FED

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.

At least 1½ times the regular rate of pay for all hours worked over 40 in a

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

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 **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

DEPARTMENT OF LABOR **WAGE AND HOUR DIVISION** UNITED STATES OF AMERICA UNITED STATES DEPARTMENT OF LABOR

from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk. **ENFORCEMENT**

LABOR

LAWS

The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers 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 Commonwealth 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.

> 1-866-487-9243 www.dol.gov/agencies/whd



REV. 04/2023

FED

Wisconsin Minimum Wage Rates

18 Holes

\$10.50

Effective July 24, 2009 (Wis. Stat. ch. 104)

| General Minimum V | Vage Rates | Minimum Wage Rat for Tipped Employe | |
|-------------------------------|---------------------------|--|-------------------------|
| Non-Opportunity Employees: | Opportunity Employees: | Non-Opportunity Employees: | Opportunit Employees |
| \$7.25 per Hour | \$5.90 per Hour | \$2.33 per Hour | \$2.13 per Ho |

Note: "Opportunity employee" means an employee who is not yet 20 years old and

who has been in employment status with a particular employer for 90 or fewer consecutive calendar days from the date of initial employment. Minimum Wage Rates foi **Minimum Rates** \$7.25 per Hour \$7.25 per Hour \$5.90

For more information contact:

WI

STATE OF WISCONSIN DEPARTMENT OF WORKFORCE DEVELOPMENT **EQUAL RIGHTS DIVISION** 201 E WASHINGTON AVE, ROOM A100 819 N 6TH ST ROOM 723

MADISON WI 53703

MADISON WI 53708-8928 TELEPHONE: (608) 266-6860

Website: https://dwd.wisconsin.gov/er/

MILWAUKEE WI 53203

TELEPHONE: (414) 227-4384

The Department of Workforce Development is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format or need it translated to another language, please contact us. ERD-9247-P

Wisconsin Maximum Allowances for Board and Lodging Effective July 24, 2009

| | Non-Opportunity Employees | Opportunity Employees |
|---------|---------------------------|-----------------------|
| Meals | \$87.00 Per Week | \$70.80 Per Week |
| Meais | \$4.15 Per Meal | \$3.35 Per Meal |
| Lodging | \$58.00 Per Week | \$47.20 Per Week |
| | \$8.30 Per Day | \$6.75 Per Day |

Agricultural Employment

| Meals | \$87.00 Per Week \$4.15 Per Meal |
|---------|-------------------------------------|
| Lodging | \$58.00 Per Week |
| | \$8.30 Per Day |
| | |
| | |

All Employees

Camp Counselor Employment Weekly Salary for All Employees [Adults and Minors]

| weekly Salary for All Elliployees [Addits and Willors] | | | | | |
|---|-----------------|------------|---------------------|--|--|
| | Board & Lodging | Board Only | No Board or Lodging | | |
| Salary Rates | \$210.00 | \$265.00 | \$350.00 | | |
| When hoard or lodging provided by an employer is accepted and received by | | | | | |

an employee, the employer is permitted to deduct up to the above amounts from the worker's paycheck. The amounts deducted are used to determine if the employee is receiving the required minimum wage rates.

REV. 06/2020

NOTICE: This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under the Fair Labor Standards Act posting, hich indicates the federal minimum wage. Where federal and state rates both apply to an employee, the U.S. Department of Labor dictates that the employee is entitled

Minors under 14 years of age are allowed to work in certain occupations

These minors are subject to the same hourly and time of day restrictions

Minors under 18 years of age may not work more than 6 consecutive hours

Minors 16 & 17 years of age who are employed after 11:00 pm must have 8 hours

Minimum Wage for minors is \$7.25 per hour. Employers may pay an "Opportunity

For further information about the federal child labor laws call (608) 441-5221

or write to U.S. Department of Labor, Wage & Hour, 740 Regent Street, Suite 102,

Wisconsin Employment of Minors Guide, ERD-4758-P, for more detail).

of rest between the end of one shift and the start of the next shift.

Wage" of \$5.90 per hour for the first 90 days of employment

On the 91st day, the wage must increase to \$7.25 per hour.

