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# Minnesota & Federal Employment Notices

DATE POSTED: Labor Laws change often. Please call your distributor twice a vear to confirm if you are in compliance. All Rights Reserved. Unauthorized copies are illega



#### NOTE: OSHA REQUIRES THAT REPRODUCTIONS OR FACSIMILES OF THE POSTER BE AT LEAST 8.5" X 14" INCHES WITH 10 POINT TYP





### 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 a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. 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.

This poster is available free from OSHA.

### 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.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.
- 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.

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation



	Minimum	Wage Rates				
Effective: Jan. 1, 2023						
	MINIMUM WAGE RATE					
Large employer – Any enterprise with annual gross revenues of \$500,000 or more		\$10.59/hour				
Small employer – ny enterprise with annual gross revenues of less than \$500,000 Training wage – May be paid to employees aged 18 and 19 the first 90 consecutive days of employment Youth wage – May be paid to employees aged 17 or younger		\$8.63/hour				
J-1 Visa – May be paid to employees of hotels, motels, lodgingestablishments and resorts working under the authority of a summerwork, travel Exchange Visitor (J) non-immigrant visa		\$8.63/hour				
OVERTIME	Time-and-one-half		Small or state-covered employers	Large and federally covered employers		
	the employee's regular rate of pay		After 48 hours	After 40 hours		
		or privileges	of employment because the employee rep	ze an employee regarding the employee's compensation, ports a violation of any law or refuses to participate in an		
	/iew complete wage-rate information at www.dli.mn.gov/t	ousiness/emp	oyment-practices/minimum-wage-minnes	ota.		

**State Minimum Wage** 

651-284-5070 • 800-342-5354 • dli.laborstandards@state.mn.us • www.dli.mn.gov Posting required by law in a location where employees can easily see this notice. October 2021

### **Equal Employment Opportunity**

### Know Your Rights: Workplace Discrimination is Illegal

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help

Who is Protected? Employees (current and former), including managers and temporary employees Job applicants

 Union members and applicants for membership in a union What Organizations are Covered? Most private employers
State and local governments (as employers)
Educational institutions (as employers)

Staffing agencies

What Types of Employment Discrimination are Illegal? Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of:

Religio National origin · Sex (including pregnancy and related conditions, sexual orientation, or gender identity) Age (40 and older) · Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family edical history) · Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or

What Employment Practices can be Challenged as Discriminatory All aspects of employment, including

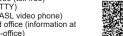
ent (including unwelcome verbal or physical conduct) iring or promotion Assignment Pay (unequal wages or compensation) Failure to provide reasonable accommodation for a disability or a sincerelyheld religious belief, observance or practice Benefits Job training

Classification
Referral Obtaining or disclosing genetic information of employees
 Requesting or disclosing medical information of employees
 Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation

What can You Do if You Believe Discrimination has Occurred? ntact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of crimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:

Submit an inquiry through the EEOC's public portal: https://publicportal.eeoc.gov/Portal/Login.aspx

Call 1-800-669-4000 (toll free) 1–800–669–6820 (TTY) 1–844–234–5122 (ASL video phone) Visit an EEOC field office (information at eoc.gov/field-office)



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

Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors 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.

Asking About, Disclosing, or Discussing Pay Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees.

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 by Federal contractors. 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 executive leve

#### **Protected Veteran Status**

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors under these Federal laws.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authoritie should contact immediately

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)

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

#### PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

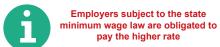
#### Race, Color, National Origin, Sex

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 activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of another provision of the protective of the primary objective of the financial assistance of the protective of the financial assistance of the primary objective of the financial assistance of the primary objective of the financial assistance of the primary objective of the financial assistance of the financia 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 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

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



## **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 11/2 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, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment.

#### TIP CREDIT

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

#### 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.

#### 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 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 special certificates issued by the Department of Labor 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



This Entire Establishment Is Smoke-Free Minnesota Statute 144.411-144.417

### **Parental Leave**

#### PARENTAL LEAVE

Employees may take up to 12 weeks of unpaid leave upon the birth or adoption of their child when: 1. they work for a company with 21 or more employees 2. they worked at least half time for 12 months; and 3. they have been with the company for at least 12 months

#### When does the parental leave start?

. The leave must be taken within 12 months of the birth or adoption. . Employees must request the leave from their employer. . Employees can choose when the leave will begin . Employers can adopt reasonable policies about when requests for leave must be made.

