

# 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 bases:

### **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.

### **AGE**

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.

### **GENETICS**

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.

### **RETALIATION**

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 suspected:

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](http://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 [www.eeoc.gov](http://www.eeoc.gov).

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## 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**

Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

### **INDIVIDUALS WITH DISABILITIES**

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 who is an applicant or employee, barring undue hardship. 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 level.

### **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 protected veterans (veterans who served during a war or in a campaign or expedition for which a campaign badge has been authorized), and Armed Forces service medal veterans (veterans who, while on active duty, participated in a U.S. military operation for which an Armed Forces service medal was awarded).

### **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 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) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at [OFCCP-Public@dol.gov](mailto: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.

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## 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 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.

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.

# La igualdad de oportunidades de empleo es LA LEY

## **Empleadores privados, gobiernos locales y estatales, instituciones educativas, agencias de empleo y organizaciones de trabajo**

Los postulantes y empleados de la mayoría de los empleadores privados, los gobiernos locales y estatales, las instituciones educativas, las agencias de empleo y las organizaciones de trabajo están protegidos por la ley federal contra la discriminación en función de:

### **RAZA, COLOR, RELIGIÓN, SEXO, PROCEDENCIA**

El Título VII de la Ley de Derechos Civiles (Civil Rights Act) de 1964, con sus modificaciones, protege a los postulantes y a los empleados contra la discriminación en lo que respecta a la contratación, los ascensos, los despidos, los pagos, las compensaciones adicionales, la capacitación laboral, la clasificación, las referencias y los demás aspectos del empleo, en función de raza, color, religión, sexo (incluidas las embarazadas) o procedencia. La discriminación religiosa se refiere a la falta de adaptación razonable a las prácticas religiosas de un empleado, siempre y cuando dicha adaptación no provoque una dificultad económica desmedida para la compañía.

### **DISCAPACIDAD**

Los Títulos I y V de la Ley de Estadounidenses con Discapacidades (Americans with Disabilities Act) de 1990, con sus modificaciones, protege a las personas idóneas contra la discriminación por discapacidad en lo que respecta a la contratación, los ascensos, los despidos, los pagos, las compensaciones adicionales, la capacitación laboral, la clasificación, las referencias y los demás aspectos del empleo. La discriminación por discapacidad se refiere a la falta de adaptaciones razonables para las limitaciones físicas o mentales de una persona idónea que tiene una discapacidad y que es un postulante o un empleado, salvo que dichas adaptaciones provoquen una dificultad económica desmedida para la compañía.

### **EDAD**

La Ley contra la Discriminación Laboral por Edad (Age Discrimination in Employment Act) de 1967, con sus modificaciones, protege a los postulantes y empleados de 40 años o más contra la discriminación por cuestiones de edad en lo que respecta a la contratación, los ascensos, los despidos, los pagos, las compensaciones adicionales, la capacitación laboral, la clasificación, las referencias y los demás aspectos del empleo.

### **SEXO (SALARIOS)**

Además de lo establecido en el Título VII de la Ley de Derechos Civiles, con sus modificaciones, la Ley de Igualdad en las Remuneraciones (Equal Pay Act) de 1963, con sus modificaciones, también prohíbe la discriminación sexual en el pago de los salarios a las mujeres y los hombres que realicen básicamente el mismo trabajo, en empleos que requieran las mismas habilidades, esfuerzo y responsabilidad, en condiciones laborales similares, en el mismo establecimiento.

### **GENÉTICA**

El Título II de la Ley de No Discriminación por Información Genética (Genetic Information Nondiscrimination Act, GINA) de 2008 protege a los postulantes y empleados contra la discriminación basada en la información genética en lo que respecta a la contratación, los ascensos, los despidos, los pagos, las compensaciones adicionales, la capacitación laboral, la clasificación, las referencias y los demás aspectos del empleo. La GINA también limita la adquisición de información genética por parte de los empleadores y condiciona de manera estricta su divulgación. La información genética incluye las pruebas genéticas de los postulantes, empleados o integrantes de sus familias, la manifestación de enfermedades o trastornos de los miembros de la familia (historia médica familiar) y las solicitudes o la recepción de servicios genéticos por parte de los postulantes, empleados o integrantes de sus familias.

### **REPRESALIAS**

Todas estas leyes federales prohíben a las entidades cubiertas que tomen represalias en contra de una persona que presenta una carga por discriminación, participa en un procedimiento por discriminación o que, de algún otro modo, se opone a una práctica laboral ilícita.