(e.g., street trades, agriculture, and work in school lunch programs. See the

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

WI

o the higher minimum wage rate.

Hours and Times of Day Minors May Work in Wisconsin

State and federal laws do not limit the hours that minors 16 years of age or over may work, except that they may not be employed or permitted to work during hours of equired school attendance under Wis. Stat. § 118.15. State and federal laws also permit minors under 16 to work up to seven days per week in the delivery of newspapers and agriculture. In most other types of labor, minors under 16 may only work six days a week

Most employers must obtain work permits for minors under 16 before permitting them to work. For further information, see the Wisconsin Employment of Minors Guide (ERD-4758-P)

| Maximum Hours of Work for 14 & 15 year-old minors | After Labor Day through May 31 | June 1 through Labor Day |
|---|-----------------------------------|-----------------------------|
| Daily Hours | | |
| Non-School Days | 8 hours | 8 hours |
| School Days | 3 hours | 3 hours |
| Weekly Hours | | |
| Non-School Weeks | 40 hours | 40 hours |
| School Weeks | 18 hours | 18 hours |
| Permitted Time of Day | 7am-7pm | 7am-9pm |

Employers subject to both federal and state laws must comply with the more stringent section of the two laws. **State** child labor laws prohibit work during times that minors are required to be in

school, except for students participating in work experience and career exploration programs operated by the school Minors under 16 years of age are limited to the maximum hours and time of day

restrictions even though they may work for more than one employer during the

For further information about the state child labor laws, call the Equal Rights Division in Madison (608) 266-6860 or Milwaukee (414) 227-4384 DEPARTMENT OF WORKFORCE DEVELOPMENT — EQUAL RIGHTS DIVISION **PO BOX 8928 MADISON WI 53708** TELEPHONE: (608) 266-6860

as minors who are 14 or 15 years of age.

without having a 30-minute, duty free meal period.

Website: https://dwd.wisconsin.gov/er/ DWD is an equal opportunity employer and service provider. If you have a disability and need assistance with this information, please dial 7-1-1 for Wisconsin Relay Service. Please contact the Equal Rights Division at (608) 266-6861 to request information in an alternate format, including translated to another language.

REV. 06/2020

WI **Employee Protections Against Use of Honesty Testing** Devices (Wis. Stat. § 111.37)

Employers who use honesty testing must display this poster in one or more conspicuous places where notices to employees are customarily posted. Under Wisconsin law, requiring or requesting that an employee or applicant take an honesty test (lie detector) is unlawful or heavily regulated. Further, employers may not discriminate against a person who refuses to take a test

An employer may request that an employee take a test in connection with an investigation involving economic loss or injury to a business if the employee is a easonable suspect. Honesty tests can be used by law enforcement agencies and certain businesses

engaged in providing security services, alarm systems, and who manufacture, distribute or sell controlled substances. **Employee & Applicant Rights**

examinee's right to proper notice, the right to discontinue a test at any time and the right to advance written notice of the questions to be asked.

Victims of unlawful honesty testing may file a complaint within 300 days after the date the unfair honesty testing occurred, at one of the offices below

STATE OF WISCONSIN **DEPARTMENT OF WORKFORCE DEVELOPMENT**

EQUAL RIGHTS DIVISION STREET ADDRESS:

201 E WASHINGTON AVE **MADISON WI 53703**

MILWAUKEE WI 53203 MAILING ADDRESS: PO BOX 8928

MADISON, WI 53708-8928 TELEPHONE: (608) 266-6860

WI

Website: https://dwd.wisconsin.gov/er/ The Department of Workforce Development is an equal opportunity employer and

service provider. If you have a disability and need to access this information in an alternate format or need it translated to another language, please contact us

REV. 06/2020

819 N 6TH ST ROOM 723

TELEPHONE: (414) 227-4384

Advance Notice Required When Employers Decide to Cease **Providing a Health Care Benefit Plan**

Wisconsin law (Wis. Stat. § 109.075) requires employers who plan to discontinue health care benefits to current employees, retirees, and dependents of employees or retirees in some instances to provide the affected individuals with 60 days' notice of the cessation of benefits. Q: Which employers must comply with this requirement?

