# **Job Safety and Health** IT'S THE LAW!

## All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a workrelated injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request an OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. OSHA will keep your name confidential. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative) participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- 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.

### **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.
- Comply with all applicable OSHA standards.
- Report to OSHA all work-related fatalities within 8 hours, and all inpatient hospitalizations, amputations and losses of an eye within 24 hours.
- 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 the alleged violations.

FREE ASSISTANCE to identify and correct hazards is available to small and mediumsized employers, without citation or penalty, through OSHA-supported consultation programs in every state.



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

## Employers subject to the state minimum wage law are

### **Federal Minimum Wage** \$7.25 PER HOUR BEGINNING JULY 24, 2009

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

**OVERTIME PAY:** At least 1½ times the regular rate of pay for all hours worked over 40 in a workweek.

**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, nonhazardous 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 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.

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. • 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

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

WAGE AND HOUR DIVISION • WAGE AND HOUR DIVISION • UNITED STATES DEPARTMENT OF LABOR

# **IRS Withholding**

YOU MAY NEED TO CHECK YOUR WITHHOLDING Since you last filed Form W-4 with your employer did you.. Marry or divorce? Gain or lose a dependent? Change your name?

special certificates issued by the Department of Labor.

Were there major changes to... Your nonwage income (interest, dividend, capital gains, etc.)? Your family wage income (you or your spouse started or ended a job)?

Your itemized deductions?

Your tax credits?

If you can answer "yes"... To any of these or you owed extra tax when you filed your last return, you may need to file a new Form W-4. See your employer for a copy of Form W-4 or call the IRS at 1-800-829-3676. Now is the time to check your withholding. For more details, get Publication 919, How Do I Adjust My Tax Withholding?, or use the Withholding Calculator at www.irs.gov/individuals on the IRS website.

Employer: Please poster or publish this Bulletin Board Poster so that your employees will see it. Please indicate where they can get forms and information on this subject.

# Reemployment Assistance Program Law

 Your Employer is registered with the Florida Department of Revenue as an employer who is liable under the Florida Reemployment Assistance Program\* Law. This means that You, as employees, are covered by the Reemployment Assistance Program.

• Reemployment taxes finance the benefits paid to eligible unemployed workers. Those taxes are paid by your employer and, by law, cannot be deducted from employee's wages.

• You may be eligible to receive unemployment compensation benefits if you meet the following requirements:

1. You must be totally or partially unemployed through no fault of your own. 2. You must register for work and file a claim.

3. You must have sufficient employment and wages. 4. You must be **Able** to work and **Available** for work.

 You may file a claim for partial unemployment for any week you work less than full time due to lack of work if your wages during that week · You must report all earnings while claiming benefits. Failure to do so is a third degree felony with a maximum penalty of 5 years

• Any employee who is discharged for misconduct connected with work may be disqualified from 1 to 52 weeks and until the worker has earned in new work, at least 17 times the weekly benefit amount of his or her claim.

· Any employee who voluntarily quits a job without good cause attributable to the employer, may be disqualified until the worker has earned in new work, at least 17 times the weekly benefit amount of his or her claim.

Reemployment Assistance Program at 800-204-2418 or visit the website: www.floridajobs.org

• If you have any questions regarding filing a claim for reemployment assistance benefits, call the Department of Economic Opportunity,

Department of Economic Opportunity Division of Workforce Services Reemployment Assistance Program

MSC 229 107 East Madison Street Tallahassee, Florida 32399-4135

This notice must be posted in accordance with Section 443.151(1) Florida Statutes, of the Florida Reemployment Assistance Program Law. \*Formerly Unemployment Compensation Program

# **Discrimination**

FLORIDA LAW PROHIBITS DISCRIMINATION BASED ON: RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN, DISABILITY, AGE OR MARITAL STATUS

WHAT IS COVERED UNDER THE LAW: RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN, DISABILITY, AGE, PREGNANCY OR MARITAL STATUS.

WHAT IS COVERED UNDER THE LAW: • EMPLOYMENT • PUBLIC ACCOMMODATIONS • RETALIATION AFTER FILING A CLAIM • STATE EMPLOYEE WHISTLE-BLOWER RETALIATION

If you feel that you have been discriminated against, visit our web site or call us!

FLORIDA COMMISSION ON HUMAN RELATION

4075 Esplanade Way, Suite 110

Tallahassee, Florida 32399

http://FCHR.state.fl.us Phone: (850) 488-7082 • Voice Messaging 1-800-342-8170

**Payday Notice** 

SHALL BE AS FOLLOWS:	(
ВУ:	
TITLE:	
III LE.	

