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NEW YORK & FEDERAL LABOR LAW POSTER

LaborLawCenter.com

1-800-745-9970 • Product ID: NY50

must also inform your employer if FMLA leave was previously taken or approved for the

same reason when requesting additional leave. Your employer may request certification

Continue your group health plan coverage while you are on leave on the same basis as

if you had not taken leave, and • Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift

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

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

Compliance Code: NY-0125-F04 • Check Compliance By Scanning Here •

EEOC - KNOW YOUR RIGHTS: WORKPLACE DISCRIMINATION IS ILLEGAL

BLOOD DONATION LEAVE

Section 202-j of the Labor Law mandates that employers provide leave time to employees for the purpose of donating blood. The two types of blood donation leaves are Off-

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? • Retaliation for filing a charge, reasonably opposing discrimination and temporary employees • Conduct that might reasonably discourage from opposing discrimination and temporary employees • Job applicants • Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy • Conduct that might reasonably discourage from opposing discrimination and temporary employees		
What Organizations are Covered?accommodationassisting or encouraging someone else to rights, regarding disability discrimination accommodation) or pregnancy accommod thring or play-offassisting or encouraging someone else to rights, regarding disability discrimination accommodation) or pregnancy accommod What Employment Practices can be Challenged as Unionsassisting or encouraging someone else to rights, regarding disability discrimination accommodation) or pregnancy accommod What Types of Employment Discrimination are Illegal?assisting or encouraging someone else to rights, regarding disability discrimination accommodation) or pregnancy accommod What Types of Employment Discrimination are Illegal?assisting or encouraging someone else to rights, regarding disability discrimination accommodation) or pregnancy accommod What Types of Employment Discrimination are Illegal?What Types of Employment Discrimination are Illegal?Discharge, firing, or lay-off + Harassment (including unwelcome verbal or physical conduct)Mat Employment Practices can be Challenged as Discharge, firing, or lay-offStating or encouraging someone else to rights, regarding disability discrimination accommodation) or pregnancy accommod What can You Do if You Believe Discrimination accommodation. Do not delay, because ther limits for filing a charge of discrimination . Assignment• Bace • Color• Failure to provide reasonable accommodation for a disability; pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity)• Discharge, insig, or a sincerely-held religious belief, observance or practice • Benefits• Lassification • Cassification • Releverting or disclosing genetic information of employeesCall 1-800-669-4000 (toll	(current and former), including managers rary employees ints ibbers and applicants for membership in a union izations are Covered? ice employers bocal governments (as employers) il institutions (as employers) il institutions (as employers) encies of Employment Discrimination are Illegal? EOC's laws, an employer may not discriminate regardless of your immigration status, on the igin ing pregnancy, childbirth, and related medical sexual orientation, or gender identity) d older) ormation (including employer requests for, e, use, or disclosure of genetic tests, genetic	tharge, or ceeding tens, or interfer someone to exercise in (including nodation nination has f you suspect ere are strict tin nou live/work). owing ways: ublic portal: <u>naspx</u> ne)

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS			
The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action commitments of companies doing business with the Federal Government. If you are applying for a job with, or are an employee of, a company with a Federal contract or subcontract, you are protected under Federal law from discrimination on the following bases: Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment. Asking About, Disclosing, or Discussing Pay Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees. Disability Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.	Protected Veteran Status The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans. Retaliation Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors under these Federal laws. Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities should contact immediately: The Office of Federal Contract Compliance Programs (OFCCP) U.S. Department of Labor 200 Constitution Avenue, N.W. Washington, D.C. 20210 1–800–397–6251 (toll-free) If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at <u>https://ofccphelpdesk.dol.gov/s/</u> , or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at <u>https://www.dol.gov/agencies/ofccp/contact</u> .		
PROGRAMS OR ACTIVITIES RECEIVI	NG 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			
NEW YORK M	INIMUM WAGE		
S NEWYORK Department	us Industry Employees		
	ffective 1/1/2025 – 12/31/2025		
New Ye	ork City		
Large Employers (11 or more employees)	Small Employers (10 or less employees)		
Minimum Wage \$16.50	Minimum Wage \$16.50		
Overtime after 40 hours \$24.75	Overtime after 40 hours \$24.75		
Tipped workers \$16.50	Tipped workers \$16.50		
Overtime after 40 hours \$24.75	Overtime after 40 hours \$24.75		
Long Island and Westchester County	Remainder of New York State		
Minimum Wage \$16.50	Minimum Wage \$15.50		
Overtime after 40 hours \$24.75	Overtime after 40 hours \$23.25		
Overtime after 40 hours \$24.75 Tipped workers \$16.50	Overtime after 40 hours \$23.25 Tipped workers \$15.50		

Premises Blood Donation and Donation Leave Alternatives.
Compensation for Leave - Leave granted to employees for off-premises blood donation is not required to be paid leave. leave taken by employees for donation leave
alternatives shall be paid leave given without requiring the employee to use accumulated vacation, personal, sick, or other already existing leave time.
Off-Premises Donation - Employees taking leave for off-premises blood donation shall be permitted at least one leave period per calendar year of three hours duration during
the employee's regular work schedule. Employers are not required to allow off-premises blood donation leave under Labor Law § 202-j to accrue if it is not used during the
calendar year. Leave granted to employees for off-premises blood donation is not required to be paid leave.
Donation Leave Alternatives - Leave for blood donation leave alternatives shall be given twice per calendar year and it shall be paid leave given without use of vacation,
personal, sick, or other already existing leave accruals. Under the Donation Leave Alternatives, the donating of blood should be at a convenient time and place set by the
employer. The time shall not be a time outside an employee's normal work hours nor shall the location be not reasonable travel distance for an employee. If an employee
provides prompt notice that he or she is not or was not able to participate in a blood donation leave alternative because the employee is or was on leave (such as sick or
vacation leave), and if as a result the employer has not provided the employee with the opportunity to participate in at least two blood leave alternatives during working hours
in a calendar year, the employer must either make available another such alternative to the employee, or allow the employee to take leave to make an off-premises donation.
Employees donating blood during a blood donation leave alternative must be allowed sufficient leave time necessary to donate blood, to recover, including partaking

nourishment after donating, and to return to work Our company's blood donation will occur:

hreatens, or interferes

se there are strict time

Should you have any questions, please contact:

Please indicate administrator

Please indicate time and place

PAYDAY NOTICE

Regular Paydays for Employees of

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

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"...

may need to file a new form W-4.

