FED

DEPARTMENT OF LABOR

NY

Street Trades:

UNITED STATES OF AMERICA

Age of Minor

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can

determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that

activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA,

the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a

notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or

the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily

Employers can require a certification or periodic recertification supporting the need for leave. If the employer

determines that the certification is incomplete, it must provide a written notice indicating what additional

if the need for leave is for a reason for which FMLA leave was previously taken or certified

collective bargaining agreement that provides greater family or medical leave rights

FED

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

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

& Associates, Inc.®

Since 1953

The law requires employers to display this poster where

employees can readily see it. **OVERTIME PAY** At least 1½ times the regular rate of pay for all hours worked over 40 in a

CHILD LABOR An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various

non-manufacturing, non-mining, non-hazardous jobs with certain work hours

restrictions. Different rules apply in agricultural employment

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

NURSING MOTHERS

The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA's overtime requirements in order for the employee to express breast milk for her nursing child for one year after the child's birth each time such employee has a need to express breast milk. Employers are

DEPARTMENT OF LABOR UNITED STATES OF AMERICA

WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243 TTY: 1-877-889-5627 www.dol.gov/whd

REV. 07/2016

NY Department of Labor

WE ARE YOUR DOL

Attention Miscellaneous

Industry Employees NEW YORK DEPARTMENT OF LABOR

New York City

Large Employers (11 or mor	Small Employers	
Minimum Wage	\$15.00	Minimum Wage
Overtime after 40 hours	\$22.50	Overtime after 40 hours
Tipped workers	\$15.00	Tipped workers
Overtime after 40 hours	\$22.50	Overtime after 40 hours
Long Island a	nd	Pom:

Long Island ar Westchester Cou	
Minimum Wage	\$15.00
Overtime after 40 hours	\$22.50
Tipped workers	\$15.00
Overtime after 40 hours	\$22.50

\$15.00	Minimum Wage	\$13.20
\$22.50	Overtime after 40 hours	\$19.80
\$15.00	Tipped workers	\$13.20
\$22.50	Overtime after 40 hours	\$19.80
If you have questions, need more inform	ation or want to file a complaint, please visit	

Credits and Allowances that may reduce your pay below the minimum wage rates shown above

Tips – Beginning December 31, 2020, your employer must pay the full applicable minimum wage rate, and cannot take any tip credit.

Meals and lodging – Your employer may claim a limited amount of your wages for meals and lodging that they provide to you, as long as they do not charge you anything else. The rates and requirements are set forth in wage orders and summaries, which are available online.

Minimum Wage Poster

REV. 11/2021

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, which 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 to the higher minimum wage rate. THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

NY

LS 207

New York State **Human Rights** THIS ESTABLISHMENT IS SUBJECT TO THE NEW YORK STATE HUMAN RIGHTS LAW

(EXECUTIVE LAW, ARTICLE 15) DISCRIMINATION BASED UPON AGE, RACE, CREED, COLOR, NATIONAL ORIGIN. SEXUAL ORIENTATION, MILITARY STATUS, SEX, PREGNANCY, GENDER IDENTITY OR EXPRESSION, DISABILITY OR MARITAL STATUS IS PROHIBITED BY THE NEW YORK STATE HUMAN RIGHTS LAW. SEXUAL HARASSMENT OR HARASSMENT BASED UPON ANY OF THESE PROTECTED CLASSES ALSO IS PROHIBITED. ALL EMPLOYERS (until February 8, 2020, only employers with 4 or more

employees are covered), EMPLOYMENT AGENCIES, LABOR ORGANIZATIONS AND APPRENTICESHIP TRAINING PROGRAMS Also prohibited: discrimination in employment on the basis of Sabbath observance

or religious practices; hairstyles associated with race (also applies to all areas listed below); prior arrest or conviction record; predisposing genetic characteristics; familial status; pregnancy-related conditions; domestic violence victim status. Reasonable accommodations for persons with disabilities and pregnancy-related conditions including lactation may be required. A reasonable accommodation is an adjustment to a job or work environment that enables a person with a disability to perform the essential functions of a job in a reasonable manner. Also covered: domestic workers are protected from harassment and retaliation;

interns and nonemployees working in the workplace (for example temp or contract workers) are protected from all discrimination described above RENTAL, LEASE OR SALE OF HOUSING, LAND AND COMMERCIAL SPACE, INCLUDING ACTIVITIES OF REAL ESTATE BROKERS AND SALES PEOPLE

Also prohibited: discrimination on the basis of lawful source of income (for example housing youchers, disability benefits, child support); familial status (families with children or being pregnant); prior arrest or sealed conviction; commercial boycotts or blockbusting Reasonable accommodations and modifications for persons with disabilities may

also be required. (1) rental of an apartment in an owner-occupied two-family house

(2) restrictions of all rooms in a housing accommodation to individuals of the same (3) rental of a room by the occupant of a house or apartment (4) sale, rental, or lease of accommodations of housing exclusively to persons 55

years of age or older, and the spouse of such persons ALL CREDIT TRANSACTIONS INCLUDING FINANCING FOR PURCHASE, MAINTENANCE AND REPAIR OF HOUSING PLACES OF PUBLIC ACCOMMODATION SUCH AS RESTAURANTS, HOTELS, HOSPITALS AND MEDICAL OFFICES, CLUBS, PARKS AND GOVERNMENT

Age is not a covered classification relative to public accommodations.

