rule adopted under the laws of this state, a political · OR, the employee participates in an investigation, hearing, or inquiry conducted by any governmental entity or any court action which concerns allegations that

the employer has violated any law or rule adopted under the laws of this state, a political subdivision of this state, or the United States. **RIGHTS AND REMEDIES - RSA 275-E:4** After the employee has made a reasonable effort to maintain or restore his/her rights through any grievance procedure or similar process available with the employer And has filed the written complaint with the New Hampshire Department of Labor.

He/she may request a hearing with the New Hampshire Department of Labor, which can result in a judgment to order reinstatement, payment of fringe benefits, seniority rights, and injunctive relief ADDITIONAL RIGHTS AND REMEDIES FOR PUBLIC EMPLOYEES ONLY - RSA 275-E:8 and 9 Public employees can issue complaints to the New Hampshire Department of Labor, who has the authority to investigate complaints or information concerning the possible existence of any activity constituting fraud, waste, or abuse in the expenditure of any public funds, whether state or local, or relating to programs and operations nvolving the procurement of any supplies, services, or construction by governmental entities within the state.

The identity of the person who filed the complaint shall not be disclosed without his or her written consent, unless such disclosure is to a law enforcement agency that is No governmental entity shall take any retaliatory action against a public employee who, in good faith, files a complaint under this section and the public employee shall No governmental entity shall threaten, discipline, demote, fire, transfer, reassign, or discriminate against a public employee who files a complaint with the department of labor under RSA 275-E:8 or otherwise discloses or threatens to disclose activities or information that the employee reasonably believes violates RSA 275-E:2, represents a

THIS NOTICE MUST BE POSTED IN A CONSPICUOUS PLACE

gross mismanagement or waste of public funds, property, or manpower, or evidences an abuse of authority or a danger to the public health and safety.

Inspection Division PO Box 2076 Rudolph W. Ogden, III Concord NH 03302-2076 Deputy Commissione Telephone - (603) 271-1492 & 271-3176

## NOTICE OF VETERANS' BENEFITS AND SERVICES STATE OF NEW HAMPSHIRE DEPARTMENT OF LABOR

NOTICE OF VETERANS' BENEFITS AND SERVICES Employees may access information about veterans' benefits and services through the following: New Hampshire Department of Military Affairs and Veterans' Services **Tax Benefit Resources** Main Website: www.dmavs.nh.gov – Telephone: (603) 225-1200

(603) 224-3311

qualified NH Veterans

Veterans' Crisis Line

Dial 988 then Press 1

VA Manchester Health Care System -

NH Strong as Granite - www.dhhs.nh.gov/programs-services/health-care/ behavioral-health/strong-granite US Substance Abuse and Mental Health Services Administration www.samhsa.gov – 1-877-726-4727 US Department of Veterans Affairs ("VA") – www.va.gov – 1-800-827-1000 National Alliance on Mental Illness ("NAMI") - www.nami.org -1-800-950-6264

https://www.dmavs.nh.gov/veterans-services - Telephone: (603) 624-9230

Substance Abuse and Mental Health Treatment Resources

NH Division of Veterans Services:

NH Recovery Friendly Workplace Initiative -

**Inspection Division** 

www.recoveryfriendlyworkplace.com – (603) 271-2121

Educational, Workforce, and Training Resource NH Department of Employment Security www.nhes.nh.gov/services/job-seekers/veterans – (603) 224-3311 US Department of Labor Veterans Employment and Training Service – www.dol.gov/agencies/vets - 1-866-237-0275 VA Veteran Readiness and Employment ("VR&E")www.benefits.va.gov/vocrehab

Contact your town/city tax assessor's office for information about veterans' property tax credit benefits. Obtaining a Veteran's Indicator on Driver's License or Non-driver ID Card NH Department of Safety, Division of Motor Vehicles – www.dmv.nh.gov – (603) 227-4000 **Unemployment Insurance Benefits** NH Department of Employment Security – www.nhes.nh.gov –

Whole Health Care Services - to include Oral Health Care Options for

Ken Merrifield

Commissioner

Rev. 02-01-18

Rev. 09-17-2024

https://www.va.gov/manchester-health-care/ - (603) 624-4366 NH Veterans Freedom to Smile - www.dmavs.nh.gov/community-basedmilitary-programs/veterans-freedom-smile-initiative-oral-health-care-options **Legal Services Resources** 603 Legal Aid – www.603legalaid.org – (603) 224-3333 New Hampshire Legal Assistance – www.nhla.org – 1-800-562-3174 NH Bar Association Lawyer Referral Service – www.nhbar.org – (603) 229-0002

Danielle N. Albert Ken Merrifield 95 PLEASANT ST. Concord NH 03301 (603) 271-6294 **Deputy Commissioner** Commissioner THIS NOTICE MUST BE POSTED IN A LOCATION ACCESSIBLE TO ALL EMPLOYEES

FMLA - FAMILY AND MEDICAL LEAVE ACT

**Your Employee Rights Under the Family and Medical Leave Act** Vhat is FMLA leave? The Family and Medical Leave Act (FMLA) is a federal law

(WHD) enforces the FMLA for most employees.

child or parent who is a military servicemember.

condition, and

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

day or week. Read Fact Sheet #28M(c) for more information.

policy covers the reason for which you need FMLA leave

You have worked for your employer at least 12 months,

You work for a covered employer,

Office of Personnel Management.