Emergency Notice		
AMBULANCE:	FIRE-RESCUE:	
HOSPITAL:	PHYSICIAN:	
ALTERNATE:	POLICE:	
OSHA:	HAZARDOUS MATERIAL:	



REGULAR PAYDAYS FOR EMPLOYEES OF:\_\_\_\_\_



# **State Minimum Wage**

Labor Laws change often. Please call your distributor twice a

year to confim if you are in compliance.

Florida's Minimum Wage

The 2019 Florida minimum wage is \$8.46 per hour, effective January 1, 2019. Florida law requires the Florida Department of Economic Opportunity to calculate a minimum wage rate each year. The annual calculation is based on the

On November 2, 2004, Florida voters approved a constitutional amendment which created Florida's minimum wage. The minimum wage applies to all employees in the state who are covered by the federal minimum wage. Employers must pay their employees the hourly state minimum wage for all hours worked in Florida. The definitions of employer, employee, and wage for state purposes are the same as those established under the federal Fair Labor Standards Act (FLSA) and its implementing regulations. Employers of tipped

percentage increase in the federal Consumer Price Index for Urban Wage Earners and Clerical Workers in the South Region for the 12-month period prior

minimum wage (\$8.46) minus the 2003 tip credit (\$3.02), or a direct hourly wage of \$5.44 as of January 1, 2019. Employees who are not paid the minimum wage may bring a civil action against the employer or any person violating Florida's minimum wage law. The state attorney general may also bring an enforcement action to enforce the minimum wage. FLSA information and compliance assistance can be found at:

employees, who meet eligibility requirements for the tip credit under the FLSA, may credit towards satisfaction of the minimum wage tips up to the amount

of the allowable FLSA tip credit in 2003. However, the employer must pay tipped employees a direct wage. The direct wage is calculated as equal to the

www.dol.gov/whd/flsa/. Florida Statutes require employers who must pay their employees the Florida minimum wage to post a minimum wage notice in a conspicuous and accessible place in each establishment where these employees work. This poster requirement is in addition to the federal requirement to post a notice of the federal minimum wage. Florida's minimum wage poster is available for downloading in English, Spanish, and Creole from the Florida Department of

The federal poster can be downloaded from the U.S. Department of Labor's website at: www.dol.gov/whd/regs/compliance/posters/flsa.htm. Go to the Department of Economic Opportunity's Bureau of Labor Market Statistics www.floridajobs.org/labor-market-information

Economic Opportunity's website at: www.floridajobs.org.

# **Family Medical Leave Act**

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION **LEAVE ENTITLEMENTS:** Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 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 employee's job; • For qualifying exigencies related to the foreign deployment of a military member who is the employee's 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 employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies. BENEFITS & PROTECTIONS: While employees are on FMLA leave, employers must continue health insurance coverage as if the 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 to the FMLA. **ELIGIBILITY REQUIREMENTS:** An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

Have at least 1,250 hours of service in the 12 months before taking leave;\* and

Have worked for the employer for at least 12 months;

 Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite. \*Special "hours of service" requirements apply to airline flight crew employees **REQUESTING LEAVE:** 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 usual 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 the employee is or will be

unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified. 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 information is required.

provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as **ENFORCEMENT:** Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private

EMPLOYER RESPONSIBILITIES: 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

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

For additional information: 1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627 www.dol.gov/whd U.S. Department of Labor • Wage and Hour Division

### **USERRA**

• FOR USE BY PRIVATE SECTOR AND STATE GOVERNMENT EMPLOYERS 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

after conclusion of service; and

lawsuit against an employer.

leave that job to perform service in the uniformed service and: you ensure that your employer receives advance written or verbal notice of your service; you have five years or less of cumulative service in the uniformed services while with that particular employer;

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

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

RIGHT TO BE FREE FROM DISCRIMINATION AND

RETALIATION If you: • are a past or present member of the uniformed service; have applied for membership in the uniformed service; or are obligated to serve in the uniformed service; then an employer

may not deny you: · initial employment; reemployment; retention in employment; • promotion; or

• any benefit of employment because of this status.