Reasonable accommodations for persons with disabilities may also be required. **FDUCATION INSTITUTIONS** All public schools and private nonprofit schools, at all education levels, excluding

those run by religious organizations. ADVERTISING AND APPLICATIONS RELATING TO EMPLOYMENT, REAL ESTATE. PLACES OF PUBLIC ACCOMMODATION AND CREDIT TRANSACTIONS MAY NOT

EXPRESS ANY DISCRIMINATION If you wish to file a formal complaint with the Division of Human Rights, you must do so within one year after the discrimination occurred. The Division's services are

If you wish to file a complaint in State Court, you may do so within three years of the discrimination. You may not file both with the Division and the State Court. Retaliation for filing a complaint or opposing discriminatory practices is prohibited. You may file a complaint with the Division if you have been

FOR FURTHER INFORMATION, WRITE OR CALL THE DIVISION'S NEAREST OFFICE. HEADOLIARTERS

ONE FORDHAM PLAZA, 4TH FLOOR, BRONX, NY 10458

m Wage hourly rates effective 12/31/2021 – 12/30/2022	
New York City	

	New Y	ork City			
1 or more employees)		Small Employers (10 or less employees)			
	\$15.00	Minimum Wage	\$15.00		
	\$22.50	Overtime after 40 hours	\$22.50		
	\$15.00	Tipped workers	\$15.00		
	\$22.50	Overtime after 40 hours	\$22.50		

Remainder of New York State	
Minimum Wage	\$13.20
Overtime after 40 hours	\$19.80
Tipped workers	\$13.20
Overtime after 40 hours	\$19.80

www.labor.ny.gov/minimumwage or call: 1-888-469-/365.

Extra Pay you may be owed in addition to the minimum wage rates shown above:

than amounts shown above) for weekly hours over 40 (or 44 for residential Exceptions: Overtime is not required for salaried professionals, or for executives and administrative staff whose weekly salary is more than 75 times the minimum wage rate.

> **Call-in pay** – If you go to work as scheduled and your employer sends you home early, you may be entitled to extra hours of pay at the minimum wage rate for that day. **Spread of hours** – If your workday lasts longer than ten hours, you may be

Overtime – You must be paid 1½ times your regular rate of pay (no less

entitled to extra daily pay. The daily rate is equal to one hour of pay at the **Uniform maintenance** – If you clean your own uniform, you may be

entitled to additional weekly pay. The weekly rates are available online. **Post in Plain View**

NY

TODOS LOS EMPLEADORES (hasta el 8 de febrero de 2020, solo los empleadores de cuatro o más personas), AGENCIAS DE EMPLEO ORGANIZACIONES DE TRABAJO Y PROGRAMAS DE CAPACITACIÓN DE

antecedentes penales; las características genéticas predisponentes; el estado civil; Es posible que sea necesario hacer acomodos razonables para personas con discapacidades y condiciones relacionadas con el embarazo incluyendo lactación.

que una persona con discapacidad realice las tareas esenciales de un trabajo de manera razonable. También están cubiertos: trabajadores domésticos están protegidos en casos acoso y represalias; internos y no empleados cuales trabajan en el lugar de trabajo

discriminación descrita arriba. ALQUILER, ARRENDAMIENTO O VENTA DE VIVIENDA, TERRENO O ESPACIO

(familias con niños o en estado de embarazo); arresto previo o condena sellada; boicot comercial o acoso inmobiliario para personas con discapacidades.

También esta prohibido: la discriminación a base de fuente de ingreso legal (por

(1) alquiler de un apartamento en una casa para dos familias ocupada por el dueño (3) alguiler de una habitación por parte del ocupante de una casa o apartamento

(4) venta, alquiler o arrendamiento de alojamiento en una casa exclusivamente a personas mayores de 55 años y al cónyuge de dichas personas También se prohíbe: discriminación en vivienda sobre la base del estado civil (por

eiemplo, familias con hijos) TODAS TRANSACCIONES CREDITICIAS INCLUYENDO FINANCIAMENTO PARA LA COMPRA, MANTENIMIENTO Y REPARACION DE VIVIENDAS LUGARES DE ALOJAMIENTO PÚBLICO, COMO RESTAURANTES, HOTELES, HOSPITALES Y CONSULTORIOS MÉDICOS, CLUBS, PAROUES Y OFFICINAS DEL

