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# LaborLawCenter.com 1-800-745-9970 • Product ID: VA50

Compliance Code: VA-1024-F04 • Check Compliance By Scanning Here •

**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

| <ul> <li>Who is Protected?</li> <li>Employees (current and former), including managers and temporary employees</li> <li>Job applicants</li> <li>Union members and applicants for membership in a union What Organizations are Covered?</li> <li>Most private employers</li> <li>State and local governments (as employers)</li> <li>Educational institutions (as employers)</li> <li>Unions</li> <li>Staffing agencies</li> <li>What Types of Employment Discrimination are Illegal?</li> <li>Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of:</li> </ul> | <ul> <li>lawsuit, investigation, or proceeding</li> <li>Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation</li> <li>What Employment Practices can be Challenged as Discriminatory? All aspects of employment, including:</li> <li>Discharge, firing, or lay-off</li> <li>Harassment (including unwelcome verbal or physical conduct)</li> <li>Hiring or promotion</li> <li>Assignment</li> </ul> | from opposing discrimination, filing a charge, or<br>participating in an investigation or proceeding<br>• Conduct that coerces, intimidates, threatens, or interferes<br>with someone exercising their rights, or someone<br>assisting or encouraging someone else to exercise<br>rights, regarding disability discrimination (including<br>accommodation) or pregnancy accommodation<br>What can You Do if You Believe Discrimination has<br>Occurred? Contact the EEOC promptly if you suspect<br>discrimination. Do not delay, because there are strict time<br>limits for filing a charge of discrimination<br>(180 or 300 days, depending on where you live/work).<br>You can reach the EEOC in any of the following ways:<br>Submit an inquiry through the EEOC's public portal: |
|---|--|--|
| <ul> <li>Race</li> <li>Color</li> <li>Religion</li> <li>National origin</li> <li>Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity)</li> <li>Age (40 and older)</li> </ul>   |  | https://publicportal.eeoc.gov/Portal/Login.aspx<br>Call 1–800–669–4000 (toll free)<br>1–800–669–6820 (TTY)<br>1–844–234–5122 (ASL video phone)<br>Visit an EEOC field office (information at<br>www.eeoc.gov/field-office)<br>E-Mail info@eeoc.gov   |
| <ul> <li>Disability</li> <li>Genetic information (including employer requests for,<br/>or purchase, use, or disclosure of genetic tests, genetic<br/>services, or family medical history)</li> </ul>  | of employees<br>• Requesting or disclosing medical information<br>of employees<br>• Conduct that might reasonably discourage someone   | Additional information about the EEOC,<br>including information about filing a charge<br>of discrimination, is available at <i>www.eeoc.gov</i> .  |

### **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 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and doing business with the Federal Government. If you are applying for a job with, or are an equires affirmative action to recruit, employ, and advance in employment, disabled Federal law from discrimination on the following bases:

Race Color Beligion, Sex Sexual Orientation, Gender Identity, National Origin Executive medal veterans requires affirmative action to ensure equality of opportunity in all aspects of employment. Asking About, Disclosing, or Discussing Pay Executive Order 11246, as amended, has violated its nondiscrimination or affirmative action obligations under OFCCP's protects applicants and employees of Federal contractors from discrimination based on \_\_authorities should contact immediately: inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or empl

**Disability** Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, ringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not making reasonable 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 individual with a disability who is an applicant or employee, barring undue hardship to a question online to OFCCP's Help Desk at https://ofccphelpdesk.dol.qov/s/, or by the employer. Section 503 also requires that Federal contractors take affirmative action calling an OFCCP regional or district office, listed in most telephone directories o employ and advance in employment qualified individuals with disabilities at all levels under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage of employment, including the executive level.

employee of, a company with a Federal contract or subcontract, you are protected under 💿 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 Order 11246, as amended, prohibits employment discrimination by Federal contractors Retaliation Retaliation is prohibited against a person who files a complaint of based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination

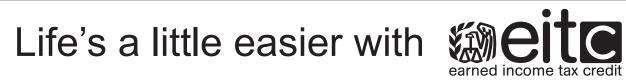
The Office of Federal Contract Compliance Programs (OFCCP)

U.S. Department of Labor 200 Constitution Avenue, N.W Washington, D.C. 20210 1-800-397-6251 (toll-free at https://www.dol.gov/agencies/ofccp/contact.

### PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Race, Color, National Origin, Sex In addition to the protections of Title VII of the Civil Individuals with Disabilities Section 504 of the Rehabilitation Act of 1973, as amended 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 of employment against persons with disabilities who, with or without reasonable objective of the financial assistance is provision of employment, or where employment accommodation, can perform the essential functions of the job. If you believe you discrimination causes or may cause discrimination in providing services under such programs. have been discriminated against in a program of any institution which receives Title IX of the Education Amendments of 1972 prohibits employment discrimination on the Federal financial assistance, you should immediately contact the Federal agency basis of sex in educational programs or activities which receive Federal financial assistance. 👘 providing such assistance.

# EARNED INCOME TAX CREDIT



## EITC 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.

To qualify, you and your spouse (if filing a joint return): 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 • Generally must be a U.S. citizen or resident alien all year • May not file as married filing separately May not be a qualifying child of another personant of the second s 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

# 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?

# **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

## Two ways to increase your income:

50

THE ALL

- The Federal Earned Income
- Income Individuals

worked over 40 in a workweek.

Weekly

**NOTICE TO WORKERS** 

· You are totally unemployed.

YOU WILL NEED TO PROVIDE:

Your Social Security Number

online at www.vawc.virginia.gov.

Your full legal name

**REDUCED HOURS:** 

your Base Period.

employment

- 100

• You are working reduced wages or hours.

hours are reduced

# 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.

# 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 assessed for violations of the FLSA's child labor provisions. Heightened civil readily see it. 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 **OVERTIME PAY** At least 1 ½ times your regular rate of pay for all hours

**PAYDAY NOTICE** 

**Regular Paydays for Employees of** 

(Company Name Shall be as follows:

Monthly

\_ Title: \_

restrictive with respect to lie detector tests. EXAMINEE

UNEMPLOYMENT COMPENSATION

may be doubled when the violations are determined to be willful or

Other

• Must be able and available for work and actively

• Continue to report as instructed by the Virginia Employment

You cannot be paid unemployment benefits until you have filed your claim

and have met all eligibility requirements. You should file your claim as soon

as you become unemployed, or your hours are reduced. If you have any

questions about your rights and responsibilities under the Virginia

searching for work.

Commission.

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

# **YOUR RIGHTS UNDER USERRA**

8 0 9 6 6 THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

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

### REEMPLOYMENT RIGHTS

You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and: you ensure that your employer receives advance written or verbal notice of

your service; you have five years or less of cumulative service in the uniformed services

while with that particular employer; you return to work or apply for reemployment in a timely manner after

conclusion of service; and you have not been separated from service with a disqualifying discharge or

under other than honorable conditions. you are eligible to be reemployed, you must be restored to the job and enefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

### IGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

f you: • are a past or present member of the uniformed service; • have applied 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 mployment, because of this status.

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

### HEALTH INSURANCE PROTECTION

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

Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected Ilnesses or injuries.

**ENFORCEMENT** 

•The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of **USERRA** violations

• 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 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

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



# REASONABLE ACCOMMODATIONS FOR PREGNANCY

# VIRGINIA HUMAN RIGHTS ACT **REASONABLE ACCOMMODATIONS FOR PREGNANCY**

2020, employers with five or more employees for a 20-week period in the breast milk, acquisition or modification of equipment or access to or current or preceding year must provide reasonable accommodations for modification of employee seating, a temporary transfer to a less strenuous or pregnancy, childbirth or related medical conditions, including lactation, unless hazardous position, assistance with manual labor, job restructuring, a modified the accommodation would impose an undue hardship. Employers also may work schedule, light duty assignments, and leave to recover from childbirth. not, in response to a request for a reasonable accommodation for pregnancy:

- > take adverse actions against an employee;
- deny employment or promotions; or
- > require an employee to take leave if another reasonable accommodation

Reasonable Accommodations Examples of reasonable accommodations include more frequent or longer bathroom breaks, breaks to express breast

Protections from Discrimination – Va. Code § 2.2-3909 Effective July 1, milk, access to a private location other than a bathroom for the expression of

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 alternative reasonable accommodations that may be provided.

**Complaints** Any person who believes they were discriminated against on this basis may file a complaint with the Division of Human Rights or seek relief by

OFFICE OF THE ATTORNEY GENERAL Division of Human Rights 202 North 9th Street. Richmond, Virginia 23219 www.ag.virginia.gov | human\_rights@oag.state.va.us | P: (804) 225-2292; | F: (804) 225-3294

# SEIZURE FIRST AID POSTER

# **Seizure** First Aid

How to help someone having a seizure

**STAY** with the person until they

✓ **Time** the seizure ✓ Remain **calm** 

✓ Check for medical ID

are awake and alert after the seizure.