Effective July 24, 2003, the amended New York State Clean Indoor Air Act (Public Health Law, Article 13-E) prohibits smoking in virtually all workplaces, including restaurants and bars. The changes in the Act reflect the state's commitment to ensuring that all workers are protected from secondhand smoke. Localities may continue to adopt and enforce local laws regulating smoking. However, these regulations must be at least as strict as the Clean Indoor Air Act

STATE OF NEW YORK - Department of Health - Antonia C. Novello, M.D., M.P.H., Dr. P.H., Commissioner

ATTENTION ALL EMPLOYEES

TIME ALLOWED EMPLOYEES TO VOTE ON ELECTION DAY

• IF YOU DO NOT HAVE <u>4 CONSECUTIVE HOURS TO VOTE</u>, EITHER FROM THE OPENING OF THE POLLS TO THE BEGINNING OF YOUR WORKING SHIFT, OR BETWEEN THE END OF YOUR WORKING SHIFT AND THE CLOSING OF THE POLLS, YOU MAY TAKE OFF UP TO <u>2 HOURS</u>, WITHOUT LOSS OF PAY, TO ALLOW YOU TIME TO VOTE IF YOU ARE A REGISTERED VOTER.

• YOU MAY TAKE TIME OFF AT THE BEGINNING OR END OF YOUR WORKING SHIFT, AS YOUR EMPLOYER MAY DESIGNATE, UNLESS • YOU MUST NOTIFY YOUR EMPLOYER NOT LESS THAN 2 DAYS, BUT NOT MORE THAN 10 DAYS, BEFORE THE DAY OF THE ELECTION THAT YOU

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

For more details, get Publication 919, How Do I Adjust My Tax Withholding?, or use the

Withholding Calculator at *www.irs.gov/individuals* on the IRS web site. **Employer:** Please post or publish this Bulletin Board Poster so that your employees will

see it. Please indicate where they can get forms and information on this subject.

How do I request FMLA leave? Generally, to request FMLA leave you must: /hat is FMLA leave? The Family and Medical Leave Act (FMLA) is a federal law that provides eligible Follow your employer's normal policies for request employees with **job-protected leave** for qualifying family and medical reasons. The U.S. • Give notice at least 30 days before your need for FMLA leave, or Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most • If advance notice is not possible, give notice as soon as possible. mployees. Eligible employees can take up to 12 workweeks of FMLA leave in a You do not have to share a medical diagnosis but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You 2-month period for:

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

(our 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 from a health care provider to verify medical leave and may request certification of a qualifying exigency. The FMLA does not affect any federal or state law prohibiting

Certain gualifying reasons related to the foreign deployment of your spouse, child or discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights. State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law parent who is a military servicemember.

An eligible employee who is the spouse, child, parent or next of kind of a covered ervicemember 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 but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress. use FMLA leave in one block of time. What does my employer need to do? If you are eligible for FMLA leave, your employer <u>must</u>:

Vhen it is medically necessary or otherwise permitted, you may take FMLA leave ntermittently in separate blocks of time, or on a reduced schedule by working less nours 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 Leligible to take FMLA leave

New York Labor Law

Definitions. As used in this section:

You are an **eligible employee** if <u>all</u> of the following apply:

You work for a covered employer,

- You have worked for your employer at least 12 months, You have at least 1,250 hours of service for your employer during the 12 months before
- your leave, and

Your employer has at least 50 employees within 75 miles of your work location. Airline flight crew employees have different "hours of service" requirements.

ou work for a **covered employer** if **<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 year. You work for an elementary or public or private secondary school, or

You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of employer in court. Scan the QR code to learn ersonnel Management

a. "Political activities" shall mean (i) running for public office, (ii) campaigning for a

candidate for public office, or (iii) participating in fund-raising activities for the benefit of a candidate, political party or political advocacy group; b. "Recreational activities" shall mean any lawful, leisure-time activity, for which

the employee receives no compensation and which is generally engaged in for

recreational purposes, including but not limited to sports, games, hobbies, exercise,

"Work hours" shall mean, for purposes of this section, all time, including paid and

unpaid breaks and meal periods, that the employee is suffered, permitted or expected

to be engaged in work, and all time the employee is actually engaged in work. This

definition shall not be referred to in determining hours worked for which an employee

. "Political matters" shall mean matters relating to elections for political office, political

parties, legislation, regulation and the decision to join or support any political party

"Religious matters" shall mean matters relating to religious affiliation and practice

Inless otherwise provided by law, it shall be unlawful for any employer or employment

agency to refuse to hire, employ or license, or to discharge from employment or

otherwise discriminate against an individual in compensation, promotion or terms,

a, an individual's political activities outside of working hours, off of the employer's

premises and without use of the employer's equipment or other property, if such

activities are legal, provided, however, that this paragraph shall not apply to persons

nine-h of the civil rights law, and provided further that this paragraph shall not apply

to persons who would otherwise be prohibited from engaging in political activity

pursuant to chapter 15 of title 5 and subchapter III of chapter 73 of title 5 of the USCA:

an individual's legal use of consumable products, including cannabis in accordance

with state law, prior to the beginning or after the conclusion of the employee's

work hours, and off of the employer's premises and without use of the employer's

state law, outside work hours, off of the employer's premises and without use of the

whose employment is defined in paragraph six of subdivision (a) of section seventy-

and the decision to join or support any religious organization or association.

is entitled to compensation under any law including article nineteen of this chapter;

reading and the viewing of television, movies and similar material;

or political, civic, community, fraternal or labor organization

conditions or privileges of employment because of:

twenty-seven-a of this chapter, violates a collective bargaining agreement or a certified or licensed professional's contractual obligation to devote his or her entire compensated working hours to a single employer, provided however that the provisions of this paragraph shall apply only to professionals whose compensation is at least fifty thousand dollars for the year nineteen hundred ninety-two and in subsequent years is an equivalent amount adjusted by the same percentage as the annual increase or decrease in the consumer price index.

Notwithstanding the provisions of subdivision three of this section, an employer shall not be in violation of this section where the employer takes action based on the belief either that: (i) the employer's actions were required by statute, regulation, ordinance or other governmental mandate, (ii) the employer's actions were permissible pursuant to an established substance abuse or alcohol program or workplace policy, professional contract or collective bargaining agreement, or (iii) the individual's actions were deemed by an employer or previous employer to be illegal or to constitute habitually poor performance, incompetency or misconduct.