NH DEPARTMENT OF LABOR

CONCORD NH 03302-2076

PO BOX 2076

before your leave, and

FMLA leave in a single 12-month period to care for the servicemembe

employer, to use any employer-provided paid leave if your employer's paid leave

Am I eligible to take FMLA leave? You are an eligible employee if <u>all</u> of the

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

Follow your employer's normal policies for requesting leave,

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

ow do I request FMLA leave? Generally, to request FMLA leave you must:

You do <u>not</u> have to share a medical diagnosis but must provide enough that provides eligible employees with **job-protected leave** for qualifying family information to your employer so they can determine whether the leave qualifies and medical reasons. The U.S. Department of Labor's Wage and Hour Division for FMLA protection. You <u>must</u> also inform your employer if FMLA leave was previously taken or approved for the same reason when requesting additional Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month Your **employer may request certification** from a health care provider to verify medical leave and may request certification of a qualifying exigency. Your serious mental or physical health condition that makes you unable to work, The FMLA does not affect any federal or state law prohibiting discrimination or To care for your spouse, child or parent with a serious mental or physical health

eater family or medical leave rights. Certain qualifying reasons related to the foreign deployment of your spouse, 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 n 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 jurisdiction of the U.S. Office of Personnel Management or Congress Vhat does my employer need to do? If you are eligible for FMLA leave, your 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 · Allow you to take job-protected time off work for a qualifying reason, separate blocks of time, or on a reduced schedule by working less hours each

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 **employer cannot interfere with your FMLA rights** or threaten or punish you for exercising your rights under the law. For example, your employer cannot

You have at least 1,250 hours of service for your employer during the 12 months 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 Your employer has at least 50 employees within 75 miles of your work location. eligible for FMLA leave. If your employer determines that you are eligible, your

> 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 informatio Call 1-866-487-9243 or visit dol.gov/fmla to learn more. If you believe your rights under the FMLA

complaint with WHD or file a private

**WAGE AND HOUR** DIVISION

## RIGHT TO KNOW ACT

Revised Statutes Annotated Chapter 277-A, as amended

## **EMPLOYEES**

The New Hampshire "Right to Know" law (RSA 277-A) guarantees that:

You be notified by a posting of the long and short-term health hazards of all toxic substances that you may come into contact with. You be trained by your employer in the safe use and handling of these toxic materials. You have the right to request complete information, in the form of a Material Safety Data Sheet, from your employer on any toxic substance

(EMPLOYER REPRESENTATIVE'S NAME

o learn more about the toxic materials used in this workplace, and to obtain Material Safety Data Sheets, contact the employer representative

**EMPLOYMENT DISCRIMINATION** IS AGAINST THE LAW

Based on:

**Sexual Orientation** 

**Mental Disability New Hampshire Commission** For Human Rights Concord, NH 03301 For information call: 603.271.2767

## USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

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

applicants to 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.

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

**HEALTH INSURANCE PROTECTION** 

employer for violations of USERRA.

or injuries. **ENFORCEMENT** • The U.S. Department of Labor, Veterans Employment and Training Service

(VETS) is authorized to investigate and resolve complaints 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 •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

in connection with a proceeding under USERRA, even if that person has no Publication Date — May 2022 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





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.

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

File a complaint with OSHA within 30

speak in private to the inspector.

- days (by phone, online or by mail) if you have been retaliated against for using your
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

This poster is available free from OSHA.

NH-1024-F04

you may have contact with. Your employer must respond to this request within five working days.

Ken Merrifield

Commissioner

**Deputy Commissione** 

Race Color Sex

> Religion **Pregnancy Physical Disability**

nh.gov/hrc

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

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 or membership in the uniformed service; or • are obligated to serve in the

f 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

> Office of Special Counsel, as applicable, for representation. •You may also bypass the VETS process and bring a civil action against an



recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a

 Comply with all applicable OSHA standards. Notify OSHA within 8 hours of a workplace fatality or within 24 hours of

 Provide required training to all workers understand.

amputation, or loss of an eye.

of the alleged violations.

Post OSHA citations at or near the place



supersede any state or local law or collective bargaining agreement that provides

Continue your group health plan coverage while you are on leave on the same FMLA leave is **not** paid leave, but you may choose, or be required by your

retaliate against you for requesting FMLA leave or cooperating with a WHD

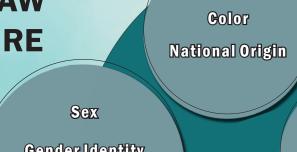
employer must notify you in writing:

have been violated, you may file a



**WORKER'S RIGHT TO KNOW ACT** 

DISCRIMINATION



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

> • 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 exclusions) except for service-connected illnesses



# Provide employees a workplace free from

**Employers must:** 

illness.

any work-related inpatient hospitalization,

health and safety concern with you or with

OSHA, or reporting a work-related injury or

in a language and vocabulary they can Prominently display this poster in the

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHAsupported consultation programs in every state.

### 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,

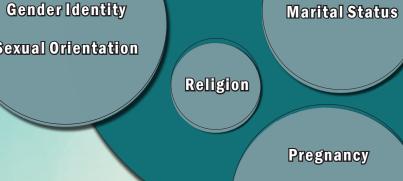
Give notice at least 30 days before your need for FMLA leave, or lawsuit against your employer in If advance notice is not possible, give notice as soon as possible. court. Scan the QR code to learn about our WHD complaint process.

# STATE OF NEW HAMPSHIRE DEPARTMENT OF LABOR

YOU HAVE A RIGHT TO KNOW ABOUT TOXIC SUBSTANCES USED IN THIS WORKPLACE

Rudolph W. Ogden, III

**IN NEW HAMPSHIRE** 



You have the right to be reemployed in your civilian job if you leave that job to • If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military.

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.



- Request a confidential OSHA inspection
- See any OSHA citations issued to your employer.

Contact OSHA. We can help.

UNITED STATES DEPARTMENT OF LABOR WH1420 REV 04/23

Rev. 0 2-01-18

Age