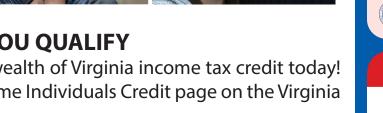
Tax Credit The Virginia Credit for Low

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

can be provided

filing a civil action in state court.





To claim the EITC, you have to file a federal tax return even if you owe no tax and are not required to file. File your tax return as soon as you have all the information you need about how much you earned. However, refunds for returns claiming the EITC can't be issued before mid-February. This delay applies to the entire refund, not just the portion associated with the EITC.

EITC provides a boost to help pay your bills or save for a rainy day.

### Just imagine what you could do with EITC.

### Do you want help with the EITC?

• Go to www.irs.gov/eitc for free information and to check out the interactive EITC Assistant to see if you qualify for the credit and estimate the amount of your EITC.

• Visit a Volunteer Income Tax Assistance (VITA) site for free tax help and preparation. Go to www.irs.gov/VITA or call 1-800-906-9887 to find a site.

• Use FreeFile at www.irs.gov/FreeFile for free online filing through commercially available tax preparation software.

Errors can delay the EITC part of your refund until corrected. If the IRS audits your return and finds an error in your claim of the EITC, you must pay back the amount of the EITC you received in error plus interest and penalties. You may also have to file Form 8862 for future claims. And, if the IRS finds your incorrect claim was due to reckless or intentional disregard of rules and regulations or fraud, we may ban you from claiming the EITC for 2 years or 10 years, depending on the reason for the error.

\* U.S. military personnel on extended active duty outside the United States are considered to live in the United States while on active duty.

# El EITC es para las personas que trabajan para alguien más o son dueñas o dirigen un negocio o una granja. Para tener derecho, usted debe tener ingresos bajos a medios y cumplir con las siguientes reglas.

### Para calificar, usted y su cónyuge (si presentan una declaración conjunta):

Tienen que tener ingresos de trabajo

- Tienen que tener un número de Seguro Social válido para el empleo, emitido en la fecha de vencimiento de la declaración (incluidas las prórrogas), o antes
- No pueden tener ingresos de inversión, como ingresos de intereses, que superen cierta cantidad
- Por lo general, tienen que ser ciudadanos de los Estados Unidos o extranjeros residentes todo el año
- No pueden presentar la declaración como "casado que presenta por separado"
- No pueden ser un hijo calificado de otra persona
- No pueden presentar el Formulario 2555 o el Formulario 2555-EZ (relacionado con los ingresos ganados en el extranjero)
- Tienen que tener un hijo calificado o si no tienen un hijo calificado, ustedes tienen que:
- tener 25 años de edad, pero menos de 65 años de edad al final del año,
- vivir en los Estados Unidos\* durante más de la mitad del año, y
- no reunir los requisitos como dependientes de otra persona.

Para reclamar el EITC, usted tiene que presentar una declaración del impuesto federal, aún si no adeuda impuestos y no tiene el requisito de presentar una declaración. Presente su declaración de impuestos tan pronto como tenga toda la información que necesita sobre cuánto ganó. No obstante, los reembolsos de las declaraciones en las que se reclama el *EITC* no se pueden emitir antes de mediados de febrero. Esta demora se aplica al reembolso total, no sólo a la parte asociada al EITC. El EITC proporciona un impulso para ayudar a pagar sus facturas o ahorrar para los tiempos difíciles.

### Sólo imagine lo que podría hacer con el EITC.

### ¿Desea ayuda con el EITC?

• Visite www.irs.gov/eitc para obtener información gratuita y consultar el asistente EITC interactivo para ver si califica para el crédito y estimar la cantidad de su *EITC*.

• Visite un sitio de Asistencia Voluntaria al Contribuyente con los Impuestos sobre los Ingresos (VITA, por sus siglas en inglés). Visite www.irs.gov/VITA o llame al 1-800-906-9887 para encontrar un sitio.

• Utilice Free File en www.irs.gov/FreeFile para la presentación gratuita en línea a través de software de preparación de impuestos, disponible comercialmente

Los errores pueden demorar la parte del EITC de su reembolso, hasta que se corrijan. Si el IRS audita su declaración y encuentra un error en su reclamación del EITC, usted tiene que devolver la cantidad del EITC que recibió por error más multas e intereses. Es posible que también tenga que presentar el Formulario 8862 para las futuras reclamaciones. Y si el IRS encuentra que su reclamación incorrecta fue debido a descuido imprudente o intencional de las reglas y regulaciones o fraude, podemos prohibirle reclamar el EITC por 2 años o 10 años, dependiendo de la causa de su error.