#### FREQUENTLY ASKED QUESTIONS

Can my pregnancy or parental leave count against my paid leave? Yes. If you have paid leave, including sick leave or paid vacation, the amount of parental leave can be reduced so the total leave (parental plus paid leave) is not more than 12 weeks. Can my pregnancy or parental leave count against FMLA leave?

Yes. You only have a right to 12 weeks of leave total for birth or adoption of a child and any pregnancy related leave even if you gualify for both FMLA and pregnancy or parental leave. The federal Family Medical Leave Act (FMLA) requires employers to provide up to 12 weeks of unpaid leave in

connection with the birth or adoption of a child or for a serious health condition. You may be entitled to additional leave under FMLA for a non-pregnancy related serious health condition. If you have questions about FMLA, contact the U.S. Department of Labor at (612) 370-3341 or www.dol.gov/whd/fmla.

Does my employer have to continue my benefits during the leave? Yes. Your employer-provided health insurance must be continued during pregnancy and parental leave. You may

be asked to pay for this coverage.

Do I get my job back when I return from leave?

Department of

443 Lafayette Road N

Division of Labor Standards

violations to the Department of

Minnesota OSHA (651) 284-5050

Labor Standards (651) 284-5005

Workers' Comp (651) 284-5005

CALL 1-800-DIAL-DLI to contact the departments listed below

For more information, please visit our Web site: www.dli.mn.gov.

Human Rights (651) 296-5663 (1-800-657-3704)

workers compensation nsurance in case of accidents

Human Rights.

Yes. Your employer cannot retaliate against you for requesting or taking a leave. You are entitled to employment in your former position or one with comparable duties, hours and pay. You are also entitled to the same benefits and seniority you had before the leave. You may return to part-time work during the leave without forfeiting the right to return to full-time work at the end of the leave

9. You have the right to work in a safe place. If there are health or safety risks for communicable with the Divisior

10. If you are injured at work report to the supervisor immediately. It is mandatory for your employer to provide

11. Your employer must provide a work environment free of sexual harassment, race, or religion, Report

12. If your job is finished, visit the unemployment office for a claim for unemployment insurance

CONTACT INFORMATION				
of Labor and Industry	Phone: (651) 284-5070, toll-free: 1-800-342-5354			
or Standards	dii.laborstandards@state.mn.us			
N., St. Paul, MN 55155-4306	<u>www.dli.mn.gov/LaborLaw.asp</u>			

E-Mail info@eeoc.go

Additional information about the EEOC, including information about filing a charge of discrimination, is available at www.eeoc.gov.

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.



### 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.

#### REEMPL OYMENT RIGHTS

Minors under the age of 18 may not be employed:

floor level. . In oxy-acetylene or oxy-hydrogen welding.

intoxicating-liquor establishment.

Hazardous materials

Hazardous operations

industrial trucks (forklifts);

meat saws or grinders, milling machines;

punch presses, press brakes and shears;

Transportation

Machinery

Other

PROHIBITIONS

The com following

Liquor

occupations

You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and: you ensure that your employer receives advance written or verbal notice of your service; • you have five years or less of cumulative service in the uniformed services while with that particular employer; • you return to work or apply for reemployment in a timely manner after conclusion of service; and • you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

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 job.

#### RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

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

issioner of Labor and Industry has established as hazardous or detrimental to the well-being of minors the

To serve, dispense or handle intoxicating liquors that are consumed on the premises; • To work in rooms where liquor is served or

consumed, with the following exceptions: - 16-year-olds may perform busing, dishwashing or hosting services in a restaurant and

Note: Public safety/liquor control laws prohibit the serving or selling of intoxicating liquor by minors under 18 years of age in a retail

Where chemicals or other substances are present at excessive temperatures or in injurious, explosive, toxic or flammable quantities

. In or about logging or lumbering operations, paper mills, saw mills, lathe mills or shingle mills; mines, quarries and sand or gravel pits;

construction or building projects; ice harvesting operations. • In building maintenance or repair higher than 12 feet above ground or

• Operating any non-automatic elevator, lift or hoisting machine. • Operating, erecting or dismantling rides or machinery in an

amusement park, street carnivals or traveling shows, or in the loading or unloading of passengers on rides.

minors who have reached the age of 16 may provide musical entertainment in a restaurant.

driving buses, cabs or other passenger-carrying vehicles. • In certain railway occupations

woodworking machinery (circular or radial saws, jointers and shaping machines)

· Where explosives or fireworks are manufactured, stored, handled or if red.