La edad no es una clasificación cubierta respecto a los alojamientos públicos. Es posible que sea necesario realizar arreglos razonables para personas con

INSTITUCIONES EDUCATIVAS

INMUEBLES, LOS LUGARES DE ALOJAMIENTO PÚBLICO Y LAS TRANSACCIONES CREDITICIAS NO DEBEN EXPRESAR NINGUN ACTO DISCRIMINATORIO Si desea presentar una demanda formal ante la División de Derechos Humanos, debe hacerlo dentro de un año desde que ocurra la discriminación. Los servicios de

Si desea presentar una demanda ante el Tribunal Estatal, puede hacerlo dentro demanda ante la División y ante el Tribunal Estatal Se prohíben las represalias por presentar una demanda u oponerse a

NEW YORK CORRECTION LAW

LICENSURE AND EMPLOYMENT OF PERSONS PREVIOUSLY **CONVICTED OF ONE OR MORE CRIMINAL OFFENSES**

Section 750 Definition 751. Applicability.

NY

755. Enforcement

§750. Definitions. For the purposes of this article, the following terms shall have the following meanings:

"Public agency" means the state or any local subdivision thereof, or any state or local department, agency, board or commission "Private employer" means any person, company, corporation, labor organization or association which employs ten or more persons.

perform one or more of the duties or responsibilities necessarily related to the license, opportunity, or job in question. "License" means any certificate, license, permit or grant of permission required by the laws of this state, its political subdivisions or instrumentalities as a condition for the lawful practice of any occupation, employment, trade, vocation, business, or profession, Provided, however,

that "license" shall not, for the purposes of this article, include any license or permit to own, possess, carry, or fire any explosive, pistol, handgun, rifle, shotgun, or other firearm. "Employment" means any occupation, vocation or employment, or

§751. Applicability. The provisions of this article shall apply to any application by any person for a license or employment at any public or private employer, who has previously been convicted of one or more criminal offenses in this state or in any other jurisdiction, and to any license or employment held by any person whose conviction of one or more criminal offenses in this state or in any other jurisdiction preceded such employment or granting of a license, except where a mandatory forfeiture, disability or bar to employment is imposed by law, and has not been removed by an executive pardon, certificate of relief from disabilities or certificate of good conduct. Nothing in this article shall be construed to affect any right an

§752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited. No application for any license or employment, and no employment or license held by an individual, to which the provisions of this article are applicable, shall be denied or acted upon adversely by reason of the individual's having been previously convicted of one or more criminal offenses, or by reason of a finding of lack of "good moral character" when such finding is based upon the fact that the individual has previously been convicted of one or more criminal offenses, unless:

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1-888-392-3644 WWW.DHR.NY.GOV ESTE ESTABLECIMIENTO ESTÁ SUJETO A LA LEY DE DERECHOS HUMANOS DEL ESTADO DE NUEVA YORK (LEY EJECUTIVA, SECCIÓN 15) LA LEY DE DERECHOS HUMANOS DEL ESTADO DE NUEVA YORK PROHÍBE LA DISCRIMINACIÓN POR EDAD, RAZA, CREDO, COLOR, ORIGEN NACIONAL, ORIENTACIÓN SEXUAL, ESTATUS MILITAR, SEXO, EMBARAZO, IDENTIDAD O EXPRESIÓN DE GÉNERO, DISCAPACIDAD O ESTADO CIVIL. TAMBIÉN ESTÁ PROHIBIDO EL ACOSO SEXUAL O EL ACOSO POR CUALQUIERA DE ESTAS CLASES PROTEGIDAS.

Asimismo, está prohibida la discriminación en el empleo sobre la base de la observancia del Shabat o prácticas religiosas; peinados asociados con la raza (también se aplica a las áreas enumeradas a continuación) arresto previo o

Un arreglo razonable es una adaptación a un trabajo o entorno laboral que permita

(por ejemplo trabajadores temporarios o contratantes) están protegidos de toda

COMERCIAL INCLUYENDO ACTIVIDADES DE AGENTE DE BIENES RAÍCES Y

ejemplo vales, beneficios de discapacidad, manutención de niños); estado familiar También es posible que sea necesario realizar modificaciones y arreglos razonables

Todas las escuelas publicas y escuelas privadas sin ánimo de lucro, en todos los niveles, excluyendo escuelas dirigidas por organizaciones religiosas. PUBLICIDAD Y SOLICITUDES RELACIONADAS CON EL EMPLEO, LOS

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

prácticas discriminatorias. Puede presentar una demanda ante la División PARA OBTENER MÁS INFORMACIÓN, ESCRIBA O LLAME A LA OFICINA MÁS CERCANA DE LA DIVISIÓN. OFICINA CENTRAL: ONE FORDHAM PLAZA. 4TH FLOOR, BRONX, NY

