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.

physical conduct)

observance or practice

Benefits

Referral

Job training

Classification

of employees

· Employees (current and former), including managers and temporary employees Job applicants · Union members and applicants for membership in a union What Organizations are Covered? • Most private employers State and local governments (as employers) Educational institutions (as employers)

Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the Race Color • Sex (including pregnancy, childbirth, and related

medical conditions, sexual orientation, or

What Types of Employment Discrimination are Illegal?

Staffing agencies

gender identity) • Age (40 and older) · Genetic information (including employer requests for,

or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)

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

rights, regarding disability discrimination (including accommodation) or pregnancy accommodation
What can You Do if You Believe Discrimination has All aspects of employment, including: Occurred? Contact the EEOC promptly if you suspect Discharge, firing, or lay-off Harassment (including unwelcome verbal or discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways • Pay (unequal wages or compensation) Submit an inquiry through the EEOC's public portal: • Failure to provide reasonable accommodation for https://publicportal.eeoc.gov/Portal/Login. a disability; pregnancy, childbirth, or related medical **Call** 1–800–669–4000 (toll free) condition; or a sincerely-held religious belief,

1-800-669-6820 (TTY) 1–844–234–5122 (ASL video phone) Visit an EEOC field office (information at www.eeoc.gov/field-office)

E-Mail info@eeoc.gov Additional information about the EEOC, including information about filing a charge of discrimination, is available at www.eeoc.gov.

Conduct that might reasonably discourage someone

· Conduct that coerces, intimidates, threatens, or interfere

from opposing discrimination, filing a charge, or

participating in an investigation or proceeding

with someone exercising their rights, or someone

assisting or encouraging someone else to exercise

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

Obtaining or disclosing genetic information

• Requesting or disclosing medical information

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 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 Federal law from discrimination on the following bases: active duty), active duty wartime or campaign badge veterans, or Armed Forces service Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin Executive medal veterans. 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 requires affirmative action to ensure equality of opportunity in all aspects of employment. by Federal contractors under these Federal laws. Any person who believes a contractor

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: The Office of Federal Contract Compliance Programs (OFCCP) inquiring about, disclosing, or discussing their compensation or the compensation of U.S. Department of Labor

Disability Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified 200 Constitution Avenue, N.W Washington, D.C. 20210 1-800-397-6251 (toll-free

by Federal contractors. Disability discrimination includes not making reasonable If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access accommodation to the known physical or mental limitations of an otherwise qualified telecommunications relay services. OFCCP may also be contacted by submitting a https://www.dol.gov/agencies/ofccp/contact.

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

individuals with disabilities from discrimination in hiring, promotion, discharge, pay,

fringe benefits, job training, classification, referral, and other aspects of employment

individual with a disability who is an applicant or employee, barring undue hardship to question online to OFCCP's Help Desk at https://ofccphelpdesk.dol.gov/s/, or by calling the employer. Section 503 also requires that Federal contractors take affirmative action an OFCCP regional or district office, listed in most telephone directories under U.S. to employ and advance in employment qualified individuals with disabilities at all levels Government, Department of Labor and on OFCCP's "Contact Us" webpage at of employment, including the executive level.

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 prohibits employment discrimination on the basis of disability in any program or activity nination on the basis of race, color or national origin in programs or activities receiving which receives Federal financial assistance. Discrimination is prohibited in all aspects 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 nination causes or may cause discrimination in providing services under such programs. have been discriminated against in a program of any institution which receives Federal Title IX of the Education Amendments of 1972 prohibits employment discrimination on the financial assistance, you should immediately contact the Federal agency providing pasis of sex in educational programs or activities which receive Federal financial assistance. such assistance. (Revised 6/27/2023)

.VERMONT

other applicants or employe

CHILD LABOR POSTER

above and may not work in communications or public utilities jobs, construction A youth 14 or 15 years old can work in agriculture, on any farm, but only in or repair jobs, driving a motor vehicle or helping a driver, manufacturing and non-hazardous jobs mining occupations, power-driven machinery or hoisting apparatus other than

A youth 12 or 13 years of age can only work in agriculture on a farm if a parent typical office machines, processing occupations, public messenger jobs, has given written permission or if a parent is working on the same farm as his or her transporting of persons or property, workrooms where products are manufactured, mined or processed, or warehousing and storage. Children Age 14 and 15 MAY work outside school hours in various non-

No more than 3 hours on a school day or 18 hours in a school week; 8 hours on farm that did not use more than 500 "man-days" of agricultural labor in any a non-school day or 40 hours in a non-school week. Also, work may not begin before 7 a.m. or end after 7 p.m., except from June 1 through Labor Day, when evening hours are extended to 9 p.m. Different rules apply in agricultural employment. Examples of permitted jobs include office, grocery store, retail store, restaurant, movie theater, baseball park, amusement park, or gasoline An employee must be at least 16 years old to work in most non-farm jobs.