· Operating or assisting in the operation of power-driven machinery such as

**USERRA** 



#### 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

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 <u>https://www.dol.gov/agencies/vets/</u> An interactive online USERRA Advisor can be viewed at <u>https://websapps.dol.gov/elaws/vets/userra</u> • If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation. • You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

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

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: <u>https://www.dol.gov/agencies/vets/programs/userra/poster</u> 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.

### **Child Labor**

under uninterrupted adult supervision. • In any occupation or activity, or on any site, which is hazardous or dangerous to life, limb or

In addition to the prohibitions listed, minors under the age of 16 may not be employed in these areas

Machinery • To operate or assist in the operation of machinery, such as: - farm-type tractors and other self propelled vehicles, except for

equipment permitted by a certificate of training under either the 4-H Federal Extension Service or the U.S. Office of Education Vocational Agricultural Training Program;

laundry, rug cleaning or dry cleaning equipment;

- power-driven snowblowers, lawn mowers and garden equipment;

- drill presses, milling machines, grinders, lathes and such portable power-driven machinery as drills, sanders and polishing and scrubbing equipment for floor maintenance;

- meat slicers, textile-making machines or bakery machinery;

in oiling, cleaning or maintaining any power-driven machinery;

 in work using pits, racks or lifting apparatus at service stations or in mounting tires on rims; - in a car wash to attach or detach car from mechanized conveyor lines or to operate or contact the car while it is connected to the

#### conveyor Agriculture

In any agricultural operation declared by the U.S. Secretary of Labor to be particularly hazardous for employment of children below the age of 16.

#### On boats or vessels used for commercial purposes, except if performing guide or other non-operational services. As a driver for hire: Transportation

• In or about an airport landing strip and taxi or maintenance aprons. • As an outside helper on a motor vehicle

Operations

• To do welding of any kind. • As a loader or launcher for skeet or trap shooting. • In any manufacturing or commercial warehouse. • In processing plants.

Other

• To lift or carry, or otherwise personally care for, patients in hospitals or nursing homes. • In walk-in meat freezers or meat coolers except for occasional entrance.

Exceptions to the above

• A 17-year-old high school graduate. • A minor employed by a business that is solely owned and daily supervised by one or both In aerial or other acrobatic acts. • As a lifeguard, except for a minor with a Red Cross life-saving certificate (or equivalent) who works parents. A minor may be employed at tasks away from or outside of the area of hazardous operation, equipment or mate

## **Polygraph Protection**

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

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 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.

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 prevent any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests. EXAMINEE RIGHTS

Where polyarable 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 ENFORCEMENT

he Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions.

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT. 1-866-487-9243 • TTY: 1-877-889-5627 www.dol.gov/whd

> WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR

# **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

or 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 gualifying serious health condition that makes the employee unable to perform the employee's job;

• For qualitying exigences 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

ESOTA DEPARTMENT OF LABOR & INDUSTRY

## **Know Your Rights**

of OSHA

- 1. Employee must receive at least minimum wage for all hours including preparation time, opening and closing the site.
- 2. Your employer can not deduct from your paycheck for breakage, loss of tools, or uniforms. Some exceptions are allowed. Any cut your check must be authorized in writing by you. 3. Every payday, your employer is required to provide you with a statement noting all deductions such as income
- 4. Keep a record of hours worked accurately. If there are differences in hours worked and the employer, review
- your file immediately with the employer. 5. Break time is not mandatory, however employers must allow time for bathroom breaks during four consecutive
- hours work 6. If you work (8) eight consecutive hours or more, sufficient time must be allowed enough to eat. 7. Employers are required to pay 1.5 more for overtime hours worked. State laws require repayment overtime
- after 48 hours. Employers engaged in income or annual sales exceeding \$ 500,000 are covered by federal law and requires 1.5 more pay after 40 hours.
- 8. Youth (under 18 years of age) are prohibited to work on some types of work. School students under 18 years of age may not work after 11 pm when there are classes the next day or before 5 am when no school on the
- same day. Youth under 16 years of age have to work limited hours. To work prohibited and limitations of hours, contact the
  - **Age Discrimination**

Know your rights under Minnesota laws prohibiting age discrimination

It is unlawful for an employer to refuse to hire or employ a person on the basis of age; reduce in grade or position or demote a person on the basis of age; • discharge or dismiss a person on the basis of age; or