4-a. Notwithstanding the provisions of subdivision three or four of this section, an employer shall not be in violation of this section where the employer takes action related to the use of cannabis based on the following:

(i) the employer's actions were required by state or federal statute, regulation, ordinance, or other state or federal governmental mandate;

(ii) the employee is impaired by the use of cannabis, meaning the employee manifests specific articulable symptoms while working that decrease or lessen the employee's performance of the duties or tasks of the employee's job position, or such specific articulable symptoms interfere with an employer's obligation to provide a safe and healthy work place, free from recognized hazards, as required by state and federal occupational safety and health law; or

i) the employer's actions would require such employer to commit any act that would cause the employer to be in violation of federal law or would result in the loss of a federal contract or federal funding.

Nothing in this section shall apply to persons who, on an individual basis, have a professional service contract with an employer and the unique nature of the services provided is such that the employer shall be permitted, as part of such professional service contract, to limit the off-duty activities which may be engaged in by such individual. Nothing in this section shall prohibit an organization or employer from offering, imposing

or having in effect a health, disability or life insurance policy that makes distinctions between employees for the type of coverage or the price of coverage based upon the employees' recreational activities or use of consumable products, provided that fferential premium rates charged employees reflect a differential cost to the employer and that employers provide employees with a statement delineating the differential rates used by the carriers providing insurance for the employer, and provided further that such distinctions in type or price of coverage shall not be utilized to expand, limit or curtail the rights or liabilities of any party with regard to a civil cause of action.

7. a. Where a violation of this section is alleged to have occurred, the attorney general may apply in the name of the people of the state of New York for an order enjoining or restraining the commission or continuance of the alleged unlawful acts. In any such proceeding, the court may impose a civil penalty in the amount of three hundred dollars for the first violation and five hundred dollars for each subsequent violation. b. In addition to any other penalties or actions otherwise applicable pursuant to this chapter, where a violation of this section is alleged to have occurred, an aggrieved

individual may commence an action for equitable relief and damages. and seventy-four of the public officers law respectively, is in knowing violation of 8. Nothing in this section shall prohibit: (i) an employer or its agent, representative or designee from communicating to its employees any information that the employer is required by

XXX IRS To any of these questions or you owed extra tax when you filed your last return, you Department of the Treasury Internal Revenue Service www.irs.gov NO SMOKING NOTICE **NO SMOKING**

time to check your withholding.

For more information about the Act, call 1-800-458-1158, ext. 2-7600.

RIGHT TO VOTE

N.Y. ELECTION LAW SECTION 3-110^I STATES THAT:

OTHERWISE MUTUALLY AGREED. WILL TAKE TIME OFF TO VOTE.

an individual's legal recreational activities, including cannabis in accordance with

d. an individual's membership in a union or any exercise of rights granted under Title 29, USCA, Chapter 7 or under article fourteen of the civil service law; or e. an individual's refusal to: (i) attend an employer-sponsored meeting with the

Publication 213

Cat. No. 11047P

(Rev. 8-2009)

employer or its agent, representative or designee, the primary purpose of which is to communicate the employer's opinion concerning religious or political matters; or (ii) listen to speech or view communications, the primary purpose of which is to

equipment or other property;

employer's equipment or other property;

communicate the employer's opinion concerning religious or political matters. The provisions of subdivision two of this section shall not be deemed to protect activity

a. creates a material conflict of interest related to the employer's trade secrets, proprietary information or other proprietary or business interest:

with respect to employees of a state agency as defined in sections seventy-three subdivision two, three, four, five, seven, eight or twelve of section seventy-three or

WHD or file a private lawsuit against your WAGE AND HOUR DIVISION about our WHD complaint process **DISCRIMINATION AGAINST CERTAIN ACTIVITIES** 201-d. Discrimination against the engagement in certain activities

OF LABOR WH1420 REV 04/23

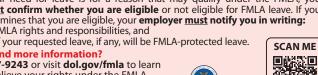
you for requesting FMLA leave or cooperating with a WHD investigation. After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your employer must confirm whether you are eligible or not eligible for FMLA leave. If your About your FMLA rights and responsibilities, and Where can I find more informat Call 1-866-487-9243 or visit dol.gov/fmla to learn more. If you believe your rights under the FMLA have been violated, you may file a complaint with

and location, at the end of your leave.