\* El personal militar de los EE.UU. en servicio activo prolongado fuera de los Estados Unidos se considera que vive en los Estados Unidos mientras está en servicio activo.

> Publication 962 (EN-SP) (Rev. 9-2019) Catalog Number 34506V Department of the Treasury Internal Revenue Service www.irs.gov

# 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** 

ABOR An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment.

TIP CREDIT Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.

PUMP AT WORK The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for their nursing child for one year after the child's birth each time the employee needs to express breast milk. Employers must provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

**ENFORCEMENT** The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be

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 UI claim in the first week that employment stops or work

YOU MAY APPLY FOR UNEMPLOYMENT INSURANCE BENEFITS IF:

• Your authorization to work (if you are not a US Citizen or resident)

IF TOTALLY UNEMPLOYED, ON A TEMPORARY LAYOFF, OR IF WORKING

The first week you are unemployed, register for work, and file a claim for

benefits. You can file your claim online at **www.vec.virginia.gov** or by

calling our Customer Contact Center at 1-866-832-2363. Register for work

• Have earned sufficient wages from employers who are subject to the

Virginia Unemployment Compensation Act or any other State within

The Act permits polygraph (a kind of lie detector) tests to be own court actions.

TO BE ELIGIBLE FOR BENEFITS, THE LAW REQUIRES THAT YOU:

• File a claim with the Virginia Employment Commission.

Must be unemployed through no fault of your own.

Bi-Weekly

repeated. The law also prohibits retaliating against or discharge who file a complaint or participate in any proceeding under the FLSA. ADDITIONAL INFORMATION Certain occupations and establishments are exempt from the minimum

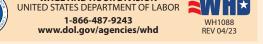
wage, and/or overtime pay provisions. Certain narrow exemptions also apply to the pump at work requirements.

Special provisions apply to workers in American Samoa, the nonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.

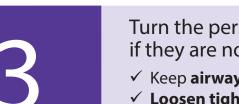
Some state laws provide greater employee protections; employers must comply with both. Some employers incorrectly classify workers as "independent contractors"

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

> WAGE AND HOUR DIVISION E AND HOUR DIVISION ATES DEPARTMENT OF LABOR







# ✓ Move or guide away from **harm**

Keep the person **SAFE** 

# 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

- - ne seizure

Repeated seizures

Difficulty breathing

Complaint

Employees or their representatives have the right to file a complaint with the

nearest VOSH office requesting an inspection if they believe unsafe or unhealthy

conditions exist in their workplace. VOSH will withhold, on request, names of

employees filing complaints. Complaints may be made at the Department of Labor

Discrimination

It is illegal to retaliate against an employee for using any of their right under the

law, including raising a safety or health concern with the employer or VOSH, or

An employee who believes they have been discriminated against for exercising their

rights under the Law, may file a complaint with the Commissioner of the Virginia

CASPA

Complaints about State Plan Administration: Any person may complain to the

Regional Administrator of OSHA (address below) concerning the Administration of

State Coverage

The VOSH program shall apply to all public and private sector businesses in the

State except for Federal agencies, businesses under the Atomic Energy Act, railroad

rolling stock and tracks, certain Federal enclaves, and businesses covered by the

**Voluntary Activity** 

Voluntary efforts by the employer to assure its workplace is in compliance with the

Law are encouraged. Voluntary Safety and Health Consultation and Training

Programs exist to assist employers. These services may be obtained by contacting

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. Smaller employers (10 or fewer employees) are exempt from most

requirements. To see if your industry is partially exempt, visit the OSHA Website at

**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

the Virginia Department of Labor and Industry addresses

www.osha.gov/recordkeeping/pub3169text.html.

Department of Labor and Industry within 60 days of the alleged discrimination.

- Perso
  - Seizure occurs in water

X Do **NOT** restrain.