- mandate retirement age if the employer has more than 20 employees
- Employers terminating employees 65 or older because they can no longer meet job requirements must give 30 days notice of intention to terminate

This poster contains only a summary of Minnesota law. For more information, contact the Minnesota Department of Labor and Industry Phone: (651) 284-5070

- Minnesota Department of Human Rights Phone: (651) 539-1100
- (651) 284-5070 1-800-342-5354 dli.laborstandards@state.mn.us www.dli.mn.gov Posting required by law in a location where employees can easily see this notice

## **Overtime Law**

Overtime Laws The Minnesota Fair Labor Standards Act requires employers to pay overtime for all hours worked in excess of 48 hours per workweek. Overtime rates must be at least one and one-half the employee's regular rate of pay.

All firms must pay Minnesota's overtime wage regardless of:

the firm's size, location or gross sales; • the method of compensation (i.e. hourly, salary, commission, piece rate or other); or

designations such as part-time, temporary, seasonal or contract.
 Except for bona fide meal periods, all hours the employee is required to be on the premises, whether working or not, are counted for overtime purposes.

Holiday hours, vacation time or sick leave are not counted in figuring overtime hours. Overtime is computed on a workweek basis regardless of the length of the pay period. Hours worked may not be averaged over the pay period or used to offset shorter workweeks. The workweek can be any consecutive seven-day period that the employer chooses, but may not vary once chosen. Hospitals, nursing homes and other health care facilities may choose to pay overtime after eight hours per day and 80 hours per two-week period. Employees working more than one job under the control of the same employer must have all hours worked counted toward overtime. Some employees are exempt from Minnesota's overtime wages.

#### The following is a partial list

Various employees • Executive, administrative or professional employees who meet the salary\* and duty requirements of the department's rules;

- A retail or service employee paid on a commission basis, if the regular rate of pay exceeds one and one-half times the minimum wage;
- An outside salesperson. Vehicle dealership employees A salesperson, partsperson or mechanic who: sells or services automobiles, trailers, trucks or farm implements; and · is paid on a commission or incentive basis; and · is employed by a dealer selling to the consumer. Agricultural workers

Any minor (at least 12 years of age and under the age of 18);
Any two specific workers being paid a salary\*;

AT:

 Any worker paid a salary\* of at least 73.5 times the appropriate minimum wage Note: Minors employed as corn detasslers or hand field workers (with parent or guardian) are not exempt.

\*A salary is defined as a guaranteed predetermined wage for each workweek that does not vary based on productivity or weather. It is not an hourly rate



PAYDAY IS ON

□ MONDAY □ TUESDAY □ WEDNESDAY □ THURSDAY □ FRIDAY □ SATURDAY □ SUNDAY

PAY SCHEDULE IS

UWEEKLY DIEWEEKLY SEMI-MONTHLY MONTHLY

OF THE MONTH PAYCHECKS ARE ISSUED ON THE AND

TIME:

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 BENEFITS & PROTECTIONS: While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave. led paid leave for FMLA leave, the employee must comply with the employer's normal paid leave po

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 retailate 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 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
 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 procedures. 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 ertified

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 info 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 provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility. Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

ENFORCEMENT: Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

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 <u>www.dol.gov/whd</u> U.S. Department of Labor • Wage and Hour Division

## **State OSHA**

Employees The Minnesota Occupational Safety and Health Act (the Act) requires that your employer provide you with a workplace free of known hazards that can cause death, injury or illness. You also have the following workplace rights and responsibilities You must follow all Minnesota OSHA (MNOSHA) standards and your employer's safety rules.

Your employer must provide you with information about any hazardous chemicals, harmful physical agents and infectious agents you are exposed to at work.

■ You have the right to discuss your workplace safety and health concerns with your employer or with MNOSHA.

- You have the right to refuse to perform a job duty if you believe the task or equipment will place you at immediate risk of death or serious physical injury. However, you must do any other task your employer assigns you to do. You cannot simply leave the workplace. ■ You have the right to be notified and comment if your employer requests any variance from MNOSHA standard requirements
- You have the right to speak to a MNOSHA investigator inspecting your workplace.

■ You have the right to file a complaint with MNOSHA about safety and health hazards and request that an inspection be conducted. MNOSHA will not reveal your name to the employee

You have the right to see all citations, penalties and abatement dates issued to your employer by MNOSHA.