FMLA - FAMILY AND MEDICAL LEAVE ACT

Your Employee Rights Under the Family and Medical Leave Act





Tipped workers\$16.50Overtime after 40 hours\$24.75	Tipped workers \$15.50 Overtime after 40 hours \$23.25	ⁱ Employers: Not less than ten working days before any Election Day, every employer shall post cons go to their place of work, a notice setting forth the provisions of this law. Such notice shall be kept p		directive, or other rule which has been issued by the attorney general regulating outside employment or activities that could conflict with employees' performance of their official duties;		
		PAID FAMILY LEAVE NOTICE	ANTI-DISCRIMINATION NOTICE	of this chapter, is in knowing violation of a provision of a collective bargaining sy	or participating in any communications with its employees that are part of coursework, any symposia or an academic program at such institution; (iv) casual conversations between	
If you have questions, need more information or want to file a complaint, please visit <u>www.labor.ny.gov/minimumwage</u> or call: 1-888-469-7365 . Credits and Allowances that may reduce your pay below the minimum wage rates shown above:					employees or between an employee and an agent, representative or designee of an employer, provided participation in such conversations is not required; or (v) a requirement	
• Tips – Beginning December 31, 2020, your • Meals and lodging – You	ur employer may claim a limited amount of your wages for meals and lodging	Most private employers with one or more employees are required to obtain Paid Family Leave insurance. Your insurance carrier will provide you with a notice to	It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document(s) they will		imited to the employer's managerial and supervisory employees. The provisions of this section shall not apply to a religious corporation, entity, association,	
	as long as they do not charge you anything else. The rates and requirements ers and summaries, which are available online.	employees (Notice of Compliance) stating that you have Paid Family Leave	accept from an employee. The refusal to hire an individual		educational institution or society that is exempt from the requirements of Title VII of the Civil Rights Act of 1964 pursuant to 42 USC 2000e-1(a) with respect to speech on religious	
		insurance. The Notice will include information about your carrier.	because the documents have a future expiration date may also constitute illegal discrimination.	or rule or directive of the mayor or any agency head of a city having a population m	natters to employees who perform work connected with the activities undertaken by such religious corporation, entity, association, educational institution or society.	
Extra Pay you may be owed in addition to the minimum wage rates shown abov		If you are self-insured, you can get this notice by contacting the NYS	For information, please contact The Office of Special Counsel	directive concerns ethics, conflicts of interest, potential conflicts of interest, or the 10.	Every employer shall post a sign in every workplace at the location or locations	
 Overtime – You must be paid 1½ times your Call-in pay – If you go to your employer sends you 		Workers' Compensation Board at certificates@wcb.ny.gov.	for Immigration Related Unfair Employment Practices Office		where notices to employees are normally posted, to inform employees of their rights pursuant to this section.	
above) for weekly hours over 40 (or 44 for be entitled to extra hours		 Post and maintain this notice in plain view. 	at 800-255-7688.			
residential employees). wage rate for that day. <i>Exceptions</i> : Overtime is not required for salaried • Spread of hours – If you	ur workday lasts longer Minimum Wage Poster		TEATION	FRINGE BENEFITS /	AND HOURS	
professionals, or for executives and administrative than ten hours, you may b	be entitled to extra daily	WHISTLEBLOWER PROT	TECTION	NOTICE REQUIREMENTS FOR FRIM	NGE BENEEITS AND HOURS	
staff whose weekly salary is more than 75 times pay. The daily rate is equation the minimum wage rate.		Division of Labor Standars Notice of Employee Rights, Prot		Section 195.5 of the New York State Labor Law effective December 12, 1981 provides as follow		
		Harriman State Office Campus Building 12, Albany, NY 12226 Prohibited Retaliatory Personnel Action	Section /40	employer's policy on sick leave, vacation, pe		
UNEMPLOYMEN	IT INSURANCE	Building 12, Albany, NY 12226 Effective January 26, 202		For written information on your employer's policy on sick leave, vacat (Please advise employees where they may obtain writte		
ATTENTION EMPLOYERS NOTICE REGA	RDING UNEMPLOYMENT INSURANCE		cts to, or refuses to participate in any such activity, policy or practice.	(riease advise employees where they may obtain write		
The New York State unemployment insurance program, which is administered by			ubdivision two of this section pertaining to disclosure to a public body			
the State Labor Department, provides immediate, short-term financial protection			ot apply to an employee who makes such disclosure to a public body the employee has made a good faith effort to notify his or her employer			
for people who are out of work through no fault of their own. It is financed by		including former employees, or natural persons employed as independent by brin	nging the activity, policy or practice to the attention of a supervisor of			
employers through a tax on their payrolls. If you pay compensation to individuals for their services, you may be liable for Unemployment Insurance and Withholding		enterprise who are not themselves employers. correct	ployer and has afforded such employer a reasonable opportunity to t such activity, policy or practice. Such employer notification shall not			
taxes and wage reporting responsibilities. In order to determine if your business is		(b) "Employer" means any person, firm, partnership, institution, corporation, be requ	uired where: e is an imminent and serious danger to the public health or safety;			
liable for Unemployment Insurance, please contact, 1-800-829-3676.		(c) "Law , rule or regulation" includes: (i) any duly enacted federal, state or (b) the	employee reasonably believes that reporting to the supervisor Id result in a destruction of evidence or other concealment of the			
		promulgated pursuant to such statute or ordinance or executive order; or activ	vity, policy or practice;	FOUAL PAY NOTICE		
EMPLOYEE POLYGRAP			activity, policy or practice could reasonably be expected to lead to angering the welfare of a minor;			
EMPLOYEE RIGHTS EMPLOYEE		(i) the United States Congress, any state legislature, or any elected local (d) the e	employee reasonably believes that reporting to the supervisor would It in physical harm to the employee or any other person; or	NEW YORK STATEOF of Labor Department of Labor Article 6, Section		
The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course	preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.	(ii) any federal, state, or local court, or any member or employee thereof, or (e) the e	employee reasonably believes that the supervisor is already aware		(b) An employer may, in a written policy provided to all employees, establish	
of employment.	EXAMINEE RIGHTS Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of	(iii) any foderal state or local regulatory, administrative or public agency or pr	e activity, policy or practice and will not correct such activity, policy ractice.	 No employee with status within one or more protected class or classes shall be paid a wage at a rate less than the rate at which an employee without status within the same 	reasonable workplace and workday limitations on the time, place and manner for inguires about, discussion of, or the disclosure of wages. Such limitations	
employee or job applicant to take a lie detector test, and from discharging, disciplining,	specific rights, including the right to a written notice before testing, the right to refuse or	or authority, or instrumentality thereof; 4. Violatic	on; remedy. mployee who has been the subject of a retaliatory action in violation of	protected class or classes in the same establishment is paid for: (a) equal work on a job	shall be consistent with standards promulgated by the commissioner and shall	
or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.	discontinue a test, and the right not to have test results disclosed to unauthorized persons. ENFORCEMENT The Secretary of Labor may bring court actions to restrain violations	office, or police or peace officer; this s	section may institute a civil action in a court of competent jurisdiction	the performance of which requires equal skill, effort and responsibility, and which is performed under similar working conditions, or (b) substantially similar work, when	be consistent with all other state and federal laws. Such limitations may include prohibiting an employee from discussing or disclosing the wages of another	
EXEMPTIONS Federal, State and local governments are not affected by the law. Also, the	and assess civil penalties against violators. Employees or job applicants may also bring		elief as set forth in subdivision five of this section within two years after alleged retaliatory action was taken.	viewed as a composite of skill, effort, and responsibility, and performed under similar working conditions; except where payment is made pursuant to a differential based on:	employee without such employee's prior permission. (c) Nothing in this subdivision shall require an employee to disclose his or her wages.	