- X Do NOT put any objects in their mouth.
  - ✓ **Rescue medicines can be given** if prescribed by a health care professional

# Learn more: epilepsy.com/firstaid



# epilepsy.com

# 24/7 Helpline: 1-800-332-1000

This publication was created by the Epilepsy Foundation, a nationwide network organization, and is part of our END EPILEPSY® awareness campaign. This publication is made possible with funding from the Centers for Disease Control and Prevention (CDC) under cooperative grant agreement number 1NU58DP006256-04-00. Its contents are solely the responsibility of the Epilepsy Foundation and do not necessarily represent the views of the CDC. EFA440/PAB0220 Rev. 02/2020 ©2020 Epilepsy Foundation of America, Inc.

# **OCCUPATIONAL SAFETY AND HEALTH PROTECTION**



# Job Safety and **Health Protection**

and Industry addresses shown below.

reporting a work-related injury or illness.

the State Safety and Health Program.

Federal Maritime jurisdiction.

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. THE PURPOSE OF THE LAW IS TO ASSURE SAFE AND HEALTHFUL WORKING CONDITIONS THROUGHOUT THE STATE. THE VIRGINIA SAFETY AND HEALTH CODES BOARD PROMULGATES AND ADOPTS JOB SAFETY AND HEALTH STANDARDS, AND EMPLOYERS AND EMPLOYEES ARE REQUIRED TO COMPLY WITH THESE STANDARDS. THESE STANDARDS MAY BE FOUND AT THE FOLLOWING WEB ADDRESS: https://doli.virginia.gov/regulatory\_information/. YOU MAY ALSO CONTACT THE DEPARTMENT OF LABOR AND

EMPLOYMENT (42 USC, §1103 (h)(2)). An Equal Opportunity Employer/Program disabilities. Please call 866-832-2363 or

Unemployment Compensation Act, visit website www.vec.virginia.gov or call our Customer Contact Center at 1-866-832-2363. THE LAW REQUIRES EMPLOYERS TO POST THIS NOTICE IN A PLACE **VISIBLE TO All WORKERS.** EFFECTIVE MARCH, 14, 2024, EMPLOYERS MUST ALSO PROVIDE A COPY OF THIS NOTICE TO EACH WORKER AT THE TIME OF SEPARATION FROM

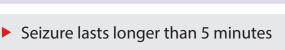
Auxiliary aids and services are available upon request to individuals with Email: translation@vec.virginia.gov for Language Access/Assistance. This notice is available in Spanish. Direct requests to: Employer Accounts P.O. Box 26441 Richmond, VA 23261-6441

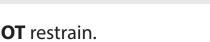
if... Do

Call

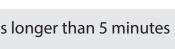
911

NOT









Safeguard all individuals within the Commonwealth from unlawful Conduct that violates any Virginia or federal statute or regulation discrimination because of race, color, religion, national origin, sex, governing discrimination is an unlawful discriminatory practice under sexual orientation, gender identity, marital status, pregnancy, childbirth the Virginia Human Rights Act. or related medical conditions, age, military status, or disability in employment, places of public accommodation, including educational institutions, in real estate transactions; preserve the public safety, health and general welfare; and further the interests, rights and privileges of individuals within the Commonwealth; and protect citizens of the Commonwealth against unfounded charges of unlawful discrimination

Complaints may be filed with: OFFICE OF THE ATTORNEY GENERAL Division of Human Rights 202 North 9<sup>th</sup> Street Richmond, Virginia 23219 www.ag.virginia.gov • human rights@oag.state.va.us P: (804) 225-2292; F: (804) 225-3294

# FMLA - FAMILY AND MEDICAL LEAVE ACT

### Your Employee Rights Under the Family and Medical Leave Act

What is FMLA leave? The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with **iob-protected leave** for gualifying family and nedical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees.

Eligible employees can take up to 12 workweeks of FMLA leave in a 12-month period for

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

Your serious mental or physical health condition that makes you unable to work, • To care for your spouse, child or parent with a serious mental or physical health condition, and

Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember

An eligible employee who is the spouse, child, parent or next of kin of a covered 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 use FMLA leave in **one block of time.** When it is medically necessary or otherwise permitted, you may take FMLA leave intermittently in separate blocks of time, or on a reduced schedule by working less hours each day or week. Read Fact Sheet #28M(c) for more information

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

Am I eligible to take FMLA leave? You are an eligible employee if all of the following apply:

 You work for a covered employer, You have worked for your employer at least 12 months,

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

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

How do I request FMLA leave? Generally, to request FMLA leave you must: · Follow your employer's normal policies for requesting leave, Give notice at least 30 days before your need for FMLA leave, or

• If advance notice is not possible, give notice as soon as possible.