No person less than 18 years old may work in any occupation declared hazardous by the Secretary of the USDOL or the Commissioner of Vermont Department of Labor. The following occupations have been declared hazardous (see child labor rules for additional information): **Hazardous Occupations**

Manufacturing and storing of explosives, driving a motor vehicle and being an outside helper on a motor vehicle; coal mining, logging and sawmilling, powerdriven woodworking machines, exposure to radioactive substances, powerdriven hoisting apparatus, power-driven metal-forming, punching, and shearing machines, mining, other than coal mining, meat packing or processing (including the use of power-driven meat slicing machines), power-driven bakery machines, power driven paper-product machines, manufacturing brick, tile, and related products, power-driven circular saws, band saws, and guillotine shears, wrecking, demolition, and shipbreaking operations, roofing operations, or excavation operations. There are some exemptions for apprentice/student-learner programs in some of these hazardous occupations. A person must be at least 18 to work in any of the hazardous non-farm jobs

listed above WH-4 (9/07)

CHILD LABOR LAWS

Children Age 14 and 15 MAY NOT work in any of the hazardous occupations Once a person turns 16 years old, he or she can do any job in agriculture.

child, and only in non-hazardous jobs. If the youth is younger than 12, he or she can only work in agriculture on a farm if the farm is not required to pay the Federal minimum wage. Under the FLSA, "small" manufacturing, non-mining, non-hazardous jobs under the following conditions: farms are exempt from the minimum wage requirements. "Small" farm means any calendar quarter (3-month period) during the preceding calendar year. "Man-day" means any day during which an employee works at least one hour. If the farm is "small," workers under 12 years of age can only be employed with a parent's permission and only in non-hazardous jobs.

> Hazardous agricultural occupations include: • Operating a tractor of over 20 PTO (Power-Take-Off) horsepower, or connecting or

disconnecting implements or parts to such a tractor. · Operating or helping to operate Corn picker, cotton picker, grain combine, hay mower, forage harvester, hay baler, potato digger, or mobile pea viner, Feed grinder, crop dryer, forage blower, auger conveyor, or the unloading mechanism of a non-gravity-type self-unloading wagon or trailer; or, Power post-hole digger, power post driver, or non-walking-type rotary tiller, Trencher or earthmoving equipment; Fork lift; Potato combine; or Power-driven circular, • Working on a farm in a yard, pen, or stall occupied by Bull, boar, or stud horse

for breeding, or Sow with suckling pigs, or cow with newborn calf with umbilical · Loading, unloading, felling, bucking, or skidding timber with a butt (large end) diameter of more than 6 inches

• Working from a ladder or scaffold at a height of over 20 feet. • Driving a bus, truck, or automobile when transporting passengers, or riding on a

Equal Opportunity is the Law: The State of Vermont is an Equal Opportunity/ Affirmative Action Employer. Applications from women, individuals with disabilities, and people from diverse cultural backgrounds are encouraged. Auxiliary aids and services are available upon request to individuals with disabilities. 711 (TTY/Relay Service) or 802-828-4203 TDD (Vermont Department of Labor).

EMPLOYMENT PROTECTIONS FOR VICTIMS OF CRIME **Employment Protections for Victims of Crime | Notice of Employee Rights**

WHAT IS THE LAW?

Under Vermont law, alleged victims are protected from harassment or other discrimination by employers based on their status as an alleged victim. Employers are also required to provide alleged victims with job-protected, unpaid leave to attend certain legal proceedings relating to a relevant crime. **EFFECTIVE AS OF:** July 1, 2022

WHO IS AN ALLEGED VICTIM?

- Under the law, a "alleged victim" is a person who has: Is alleged to have sustained; · Physical, emotional, or financial injury or death;
- As a direct result of the commission or attempted commission of a crime; · As a direct result of the commission or attempted commission of an act
- of delinquency; · In an affidavit filed by law enforcement with a prosecuting attorney of competent jurisdiction; or • The family member of an alleged victim who: is a minor, found to be

incompetent, alleged to have suffered physical or emotional injury as a result; or was killed as a result of the alleged crime or act of delinquency.

Employees who are alleged victims have the right to take unpaid leave to attend:

• Criminal proceedings where the employee is an alleged victim and has a legal right or obligation to appear at the proceeding;

• Relief from abuse hearings and neglect or exploitation hearings under when the employee is a plaintiff; or · Hearings concerning an order against stalking or sexual assault.

While on alleged victim leave, employees may use any accrued sick leave, vacation leave, or any other paid leave. Employees must continue to receive employment benefits while on leave and have the right to return to their same job or a comparable position upon return.

FOR MORE INFORMATION:

VERMONT ATTORNEY GENERAL CIVIL RIGHTS UNIT 109 State St., Montpelier, VT 05062 888-745-9195 OR 802-828-3657

AGO.CivilRights@Vermont.gov **HUMAN RIGHTS COMMISSION**

14-16 Baldwin St., Montpelier, VT 05062 800-416-2010 OR 802-828-2480

ealthcare Whistleblower's Protection Act

To report a violation, unsafe condition or

This poster may be copied.

contact: (The employer should fill in this information)

www.hrc.Vermont.gov

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DEPARTMENT OF LABOR WWW.LABOR.VERMONT.GOV

HEALTHCARE WHISTLEBLOWER'S PROTECTION ACT

whistleblower

There is protection for Healthcare Employees Who Report or Refuse to Commit Illegal Acts*

It is illegal for your employer to fire you, threaten you, retaliate against you or treat you differently because:

1. You reported a violation of the law by your employer to any person, entity,

or public body: 2. You reported a medical error or improper quality of patient care by your practice or an illegal act in your workplace, employer to any person, entity, or public body; You reported something that risks someone's health or safety; 4. You have objected or refused to participate in any activity, policy, or practice of your employer that you reasonably believe is a violation of a law or (Name)

constitutes improper quality of care, or that will endanger your life; or . You have been involved in an investigation or hearing held by the government. You are protected by this law ONLY if: 1. You are employed by a hospital, or nursing home; and

. You tell your employer about the problem and allow a reasonable time for it to be corrected; or 3. You have good reason to believe that your employer will not correct the problem. If you have been fired or your employer has retaliated against you due to

. Use any available internal process, grievance procedure, or similar process * A copy of the complete statute can be found at: available to you to maintain or restore any loss of employment rights with http://legislature.vermont.gov/statutes/chapter/21/005 Bring an action in the superior court of the county where the retaliation by

a violation of this law, you may:

your employer occurred.

CALL THE VERMONT DEPARTMENT OF LABOR | 1-802-951-4083 | TTY/Relay Service at 711 | TDD services at 1-800-650-4152 Auxiliary aides and services are available upon request for individuals with disabilities. Interpretive services are also available for persons with limited English proficiency.

VERMONT FAMILY LEAVE ACT

PARENTAL LEAVE, FAMILY LEAVE, AND SHORT-TERM FAMILY LEAVE Vermont's **Parental Leave** Law covers employers with 10 or more workers who A worker may choose to use sick leave, or vacation leave, or any other accrued paid work an average of 30 hours per week over the course of a year.

employers with 15 or more workers who work an average of 30 hours per week A worker who has worked for a covered employer for an average of 30 hours a week leave period but may require the worker to contribute to the cost at the existing for a year is entitled to leave under these laws. During any 12 month period, the rate of worker contribution. worker is entitled to up to 12 weeks of uppaid leave:

with the worker for the purpose of adoption; **Family Leave:** for the serious illness of the worker, worker's child, stepchild,

ward, foster child, party to a civil union, parent, spouse, or parent of the and, in addition to the leave provided in 21 V.S.A. Sec. 472, a worker is entitled to **short-term family leave** of up to 4 hours in any 30 day period (but not more than 24 hours in any 12 month period) of unpaid leave

Short-Term Family Leave: to participate in preschool or school activities directly related to the academic advancement of the worker's child, stepchild, worker's child, foster child or ward who lives with the worker or the mot reduce an employer's obligation under a collective bargaining agreement worker's parent, spouse or parent-in-law to routine medical or dental or existing program that provides greater leave rights than the law requires.

appointments: to accompany the worker's parent, spouse, or parent-in-law to other appointments for professional services related to their care and wellbeing; to respond to a medical emergency involving the employee's child, stepchild, foster child or ward who lives with the worker or the employee's parent, The worker must give reasonable written notice of intent to take family or parental leave, including the anticipated dates the leave will start and end. The

employer may not require notice more than 6 weeks prior to birth or adoption. If serious illness is claimed, the employer may require certification from a physician. For **short-term family leave**, a worker must give notice as early as possible, at least seven days before the leave is to be taken unless waiting seven days could have a significant adverse impact on the employee's family member.

leave time during the leave, up to six weeks. The employer may not require the worker to do so. Use of paid leave does not extend the overall leave time to which Vermont's Family Leave Law, which includes Short-Term Family Leave, covers The employer must continue to provide all worker benefits unchanged during the

Upon return from leave, a worker must be offered the job held previously or a <u>Parental Leave:</u> during the pregnancy and/or after childbirth; or, within a comparable one at equal pay, benefits, seniority, and other terms and conditions. year following the initial placement of a child 16 years of age or younger **Exceptions:** A worker is not entitled to leave under the Parental and Family Leave

Act if the employer can prove by clear and convincing evidence that: • Layoff: during the period of leave the employee's job would have been terminated or the worker would have been laid off for reasons unrelated to **Unique Services:** the worker performed unique services and hiring a permanent replacement during the leave, <u>after giving the</u> worker <u>notice of</u>

intent to do so, was the employer's only available alternative to prevent substantial and grievous economic injury This law sets a minimum standard for parental and family leave rights. It does foster child or ward who lives with the worker; to attend or to accompany the not prevent an employer from offering a more generous leave policy and does

EMPLOYEES ARE PROTECTED FROM RETALIATION OF ANY KIND IN CONNECTION WITH THE ENFORCEMENT OF THIS LAW.

A worker aggrieved by a violation of this law may: • bring a private lawsuit for injunctive relief, economic damages including

prospective lost wages for a period not to exceed one year, attorney fees and (if you are not a state worker) lodge a complaint with the Office of the Attorney General at 828-3657, or (if you are a state worker) lodge a complaint with the Vermont Human Rights Commission at **828-2480**. These agencies may

investigate your complaint and bring action in court to enforce this law.