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

· For assistance in filing a complaint, or for any other information

on USERRA, contact VETS at 1-866-4-USA-DOL or visit its website at http://www.dol.gov/vets. An interactive online USERRA Advisor can be viewed at <a href="http://www.dol.gov/elaws/userra.htm">http://www.dol.gov/elaws/userra.htm</a>. • If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for

 You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA. In addition, an employer may not retaliate against anyone

testifying or making a statement in connection with a proceeding

under USERRA, even if that person has no service connection.

assisting in the enforcement of USERRA rights, including

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: <a href="http://www.dol.gov/vets/programs/userra/poster.htm">http://www.dol.gov/vets/programs/userra/poster.htm</a>. 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.



employment screening or during the course of employment.







# **Polygraph Protection**

**PROHIBITIONS** 

**EXAMINEE RIGHTS** 

Updated 1/17

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. **EXEMPTIONS** 

Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-

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.

The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain

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.

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

Government to certain private individuals engaged in national security-related activities.

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



THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN





# **Equal Opportunity**

It is against the law for this recipient of Federal financial assistance to discriminate on the following bases: •against any individual in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or •against any beneficiary of programs financially assisted under Title I of the Workforce Investment Act of 1998 (WIA), on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his/her participation in any WIA Title I-financially assisted program or activity.

If you think that you have been subjected to discrimination under a WIA Title I-financially assisted program or activity, you may file

a complaint within 180 days from the date of the alleged violation with either the recipient's Equal Opportunity Officer or with the

The recipient must not discriminate in any of the following areas: deciding who will be admitted, or have access, to any WIA Title I-financially assisted program or activity; •providing opportunities in, or treating any person with regard to, such a program or activity; or

 making employment decisions in the administration of, or in connection with, such a program or activity. What to do if you believe you have experienced discrimination

Director, Civil Rights Center, U.S. Department of Labor: James Landsberg, **Equal Opportunity Officer** Office for Civil Rights (OCR)

**Department of Economic Opportunity** 

Caldwell Building - MSC 150

107 East Madison Street

Tallahassee, Florida 32399-4129

The Director, Civil Rights Center (CRC) U.S. Department of Labor 200 Constitution Avenue NW, Room Washington, DC 20210

If you file your complaint with the Office for Civil Rights (OCR), you must wait either until OCR issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (CRC). (See the address above.) If OCR does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you do not have

to wait for OCR to issue that Notice before filing a complaint with CRC. However, you must file your CRC complaint within 30 days of the 90 day deadline (in other words, within 120 days after the day on which you filed your complaint with OCR). OCR gives you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final

For information or to file a complaint, contact: The Office for Civil Rights Department of Economic Opportunity Caldwell Building - MSC 150, 107 East Madison Street

TTY - Florida Relay Service (FRS): 711 Equal Opportunity Employer/Program • Auxiliary Aids and Services are Available Upon Request to Individuals with Disabilities

MAKING UNAUTHORIZED COPIES IS AGAINST THE LAW AND MAY SUBJECT YOU TO CIVIL AND CRIMINAL LIABILITY

Tallahassee, Florida 32399-4129

Phone: 850-921-3205 Fax: 850-921-3122 E-mail: Civil.Rights@deo.myflorida.com

# **Equal Employment Opportunity**

**Equal Employment Opportunity is THE LAW** • Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations • 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 base:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, 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 accommodate an employee's religious practices where the accommodation does not impose undue hardship. **DISABILITY** 

Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect 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 who is an applicant or employee, barring undue hardship.

The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment

SEX (WAGES) 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.

Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information 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 requests for or receipt of genetic services by applicants, employees, or their family members.

All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice. WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED There are strict time limits for filing charges of employment discrimination. 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 EEOC promptly when discrimination is The U.S. Equal Employment Opportunity Commission (EEOC), 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

**Employers Holding Federal Contracts or Subcontracts** 

available at www.eeoc.gov.

Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, NATIONAL ORIGIN Executive Order 11246, as amended, prohibits employment discrimination based on race, color, religion, sex, sexual orientation, gender

identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

Executive Order 11246, as amended, protects applicants and employees from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees. **INDIVIDUALS WITH DISABILITIES** 

includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a 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 DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS (PROTECTED **VETERANS)** 

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

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring,

promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination

(i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans. **RETALIATION** Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these Federal laws.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above The Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800-397-6251 (toll-free) 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.

### **Programs or Activities Receiving Federal Financial Assistance** RACE, COLOR, NATIONAL ORIGIN, SEX INDIVIDUALS WITH DISABILITIES

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 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 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 financial assistance. **INDIVIDUALS WITH DISABILITIES** 

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination 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 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

### **Workers' Compensation WORKERS' COMP WORKS FOR YOU**

If you are injured on the job:

Compensation at 1-800-342-1741.