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

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

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

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

What does my employer need to do? If you are eligible for FMLA leave, your employer <u>must</u>:
Allow you to take job-protected time off work for a qualifying reason,

Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and Allow you to return to the same job, or a virtually identical job with the same pay,

benefits and other working conditions, including shift and location, at the end of vour leave.

Your employer cannot interfere with your FMLA rights or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation After becoming aware that your need for leave is for a reason that may qualify

under the FMLA, your **employer <u>must</u> confirm whether you are eligible** or not eligible for FMLA leave. If your employer determines that you are eligible, your employer <u>must</u> notify you in writing:

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

# Where can I find more information

Call 1-866-487-9243 or visit dol.gov/fmla to learn more. **SCAN ME** If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court Scan the QR code to learn about our WHD complaint process.

WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR WH1420 REV 04/23

# **COVENANTS NOT TO COMPETE NOTICE**

Code of Virginia Title 40.1. Labor and Employment Chapter 3. Protection of Employees Article 1. General Provisions

### § 40.1-28.7:8. Covenants not to compete prohibited as to low-wage employees; civil penalty

### A. As used in this section:

"Covenant not to compete" means a covenant or agreement, including a provision of a contract of employment, between an employer and employee that restrains, prohibits, or otherwise restricts an individual's ability, following the termination of the individual's employment, to compete with his former employer. A "covenant not to compete" shall not restrict an employee from providing a service to a customer or client of the employer if the employee does not initiate contact with or solicit the customer or client.

"Low-wage employee" means an employee whose average weekly earnings, calculated by dividing the employee's earnings during the period of 52 weeks immediately preceding the date of termination of employment by 52, or if an employee worked fewer than 52 weeks, by the number of weeks that the employee was actually paid during the 52-week period, are less than the average weekly wage of the Commonwealth as determined pursuant to subsection B of

enforce a covenant not to compete against such employee in violation of this section. An action under this section shall be brought within two years of the latter of (i) the date the covenant not to compete was signed, (ii) the date the low-wage employee learns of the covenant not to compete, (iii) the date the employment relationship is terminated, or (iv) the date the employer takes any step to enforce the covenant not to compete. The court shall have jurisdiction to void any covenant not to compete with a low-wage employee and to order all appropriate relief, including enjoining the conduct of any person or employer, ordering payment of liquidated damages, and awarding lost compensation, damages, and reasonable attorney fees and costs. No employer may discharge, threaten, or otherwise discriminate or retaliate against a low-wage employee for bringing a civil action pursuant to this section.

jurisdiction against any former employer or other person that attempts to

. Any employer that violates the provisions of subsection B as determined by the Commissioner shall be subject to a civil penalty of \$10,000 for each violation. Civil penalties owed under this subsection shall be paid to the Commissioner for deposit in the general fund.

F. If the court finds a violation of the provisions of this section, the plaintiff shall be entitled to recover reasonable costs, including costs and reasonable fees for expert witnesses, and attorney fees from the former employer or other person who attempts to enforce a covenant not to compete against such plaintiff.

. "Low-wage employee" includes interns, students, apprentices, or G. Every employer shall post a copy of this section or a summary approved by trainees employed, with or without pay, at a trade or occupation in order to gain the Department in the same location where other employee notices required work or educational experience. "Low-wage employee" also includes an individual by state or federal law are posted. An employer that fails to post a copy of this who has independently contracted with another person to perform services section or an approved summary of this section shall be issued by the independent of an employment relationship and who is compensated for such Department a written warning for the first violation, shall be subject to a civil services by such person at an hourly rate that is less than the median hourly wage penalty not to exceed \$250 for a second violation, and shall be subject to a civil ealth for all occupations as reported, for the preceding year, by  $\,$  penalty not to exceed \$1,000 for a third and each subsequent violation a the Bureau of Labor Statistics of the U.S. Department of Labor. For the purposes determined by the Commissioner. Civil penalties owed under this subsection of this section, "low-wage employee" shall not include any employee whose shall be paid to the Commissioner for deposit in the general fund. earnings are derived, in whole or in predominant part, from sales commissions, The Commissioner shall prescribe procedures for the payment of proposed incentives, or bonuses paid to the employee by the employer. assessments of penalties that are not contested by employers. Such procedures B. No employer shall enter into, enforce, or threaten to enforce a covenant not shall include provisions for an employer to consent to abatement of the alleged violation and to pay a proposed penalty or a negotiated sum in lieu of such to compete with any low-wage employee. C. Nothing in this section shall serve to limit the creation or application of penalty without admission of any civil liability arising from such alleged violation. nondisclosure agreements intended to prohibit the taking, misappropriating, 2020, cc. 948, 949, § 40.1-28.7:7. threating to misappropriate, or sharing of certain information, including trade The chapters of the acts of assembly referenced in the historical citation at the secrets, as defined in § 59.1-336, and proprietary or confidential information. D. A low-wage employee may bring a civil action in a court of competent and may exclude chapters whose provisions have expired. 8/5/2021 12:00:00