To obtain copies of this poster, call the Vermont Department of Labor at 802-951-4083 or visit our website at: http://labor.vermont.gov/wordpress/wp-content/uploads//WH-14-Parental-Family-Leave-Poster.pdf

Equal Opportunity is the Law

The State of Vermont is an Equal Opportunity/Affirmative Action Employer. Applications from women, individuals with disabilities, and people from diverse cultural backgrounds are encouraged. Auxiliary aids and services are available upon request to individuals with disabilities. 711 (TTY/Relay Service) or 802-828-4203 TDD

/ermont Department of Labor)

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. penalties may be assessed for each child labor violation that results in the death or serious **OVERTIME PAY** At least 1 ½ times your regular rate of pay for all hours worked over 40 injury of any minor employee, and such assessments may be doubled when the violations

and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. ADDITIONAL INFORMATION Youths 14 and 15 years old may work outside school hours in various non-manufacturing. • Certain occupations and establishments are exempt from the minimum wage, and/or non-mining, non-hazardous jobs with certain work hours restrictions. Different rules TIP CREDIT Employers of "tipped employees" who meet certain conditions may claim a 🕠 Special provisions apply to workers in American Samoa, the Commonwealth of the partial wage credit based on tips received by their employees. Employers must pay

Northern Mariana Islands, and the Commonwealth of Puerto Rico.

their minimum wage obligation. If an employee's tips combined with the employer's both. cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the 🔸 Some employers incorrectly classify workers as "independent contractors" when they 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 contractors are not. place, other than a bathroom, that is shielded from view and free from intrusion from • Certain full-time students, student learners, apprentices, and workers with disabilities 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.

are determined to be willful or repeated. The law also prohibits retaliating against or CHILD LABOR An employee must be at least 16 years old to work in most non-farm jobs discharging workers who file a complaint or participate in any proceeding under the FLSA. overtime pay provisions. Certain narrow exemptions also apply to the pump at

tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against • Some state laws provide greater employee protections; employers must comply with 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

may be paid less than the minimum wage under special certificates issued by the Department of Labor. WAGE AND HOUR DIVISION WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money 1-866-487-9243 www.dol.gov/agencies/whd



EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT

VERMONT & FEDERAL LABOR LAW POSTER

The Employee Polygraph Protection Act prohibits most private employers agreement which is more restrictive with respect to lie detector tests. from using lie detector tests either for pre-employment screening or during **EXAMINEE RIGHTS** Where polygraph tests are permitted, they are subject to the course of employment. PROHIBITIONS Employers are generally prohibited from requiring or requesting Examinees have a number of specific rights, including the right to a written any employee or job applicant to take a lie detector test, and from discharging, notice before testing, the right to refuse or discontinue a test, and the right not disciplining, or discriminating against an employee or prospective employee for to have test results disclosed to unauthorized persons.

refusing to take a test or for exercising other rights under the Act. EXEMPTIONS Federal, State and local governments are not affected by the law. violations and assess civil penalties against violators. Employees or job applicants Also, the law does not apply to tests given by the Federal Government to certain may also bring their own court actions. private individuals engaged in national security-related activities. The Act THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE permits polygraph (a kind of lie detector) tests to be administered in the private

EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT. sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers. The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer. The law does not preempt any provision of any State or local law or any collective bargaining

Bi-Weekly

numerous strict standards concerning the conduct and length of the test. **ENFORCEMENT** The Secretary of Labor may bring court actions to restrain

FMLA for most employees

parent who is a military servicemember.

You work for a covered employer,

olicy covers the reason for which you need FMLA leave.

You have worked for your employer at least 12 months,

20 workweeks in the current or previous calendar year,

You work for a **covered employer** if **one** of the following applies:

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

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

You work for a private employer that had at least 50 employees during at least

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

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

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

condition, and

UNITED STATES DEPARTMENT OF LABOR 1-866-487-9243 WH1462 REV 02/22 www.dol.gov/agencies/whd

PAYDAY NOTICE

Regular Paydays for Employees of

(Company Name) Shall be as follows:

WITHHOLDING STATUS

YOU MAY NEED TO CHECK YOUR WITHHOLDING Now is the time to check your withholding. For more details, get Publication 919,

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"...

To any of these questions or you owed extra tax when you filed your last return, you may need to file a new form W-4. See your employer for a copy of Form W-4 or call the IRS at 1-800-829-3676

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 Publication 213 Department of the Treasury

Internal Revenue Service www.irs.gov

PREGNANCY ACCOMMODATIONS

VERMONT **DEPARTMENT OF LABOR**

WHAT ARE THE EMPLOYER'S OBLIGATIONS?

Accommodations for Pregnant Employees In Vermont Notice of Employee Rights · Access to a chair or stool

An employee with a pregnancy-related condition has a right to reasonable accommodations in the workplace to perform her job. A pregnancy-related condition is one caused by pregnancy, childbirth, or a medical condition related to pregnancy or childbirth. The law applies to all Vermont workplaces and all pregnant employees. WHEN DOES IT BECOME EFFECTIVE? January 1, 2018

When employees request a reasonable accommodation pertaining to pregnancy,

the employer should take time to work with the employee to fulfill the request. Ignoring a request, retaliating against, or firing the employee requesting a

ccommodation could expose the employer to damages and civil penalties DOES AN EMPLOYER HAVE TO GRANT EVERY ACCOMMODATION REQUEST? An employer may decline a reasonable accommodation if the accommodation would constitute an undue hardship. An accommodation creates an undue hardship if it would be significantly difficult, unduly expensive or unworkable to put into place.