A: An employer who operates a business enterprise in Wisconsin that employs 50 or more persons in the state must provide written notice of its intention to cease providing health care benefits to affected parties.

Q: Who is an affected individual entitled to this notice? A: Employees, any union representing employees of the business, retirees, and

dependents of employees and retires currently covered by the health care plan are entitled to receive 60 days' written notice that the benefits will cease. Q: Why should an affected person file a complaint about not receiving 60 A: A person who did not receive proper notice may receive either the value

of the insurance premium(s) for the period without notice or the actual value of medical expenses incurred during the non-notification period (maximum of Q: If I have questions concerning this requirement or if I wish to file a

complaint about not receiving notice, whom should I contact? A: Contact either the Equal Rights Division in Milwaukee or Madison

STATE OF WISCONSIN DEPARTMENT OF WORKFORCE DEVELOPMENT **EOUAL RIGHTS DIVISION**

819 N 6тн ST

201 E WASHINGTON AVE, ROOM A100 PO BOX 8928 **MADISON WI 53708**

ROOM 723 MILWAUKEE WI 53203 TELEPHONE: (414) 227-4384 Website: https://dwd.wisconsin.gov/er/

TELEPHONE: (608) 266-6860

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REV. 06/2020

Notice to Employees About Applying for WISCONSIN UNEMPLOYMENT BENEFITS

If you served in the military in the last 18 months, Forr

dwd.wisconsin.gov/uiben/handbook/apply.htm If you are a federal civilian employee, Form SF-50 or SF-8. If you are a union member, the name and local number of When to Apply your union hall. If you want UI benefit payments by direct deposit, your You are totally unemployed, bank's routing number and your account number

You expect to be laid off within the next 13 weeks, or You are participating in the Trade Adjustment Assistance (TTA) program **Unsure if you will qualify?** Apply to find out if you are eligible. Only DWD can determine if you will qualify

Your weekly earnings are reduced

MPORTANT: You must file an initial claim application vithin seven days of the end of the calendar week in which ou want to receive a UI benefit payment. Information You Need To Apply:

A username and password (for filing online). A valid email address or mobile phone number. Your current address. Your social security number.

Your Wisconsin driver license or identification number (if

Your work history for the last 18 months, including: Employers' business names. Employers' addresses (including zip code). Employers' phone number

First and last dates of work with each employer.

document number and expiration date.

the violation occurred, whichever is later.

Reason for no longer working with each employer. If you are not a U.S. citizen, your alien registration number

Saturday

Need Help? · Visit your closest Job Center

Note: When you authorize to use online services, you may be mailed an identity verification letter with a code that must be entered within seven days. Log on to access your claimant portal Complete your initial claim application

How to Apply

Go to my.unemployment.wisconsin.gov

Read and accept terms and conditions.

Apply online during these times: 9:00 AM - Midnight

Monday - Friday Available 24 Hours Modnight - 3:00 PM

For access to a computer and workforce services:

For help using online services or if you are truly unable to go online: (414) 435-7069 or toll-free (844) 910-3661 during

State of Wisconsin dwd.wisconsin.gov/ui

Department of Workforce Development Notice to Employers: All employers covered by Wisconsin's Unemployment Insurance law are required to prominentl display this poster where employees will easily see it. If accessed by employees, an individual copy is to be

provided to each employee. For additional copies, visit:

dwd.wisconsin.gov/dwd/publications/ui/notice.htm or call Notice to Employees: The federal Social Security Act requires that you give us your social security number. It will be used to verify your identity and determine your eligibility. If you do not provide your social security number, we cannot take your

DWD is an equal opportunity employer and service provide If you have a disability and need assistance with this Please contact the Unemployment Insurance Division at 14) 435-7069 to request information in an alternate format including translated to another language.