# **DISABILITY ACCOMMODATIONS**

**EMPLOYEE POLYGRAPH PROTECTION ACT** 

The Employee Polygraph Protection Act prohibits most etc.) that resulted in economic loss to the employer. The law

private employers from using lie detector tests either does not preempt any provision of any State or local law or for pre-employment screening or during the course of any collective bargaining agreement which is more

take a lie detector test, and from discharging, disciplining, or conduct and length of the test. Examinees have a number of

liscriminating against an employee or prospective employee specific rights, including the right to a written notice before for refusing to take a test or for exercising other rights under testing, the right to refuse or discontinue a test, and the right

the Act. EXEMPTIONS Federal, State and local governments not to have test results disclosed to unauthorized persons. are not affected by the law. Also, the law does not apply to **ENFORCEMENT** The Secretary of Labor may bring court

tests given by the Federal Government to certain private actions to restrain violations and assess civil penalties against

ndividuals engaged in national security-related activities. violators. Employees or job applicants may also bring their

BITIONS Employers are generally prohibited from **RIGHTS** Where polygraph tests are permitted, they are equiring or requesting any employee or job applicant to subject to numerous strict standards concerning the

EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT

## **VIRGINIA HUMAN RIGHTS ACT REASONABLE** ACCOMMODATIONS FOR DISABILITY

### Protections from Discrimination – Va. Code § 2.2-3905.1

Effective July 1, 2021, employers with more than five employees for a 20-week period 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. "Person with a disability" means any person who has a physical or mental impairment that substantially limits one or more of her major life activities or who has a record of such impairment. Employers also may not, in response to a request for a reasonable accommodation for disability:

- take adverse actions against an employee deny employment or promotions; or
- require an employee to take leave if another reasonable accommodation can be provided.

### **Reasonable Accommodation**

Examples of reasonable accommodations include modifying work policies, permitting the use of leave, reassignment to a vacant position, acquisition or modification of equipment, assistance with manual labor, job restructuring, a modified work schedule, and light duty assignments.

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 alternative reasonable accommodations that may be provided

Complaints Any person who believes they were discriminated against on this basis may file a complaint with the Office of **Civil Rights** 



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Form VWC1

# 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.   |  |
| • Marry or divorce?<br>• Gain or lose a dependent?   | Now is the time to check your withholding. For more details, get Publication 919, How Do I Adjust My Tax Withholding?, or                               |  |
| Change your name?  | use the Withholding Calculator at www.irs.gov/individuals   |  |
| Were there major changes to<br>• Your nonwage income (interest, dividends, capital gains, etc.)? | on the IRS web site.<br><b>Employer:</b> Please post or publish this Bulletin Board Poster<br>so that your employees will see it. Please indicate where |  |
| • Your family wage income (you or your spouse started or ended a job)?                           | they can get forms and information on this subject.   |  |
| Your itemized deductions?     Your tax credits?  | Publication 213<br>(Rev. 8-2009)<br>Cat. No. 11047P   |  |
| If you can answer "YES"<br>To any of these questions or you owed extra tax when you              | VW IND  |  |
| filed your last return, you may need to file a new form W-4.                                     | Department of the Treasury Internal Revenue Service www.irs.gov   |  |
|  |   |  |

# WORKERS' COMPENSATION

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:

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. In case of fatal injuries, notice must be given by one or more dependents of the deceased or by a person in their

- 3. In case of failure to reach an agreement with the employer in regard to compensation under the act, file application with the Commission for a hearing within two years of the date of accidental injury or first communication of the diagnosis of an occupational disease.
- 4. If medical treatment is anticipated for more than two years from the date of the accident and no award has been entered, the employee should file a claim with the Commission within two years from the date of the accident.

NOTE: The employer's report of accident is not the filing of a claim for the employee. The voluntary payment of wages or compensation during disability, or of medical expenses, does not affect the running of the time limitation for filing claims. An award based on a voluntary agreement must be entered or a claim filed within two years; one year in death cases.