WHAT ARE THE EMPLOYEE'S RIGHTS? If you feel you need reasonable accommodations to perform your job, you must request the accommodation by communicating with your employer. Examples of pregnancy related accommodations include, but are not limited to: • More breaks for the bathroom, water intake, or rest

• Time off for prenatal appointments • A private, clean space for breast feeding. • Assistance with specific duties, such as manual labor or heavy lifting •Time off to recover from medical conditions related to pregnancy or If you feel you need reasonable accommodations to perform the essential functions of your job, you must request the accommodations by communicating

> 109 State Street, Montpelier, VT 05602 888-745-9195 or 802-828-3657 AGO.CivilRights@vermont.gov You may also contact the **HUMAN RIGHTS COMMISSION** 14-16 Baldwin St., Montpelier, VT 05633 800-416-2010 or 802-828-2480 human.rights@vermont.gov

www.hrc.vermont.gov

FOR MORE INFORMATION:

STATE OF VERMONT ATTORNEY GENERAL'S OFFICE:

NOVEMBER 2017

WC-9 (06/17)

SAFETY RECORDS POSTING OF SAFETY RECORDS NOTICE TO EMPLOYEES VERMONT REPORTMENT OF LABOUR

with your employer

Under Vermont law (21 V.S.A. §691a) all Vermont employers must advise their employees of where they may review the employer's record of workplace safety, including workplace injury and illness. The employer's data shall be available for review by any employee and by the Commissioner of Labor, but this information The employer's data is available at: **Employer Contact:**

(Name) (Location) Work Telephone Email: For more information, contact the Vermont Department of Labor at (802) 828-2286. (Rev. 09/14)

EMPLOYER'S REINSTATEMENT LIABILITY

NOTICE WORKER'S COMPENSATION REINSTATEMENT RIGHTS VERMONT LAW REQUIRES POSTING OF THIS NOTICE

21 VSA §643b Reinstatement; seniority and benefits protected

3. The worker had an expectation of continuing work had the injury not occurred; and

This law provides that an employer who regularly employs ten or more people (at least 10 of whom work more than 15 hours a week), has an obligation to rehire a worker who has suffered a work related injury **provided** that the following conditions are met: 1. The worker recovers from the injury within two (2) years of the onset of disability; and 2. The worker keeps the employer informed of his or her interest in reinstatement and his or her current mailing address; and

4. The worker is physically capable of performing either his or her prior job, if available, or an alternative suitable position. Reinstatement must be with all benefits earned up to the date of injury, including both seniority and accrued leave time. Obviously, such benefits need not accrue **during** the period of actual disability. Please note that the right to reinstatement applies only to the first available suitable job. Thus, the employer is not obligated either to create an "extra" position for a returning worker or to layoff a current employee in order to comply with this law.

Should you have questions regarding the above, please contact the Vermont Department of Labor, Workers' Compensation and Safety Division at 802-828-2286 or

VERMONT

our website: www.labor.vermont.gov.

www.labor.vermont.gov FOR FURTHER INFORMATION CONTACT: Vermont Department of Labor

P. O. Box 488 Montpelier, Vermont 05601-0488 Email: LABOR.WCComp@vermont.gov Telephone: (802) 828-2286 TDD: (800) 650-4152 Fax: (802) 828-2195

NOTICE | MINIMUM WAGE

VERMONT MINIMUM WAGE

FOR VERMONT EMPLOYERS AND WORKERS MINIMUM WAGE RATE

Effective 01/01/25 Effective 01/01/24 Effective 01/01/23

Effective 01/01/25

\$13.67 per hour \$13.18 per hour **BASIC WAGE RATE (TIPPED EMPLOYEES)**

\$14.01 per hour

\$7.01 per hour

\$6.84 per hour

\$6.84 per hour Effective 01/01/24 Effective 01/01/23 \$6.59 per hour

MAXIMUM TIP CREDIT ALLOWED Effective 01/01/25 Effective 01/01/24

AN INJURED EMPLOYEE MUST IMMEDIATELY NOTIFY HIS/HER EMPLOYER OF AN INJURY

1-866-331-5622

Auxiliary aides and services are available upon request for individuals with

disabilities. Interpretive services are also available for persons with limited

English proficiency.

Effective 01/01/23 \$6.59 per houi ADDITIONAL INFORMATION Service or Tipped Employees: "A service or tipped employee" means an employee of a hotel, motel, touristplace, or restaurant who customarily and regularly receives more than \$120.00 a month in tips for direct and personal customer service. Basic Wage Rate: The basic wage rate is the minimum required employer contribution towards the minimum wage for service or tipped employees. If ar

employee does not receive sufficient tips in the work week to at least achieve the minimum wage for all hours worked that week, the employer must make

Vermont Department of Labor - Wage & Hour Division 63 Pearl Street Burlington, Vermont 05401 Labor.WageHour@vermont.gov Phone: (802) 951-4083 | Fax: (802) 865-7655



WORKERS' COMPENSATION

VERMONT - EMPLOYER'S LIABILITY AND WORKERS' COMPENSATION **VERMONT** NOTICE TO EMPLOYEES

HAS COMPLIED WITH THE PROVISIONS OF TITLE 21 OF THE VERMONT STATUTES, ANNOTATED §687, BY OBTAINING WORKERS' COMPENSATION INSURANCE COVERAGE THROUGH:

WORKERS' COMPENSATION BENEFITS FOR LOST TIME, MEDICAL EXPENSES, DISABILITY OR DEATH BECAUSE OF A WORK-RELATED INJURY ARE

COPY OF THE FORM 1 TO THE INJURED WORKER AND TO THE INSURANCE CARRIER · IF THE EMPLOYER FAILS TO FILE A FIRST REPORT, AN EMPLOYEE MAY FILE A NOTICE OF INJURY AND CLAIM FOR COMPENSATION (FORM 5) WITH THE VERMONT DEPARTMENT OF LABOR WITHIN SIX MONTHS OF THE DATE OF INJURY · Information concerning injured worker rights and benefits is available on the department's workers' compensation website at http://www Equal opportunity is the Law. The State of Vermont is an Equal Opportunity/Affirmative Action Employer. Application from women, individuals with disabilities, and

people from diverse culture backgrounds are encouraged. Auxiliary aids and services are available upon request to individuals withdisabilities. 711 (TTY/Relay

· THE EMPLOYER MUST FILE AN EMPLOYEE CLAIM AND EMPLOYER'S FIRST REPORT OF INJURY (FORM 1) WITH THE DEPARTMENT OF LABOR AND INDUSTRY WITHIN

72 HOURS OF THE NOTICE OF AN INJURY THAT REQUIRES MEDICAL ATTENTION OR RESULTS IN TIME LOST FROM WORK. THE EMPLOYER MUST ALSO PROVIDE A

NO SMOKING NOTICE

THIS BUILDING IS

Smoking is not allowed in Vermont workplaces. If you have questions about the law call 1-866-331-5622 or log onto healthvermont.gov. VERMONT

UNEMPLOYMENT INSURANCE

UNEMPLOYMENT INSURANCE

healthvermont.gov

If you have become unemployed, or your work hours have been reduced, you may be eligible for **UNEMPLOYMENT BENEFITS**

Vermont Department of Labor 1-877-214-3330 TTY/Relay Service at 711 TTD services at 1-800-650-4152

Domestic and Sexual Violence Survivor's Transitional Employment Program. When speaking with a representative at the toll-free number listed above, please ask to speak with the Domestic Violence Program Manager. For free professional help in finding a job, an internship, or job training opportunities, visit a Department of Labor Job Center near you.

If you are forced to leave your job as a result of domestic violence, sexual violence, or stalking, you may be eligible for benefits under the

To find your local Center, visit:

labor.vermont.gov or call 833-719-1051

DEPARTMENT OF LABOR

VERMONT

A-24 (12/19)

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

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. provides eligible employees with **job-protected leave** for qualifying family and medical easons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the You <u>must</u> also inform your employer if FMLA leave was previously taken or approved for the same reason when requesting additional leave. Your **employer may** Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month period for: request certification from a health care provider to verify medical leave and may The birth, adoption or foster placement of a child with you, request certification of a qualifying exigency. The FMLA does not affect any federal or our serious mental or physical health condition that makes you unable to work, state law prohibiting discrimination or supersede any state or local law or collective To care for your spouse, child or parent with a serious mental or physical health 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 Certain qualifying reasons related to the foreign deployment of your spouse, child or

employees are also covered by the law but are subject to the jurisdiction of the U.S. n eligible employee who is the spouse, child, parent or next of kin of a covered Office of Personnel Management or Congress. What does my employer need to do? If you are eligible for FMLA leave, your ervicemember with a serious injury or illness may take up to 26 workweeks of FMLA eave in a single 12-month period to care for the servicemember. You have the right to Allow you to take job-protected time off work for a qualifying reason,

as if you had not taken leave, and 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 Am I eligible to take FMLA leave? You are an eligible employee if <u>all</u> of the following

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 must confirm whether you are eligible** or not eligible for FMLA leave. If your employer determines that you are eligible, your employer must notify you in writing: About your FMLA rights and responsibilities, and How much of your requested leave, if

any, will be FMLA-protected leave. ere can I find more 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

WHD or file a private lawsuit against your employer in court. Scan the QR UNITED STATES DEPARTMENT code to learn about our WHD OF LABOR complaint process.

WH1420 REV 04/23

ANTI-DISCRIMINATION NOTICE

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.

SEXUAL HARASSMENT IS ILLEGAL

Under Vermont Law, sexual harassment and is illegal and is prohibited by the Vermont Fair Employment practices act (VFEPA) (Title 21, Chapter 5, Subchapter 6 of the

to apply to work agreements beyond the traditional employer-employee relationship. "Sexual Harassment" is a form of sex discrimination and means unwelcome sexual advances, requests for sexual favors, and other verbal, physical, written, auditory, or visual conduct of a sexual nature when:

Sexual harassment does not need to be severe or pervasive to be unlawful. It is unlawful to retaliate against an individual performing work or services for filing a complaint of sexual harassment or for cooperating in an investigation of sexual harassment. Employers must ensure a workplace free of sexual harassment for all individuals performing work or services. Every supervisor is responsible for promptly responding to

Examples of sexual harassment include: Unwelcome sexual advances • Suggestive or lewd remarks • Unwanted hugs, touches, kisses • Requests for sexual favors • Pornographic posters, cartoons, or drawings • Unwelcome sexual jokes and banter.