ARTICLE 23-A

752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited 753. Factors to be considered concerning a previous criminal conviction; 754. Written statement upon denial of license or employment.

presumption. 1. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall consider the following factors:

The public policy of this state, as expressed in this act, to encourage the licensure and employment of persons previously convicted of one or more criminal offenses. The specific duties and responsibilities necessarily related to the license or employment sought or held by the person.

continuation of the employment would involve an unreasonable risk

to property or to the safety or welfare of specific individuals or the

§753. Factors to be considered concerning a previous criminal conviction;

The bearing, if any, the criminal offense or offenses for which the person was previously convicted will have on his fitness or ability to perform one or more such duties or responsibilities.

The time which has elapsed since the occurrence of the criminal

The age of the person at the time of occurrence of the criminal offense

The seriousness of the offense or offenses. Any information produced by the person, or produced on his behalf, in regard to his rehabilitation and good conduct.

protecting property, and the safety and welfare of specific individuals or the general public. 2. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall also give consideration to a certificate of relief from disabilities or a certificate of good conduct issued to the

applicant, which certificate shall create a presumption of rehabilitation in regard to

the offense or offenses specified therein

seventy-eight of the civil practice law and rules.

The legitimate interest of the public agency or private employer in

§754. Written statement upon denial of license or employment. At the request of any person previously convicted of one or more criminal offenses who has been denied a license or employment, a public agency or private employer shall provide, within thirty days of a request, a written statement setting forth the **§755. Enforcement.** 1. In relation to actions by public agencies, the provisions

of this article shall be enforceable by a proceeding brought pursuant to article

2. In relation to actions by private employers, the provisions of this article shall be enforceable by the division of human rights pursuant to the powers and procedures set forth in article fifteen of the executive law, and, concurrently, by the New York city commission on human rights.

EMPLOYEE RIGHTS EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits most private employers The Act also permits polygraph testing, subject to restrictions, of certain employees from using lie detector tests either for pre-employment screening or of private firms who are reasonably suspected of involvement in a workplace during the course of employment 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. 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 rights under the Act.

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 security-related activities 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

Industry or Occupation

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

ENFORCEMENT 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

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT. WAGE AND HOUR DIVISION

1-866-487-9243 TTY: 1-877-889-5627 www.dol.gov/whd

REV. 07/2016

Permitted Hours

6 AM to 7 PM

Department of Labor, Division of Labor Standards, Worker Protection **Summary of New York State Child Labor Law** Permitted Working Hours for Minors Under 18 Years of Age

LINITED STATES DEPARTMENT OF LABOR

Girls and	Boys		Daily Hours	Weekly Hours	Days Per Week	
Attending School, When school is in session:	14 and 15	All occupations except farm work, newspaper carrier and street trades	3 hours on school days. 8 hours on other days.	18 ¹	6	7 AM to 7 PM
	16 and 17	All occupations except farm work, newspaper carrier and street trades.	4 hours on days preceding school days: Monday, Tuesday, Wednesday, Thursday ² 8 hours on: Friday, Saturday, Sunday and Holidays. ⁴	284	64	6 AM to 10 PM ³
Attending School, When School is not in session (vacation):	14 and 15	All occupations except farm work, newspaper carrier and street trades.	8 hours	40	6	7 AM to 9 PM June 21 to Labor Day
	16 and 17	All occupations except farm work, newspaper carrier and street trades	8 hours⁴	484	64	6 AM to Midnight⁴
Not Attending School:	16 and 17	All occupations except farm work, newspaper carrier and street trades	8 hours⁴	48 ⁴	6 ⁴	6 AM to Midnight⁴
Farm Work:	12 and 13	Hand harvest of berries, fruits and vegetables. Any farm work	4 hours			June 21 to Labor Day 7 AM to 7 PM. Day after Labor Day to June 20, 9 AM to 4 PM.
	14 (0 18	Any famil work				
Newspaper Carriers:	11 to 18	Delivers, or sells and delivers newspapers, shopping papers or periodicals to homes or business places.	4 hours on school days. 5 hours on other days.			5 AM to 7 PM or 30 minutes prior to sunset, whichever is later

hours on a school day, 23 hours in any one-week when school is in session. ²Students 16 and 17 enrolled in an approved Cooperative Education Program may work up to 6 hours on a day preceding a school day other than a Sunday or Holiday

³6 AM to 10 PM or until midnight with written parental and educational authorities consent on day preceding a school day and until midnight on day preceding a nonschool day with written parental consen ⁴This provision does not apply to minors employed in resort hotels or restaurants in when school is in session, as long as the hours are in conjunction with the Program.

Additional Child Labor Law Information The Employer must post a schedule of work hours for minors under 18 years old in the establishment.