### THE EMPLOYER SHOULD:

- I. At the time of the accident, give the employee the names of at least three physicians from which the employee may select the treating physician.
- 2. Report the injury to the Commission through your carrier or directly to the Commission.

INDUSTRY OFFICES LISTED BELOW TO RECEIVE PRINTED COPIES OF THE VIRGINIA UNIQUE STANDARDS AND OBTAIN THE NAMES OF PUBLISHERS OF THE FEDERAL IDENTICAL STANDARDS.

# **Employers**

Each employer shall furnish to 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.

# Employees

Each employee shall comply with all occupational safety and health standards, rules, regulations and orders issued under the Law that apply to his own actions and conduct on the job.

# Inspection

The Law requires that a representative of the employer and a representative authorized by the employees be given an opportunity to accompany the VOSH inspector for the purpose of aiding the inspection.

Where there is no authorized employee representative, the VOSH inspector must consult with a reasonable number of employees concerning safety and health conditions in the workplace.

# Citation

If upon inspection VOSH believes an employer has violated the Law, a citation alleging such violations will be issued to the employer. Each citation will specify a time period within which the alleged violation must be corrected.

The VOSH citation must be prominently displayed at or near the place of alleged violation for three days or until the violation is corrected, whichever is later, to warn employees of dangers that may exist there.

# **Proposed Penalty**

The Law provides for mandatory penalties against private sector employers of up to \$15,875 for each serious violation and for optional penalties of up to \$15,875 for each other-than-serious violation. Penalties of up to \$15,875 per day may be proposed for failure to correct violations within the proposed time period. Also, any employer who willfully or repeatedly violates the Law may be assessed penalties of up to \$158,725 for each such violation.

Public Sector employers, all departments, agencies, institutions or other political subdivisions of the Commonwealth, are subject to the penalty provisions of 16VAC 25-60-260.

Criminal penalties are also provided for in the Law. Any willful violation resulting in the death of an employee is punishable, upon conviction, by a fine of not more than \$70,000 or by imprisonment for not more than six months, or by both. Subsequent conviction of an employer after a first conviction doubles these maximum penalties.

# VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

**Brookfield Place** 6606 West Broad Street, Suite 500 Richmond, Virginia 23230 VOICE (804) 371-2327 FAX (804) 371-6524



North Run Business Park

1570 East Parham Road

Richmond, VA 23228

(804) 371-3104

6606 West Broad Street, Suite

Headquarters

**Brookfield Place** 

Manassas, VA 20110. (703) 392-0900 Tidewater/Norfolk

significant monetary penalties.

Northern Virginia/Manassas

9400 Innovation Drive, Suite 120,

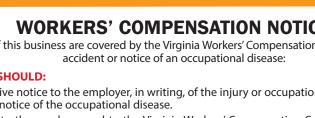
Lynchburg 3704 Old Forest Road Suite B











WORKERS' COMPENSATION NOTICE

THE EMPLOYEE SHOULD:

. Immediately give notice to the employer, in writing, of the injury or occupational disease and the date

Accurately determine the employee's average weekly wage, including overtime, meals, uniforms, etc. Questions may be answered by contacting the Commission. A booklet explaining the Workers' Compensation Act is available without cost from:

THE VIRGINIA WORKERS' COMPENSATION COMMISSION

333 E. Franklin St Richmond, Virginia 23219 1-877-664-2566 www.workcomp.virginia.gov

Every employer within the operation of the Virginia Workers' Compensation Act MUST POST THIS NOTICE IN A CONSPICUOUS PLACE in his place of business.

**U.S. Department of Labor OSHA Regional Administrator The Curtis** Center, STE 740 West 170 South Independence Mall West Philadelphia, PA 19106-3309 (215) 861-4900

www.doli.virginia.gov

(434) 385-0806 Southwest/Roanoke Brammer Village Verona 3013 Peters Creek Road P.O. Box 772 Roanoke, VA 24019 201 Lee Highway Verona, VA 24482 (540) 562-3580 (540) 248-9280



Gary G. Pan

Commissioner

### EMPLOYERS: THIS POSTER MUST BE DISPLAYED IN A PROMINENT PLACE IN THE ESTABLISHMENT TO WHICH YOUR EMPLOYEES NORMALLY REPORT TO WORK.

Norfolk, VA 23502

(757) 455-0891

Revised August, 2024

VA-1024-F04