Consequences for committing sexual harassment may include:

(a) His or her supervisor:

_ (the head of this organization); Name and Title: Address and Telephone Number

You may also contact the State of Vermont Attorney General's Office, 109 State Street, Montpelier, VT 05609-1001 (888-745-9195 (Toll Free VT) or 802-828-3657; ago.civilrights@vermont.gov. If you work for an employer with at least 15 employees, you may also contact the Equal Employment Opportunity Commission, ohn F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203 (617-565-3196). You may also contact the Human Rights Commission, 14-16 Baldwin Street, Montpelier, VT 05633-6301 (800-416-2010 (Toll Free VT) or 802-828-2480; human.rights@vermont.gov) if you work for a Vermont State Agency.

Notice of Employee Rights IS THERE AN EXCEPTION FOR SMALL BUSINESSES?

HOW IS SICK TIME EARNED? work, including overtime. An employee will be entitled to use up to 40 hours in 2019 to the Act until January 1st, 2018.

HOW CAN SICK TIME BE USED? grandparent, spouse, or parent-in- law is sick or injured. This includes helping employment, whichever comes later. a family member obtain health care or travel to an appointment related to his or her long-term care, or to address the effects of domestic violence, sexual assault or stalking. An employee may use earned sick time to care for a family member because the school or business where the family member is located is closed for public health or safety reasons.

VERMONT

DEPARTMENT OF LABOR

WHEN DOES ACCRUAL BEGIN? FOR MORE INFORMATION. An employee begins accruing sick leave on January 1st, 2017 or on the first day of or to report suspected violations of the Act, contact the Vermont Department of Labor at 1-802-951-4083

USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

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

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

other than honorable conditions. f you are eligible to be reemployed, you must be restored to the job and benefits some cases, a comparable job RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

If you: • are a past or present member of the uniformed service; • have applied for membership in the uniformed service; or • are obligated to serve in the uniformed service; then an employer may not deny you: • initial employment; • reemployment; • retention in employment; • promotion; or • any benefit of employment, because

U.S. Department of Labor

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

Office of Special Counsel

for violations of USERRA. The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: https://www.dol.gov/agencies/vets/programs/userra/poster. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.

OCCUPATIONAL SAFETY AND HEALTH PROTECTION

Safety and Health

The Vermont Occupational Safety and Health Code (Title 21 V.S.A. Chapter 3, Sub-Chapters 4 and 5, and the rules adopted (there under) provides job safety and health protection for workers.

You have the right to request a VOSHA inspection if you believe that there are unsafe and unhealthful conditions in your workplace. You or your representative may participate in the inspection. You can file a complaint with VOSHA within 30 days of discrimination

hazards. You may ask VOSHA to keep your name confidential.

Health Act. You have a right to see VOSHA citations issued to your employer. Your employer must post the citations at or near the place of the alleged

on the citation and must certify that these hazards have been reduced or eliminated. You have the right to copies of your medical records or records of

your exposure to toxic and harmful substances or conditions.

The Statute provides that employees may not be discharged or

Your employer must post this notice in your workplace.

relief Including reinstatement, triple wages, damages, costs and reasonable attorney's fees. The Occupational Safety and Health Act of 1970 (OSH Act), P.L. 91-596, assures safe and healthful working conditions for working men and

federal programs, call 1-800-321-OSHA or visit OSHA's website at

The Vermont Occupational Safety and Health Administration (VOSHA), administering the OSH Act in Vermont. To fi le a complaint, report an emergency, or seek VOSHA advice or assistance call 1-800-287-2765. Under a plan approved October 1, 1973, by the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA), the State of Vermont is providing job safety and health protection for plan to assure that continued approval is merited. Any person may make a complaint regarding Vermont's administration of this plan

The plan provides that employers and employees may request free volun-

ASSISTANCE AND INFORMATION:

tary compliance consultative or training assistance, which is provided by non-enforcement Project WorkSAFE personnel. 1-800-287-2765

LaborLawCenter.com

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)

Your **employer** <u>cannot</u> interfere with your FMLA rights or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate

SCAN ME

VERMONT NOTICE

Vermont Statutes) and Title VII of the Civil Rights Act of 1964 (42 United State Code Section 2000e et seq.) Vermont law protects all workers not just employees. Effective July 1, 2018, Vermont's protections against sexual harassment extend to all individuals engaged "to perform work or services," even if they are not "employees" under state or federal law. References to "employer," "employee," and "employment" below should be understood

(A) Submission to that conduct is made either explicitly or implicitly a term or condition of work, or (B) Submission to, or rejection of, such conduct by an individual is used as a component of the basis for work related decisions affecting that individual, or (C) The conduct has the purpose or effect of substantially interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment.

or reporting any complaint or suspected acts of sexual harassment.

Disciplinary action • From a verbal warning to dismissal • Damages and other relief for the victim civil penalties of up to \$10,000 per violation • Criminal penalties. Employees or individuals engaged to perform work or services who believe that they have been sexually harassed or retaliated against for complaining of sexual

(c) The person who is designated to receive such complaints and reports:

The above-named individuals can also provide copies of this employer's written sexual harassment policy. The employer will promptly investigate and respond to all reports and knowledge of sexual harassment.

