

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

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

**Who is Protected?**  
• Employees (current and former), including managers  
• Job applicants  
• Union members and applicants for membership in a union  
**What Organizations are Covered?**  
• State and local governments (as employers)  
• Educational institutions (as employers)  
• All employers  
**What is Protected?**  
• Retaliation for filing a charge, requesting an investigation, or participating in a discrimination lawsuit, investigation, or proceeding  
• Interference, coercion, or threats related to exercising your rights  
• Harassment  
• Discrimination on the basis of race, color, religion, sex, sexual orientation, gender identity, or national origin  
• Age (40 and over)  
• Disability (physical or mental)  
• Genetic information (including family medical history)  
• Citizenship status

### 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 an employee of a company with a federal contract or subcontract, you are protected under Executive Order 11246, which prohibits workplace discrimination on the basis of 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.

### PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Individuals with Disabilities Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity that 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.

### VIRGINIA EARNED INCOME TAX CREDIT

Did you know Virginia has an income tax credit for low-income, working individuals and families?

Could you be eligible?

Two ways to increase your income:  
✓ The Federal Earned Income Tax Credit  
✓ The Virginia Credit for Low Income Individuals

Call the Virginia Department of Taxation at: (804) 367-8031, PAY-VTAX at: (804) 339-1307 or visit: [www.tax.virginia.gov](http://www.tax.virginia.gov)

### FIND OUT IF YOU QUALIFY

for the Commonwealth of Virginia income tax credit today!  
Visit the Low Income Individuals Credit page on the Virginia Tax Site:  
[www.tax.virginia.gov/low-income-individuals-credit](http://www.tax.virginia.gov/low-income-individuals-credit)

### EARNED INCOME TAX CREDIT

Life's a little easier with **eita** earned income tax credit.

ETIC is for people who work for someone else or own or run a business or a farm. To qualify, you must have low to mid income and meet the following rules:

- Must have earned income
- Must have a Social Security number that is valid for employment issued on or before the due date of the return (including extensions)
- Cannot have investment income, such as interest income, over a certain amount
- Children must be U.S. citizens or permanent lawful permanent residents
- May not file as married filing separately
- May not be a qualifying child of another person
- May not file Form 2555 or 2555-EZ (related to foreign earned income)
- Must have a qualifying child or if you do not have a qualifying child, you must:
  - be at least age 25 but under age 65 at the end of the year,
  - live in the United States\* for more than half the year, and
  - not qualify as a dependent of another person.

### FEDERAL MINIMUM WAGE

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

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

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

**oVERTIME PAY** At least 1 1/2 times your regular rate of pay for all hours worked over 40 in a workweek.

**TIP CREDIT** Employers of "tipped employees" who meet certain conditions claim a partial wage credit based on tips received by their employees.

### PAYDAY NOTICE

Regular Payments for Employees of

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

Compensation Period shall be as follows:  
Weekly \_\_\_\_\_ Monthly \_\_\_\_\_ Other \_\_\_\_\_

### UNEMPLOYMENT COMPENSATION

NOTICE TO WORKERS

Unemployment Insurance (UI) benefits are available to workers who are unemployed and who meet the requirements of Virginia UI eligibility laws. You may file a claim in the first week that employment stops or work hours are reduced.

**YOU MAY APPLY FOR UNEMPLOYMENT INSURANCE BENEFITS IF:**

- You are totally unemployed.
- You are working reduced weeks or hours.

**YOU WILL NEED TO PROVIDE:**

- Your full legal name
- Your Social Security Number
- Your authorization to work (if you are not a U.S. Citizen or resident)

### EMPLOYEE POLYGRAPH PROTECTION ACT

EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits most employers from using polygraph tests for hiring or during the course of employment.

**PROHIBITED TESTS** are generally prohibited from requiring or requesting any employee or job applicant to take lie detector tests, or from discriminating, disciplining, or retaliating against any person who refuses to take a test or for exercising other rights under the Act.

**ENFORCEMENT:** The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators.

### DISCRIMINATION

### VIRGINIA HUMAN RIGHTS ACT

Code of Virginia - Title 2.2, Chapter 39

It is the policy of the Commonwealth of Virginia to: Unlawful Discriminatory Practice Defined

Conduct that violates any Virginia of federal statute or regulation governing discrimination is an unlawful discriminatory practice under the Virginia Human Rights Act.

Complaints may be filed with: OFFICE OF THE ATTORNEY GENERAL, Division of Human Rights, 202 North 9th Street, Richmond, Virginia 23219. www.ag.virginia.gov

### FAMILY AND MEDICAL LEAVE ACT

Your Employee Rights Under the Family and Medical Leave Act

What is FMLA? The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with job-protected leave for qualifying family and medical reasons.

**Eligibility:** Employees can take up to 12 workweeks of FMLA leave in a 12-month period.

**What you do not have to share a medical diagnosis** must provide enough information to your employer so that you can determine whether you are eligible for FMLA protection. You must also inform your employer if FMLA leave was previously taken or approved for the same reason when requesting FMLA leave.

### COVENANTS NOT TO COMPETE NOTICE

Title 40.1, Labor and Employment Chapter 3, General Provisions

§ 40.1-28.7.8. Covenant not to compete prohibited as to low-wage employees.

A "covenant not to compete" means a covenant or agreement, including a provision of a contract of employment, between an employer and employee that restrains or prohibits, or otherwise restricts an employee's ability following the termination of the individual's employment, to compete with his former employer.

### ANTI-DISCRIMINATION NOTICE

It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which documents they will accept from an employee. The refusal to hire an individual because the documents have false expiration dates may also constitute illegal discrimination.