\$25,000 Reward Anti-Fraud Reward Program

employment. State of Florida-Division of Workers' Compensation.

Minors 16 & 17

scheduled the following day.

SCHOOL IS IN

**PARTIAL WAIVERS** 

www.myflorida.com

1. Notify your employer immediately to get the name of an approved physician. Workers' comp insurance may not pay the medical bills if you don't report your injury promptly to your employer. 2. Notify the doctor and medical staff that you were injured on the job so that bills may be properly filed. 3. If you have any problems with your claim or suffer excessive delays in treatment, contact the State of Florida's Division of Workers'

Rewards of up to \$25,000 may be paid to persons providing information to the Department of Financial Services leading to the arrest and conviction of persons committing insurance fraud, including employers who illegally fail to obtain workers' compensation coverage. Persons may report suspected fraud to the department at 1-800-378-0445 or online at <a href="http://www.myfloridacfo.com/fraudpage.asp">http://www.myfloridacfo.com/fraudpage.asp</a> A person is not subject to civil liability for furnishing such information, if such person acts without malice, fraud or bad faith.

Workers' compensation pays for all authorized medically necessary care and treatment related to your injury or illness.

If you are unable to work or your earnings are lower because of a work related injury or illness, and you have been disabled for more than seven calendar days, you may be eligible for some wage replacement benefits. This Notice of Compliance must be posted by the employer and maintained conspicuously in and about the employer's place or places of

PLACE INSURER INFORMATION STICKER HERE

# **Child Labor Law**

Minors 14 & 15 - Under 14 years old MAY NOT WORK

FLSA: Daily maximum of 3 hrs. on school days, 8 hours nonschool

where employees are exempt from the Federal minimum wage provisions.)

Protecting the Health, Education and Welfare of Minors in the Workplace. This chart summarizes the child labor laws of the State of Florida and the Federal Fair Labor Standards Act (FSLA). The stricter provisions must be observed and are denoted by bold lettering. The Federal law in italics.

Florida: May NOT work during school hours unless **SCHOOL** Florida & FLSA: May not work during school hours they meet a criterion of the ATTENDANCE **Hour Restrictions listed** (some exceptions apply) below. FSLA: No Limitations **PERMITS TO** Florida & FLSA: Not required, except the FLSA requires the employer to WORK maintain date of birth information for all employees under 19 years old. Florida: May work up to 30 Florida: May work up to 15 hours per week. Not before 7 a.m. or after hours per week. Not before 7 p.m. and for no more than 3 hours a day on school days, when 6:30 a.m. or later than 11 a school day follows. May work up to 8 hours on Friday, Saturday, p.m. and for no more than 8 IOURS OF WORK Sunday, and on nonschool days, when school days do not follow, unt hours a day when school is WHEN 9 p.m.

days; weekly maximum is 18 hours; not before 7 a.m. or after 7 p.m. SESSION days when school does not Note: Application of both state and federal law allows this age group to follow, there are no hour work up to 8 hours on Saturday, Sunday and nonschool days, when restrictions. school days do not follow, until 7 p.m. FLSA: No limitations. **HOURS OF** Florida: May work up to 8 hrs. per day and up to 40 hrs. per week; may WORK, WHEN Florida: No Limitations not work before 7 a.m. or after 9 p.m.

SCHOOL IS <u>NOT</u> IN FLSA: No limitations. FLSA: May work up to 8 hrs. per day and up to 40 hrs. per week. Work SESSION(summer **Note: Hazards still** must be performed between 7 a.m. and 7 p.m.; from June 1 to Labor vacation; winter apply for minors. may work until 9 p.m. & spring breaks) **DAYS PER WEEK** Florida: No more than 6 consecutive days in any one week. FLSA: No limitations. Florida: Minors may work no more than 4 consecutive hours without a 30 minute uninterrupted break. **BREAKS** FLSA: No limitations.