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	THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES	(vi) any division, board, bureau, office, committee, or commission of any (b) Any a	action authorized by this section may be brought in the county in	(i) a seniority system;	The failure of an employee to adhere to such reasonable limitations in such written	
	AND JOB APPLICANTS CAN READILY SEE IT.	paragraph. the c	th the alleged retaliatory action occurred, in the county in which complainant resides, or in the county in which the employer has	 (ii) a merit system; (iii) a system which measures earnings by quantity or quality of production; or 	policy shall be an affirmative defense to any claims made against an employer under this subdivision, provided that any adverse employment action taken by the	
	WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR		rincipal place of business. In any such action, the parties shall be tled to a jury trial.	(iv) a bona fide factor other than status within one or more protected class or classes, such as education, training, or experience. Such factor:	employer was for failure to adhere to such reasonable limitations and not for mere inquiry, discussion or disclosure of wages in accordance with such reasonable	
permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft,	1-866-487-9243	discriminate against any employee or former employee exercising his or (c) It sha	all be a defense to any action brought pursuant to this section that retaliatory action was predicated upon grounds other than the	(A) shall not be based upon or derived from a differential in compensation based	limitations in such written policy.	
embezzlement, etc.) that resulted in economic loss to the employer. The law does not	www.dol.gov/agencies/whd WH1462 REV 02/22	threats to take such adverse employment actions against an employee empl	loyee's exercise of any rights protected by this section.	on status within one or more protected class or classes and (6) (B) shall be job-related with respect to the position in question and shall be	(d) This prohibition shall not apply to instances in which an employee who has access to the wage information of other employees as a part of such employee's essential	
		in the terms of conditions of employment including but not limited to 5. Relief. I discharge, suspension, or demotion; (ii) actions or threats to take such the cou	In any action brought pursuant to subdivision four of this section, urt may order relief as follows:	consistent with business necessity. Such exception under this paragraph shall not apply when the employee demonstrates	job functions discloses the wages of such other employees to individuals who do not otherwise have access to such information, unless such disclosure is in response	
DISCRIMINATION		actions that would adversely impact a former employee's current or future (a) an in	njunction to restrain continued violation of this section; reinstatement of the employee to the same position held before	(1) that an employer uses a particular employment practice that causes a disparate	to a complaint or charge, or in furtherance of an investigation, proceeding, hearing,	
NEW Division of	1-888-392-3644	immigration authorities or otherwise reporting or threatening to report an the r	retaliatory action, or to an equivalent position, or front pay in lieu	impact on the basis of status within one or more protected class or classes, (2) that an alternative employment practice exists that would serve the same (e	or action under this chapter, including an investigation conducted by the employer. (e) Nothing in this section shall be construed to limit the rights of an employee	
NEW YORK Division of	T-000-22-2044		eof; einstatement of full fringe benefits and seniority rights;	business purpose and not produce such differential, and (3) that the employer has refused to adopt such alternative practice.	provided under any other provision of law or collective bargaining agreement.	
Human Rights	WWW.DHR.NY.GOV		compensation for lost wages, benefits and other remuneration; payment by the employer of reasonable costs, disbursements, and	2. For the purpose of subdivision one of this section:	For questions, write or call your nearest office, (listed below), of the: New York State Department of Labor	
THIS ESTABLISHMENT IS SUBJECT TO THE NEW YORK STATE HUMAN RIGHTS	ESTE ESTABLECIMIENTO ESTÁ SUJETO A LA LEY DE DERECHOS HUMANOS DEL	(f) "Supervisor" means any individual within an employer's organization attor	rney's fees;	(a) "business necessity" shall be defined as a factor that bears a manifest relationship to the employment in question, and	Division of Labor Standards	
	ESTADO DE NUEVA YORK (LEY EJECUTIVA, SECCIÓN 15)	affected employee; or who has managerial authority to take corrective (g) the p	I penalty of an amount not to exceed ten thousand dollars; and/or payment by the employer of punitive damages, if the violation was		bany District New York City District Syracuse District	
	La ley de derechos humanos del estado de nueva york prohíbe la discriminación		ul, malicious or wanton. yer relief. A court, in its discretion, may also order that reasonable	predisposing genetic characteristics, familial status, marital status, or domestic Bld	ate Office Campus 75 Varick Street, 7th Floor 333 East Washington dg. 12, Rm. 185A New York, NY 10013 Street, Rm. 121	
	por edad, raza, credo, color, origen nacional, orientación sexual, estatus militar, sexo, embarazo, identidad o expresión de género, ciudadanía o estatus	2. Prohibitions. An employer shall not take any retaliatory action against an attorne	eys' fees and court costs and disbursements be awarded to an	to paragraphs (a), (b), and (c) of subdivision one of section two hundred ninety-six (51)	bany, NY 12240 (212) 775-3880 Syracuse, NY 13202 18)457-2730 (315) 428-4057	
status, familial status, or marital status is prohibited by the New York	migratorio, discapacidad, estado como víctima de violencia doméstica, estado	because such employee does any of the following: under t	yer if the court determines that an action brought by an employee this section was without basis in law or in fact.	internet in the second state of the second sta	Inffalo District Rochester Sub-District White Plains District 0 Main Street, Rm. 226 276 Waring Road, Rm. 104 120 Bloomingdale Road	
State Human Rights Law. Sexual harassment or harassment based upon	familiar, o estado civil. También está prohibido el acoso sexual o el acoso por cualquiera de estas clases protegidas.		g rights. Nothing in this section shall be deemed to diminish the rights, ges, or remedies of any employee under any other law or regulation or	3. For the purposes of subdivision one of this section, employees shall be deemed to work Buf	Initial (Signature) Initial (Signature) <thinitial (signature)<="" th=""> Initial (Signature)</thinitial>	
any of these protected classes also is prohibited		believes is in violation of law, rule or regulation or that the employee under a	any collective bargaining agreement or employment contract. ation. Every employer shall inform employees of their protections,	located in the same geographical region, no larger than a county, taking into account Gai	rden City District	
	TODOS LOS EMPLEADORES, AGENCIAS DE EMPLEO, ORGANIZACIONES DE TRABAJO Y PROGRAMAS DE CAPACITACIÓN DE APRENDICES	health or safety; rights a	and obligations under this section, by posting a notice thereof. Such	4. (a) No employer shall prohibit an employee from inquiring about, discussing, or Gar	0 Oak Street, Suite 101 Irden City, NY 11530	
	Asimismo, está prohibida la discriminación en el empleo sobre la base de la	an investigation, hearing or inquiry into any such activity, policy or places of	s shall be posted conspicuously in easily accessible and well-lighted customarily frequented by employees and applicants for employment.	disclosing the wages of such employee or another employee. (51)	16) 794-8195 LS 603 (08/20)	
observance or religious practices; hairstyles associated with race (also applies	observancia del Shabat o prácticas religiosas; peinados asociados con la raza (también se aplica a las áreas enumeradas a continuación) arresto previo o	practice by such employer; or			Now	
to all areas listed below); prior arrest or conviction record; predisposing genetic	antecedentes penales; las características genéticas predisponentes; las condiciones	lo Ka Vostad (onspicijojisti ja osciju oscastibla ond wali-lightad plocas		RIGHT TO K	NUW	
Reasonable accommodations for persons with disabilities and pregnancy-	relacionadas con el embarazo. Es posible que sea necesario hacer acomodos razonables para personas con			YOU HAVE A RIGHT TO KNOW!		
related conditions including lactation may be required. A reasonable	discapacidades y condiciones relacionadas con el embarazo incluyendo lactación.		AND REEMPLOYMENT RIGHTS ACT	Your employer must inform you of the health effects and hazards of toxic substances	s at your worksite	
	Un arreglo razonable es una adaptación a un trabajo o entorno laboral que permita que una persona con discapacidad realice las tareas esenciales de un trabajo de	YOUR RIGHTS UNDER USERRA		Learn all you can about toxic substances on your job. For more information, contact:		
	manera razonable.	THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT	* 🙆 🞯 🎯 🔅 ★			