WI

Wisconsin Family and Medical Leave Act Section 103.10, Wisconsin Statutes, requires that all employers with 50 or more For answers to questions about the law, a complete copy of the law, or to make

Under state law all employers with 50 or more permanent employees must allow Up to six (6) weeks leave in a calendar year for the birth or adoption

weeks of the birth or placement of that child. Up to two (2) weeks of leave in a calendar year for the care of a child, spouse, domestic partner, as defined in § 40.02(21c) or 770.01(1) or parent or a parent of a domestic partner with a serious health condition. Up to two (2) weeks leave in a calendar year for the employee's own

This law only applies to an employee who has worked for the employer more than 52 consecutive weeks and for at least 1000 hours during that 52-week period. The law also requires that employees be allowed to substitute paid or unpaid leave provided by the employer for Wisconsin Family and Medical Leave. Employers may have leave policies, which are more generous than leaves required by the law. A complaint concerning a denial of rights under this law **must be filed within 30** days after the violation occurs or the employee should have reasonably known that

employees display a copy of this poster in the workplace. Employers with 25 or a complaint about a denial of rights under the law contact:

more employees are required to post their particular leave policy **STATE OF WISCONSIN** DEPARTMENT OF WORKFORCE DEVELOPMENT **EQUAL RIGHTS DIVISION** of the employee's child, providing the leave begins within sixteen (16) 201 E WASHINGTON AVE ROOM A100 819 N 6TH ST

> MADISON WI 53708 **MILWAUKEE WI 53203** TELEPHONE: (414) 227-4384 Telephone: (608) 266-6860

The Department of Workforce Development is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format or need it translated to another language, please contact us.

REV. 06/2020

ERD-9006-P

REV. 01/04/2024

FED **EMPLOYEE RIGHTS**

EMPLOYEE POLYGRAPH PROTECTION ACT The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.

Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other

Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national

The Act permits polygraph (a kind of lie detector) tests to be administered in the private 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 agreement which is more restrictive with respect to lie detector tests. **EXAMINEE RIGHTS**

Where polygraph tests are permitted, they are subject to numerous strict standards concerning

the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

DEPARTMENT OF HOUR DIVISION UNITED STATES OF WHC 1-866-487-9243 UNITED STATES DEPARTMENT OF

REV. 02/2022

WH1462

YOUR RIGHTS UNDER USERRA 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 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 with

you have not been separated from service with a disqualifying discharge or under other If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a

you return to work or apply for reemployment in a timely manner after conclusion of

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

that particular employer

are a past or present member of the are obligated to serve in the uniformed uniformed service; service; have applied for membership in the uniformed service; or

then an employer may not deny you: initial employment; promotion; or any benefit of employment reemployment; retention in employment because of this status.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a 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://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

You may also bypass the VETS process and bring a civil action against an employer 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: nttps://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. U.S. Department of Labor • 1-866-487-2365 U.S. Department of Justice Office of Special Counsel

Employer Support of the Guard and Reserve • 1-800-336-4590 REV. 05/2022

Wisconsin Fair Employment Law

Section 111.31-111.395 Wisconsin Statutes and **DWD 218 Wisconsin Administrative Code requires** that all employers prominently display this Poster

in all places of employment. It is unlawful to discriminate against employees and job applicants because of their:

Use of Lawful Products Arrest or Conviction **Honesty Testing** Ancestry Disability National Origin Pregnancy or Childbirth Marital Status

Creed (Religion) Genetic Testing Age (40 or Over) Military Service Declining to Attend a Meeting or Participate in any Communication About **Religious or Political Matters**

Sexual Orientation

This law applies to employers, employment agencies, labor unions and

Employers may not require certain types of honesty testing or genetic testing as a condition of employment, nor discipline an employee because of the results Employees may not be harassed in the workplace based on their protected status nor retaliated against for filing a complaint, for assisting with a complaint, or for opposing

discrimination in the workplace. For more information or a copy of the law and the administrative rules contact:

STATE OF WISCONSIN **DEPARTMENT OF WORKFORCE DEVELOPMENT EQUAL RIGHTS DIVISION** 201 E WASHINGTON AVE ROOM A100 819 N 6TH ST

PO BOX 8928 **ROOM 723 MILWAUKEE WI 53203** MADISON WI 53708 TELEPHONE: (414) 227-4384 TELEPHONE: (608) 266-6860

Website: https://dwd.wisconsin.gov/er/

The Department of Workforce Development is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format or need it translated to another language, please contact us.