 Your employer cannot discriminate against you for exercising any of your rights under the Act. However, your employer can discipline you for not following its safety and health rules. If you feel your employer has discriminated against you for exercising your rights under the Act, you have 30 days to file a complaint with MNOSHA.

Your employer must provide you with any exposure and medical records it has about you upon request You have the right to participate in the development of standards by MNOSHA

Employers You must provide your employees with a safe and healthful work environment free from any known hazards that can cause death, injury or illness and comply with all applicable MNOSHA standards.

You also have the following rights and responsibilities. • You must post a copy of this poster and other MNOSHA documents where other notices to employees are posted

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You must report to MNOSHA within 24 hours all accidents resulting in any amputation, eye loss or inpatient hospitalization of any employee

■ You must allow MNOSHA investigators to conduct inspections, interview employees and review records

You must provide all necessary personal protective equipment and training at your expense.

You have the right to participate in the development of standards by MNOSH.

#### Free safety and health assistance

Free assistance to identify and correct hazards is available to employers, without citation or penalty, through MNOSHA Workplace Safety Consultation at (651) 284-5060, 1-800-657-3776 or osha.consultation@state.mn.us

Contact MNOSHA for a copy of the Act, for specific safety and health standards or to file a complaint about workplace hazards





Employers, employees and members of the general public who wish to file a complaint regarding the MNOSHA program may write to the federal OSHA Region 5 office at: U.S. Department of Labor, Occupational Safety and Health Administration, Chicago Regional Office, 230 S. Dearborn Street, Room 3244, Chicago, IL 60604.

### **Workers' Compensation**

#### If you are injured

Report any injury to your supervisor as soon as possible, no matter how minor it may appear. You may lose the right to workers' compensation benefits if you do not make a timely report of the injury to your employer. The time limit may be as short as 14 days. Provide your employer with as much information as possible about your injury.

Get any necessary medical treatment as soon as possible. If you are not covered by a certified managed care organization (CMCO), you may treat with a doctor of your choice. Your employer must notify you in writing if you are covered by a CMCO Cooperate with all requests for information concerning your claim.

The law allows the workers' compensation insurer to obtain medical information related to your work injury without your authorization, but they must send you written notifi cation when they request the information The insurer cannot obtain other medical records unless you sign a written authorization

Get written confirmation from your doctor about any authorization to be off work. The note should be as specific as possible

Workers' compensation pays for

 Medical care for your work injury, as long as it is reasonable and necessary. Wage-loss benefits for part of your lost include

Benefits to your spouse and/or dependents if you die as a result of a work injury.

What the insurer must do

The insurer must investigate your claim promptly. If you have been disabled for more than three calendar-days, the insurer must begin payment of benefits or send you a denial of liability within 14 days after your employer knew you were off work or had lost wages because of your claimed injury.

• If the insurer accepts your claim for wage-loss benefits and you have been disabled for more than three calendar-days: The insurer will notify you and must start paying wage-loss benefit to within the 14 days noted above. The insurer must pay benefit to on time. Wage-loss benefits are paid at the same intervals as your work paychecks.

• If the insurer denies your claim for wage-loss benefits and you have been disabled for more than three calendar-days: The insurer will send notice to you within 14 days. The notice must clearly explain the facts and reasons why they believe your injury or illness did not result from your work or why the claimed wage-loss benefits are not related to your injury.

If you disagree with the denial, talk with the insurance claims adjuster who is handling your claim. If you are not satisfi ed and still disagree with the denial, call the Minnesota Department of Labor and Industry's Workers' Compensation Hotline at 1-800-342-5354.

Collecting workers' compensation benefits you are not entitled to is theft. If you have reason to suspect someone is committing workers' compensation fraud, call 1-888-FRAUD MN (1-888-372-8366). For more information about workers' compensation or if you need assistance with a claim, contact:

Insurer name:

Department of Labor and Industry	(651) 284-5032
Workers' Compensation	1-800-DIAL-DLI (1-800-342-5354)
443 Lafayette Road N.	dli.workcomp@state.mn.us
St. Paul, MN 55155	<u>www.dli.mn.gov</u>

Phone number:

### **Emergency Notice**

Posting required by law in a conspicuous location wherever the employer is engaged in business

MINNESOTA DEPARTMENT OF LABOR & INDUSTRY





#### 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?

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

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