Also covered: domestic workers; interns and nonemployees working in the También están cubiertos: trabajadores domésticos; internos y no empleados workplace (for example temp or contract workers) are protected from all cuales trabajan en el lugar de trabajo (por ejemplo trabajadores temporarios o discrimination described above.

INCLUDING ACTIVITIES OF REAL ESTATE BROKERS AND SALES PEOPLE COMERCIAL INCLUYENDO ACTIVIDADES DE AGENTE DE BIENES RAICES Y Also prohibited: discrimination on the basis of lawful source of income (for **VENDEDORES** example housing vouchers, disability benefits, child support); familial status También esta prohibido: la discriminación a base de fuente de ingreso legal (por

contratantes) están protegidos de toda discriminación descrita arriba.

RENTAL, LEASE OR SALE OF HOUSING, LAND AND COMMERCIAL SPACE, ALQUILER, ARRENDAMIENTO O VENTA DE VIVIENDA, TERRENO O ESPACIO

ejemplo vales, beneficios de discapacidad, manutención de niños); estado familia

(familias con niños o en estado de embarazo); arresto previo o condena sellada;

También es posible que sea necesario realizar modificaciones y arreglos razonables

(1) alquiler de un apartamento en una casa para dos familias ocupada por el dueño

(2) restricciones de todas las habitaciones en una vivienda para individuos del

(3) alquiler de una habitación por parte del ocupante de una casa o apartamento

(4) venta, alquiler o arrendamiento de alojamiento en una casa exclusivamente a

TODAS TRANSACCIONES CREDITICIAS INCLUYENDO FINANCIAMENTO PARA

LUGARES DE ALOJAMIENTO PÚBLICO, COMO RESTAURANTES, HOTELES,

HOSPITALES Y CONSULTORIOS MÉDICOS, CLUBS, PARQUES Y OFFICINAS DEL

La edad no es una clasificación cubierta respecto a los alojamientos públicos. Es posible

que sea necesario realizar arreglos razonables para personas con discapacidades.

Todas las escuelas publicas y escuelas privadas sin ánimo de lucro, en todos los niveles, excluyendo escuelas dirigidas por organizaciones religiosas; también están

cubiertos: escuelas profesionales autorizadas o escuelas certificadas de inglés

PUBLICIDAD Y SOLICITUDES RELACIONADAS CON EL EMPLEO, LOS

INMUEBLES, LOS LUGARES DE ALOJAMIENTO PÚBLICO Y LAS TRANSACCIONES

Para actos que ocurran el 14/02/2024 o antes, debe presentar su querella en ur

plazo de un año a partir del acto más reciente de presunta discriminación. Para actos

realizados a partir del 15/02/2024, debe presentar su guerella en un plazo de tres años

acoso sexual en el empleo que ocurrió a partir del 12/08/2020 puede presentarse con

de los tres años desde que ocurriera la discriminación. No puede presentar una

discriminatorias. Puede presentar una demanda ante la División si sufrió represalias

PARA OBTENER MÁS INFORMACIÓN, ESCRIBA O LLAME A LA OFICINA MÁS CERCANA DE

LA DIVISIÓN. OFICINA CENTRAL: ONE FORDHAM PLAZA. 4TH FLOOR, BRONX, NY 10458

CREDITICIAS NO DEBEN EXPRESAR NINGUN ACTO DISCRIMINATORIO

tres años del presunto acto. Los servicios de la División se ofrecen sin cargo.

demanda ante la División y ante el Tribunal Estatal.

personas mayores de 55 años y al cónyuge de dichas person

LA COMPRA, MANTENIMIENTO Y REPARACION DE VIVIENDAS

boicot comercial o acoso inmobiliario

para personas con discapacidades.

Excepciones

Excepción

INSTITUCIONES EDUCATIVAS

como segundo idioma.

mismo sexc

REEMPLOYMENT RIGHTS

uniformed services.

HEALTH INSURANCE PROTECTION You have the right to be reemployed in your civilian job if you leave that job to perform • If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your service in the uniformed service and: •you ensure that your employer receives advance written or verbal notice of dependents for up to 24 months while in the military. • Even if you don't elect to continue coverage during your military service our service.

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

ENFORCEMEN

THE RIGHT TO KNOW LAW WORKS FOR YOU. **NEW YORK STATE DEPARTMENT OF HEALTH**



(families with children or being pregnant); prior arrest or sealed conviction;
commercial boycotts or blockbusting.
Reasonable accommodations and modifications for persons with disabilities
may also be required.

Does not apply to:

rental of an apartment in an owner-occupied two-family house (2) restrictions of all rooms in a housing accommodation to individuals of the

same sex (3) rental of a room by the occupant of a house or apartment

(4) sale, rental, or lease of accommodations of housing exclusively to persons

55 years of age or older, and the spouse of such persons ALL CREDIT TRANSACTIONS INCLUDING FINANCING FOR PURCHASE, MAINTENANCE AND REPAIR OF HOUSING

PLACES OF PUBLIC ACCOMMODATION SUCH AS RESTAURANTS, HOTELS, HOSPITALS AND MEDICAL OFFICES, CLUBS, PARKS AND GOVERNMENT OFFICES

Exception: Age is not a covered classification relative to public accommodations Reasonable accommodations for persons with disabilities may also be required.