REV. 06/2020

Employee Rights under Wisconsin's

Business Closing/Mass Layoff Notification Law

Under Wisconsin law, employees have certain rights and employers have certain obligations to give proper notice to their employees and others before taking

What is a "business closing" or "mass layoff?" **A "business closing"** requires notice if there is a permanent or temporary shutdown

of an employment site or of one or more facilities or operating units at an employment site or within a single municipality that affects 25 or more employees (not including 'new" or "low-hour" employees). **A "mass layoff"** requires notice if there is a reduction in the workforce that is not a

"business closing" and which affects the following number of employees (excluding

new or low hour employees) at an employment site or within a single municipality: At least 25% of the employer's workforce or 25 employees, whichever is greater or At least 500 employees. Employees are counted if their employment is terminated (not including discharges for cause, voluntary departures, or retirements), if they are laid off for more than 6 months,

or if their hours are reduced more than 50 percent during each month of any 6-month

period, as the result of a business closing or mass layoff. New or low-hour employees

who have been employed for fewer than 6 of the 12 months preceding the date on

which a notice is required or who average fewer than 20 hours of work per week - are Who must provide notice and when?

With certain exceptions, businesses employing 50 or more persons in the State of Wisconsin must provide written notice 60 days before implementing a "business closing" or "mass layoff" in this state. The federal or state government (and their political subdivisions), charitable or tax exempt institutions and organizations, and independent contractors are not covered under this law and do not have to provide notice. Additional exceptions exist in various situations involving strikes or lockouts, sales, relocations, temporary or seasonal employment, unforeseeable circumstances, natural or man-made disasters, temporary cessation in operations, or businesses in

What employees are entitled to receive notice? Employees are entitled to receive notice if they are counted as part of "business closing" or "mass layoff." New or low-hour employees may also be entitled to receive notice in

employee may also recover attorney fees and costs in a lawsuit.

201 E WASHINGTON AVE ROOM A100

situations where there is a "business closing" or "mass layoff." What can employees recover if notice is required and not given? If an employer implements a "business closing" or "mass layoff" without providing required notice, an affected employee may recover back pay and benefits for each day that required notice was not provided (up to a maximum of 60 days). An affected

DEPARTMENT OF WORKFORCE DEVELOPMENT

EQUAL RIGHTS DIVISION

If you have questions regarding this law or wish to file a complaint, call or write us at: STATE OF WISCONSIN

PO BOX 8928 **ROOM 723** MADISON WI 53708 **MILWAUKEE WI 53203** TELEPHONE: (608) 266-6860 TELEPHONE: (414) 227-4384 Website: https://dwd.wisconsin.gov/er/

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service provider. If you have a disability and need to access this information in an alternate format or need it translated to another language, please contact us.

819 N 6TH ST

Wage and Hour Division (WHD) enforces the FMLA for most employees

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

parent who is a military servicemember

period to care for the servicemember

Am I eligible to take FMLA leave?

Personnel Management.

How do I request FMLA leave?

FED

Who is Protected?

Religion

Disability

National origin

Age (40 and older)

Job applicants

Generally, to request FMLA leave you must:

You work for a covered employer,

You are an **eligible employee** if **all** of the following apply:

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

workweeks in the current or previous calendar year,

You have worked for your employer at least 12 months,

Airline flight crew employees have different "hours of service" requirements.

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

Employees (current and former), including

What Types of Employment Discrimination are

Under the EEOC's laws, an employer may not discriminate

against you, regardless of your immigration status, on the

Sex (including pregnancy, childbirth, and related

medical conditions, sexual orientation, or gender

Genetic information (including employer requests

for, or purchase, use, or disclosure of genetic tests,

Retaliation for filing a charge, reasonably opposing

discrimination, or participating in a discrimination

genetic services, or family medical history)

Interference, coercion, or threats related to

State and local governments (as employers)