Florida: Minors participating in farm work, not on their parents or guardian's farm, must comply with the same restrictions as in other work. FLSA: No limitations. FLSA: No employment permitted during school hours. May work after school in occupations not declared hazardous in agriculture. See Child Labor **AGRICULTURE** Bulletin 102. (Exception: 12 and 13 year-olds may be employed with written parental consent or on a farm where the minor's parent is also employed; minors under 12 may be employed with written parental consent on farms

The State of Florida has incorporated the 17 Hazardous Occupations (H0's) of the FLSA into the Florida law and Child Labor Rule. For more info on HO's, contact the U.S. Department of Labor, Wage & Hour Division. This poster represents a combination of those laws with an \*\* annotating Florida law "only". Minors under the age of 18 may not work in below occupations. • Working in or around explosives or radioactive substances • Operating Motor vehicles • Logging or sawmilling • Operating power-driven meat processing machines to include meat & vegetable slicers; Slaughtering, meat packing, processing or rendering • Working on any scaffolding, roofs or ladders above

6 feet; roofing • Wrecking, demolition or excavation • Mining occupations • Operating power-driven bakery;

metal-forming, punching, and shearing machines; woodworking, paper products or hoisting machines • Manufacturing brick and tile products • Operating circular saws, band saws, & guillotine shears \*\* Working with compressed gases exceeding 40 p.s.i. \*\* Working in or around toxic substances, corrosives or pesticides \*\* Firefighting \*\* Working with electrical apparatus or wiring \*\* Operating or assisting to operate tractors over 20 PTO horsepower, forklifts, earthmoving equipment, any harvesting, planting, or plowing machinery or any **RESTRICTED** moving machinery **OCCUPATIONS** Minors 14 and 15 may not work in these occupations or use this equipment

 Operating any power-driven machinery other than office machines, including all power mowers and cutters • Maintaining or repairing an establishment, machines, or equipment • Working in freezers or meat coolers • Operating, setting up, adjusting, or cleaning power-driven meat or vegetable slicers, grinders, food choppers, and cutters, and bakery-type mixers • Operating motor vehicles • Manufacturing, mining, or processing occupations where goods are manufactured, mined, or processed • Cooking (some exceptions apply) & baking • Working in occupations in Transportation, Warehouse & Storage, Communications, and Construction

(except clerical); boiler or engine rooms • Loading and unloading trucks Working in public messenger services \*\* Handling certain dangerous animals \*\* Conducting door-to-door sales of products as employment (some exceptions) \*\* Spray painting Hour Restrictions — (from hour restrictions only; hazard restrictions still apply until 18 yrs.) • Minors who hold waivers from a public school or Child Labor Compliance • Minors who have been married • Minors who have either graduated from an accredited high school, or hold a high school equivalency diploma • Minors who have

served in the U.S. Armed Forces • Minors who are enrolled in high school work programs Age Restrictions **EXEMPTIONS** — (from age requirements; hazard restrictions still apply) • Minors who work for their parents in occupations not declared hazardous • Pages in the Florida legislature • Newspaper delivery (10 years old) • Minors in the entertainment industry registered with Child Labor Compliance. A court may authorize an exemption from age and hour restrictions. The Florida Child Labor law is designed to serve and protect minors and encourage them to remain in school. At times, some minors may feel that the law conflicts with their best interest or their life circumstances;

therefore, they have the right to request an exemption from the law. If a minor is attending the K-12 public

school, a waiver may be obtained and granted by the local school district. All other minors may request an

application by contacting the Child Labor Compliance. Waiver applications are reviewed and granted on a case by case basis. To qualify, applicants must demonstrate that certain requirements of Florida law need to be waived. Employers must keep a copy of partial waivers of employed minors. Florida: Employment of minors in violation of Florida Child Labor laws may result in fines up to \$2,500 per **PENALTIES** offense and/or be guilty of a second degree misdemeanor. FLSA: Maximum fines up to \$10,000 per minor/ per violation.

Florida: If an injured minor is employed in violation of any provisions of the child labor laws of Florida **WORKERS**' an employer may be subject to up to double the compensation otherwise payable under Florida **COMPENSATION** Workers' Compensation law. **POSTING** Florida: All employers of minors must post in a conspicuous place on the property or place of **REQUIREMENTS** employment, where it may be easily read, a poster notifying minors of the Child Labor laws.

For information on Federal laws contact: U.S. Department of Labor, Wage & Hour Division, listed in the telephone directory under U.S. Government; www.dol.gov/elaws/flsa.htm.

For information on Florida laws contact: Florida Department of Business and Professional Regulation, Farm and Child Labor Program,

Child Labor Compliance, 1940 North Monroe Street, Tallahassee, FL 32399-1044, Telephone 850-488-3131; Toll-Free 1-800-226-2536;

ALL RIGHTS RESERVED, COPYRIGHT © 2019