Self-employed work in public 4 hours on school days.

I places selling newspapers or I 5 hours on other days

First violation: maximum \$1.000* Second violation: maximum \$2,000* Third or more violations: maximum \$3,000*

* If a minor is seriously injured or dies while illegally employed, the penalty is three times the maximum penalty. Also, Section 14A of the Workers' Compensation Law provides double compensation and death benefits for minors illegally employed. Note: There are many prohibited occupations for minors in New York State.

For more information about New York State Child Labor Laws and provisions please visit the Department of Labor's website at http://www.labor.ny.gov. If you have guestions, please send them to one of the offices listed below at: New York State Department of Labor, Division of Labor Standards GARDEN CITY DISTRICT NEW YORK CITY DISTRIC BUFFALO DISTRICT 290 Maine Street 400 OAK STREET 75 Varick Street STATE OFFICE CAMPUS 7th Floor

Room 226 **SUITE 101** Buffalo, NY 14202 GARDEN CITY, NY 11530 (516) 794-8195 WHITE PLAINS DISTRICT SYRACUSE DISTRICT 333 East Washington Street 120 BLOOMINGDALE ROAD Room 121 WHITE PLAINS, NY 10605 Syracuse, NY 13202 (914) 997-9521 **Rooм 104** ROCHESTER, NY 14609 (315) 428-4057 (585) 258-4550

REV. 09/2020

New York State Election Law

(As amended by Chapter 56 of the Laws of 2020)

§ 3-110. Time allowed employees to vote.

or her voting time outside his or her working hours, enable him or her to If an employee has four consecutive hours either between the opening of the polls and the beginning of his or her working shift, or between the end of his or her working shift and the closing of the polls, he or she shall be deemed to have sufficient time outside his or her working hours within which to vote. If he or she has less than four consecutive hours he or she may take off so much working time as will, when added to his or her voting time outside his or her working hours enable him or her

to vote, but not more than two hours of which shall be without loss of pay, provided that he or she shall be allowed time off for voting only at the beginning or end of his or her working shift, as the employer may designate, unless otherwise mutually agreed. If the employee requires working time off to vote the employee shall notify his or her employer not more than ten nor less than two working

days before the day of the election that he or she requires time off to vote in accordance with the provisions of this section. Not less than ten working days before every election, every employer shall post conspicuously in the place of work where it can be seen as employees come or go to their place of work, a notice setting forth the provisions of this section. Such notice shall be kept posted until the close of the polls

ATTENTION ALL EMPLOYEES TIME ALLOWED EMPLOYEES TO VOTE ON ELECTION DAY N.Y. ELECTION LAW SECTION 3-110¹ STATES THAT:

IF YOU DO NOT HAVE 4 CONSECUTIVE HOURS TO VOTE, EITHER FROM

THE OPENING OF THE POLLS TO THE BEGINNING OF YOUR WORKING

NEW YORK, NY 10013

SHIFT, OR BETWEEN THE END OF YOUR WORKING SHIFT AND THE CLOSING OF THE POLLS, YOU MAY TAKE OFF UP TO 2 HOURS, WITHOUT LOSS OF PAY, TO ALLOW YOU TIME TO VOTE IF YOU ARE A YOU MAY TAKE TIME OFF AT THE BEGINNING OR END OF YOUR WORKING SHIFT, AS YOUR EMPLOYER MAY DESIGNATE, UNLESS OTHERWISE MUTUALLY AGREED. NOT MORE THAN 10 DAYS, BEFORE THE DAY OF THE ELECTION THAT

shall post conspicuously in the place of work where it can be seen as employees come or go to their place of work, a notice setting forth the provisions of this law. Such notice shall be kept posted until the close of the polls on Election Day.

Rev. 04/14/2020

WE ARE YOUR DOL

www.labor.ny.gov Notice of Employee Rights, Protections, and Obligations **Under Labor Law Section 740**

Prohibited Retaliatory Personnel Action by Employers Effective January 26, 2022 §740. Retaliatory action by employers; prohibition

there is an imminent and serious danger to the public health or safety;

employee does any of the following:

Definitions. For purposes of this section, unless the context specifically indicates otherwise: "Employee" means an individual who performs services for and under the control and direction of an employer for wages or other remuneration,

promulgated pursuant to such statute or ordinance or executive order; or (iii) any judicial or administrative decision, ruling or order. "Public body" includes the following: the United States Congress, any state legislature, or any elected local governmental body, or any member or employee thereof,

any federal, state, or local regulatory, administrative, or public agency or authority, or instrumentality thereof;

any federal, state, or local court, or any member or employee thereof, or any grand or petit jury;

any federal, state, or local law enforcement agency, prosecutorial office, or police or peace officer;

any federal, state or local department of an executive branch of government; or any division, board, bureau, office, committee, or commission of any of the public bodies described in subparagraphs (i) through (v) of this "Retaliatory action" means an adverse action taken by an employer or his or her agent to discharge, threaten, penalize, or in any other manner discriminate against any employee or former employee exercising his or her rights under this section, including (i) adverse employment actions or threats to take such adverse employment actions against an employee in the terms of conditions of employment including but not limited to discharge, suspension, or demotion: (ii) actions or threats to take such actions that would adversely impact a former employee's current or future employment; or

citizenship or immigration status or the suspected citizenship or immigration status of an employee's family or household member, as defined in subdivision two of section four hundred fifty-nine-a of the social services law, to a federal, state, or local agency. "Supervisor" means any individual within an employer's organization who has the authority to direct and control the work performance of the affected employee; or who has managerial authority to take corrective action regarding the violation of the law, rule or regulation of which the employee Prohibitions. An employer shall not take any retaliatory action against an employee, whether or not within the scope of the employee's job duties, because such

is in violation of law, rule or regulation or that the employee reasonably believes poses a substantial and specific danger to the public health or safety; provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any such activity, policy or practice by objects to, or refuses to participate in any such activity, policy or practice. Application. The protection against retaliatory action provided by paragraph (a) of subdivision two of this section pertaining to disclosure to a public body shall not apply to an employee who makes such disclosure to a public body unless the employee has made a good faith effort to notify his or her employer by bringing the activity, policy or practice to the attention of a supervisor of the employer and has afforded such employer a reasonable opportunity to correct such activity, policy or practice. Such employer notification shall not be required where

discloses, or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the employer that the employee reasonably believes

the employee reasonably believes that reporting to the supervisor would result in a destruction of evidence or other concealment of the activity, policy or

such activity, policy or practice could reasonably be expected to lead to endangering the welfare of a minor; the employee reasonably believes that reporting to the supervisor would result in physical harm to the employee or any other person; or the employee reasonably believes that the supervisor is already aware of the activity, policy or practice and will not correct such activity, policy or

It shall be a defense to any action brought pursuant to this section that the retaliatory action was predicated upon grounds other than the employee's exercise of any rights protected by this section. Relief. In any action brought pursuant to subdivision four of this section, the court may order relief as follows: an injunction to restrain continued violation of this section;

the reinstatement of full fringe benefits and seniority rights; the compensation for lost wages, benefits and other remuneration the payment by the employer of reasonable costs, disbursements, and attorney's fees; a civil penalty of an amount not to exceed ten thousand dollars; and/or the payment by the employer of punitive damages, if the violation was willful, malicious or wanton

posted conspicuously in easily accessible and well-lighted places customarily frequented by employees and applicants for employment. To Be Posted Conspicuously in easily accessible and well-lighted places customarily frequented by employees and applicants for employment.

NOTICE: Under the New York Health and Essential Rights Act, employers must post their girborne infectious disease exposure prevention plan. Because a plan is company-specific, it is not included on the New York Labor Law Poster but should be posted separately. Model plans are available from the state Department of Labor.

nsurance carrier or the appropriate state agency to obtain a copy of this state's Workers' Compensation posting or notice of compliance/certificate of insurance. Employees should refer to the Workers' Compensation posting or notice of compliance/certificate of insurance furnished by the state or the employer's insurance carrier for information about Workers'

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

IT DOES NOT FULFILL THE HERO ACT POSTING REQUIREMENT.

posting. Employees should contact their local unemployment office for information on how to claim unemployment benefits. THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT FULFILL THIS STATE'S UNEMPLOYMENT INSURANCE POSTING

This poster is in compliance with federal and state posting requirements.

FED

FED

REEMPLOYMENT RIGHTS

service; or

FED

then an employer may not deny you:

initial employment;

retention in employment;

reemployment;

does not impose undue hardship.

applicant or employee, barring undue hardship.

LEAVE ENTITLEMENTS

information is required

reason for ineligibility.

ENFORCEMENT

designated as FMLA leave.

lawsuit against an employe

EMPLOYER RESPONSIBILITIES

NEW YORK

The United States Department of Labor Wage and Hour Division

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

REQUESTING LEAVE

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's

12-month period for the following reasons: The birth of a child or placement of a child for adoption or foster care;

To bond with a child (leave must be taken within 1 year of the child's birth or placement); To care for the employee's spouse, child, or parent who has a qualifying serious health condition; For the employee's own qualifying serious health condition that makes the employee unable to perform the

spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness. An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted,

employees may take leave intermittently or on a reduced schedule

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an

BENEFITS & PROTECTIONS While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions. An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use

FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related **ELIGIBILITY REQUIREMENTS**

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The Have worked for the employer for at least 12 months; Have at least 1,250 hours of service in the 12 months before taking leave;* and

positions to undertake military service or certain types of service in the National Disaster Medical

you ensure that your employer receives advance written or verbal notice of your service;

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

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

you have not been separated from service with a disqualifying discharge or under other than honorable

*Special "hours of service" requirements apply to airline flight crew employees.

uniformed services, and applicants to the uniformed services.

not been absent due to military service or, in some cases, a comparable job.