What Employment Practices can be Challenged as

Harassment (including unwelcome verbal or physical

Failure to provide reasonable accommodation for a

disability; pregnancy, childbirth, or related medical

condition; or a sincerely-held religious belief,

Obtaining or disclosing genetic information of

Requesting or disclosing medical information of

from opposing discrimination, filing a charge, or

participating in an investigation or proceeding

Conduct that coerces, intimidates, threatens, or

interferes with someone exercising their rights, or

someone assisting or encouraging someone else to

exercise rights, regarding disability discrimination

Section 103.11, Wisconsin Statutes, requires all employers with 50 or more

employees to display a copy of this poster in the workplace. Employers with

Under state law all employers with 50 or more permanent employees must allow

Up to six (6) weeks leave in a 12-month period for the purpose of serving as

a bone marrow or organ donor, provided that the employee provides his or

her employer with written verification that the employee is to serve as a bone

for the employee to undergo the bone marrow or organ donation procedure

This law applies only to an employee who has worked for the employer more than 52

consecutive weeks and for at least 1000 hours during that 52-week period. The law

have leave policies, which are more generous than leaves required by the law.

also requires that employees be allowed to substitute paid or unpaid leave provided

by the employer for Wisconsin Bone Marrow or Organ Donation Leave. Employers may

marrow or organ donor and so long as the leave is only for the period necessary

25 or more employees are required to post their particular leave policies.

(including accommodation) or pregnancy

Educational institutions (as employers)

Pay (unequal wages or compensation)

lawsuit, investigation, or proceeding

or pregnancy accommodation

What Organizations are Covered?

Most private employers

All aspects of employment, including:

Hiring or promotion

observance or practice

Discharge, firing, or lay-off

Staffing agencies

Discriminatory?

conduct)

Benefits

Referral

employees

employees of either sex:

Job training

Classification

Assianment

Union members and applicants for membership in

managers and temporary employees

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

vou need FMLA leave.

Your serious mental or physical health condition that makes you unable to work,

Certain qualifying reasons related to the foreign deployment of your spouse, child or

An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember

You have the right to use FMLA leave in **one block of time**. When it is medically necessary or

with a serious injury or illness may take up to 26 workweeks of FMLA leave in a single 12-month

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

employer-provided paid leave if your employer's paid leave policy covers the reason for which

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

Your employer has at least 50 employees within 75 miles of your work location.

You work for a private employer that had at least 50 employees during at least 20

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

FED

What is FMLA leave?

Your Employee Rights Under the Family and Medical Leave Act

You do <u>not</u> have to share a medical diagnosis but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You **must also** The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with inform your employer if FMLA leave was previously taken or approved for the same reason job-protected leave for qualifying family and medical reasons. The U.S. Department of Labor's when requesting additional leave.

Your **employer** may request certification from a health care provider to verify medical leave Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month period for: 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 To care for your spouse, child or parent with a serious mental or physical health condition, leave rights.

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

What does my employer need to do?

you had not taken leave, and

If you are eligible for FMLA leave, your **employer** must: 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

Allow you to return to the same job, or a virtually identical job with the same pay, benefits FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to use any and other working conditions, including shift and location, at the end of your 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 must 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. 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

DEPARTMENT OF LABOR UNITED STATES OF AMERICA **WAGE AND HOUR DIVISION**



U.S. Equal Employment Opportunity Commission **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.

Discrimination has Occurred? Contact the EEOC promptly if you suspect 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

What can You Do if You Believe

following ways an inquiry through the EEOC's public portal: https://publicportal.eeoc.gov/Portal/Login.aspx 1-800-669-4000 (toll free) 1-800-669-6820 (TTY) 1-844-234-5122 (ASL video phone)

an EEOC field office (information at

CONTRACTS OR SUBCONTRACTS

www.eeoc.gov/field-office) info@eeoc.gov E-Mail Additional information about the EEOC, including information about

filing a charge of discrimination, is

available at www.eeoc.gov. **EMPLOYERS HOLDING FEDERAL**

The Department of Labor's Office of Federal Contract exercising rights regarding disability discrimination Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action commitments of companies doing business with the Federal Government. If you are applying for a job with, or are an employee of, a company with a Federal contract or subcontract, you are protected under Federal law from discrimination on the following bases:

Race, Color, Religion, Sex, Sexual Orientation,

discrimination by Federal contractors based on race, color,

Section 503 of the Rehabilitation Act of 1973, as amended,

Gender Identity, National Origin

Disability

executive level.

origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment Asking About, Disclosing, or Discussing Pay Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or

protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a Conduct that might reasonably discourage someone disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with

disabilities at all levels of employment, including the

Protected Veteran Status The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three

wartime or campaign badge veterans, or Armed Forces service medal veterans. Retaliation Retaliation is prohibited against a person who files a

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities should contact immediately: The Office of Federal Contract Compliance Programs (OFCCP) U.S. Department of Labor

Washington, D.C. 20210 1-800-397-6251 (toll-free) If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at https://ofccphelpdesk.dol.gov/s/, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at https://www.dol.gov/agencies/ofccp/contact.

FEDERAL FINANCIAL ASSISTANCE Race, Color, National Origin, Sex

n addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of Executive Order 11246, as amended, prohibits employment 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities religion, sex, sexual orientation, gender identity, or national receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal

> amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of

financial assistance, you should immediately contact the Federal agency providing such assistance.

DEPARTMENT OF WORKFORCE DEVELOPMENT EQUAL RIGHTS DIVISION PO BOX 8928

MADISON WI 53708 MILWAUKEE WI 53203 TELEPHONE: (608) 266-6860 TELEPHONE: (414) 227-4384 Website: https://dwd.wisconsin.gov/er/

REV. 06/2020

Raise a safety or health concern with

- retaliated against. Receive information and training on job hazards, including all hazardous substances
- speak in private to the inspector. • File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

Contact OSHA. We can help.

TWO ways to verify poster compliance!

Go to: JJKeller.com/LLPverify

Enter this code: 69510-012024

QR CODE Scan with phone camera:

ONLINE

STATE OF WISCONSIN

819 N 6TH ST, ROOM 723

The Department of Workforce Development is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format or need it translated to another



Job Safety and Health

All workers have the right to:

in your workplace.

- A safe workplace.
- Request a confidential OSHA inspection of your workplace if you believe there are
- participate) in an OSHA inspection and
- See any OSHA citations issued to your employer.

- IT'S THE LAW!
 - recognized hazards. It is illegal to retaliate against an employee for using any of their

Provide employees a workplace free from

and safety concern with you or with OSHA, or reporting a work-related injury or illness. Comply with all applicable OSHA standards. Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related

rights under the law, including raising a health

 Provide required training to all workers in a language and vocabulary they can understand. Prominently display this poster in the workplace.

Post OSHA citations at or near the place of

On-Site Consultation services are available to

small and medium-sized employers, without

citation or penalty, through OSHA-supported

consultation programs in every state.

inpatient hospitalization, amputation, or loss



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UNITED STATES DEPARTMENT OF LABOR WH1420 REV. 04/2023

vears of discharge or release from active duty), active duty nination, participates in an OFCCI proceeding, or otherwise opposes discrimination by Federal contractors under these Federal laws.

200 Constitution Avenue, N.W.

PROGRAMS OR ACTIVITIES RECEIVING

financial assistance **Individuals with Disabilities** Section 504 of the Rehabilitation Act of 1973, as

the job. If you believe you have been discriminated against in a program of any institution which receives Federal

REV. 06/27/2023

WISCONSIN BONE MARROW AND ORGAN DONATION LEAVE ACT

language, please contact us.

Employers must:

of an eye.

the alleged violations.

ERD-18114-E-P

A complaint concerning a denial of rights under this law must be filed within 30 days after the violation occurs or the employee should have reasonably known that the violation occurred, whichever is later. For answers to questions about the law, a complete copy of the law, or to make a complaint about a denial of rights under the law contact:



and to recover from the procedure.

your employer or OSHA, or report a workrelated injury or illness, without being

- unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf. Participate (or have your representative)
- retaliated against for using your rights.

This poster is available free from OSHA.

To update your labor law posters contact

J. J. Keller & Associates, Inc.

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