EDUCATION INSTITUTIONS

All public schools and private nonprofit schools, at all education levels, excluding those run by religious organizations; also for-profit colleges, universities, licensed private career schools or certified English as a second language schools.

ADVERTISING AND APPLICATIONS RELATING TO EMPLOYMENT, REAL ESTATE, PLACES OF PUBLIC ACCOMMODATION AND CREDIT TRANSACTIONS MAY NOT EXPRESS ANY DISCRIMINATION

A complaint must be filed with the Division within one year for alleged acts of discrimination that occurred on or before 2/14/2024. Complaints for acts of discrimination that occur on or after 2/15/2024 may be filed within three years of the alleged act. A complaint alleging sexual harassment in employment that posterior al acto más reciente de presunta discriminación. Una denuncia que alega occurred on or after 08/12/2020 may be filed with three years of the alleged act. The Division's services are provided free of charge.

If you wish to file a complaint in State Court, you may do so within three years of Si desea presentar una demanda ante el Tribunal Estatal, puede hacerlo dentro the discrimination. You may not file both with the Division and the State Court.

Retaliation for filing a complaint or opposing discriminatory practices is prohibited. You may file a complaint with the Division if you have been Se prohíben las represalias por presentar una demanda u oponerse a prácticas retaliated against.

FOR FURTHER INFORMATION, WRITE OR CALL THE DIVISION'S NEAREST OFFICE. HEADQUARTERS: ONE FORDHAM PLAZA, 4TH FLOOR, BRONX, NY 10458

WORKERS' COMPENSATION Employers must obtain and keep in effect workers' compensation coverage for This notice is in a form prescribed by the Workers' Compensation Board.

their employees; there must be no lapse in coverage even when switching Employers obtain the notice from their insurance carrier or, if self-insured, from insurance carriers. The law requires almost all employers operating in New York the Board. The notice includes the name and address of the insurance carrier State to have workers' compensation and disability coverage for their and the policy number of the employer. It must be posted in a conspicuous employees. This requirement can be fulfilled by purchasing insurance coverage place in the employer's place of business. Violations of this requirement can through an insurance carrier or by obtaining authorization from the Board to result in a fine of up to \$250 per violation. be self-insured.

Employers must post a notice of workers' compensation coverage and employee rights.

DISABILITY BENEFITS LAW

An employer who has had in New York State employment 1 or more least one employee who works 40 or more hours per week for that one employees on each of at least 30 days in any calendar year shall be a employer. (NOTE: Prior to January 1, 1984, employers are subject only if "covered employer" subject to the Disability Benefits Law after the they have 4 or more employees.) expiration of 4 weeks following the 30th day of such employment. These 30 days of employment need not be consecutive days but must be work days of employment in one calendar year. In addition to the abovestated provisions, effective January 1, 1984, employers of personal or domestic employees in a private home are subject if they employ at

please contact your Disability Insurance Carrier.

FEDERAL MINIMUM WAGE

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE \$7.25 BEGINNING JULY 24, 2009

The law requires employers to display this poster where employees can readily see it. **OVERTIME PAY** At least 1 ½ times your regular rate of pay for all hours worked over

40 in a workweek. and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. under the FLSA. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, ADDITIONAL INFORMATION non-mining, non-hazardous jobs with certain work hours restrictions. Different rules • apply in agricultural employment

TIP CREDIT Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against ninimum wage obligation. If an employee's tips combined with the employer's

also be assessed for violations of the FLSA's child labor provisions. Heightened civi money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating CHILD LABOR An employee must be at least 16 years old to work in most non-farm jobs against or discharging workers who file a complaint or participate in any proceeding

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

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

ou have five years or less of cumulative service in the uniformed services while with 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., that particular employe you return to work or apply for reemployment in a timely manner after conclusion pre-existing condition exclusions) except for service-connected illnesses or iniuries.

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

 The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is If you are eligible to be reemployed, you must be restored to the job and benefits you authorized to investigate and resolve complaints of USERRA violations. would have attained if you had not been absent due to military service or, in some For assistance in filing a complaint, or for any other information on USERRA, contact cases a comparable job VETS at 1-866-4-USA-DOL or visit its website at

GHT 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 o 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.

that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA. Publication Date — May 2022

http://www.dol.gov/vets. An interactive online USERRA Advisor can be viewed at

If you file a complaint with VETS and VETS is unable to resolve it, you may request

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 neet this requirement by displaying the text of this notice where they customarily place notices for employees.



NEW YORK CORRECTION LAW ARTICLE 23-A

NEW YORK CORRECTION LAW ARTICLE 23-A LICENSURE AND EMPLOYMENT OF PERSONS PREVIOUSLY CONVICTED OF ONE OR MORE CRIMINAL OFFENSES