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

are a past or present member of the uniformed •

have applied for membership in the uniformed

DEPARTMENT OF LABOR UNITED STATES OF AMERICA

1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627 www.dol.gov/whd

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

System. USERRA also prohibits employers from discriminating against past and present members of the

If you leave your job to perform military service, you have the right to elect to continue your existing You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed 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 iniuries.

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 If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had 1-866-4-USA-DOL or visit its website at http://www.dol.gov/vets. An interactive online USERRA Advisor can be viewed at http://www.dol.gov/elaws/userra.htm

> to the Department of Justice or the Office of Special Counsel, as applicable, for representation. You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA. The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and $may\ be\ viewed\ on\ the\ internet\ at\ this\ address: \underline{http://www.dol.gov/vets/programs/userra/poster.htm}.\ Federal\ law$ 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.

> > REV. 04/2017

because of this status. 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

Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations

Equal Employment Opportunity is THE LAW

promotion; or

any benefit of employment

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases: RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN classification, referral, and other aspects of employment. Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, **SEX (WAGES)** fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably

Title II of the Genetic Information Nondiscrimination Act of 2008 protects protect qualified individuals from discrimination on the basis of disability in applicants and employees from discrimination based on genetic information hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an

accommodate an employee's religious practices where the accommodation

Title I and Title V of the Americans with Disabilities Act of 1990, as amended,

The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based **Employers Holding Federal Contracts or Subcontracts** Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases: RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability

requires that Federal contractors take affirmative action to employ and

activities receiving Federal financial assistance. Employment discrimination

is covered by Title VI if the primary objective of the financial assistance is

provision of employment, or where employment discrimination causes or

to ensure equality of opportunity in all aspects of employment.

INDIVIDUALS WITH DISABILITIES

RACE, COLOR, NATIONAL ORIGIN, SEX In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or

EEOC 9/02 and OFCCP 8/08 Versions Useable With 11/09 Supplement

protected veterans (veterans who served during a war or in a campaign or expedition for which a campaign badge has been authorized), and

Federal financial assistance

Programs or Activities Receiving Federal Financial Assistance 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

Section 504 of the Rehabilitation Act of 1973, as amended, prohibits

employment discrimination on the basis of disability in any program or

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact

Armed Forces service medal veterans (veterans who, while on active duty,

Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at OFCCP-Public@dol.gov, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor.

The Office of Federal Contract Compliance Programs (OFCCP), U.S.

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

All of these Federal laws prohibit covered entities from retaliating against a

person who files a charge of discrimination, participates in a discrimination

There are strict time limits for filing charges of employment discrimination.

1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for

individuals with hearing impairments). EEOC field office information is

available at www.eeoc.gov or in most telephone directories in the U.S.

Government or Federal Government section. Additional information

about EEOC, including information about charge filing, is available at

Retaliation is prohibited against a person who files a complaint of

discrimination, participates in an OFCCP proceeding, or otherwise opposes

To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact

proceeding, or otherwise opposes an unlawful employment practice.

WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS

EEOC promptly when discrimination is suspected:

The U.S. Equal Employment Opportunity Commission (EEOC),

If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.



All workers have the right to: A safe workplace.

hazards, including all hazardous substances in your workplace. Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have

Receive information and training on job

retaliated against.

- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- (by phone, online or by mail) if you have been retaliated against for using your rights. See any OSHA citations issued to your

Request copies of your medical records, tests

that measure hazards in the workplace, and

• File a complaint with OSHA within 30 days

Employers must:

 Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.

IT'S THE LAW!

fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.

Comply with all applicable OSHA standards.

Notify OSHA within 8 hours of a workplace

language and vocabulary they can understand. Prominently display this poster in the workplace.

Provide required training to all workers in a

 Post OSHA citations at or near the place of the alleged violations. On-Site Consultation services are available to

small and medium-sized employers, without

citation or penalty, through OSHA-supported

consultation programs in every state.



J. J. Keller & Associates, Inc. JJKeller.com/laborlaw 800-327-6868

62878

general public.