### PAYDAY NOTICE

Regular Payments for Employees of

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

Compensation Period shall be as follows:  
Weekly \_\_\_\_\_ Monthly \_\_\_\_\_ Other \_\_\_\_\_

### DISABILITY ACCOMMODATIONS

### VIRGINIA HUMAN RIGHTS ACT REASONABLE ACCOMMODATIONS FOR DISABILITY

Protections from Discrimination - Va. Code § 2.2-2905.1

Effective July 1, 2021, employers with five or more employees in the current or preceding year must provide reasonable accommodations for otherwise qualified persons with disabilities if necessary to assist such person in performing a particular job, unless the accommodation would impose an undue hardship on the employer.

### WITHHOLDING STATUS

YOU MAY NEED TO CHECK YOUR WITHHOLDING

Since you lost form W-4 you may need to check your withholding.

Are you divorced? Single? Widowed? Married?  
• Change your name  
• Were there major changes to...  
• Your nonwage income (interest, dividends, capital gains)  
• Your family wage income (you or your spouse started or ended a job)  
• Your itemized deductions  
• How much of your information...  
• Where can I find more information?  
• Are there other changes to...  
• How can I find more information?

### WORKERS' COMPENSATION

WORKERS' COMPENSATION NOTICE

The employees of this business are covered by the Virginia Workers' Compensation Act. In case of injury by accident or notice of an occupational disease:

**THE EMPLOYEE SHOULD:**

1. Immediately give notice to the employer, in writing, of the injury or occupational disease and the date of accident or notice of the occupational disease.
2. Promptly give to the employer and to the Virginia Workers' Compensation Commission notice of any claim for compensation for the period of disability beyond the seventh day after the accident or notice of the occupational disease.

### EMPLOYER POLYGRAPH PROTECTION ACT

EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits most employers from using polygraph tests for hiring or during the course of employment.

### USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

YOUR RIGHTS UNDER USERRA

USERRA protects the jobs of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

**REEMPLOYMENT RIGHTS**  
You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:  
• you ensure that you receive advance written or verbal notice of your service;  
• you have five years or less of cumulative service in the uniformed services;  
• 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.

### REASONABLE ACCOMMODATIONS FOR PREGNANCY

### VIRGINIA HUMAN RIGHTS ACT

### REASONABLE ACCOMMODATIONS FOR PREGNANCY

Protections from Discrimination - Va. Code § 2.2-2909 effective July 1, 2020, employers with five or more employees for a 20-week period in the current or preceding year must provide reasonable accommodations for pregnancy, childbirth or related medical conditions, including lactation, unless the accommodation would impose an undue hardship.

**Interactive Process** When an employee requests an accommodation, employers must engage in a timely, good faith interactive process with the employee to determine if the requested accommodation is reasonable and, if not, discuss any alternative reasonable accommodations that may be provided.

### SEIZURE FIRST AID

### Seizure First Aid

How to help someone having a seizure

STAY with the person until they are awake and alert after the seizure.

1. **Time the seizure** ✓ **Remain calm**  
✓ **Check for medical ID**
2. **Keep the person SAFE**  
✓ **Move or guide away from harm**
3. **Turn the person onto their SIDE** if they are not awake and aware.  
✓ **Keep airway clear**  
✓ **Loosen tight clothes around neck**  
✓ **Put something small and soft under the head**

Call 911 if... Do NOT

Seizure lasts longer than 5 minutes  
Person does not return to their usual state  
Person is injured, pregnant, or sick

Seizure occurs in water

### OCCUPATIONAL SAFETY AND HEALTH PROTECTION

### Job Safety and Health Protection

The Virginia Occupational Safety and Health (VOSH) LAW, by AUTHORITY OF TITLE 40.1 OF THE LABOR LAWS OF VIRGINIA, PROVIDES JOB SAFETY AND HEALTH PROTECTION FOR WORKERS.

Each employer shall furnish that each of his employees employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious harm to his employees, and shall comply with occupational safety and health standards issued under the law.

### DISCRIMINATION

It is illegal to retaliate against an employee for using any of your right under the law, including raising a safety or health concern with the employer or VOSH, or reporting a work-related injury or illness.

Complaints about State Plan Administration: Any person may complain to the Regional Administrator of OSHA (address below) concerning the Administration of the State Safety and Health Program.

### RECORDKEEPING

Employers now have a new system for tracking workplace injuries and illnesses. OSHA's new recordkeeping log (Form 300) is simpler to understand and use. Using a question and answer format, the revised recordkeeping rule provides guidance for recording occupational injuries and illnesses and explains how to classify specific cases.

### ACCIDENT REPORTING

All fatalities must be reported to VOSH within eight (8) hours. All injuries or illnesses that result in an in-patient hospitalization, amputation or loss of an eye must be reported to VOSH within twenty-four (24) hours. Failure to report may result in significant monetary penalties.

### OCCUPATIONAL SAFETY AND HEALTH OFFICE LOCATIONS

Headquarters: 6006 West Broad Street, Suite 500, Richmond, Virginia 23230. (804) 371-2327

Abingdon: The Johnson Center, 468 East Main Street, Suite 114, Abingdon, VA 24210. (276) 676-5465

Lynchburg: 3704 Old Forest Road, Suite B, Lynchburg, VA 24501. (434) 385-0806

Roanoke/Swift Creek: 3013 Peters Creek Road, Roanoke, VA 24019. (540) 562-3580

Blacksburg: 6363 Center Drive, Building 6, Suite 101, Blacksburg, VA 24061. (540) 371-3104

Richmond: 3013 Peters Creek Road, Roanoke, VA 24019. (540) 562-3580