Section 750. Definitions. 751. Applicability. 752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited. 753. Factors to be considered concerning a previous criminal conviction; presumption. 754. Written statement upon denial of license or employment. 755. Enforcement. §750. Definitions. For the purposes of this article, the following terms shall have the following meanings: (1) "Public agency" means the state or any local subdivision thereof, or any state or local department, agency, board or commission. (2) "Private employer" means any person, company, corporation, labor organization or association which employs ten or more persons. (3) "Direct relationship" means that the nature of criminal conduct for which the person was convicted has a direct bearing on his fitness or ability to perform one or more of the duties or responsibilities necessarily related to the license, opportunity, or job in question. (4) "License" means any certificate, license, permit or grant of permission required by the laws of this state, its political subdivisions or instrumentalities as a condition for the lawful practice of any occupation, employment, trade, vocation, business, or profession. Provided, however, that "license" shall not, for the purposes of this article, include any license or permit to own, possess, carry, or fire any explosive, pistol, handgun, rifle, shotgun, or other firearm. (5) "Employment" means any occupation, vocation or employment, or any form of vocational or educational training. Provided, however, that "employment" shall not, for the purposes of this article, include membership in any law enforcement agency §751. Applicability. The provisions of this article shall apply to any application by any person for a license or employment at any public or private employer who has previously been convicted of one or more criminal offenses in this state or in any other jurisdiction, and to any license or employment held by any person whose conviction of one or more criminal offenses in this state or in any other jurisdiction preceded such employment or granting of a license, except where a mandatory forfeiture, disability or bar to employment is imposed by law, and has not been removed by an executive pardon, certificate of relief from disabilities or certificate of good conduct. Nothing in this article shall be construed to affect any right an employer may have with respect to an intentional misrepresentation in connection with an application for employment made by a prospective employee or previously made by a current employee. §752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited. No application for any license or employment, and no employment or license held by an individual, to which the provisions of this article are applicable, shall be denied or acted upon adversely by reason of the individual's having been previously convicted of one or more criminal offenses, or by reason of a finding of lack of "good moral character" when such finding is based upon the fact that the individual has previously been convicted of one or more criminal offenses, unless: (1) There is a direct relationship between one or more of the previous criminal offenses and the specific license or employment sought or held by the individual; or (2) the issuance or continuation of the license or the granting or continuation of the employment would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public. §753. Factors to be considered concerning a previous criminal conviction; presumption. 1. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall consider the following factors: (a) The public policy of this state, as expressed in this act, to encourage the licensure and employment of persons previously convicted of one or more criminal offenses. (b) The specific duties and responsibilities necessarily related to the license or employment sought or held by the person. (c) The bearing, if any, the criminal offense or offenses for which the person was previously convicted will have on his fitness or ability to perform one or more such duties or responsibilities. (d) The time which has elapsed since the occurrence of the criminal offense or offenses. (e) The age of the person at the time of occurrence of the criminal offense or offenses. (f) The seriousness of the offense or offenses. (g) Any information produced by the person, or produced on his behalf, in regard to his rehabilitation and good conduct. (h) The legitimate interest of the public agency or private employer in protecting property, and the safety and welfare of specific individuals or the general public. 2. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall also give consideration to a certificate of relief from disabilities or a certificate of good conduct issued to the applicant, which certificate shall create a presumption of rehabilitation in regard to the offense or offenses specified therein. §754. Written statement upon denial of license or employment. At the request of any person previously convicted of one or more criminal offenses who has been denied a license or employment, a public agency or private employer shall provide, within thirty days of a request, a written statement setting forth the reasons for such denial. §755. Enforcement. 1. In relation to actions by public agencies, the provisions of this article shall be enforceable by a proceeding brought pursuant to article seventy-eight of the civil practice law and rules. 2. In relation to actions by private employers, the provisions of this article shall be enforceable by the division of human rights pursuant to the powers and procedures set forth in article fifteen of the executive law, and, concurrently, by the New York city commission on human rights.

VETERAN BENEFITS AND SERVICES

dol.ny.gov/veteran-benefits-and-services

TAX BENEFITS NYS Department of Tax and Finance Information for military personnel and veterans: tax.ny.gov/pit/file/military_page.htm Property tax exemptions: tax.ny.gov/pit/property/exemption/vetexempt.htm Line: www.veteranscrisisline.net Text: 838255 EDUCATION, WORKFORCE, AND TRAINING RESOURCES Call: 988 Text: 988 Veteran Readiness and Employment (VR&E) Program: **Crisis Textline:** www.benefits.va.gov/vocrehab Chat: crisistextline.org New York State Civil Service Credits for Veterans Program: www.cs.ny.gov **ADDITIONAL RESOURCES** www.oasas.ny.gov/hopelin NYS Domestic and Sexual Violence Hotline Call: 1-877-8-HOPENY (467469) Text: HOPENY (467369) Call: 800-942-6906 Text: 844-997-2121 NYS Workplace Sexual Harassment Hotline LEGAL SERVICES Call: 1-800-HARASS-3 Veterans Treatment Courts (VTC): NYS Department of Motor Vehicles





Location & Phone Numbe

Job Safety and Health IT'S THE LAW!

All workers have the right to:

A safe workplace.

Raise a safety or health concern with your employer or OSHA, or report a workrelated injury or illness, without being retaliated against.

- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

This poster is available free from OSHA.

Contact OSHA. We can help.

Employers must:

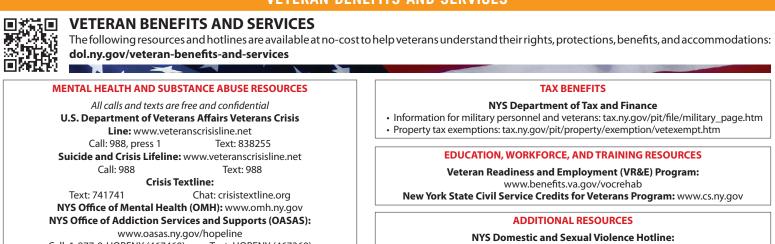
- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations.
- On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHAsupported consultation programs in every state.



NY-0125-F04

place or places of business a prescribed form, Notice of Compliance, stating the provisions have been made for the payment of Disability Benefits to all eligible employees. To obtain the Notice of Compliance,

Each covered employer must post and maintain conspicuously at the



Division of

Veterans' Services

NEW YORK STATE

Employer Support Of The Guard And Reserve 1-800-336-4590

https://webapps.dol.gov/elaws/vets/userra

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

with both • Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not. Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR **WHE** 1-866-487-9243 WH1088 REV 04/23 www.dol.gov/agencies/whd

ww2.nvcourts.gov/courts/problem_solving/vet/courts.shtm Email: ProblemSolving@courts.state.nv.us NYS Defenders Association Veteran Defense Programs https://www.nysda.org/page/VDP

NEW YORK STATE DIVISION OF VETERANS' SERVICES

Website: veterans.ny.gov Help Line: 1-888-838-7697 Email: DVSInfo@veterans.ny.gov Services: Legal, education, employment and volunteer, financial, health care, and more.

Website: dol.ny.gov/services-veterans Help Line: 1-888-469-7365 Email: Ask.Vets@labor.ny.gov Services: Workforce and training resources, unemployment insurance, the Experience Counts program, and more.

The New York State Department of Labor is an Equal Opportunity Employer/Program. Auxiliary aides and services are available upon request and free of charge to individuals with disabilities TTY/TDD 711 or 1-800-662-1220 (English) / 1-877-662-4886. P37 (2/24)

dmv.ny.gov/more-info/veteran-statusdesignation-photo-document Veteran License Plate: dmv.ny.gov/plates/military-and-veterans

• Veteran Status Designation Photo Document:

NEW YORK STATE DEPARTMENT OF LABOR VETERANS' PROGRAM

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