(1) There is a direct relationship between one or more of the previous criminal offenses and the specific license or employment sought or the issuance or continuation of the license or the granting or

- "Direct relationship" means that the nature of criminal conduct for which the person was convicted has a direct bearing on his fitness or ability to
- any form of vocational or educational training. Provided, however, that "employment" shall not, for the purposes of this article, include membership in any law enforcement agency.
- employer may have with respect to an intentional misrepresentation in connection with an application for employment made by a prospective employee or previously made by a current employee.

also required to provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk. **ENFORCEMENT**

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

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

work as a bootblack ¹Students 14 and 15 enrolled in an approved work/study program may work 3

An Employment Certificate (Working Paper) is required for all employed minors under 18 years old. **Penalties for Child Labor Laws violations:**

BLDG. 12 ROOM 185A ALBANY, NY 12240 (518) 457-2730 276 WARING ROAD

If a registered voter does not have sufficient time outside of his or her scheduled working hours, within which to vote on any day at which he or she may vote, at any election, he or she may, without loss of pay for up to two hours, take off so much working time as will, when added to his

> YOU MUST NOTIFY YOUR EMPLOYER NOT LESS THAN 2 DAYS, BUT YOU WILL TAKE TIME OFF TO VOTE. ¹Employers: Not less than ten working days before any Election Day, every employer

Division of Labor Standards Harriman State Office Campus NEW YORK STATE Departmen of Labor Building 12, Albany, NY 12226

including former employees, or natural persons employed as independent contractors to carry out work in furtherance of an employer's business enterprise who are not themselves employers "Law, rule or regulation" includes: (i) any duly enacted federal, state or local statute or ordinance or executive order; (ii) any rule or regulation

(iii) threatening to contact or contacting United States immigration authorities or otherwise reporting or threatening to report an employee's suspected

Violation: remedy. An employee who has been the subject of a retaliatory action in violation of this section may institute a civil action in a court of competent jurisdiction for relief as set forth in subdivision five of this section within two years after the alleged retaliatory action was taken. Any action authorized by this section may be brought in the county in which the alleged retaliatory action occurred, in the county in which the complainant resides, or in the county in which the employer has its principal place of business. In any such action, the parties shall be entitled to a jury

Employer relief. A court, in its discretion, may also order that reasonable attorneys' fees and court costs and disbursements be awarded to an employer if the court determines that an action brought by an employee under this section was without basis in law or in fact. Existing rights. Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of any employee under any other law or regulation or under any collective bargaining agreement or employment contract.

Publication. Every employer shall inform employees of their protections, rights and obligations under this section, by posting a notice thereof. Such notices shall be

the reinstatement of the employee to the same position held before the retaliatory action, or to an equivalent position, or front pay in lieu thereof;

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT FULFILL THIS STATE'S WORKERS' COMPENSATION POSTING REQUIREMENT.

NOTICE: Employers must post the Paid Family Leave Notice of Compliance provided by their insurance carrier. An employer who is self-insured can obtain this notice from the THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT FULFILL THIS STATE'S PAID FAMILY LEAVE POSTING REQUIREMENT.

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT FULFILL THE NOTIFICATION REQUIREMENTS FOR BLOOD DONATION LEAVE OR THE RIGHTS OF NURSING MOTHERS.

REV. 02/2022

NOTICE: Employers must contact their local unemployment office or the state agency responsible for unemployment compensation to receive the official Unemployment Insurance

NOTICE: The New York Department of Labor requires employers to provide employees with written notification of their rights under Labor Law §202-j, Leave of absence for blood donation granted to employees Labor Law §206-c, Right of nursing mothers to express breast milk he notification may be published in an employee handbook or posted in a central location. More information is available from the New York Department of Labor.

For qualifying exigencies related to the foreign deployment of a military member who is the employee's

employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid

Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite. For additional information or to file a complaint:

> U.S. Department of Labor • Wage and Hour Division • WH1420 REV. 04/2016

> > 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 **HEALTH INSURANCE PROTECTION**

If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred are obligated to serve in the uniformed service;

RETALIATION

OCCURRED

RETALIATION

discrimination under these Federal laws

on age in hiring, promotion, discharge, pay, fringe benefits, job training, In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing

substantially equal work, in jobs that require equal skill, effort, and

responsibility, under similar working conditions, in the same establishment.

requests for or receipt of genetic services by applicants, employees, or their

in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and

advance in employment qualified individuals with disabilities at all levels of employment, including the executive level. Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national origin, and requires affirmative action DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination and requires affirmative action to employ and advance in employment disabled veterans, recently separated veterans (within three years of discharge or release from active duty), other

who is an applicant or employee, barring undue hardship. Section 503 also participated in a U.S. military operation for which an Armed Forces service

Job Safety and Health

INDIVIDUALS WITH DISABILITIES

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

the right to have a representative contact OSHA on your behalf.

This poster is available free from OSHA.

Contact OSHA. We can help.

QR CODE Scan with phone camera:

ONLINE

Go to: JJKeller.com/LLPverify

Enter this code: 62878-022022

the workplace injury and illness log.

1-800-321-OSHA (6742) • TTY 1-877-889-5627 • www.osha.gov

TWO ways to verify poster compliance! To update your labor law posters contact

FEB2022