EARNED SICK TIME ACT

Vermont's Earned Sick Time Act

An employee will earn one hour of earned sick time for every 52 hours of actual A small business that employs five or fewer full-time employees will not be subject WHEN WILL PAID SICK TIME BE AVAILABLE TO USE? An employer may elect to allow the use of earned sick time as it accrues, or may An employee can use sick time when the employee's child, parent, impose a waiting period of up to one year after January 1st, 2017 or the first day of

ARE ALL EMPLOYEES ENTITLED TO SICK TIME? Not all employees are subject to the protections of the Act. There are limited exemptions for certain types of employment, as well as for certain

employment, whichever comes later.

YOUR RIGHTS UNDER USERRA

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

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

you would have attained if you had not been absent due to military service or, in

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

U.S. Department of Justice 1-866-487-2365

Protection on the Job

The purpose of the law is to assure safe and healthful working conditions throughout the State. You have the right to notify your employer or VOSHA about workplace

by your employer for making safety and health complaints or for

Your employer must correct workplace hazards by the date indicated

or otherwise exercising their rights under the Code. The Statute also provides that employees who are discriminated against may bring a private action in Superior Court for appropriate

in the Vermont Department of Labor, has the primary responsibility for workers throughout the State. OSHA will monitor the operation of this directly to the Occupational Safety and Health Administration, John F. Kennedy Federal Building, Room E-340, Boston, MA, 02203, Telephone (617) 565-9860.

www.labor.vermont.gov

Continue your group health plan coverage while you are on leave on the same basis Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your

It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document(s) they will accept from an employee.

SEXUAL HARASSMENT

harassment are encouraged to report the situation as soon as possible to one or more of the following.

Effective July 1, 2023

seasonal and part time employees. For a complete list, go to: legislature.vermont.gov/statutes/section/21/005/00482

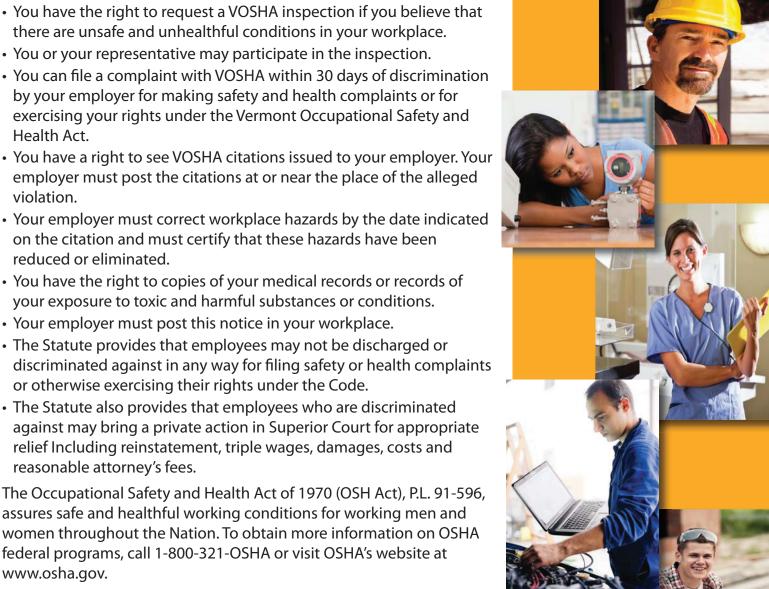
proceeding under USERRA, even if that person has no service connection. **HEALTH INSURANCE PROTECTION** • If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military. • Even if you don't elect to continue coverage during your military service, you have

the right to be reinstated in your employer's health plan when you are reemployed,

generally without any waiting periods or exclusions (e.g., pre-existing condition

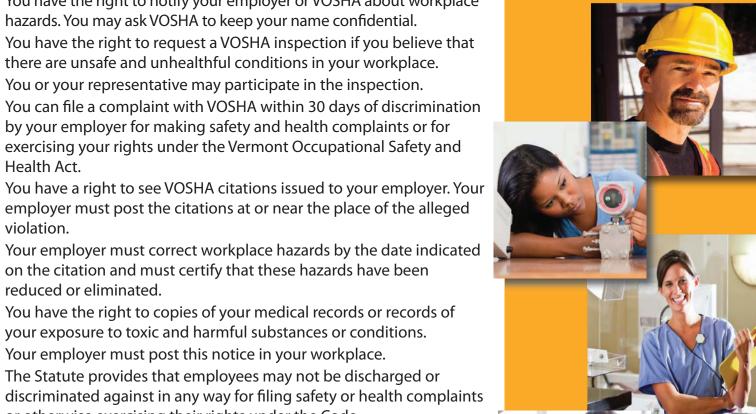
exclusions) except for service-connected illnesses or injuries. • The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations. • For assistance in filing a complaint, or for any other information on USERRA, contact 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://

You have a right to a safe and healthy workplace.



the Code and of specific safety and health standards, may be obtained by contacting:

Toll-free at 1-888-723-3937. **DEPARTMENT OF LABOR** (03/14)



Further information, including copies of

Project WorkSAFE **Department of Labor 5 Green Mountain Drive** P. O. Box 488 Montpelier, Vermont 05601-0488 **Telephone (888) SAFE-YES**