### **QUÉ DEBE HACER SI CONSIDERA QUE ES VÍCTIMA DE LA DISCRIMINACIÓN**

Existen plazos estrictos para presentar cargos por discriminación laboral. A fin de preservar la capacidad de la Comisión para la Igualdad de Oportunidades en el Empleo (Equal Employment Opportunity Commission, EEOC) de actuar en representación suya y proteger su derecho a iniciar una demanda privada si fuese necesario en última instancia, debe comunicarse con la EEOC apenas sospeche que se produjo un hecho de discriminación: Comisión para la Igualdad de Oportunidades en el Empleo de los Estados Unidos, 1-800-669-4000 (línea gratuita) o 1-800-669-6820 (línea gratuita TTY para las personas con problemas auditivos). Puede encontrar información sobre las sucursales de la EEOC en [www.eeoc.gov](http://www.eeoc.gov) o en la mayoría de las guías telefónicas en la sección Gobierno Federal o Gobierno de los Estados Unidos. También puede obtener información adicional sobre la EEOC, incluso cómo presentar un cargo, en [www.eeoc.gov](http://www.eeoc.gov).

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## Empleadores que tengan contratos o subcontratos con el gobierno federal

Los postulantes y empleados de las compañías que tengan un contrato o subcontrato con el gobierno federal están protegidos por la ley federal contra la discriminación en función de:

### **RAZA, COLOR, RELIGIÓN, SEXO, PROCEDENCIA**

El Decreto Ejecutivo 11246, con sus modificaciones, prohíbe la discriminación en el trabajo en función de raza, color, religión, sexo o procedencia y exige que se implementen acciones afirmativas para garantizar la igualdad de oportunidades en todos los aspectos laborales.

### **PERSONAS CON DISCAPACIDADES**

La Sección 503 de la Ley de Rehabilitación (*Rehabilitation Act*) de 1973, con sus modificaciones, protege a las personas idóneas contra la discriminación por discapacidad en lo que respecta a la contratación, los ascensos, los despidos, los pagos, las compensaciones adicionales, la capacitación laboral, la clasificación, las referencias y los demás aspectos del empleo. La discriminación por discapacidad se refiere a la falta de adaptaciones razonables para las limitaciones físicas o mentales de una persona idónea que tiene una discapacidad y que es un postulante o un empleado, salvo que dichas adaptaciones provoquen una dificultad económica desmedida para la compañía. La Sección 503 también exige que los contratistas federales implementen acciones afirmativas para emplear y avanzar en el empleo de personas idóneas con discapacidades en todos los niveles laborales, incluido el nivel ejecutivo.

### **VETERANOS DISCAPACITADOS, RECIÉN RETIRADOS, BAJO PROTECCIÓN Y CON MEDALLA POR SERVICIO A LAS FUERZAS ARMADAS**

La Ley de Asistencia a la Readaptación de Veteranos de Vietnam (*Vietnam Era Veterans' Readjustment Assistance Act*) de 1974, con sus modificaciones, 38 U.S.C. 4212, prohíbe la discriminación laboral y exige que se implementen acciones afirmativas para emplear y avanzar en el empleo de los veteranos discapacitados, recién retirados

(en el plazo de los tres años posteriores a la baja o al cese del servicio activo), otros veteranos bajo protección (los veteranos que prestaron servicio durante una guerra o en una campaña o expedición para la cual se les autorizó una insignia de campaña) y los veteranos con medalla por servicio a las Fuerzas Armadas (aquellos que durante el servicio activo, participaron en una operación militar de los Estados Unidos por la cual se los reconoció con una medalla por servicio a las Fuerzas Armadas).

### **REPRESALIAS**

Quedan prohibidas las represalias contra una persona que presenta una demanda por discriminación, participa en un procedimiento de la Oficina de Programas de Cumplimiento de Contratos Federales (*Office of Federal Contract Compliance Programs*, OFCCP) o que se oponga, de algún otro modo, a la discriminación según estas leyes federales.

Toda persona que considere que un contratista violó sus obligaciones de acción afirmativa o no discriminación según las autoridades mencionadas anteriormente debe comunicarse de inmediato con:

La Oficina de Programas de Cumplimiento de Contratos Federales (OFCCP), Departamento de Trabajo de los Estados Unidos, 200 Constitution Avenue, N.W., Washington, D.C. 20210, teléfono 1-800-397-6251 (línea gratuita) o (202) 693-1337 (línea TTY). También puede enviar un mensaje de correo electrónico a la OFCCP (OFCCP-Public@dol.gov) o bien, llamar a una de sus oficinas regionales o del distrito, las cuales aparecen en la mayoría de las guías telefónicas en la sección Gobierno de los Estados Unidos, Departamento de Trabajo.

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## Programas o actividades que reciben asistencia financiera federal

### **RAZA, COLOR, PROCEDENCIA, SEXO**

Además de las protecciones establecidas en el Título VII de la Ley de Derechos Civiles de 1964 y sus modificaciones, el Título VI de dicha ley, con sus modificaciones, prohíbe la discriminación por raza, color o procedencia en los programas o las actividades que reciban asistencia financiera federal. La discriminación laboral está cubierta por el Título VI si el objetivo principal de la asistencia financiera es brindar empleo, o si la discriminación laboral provoca o puede provocar discriminación cuando se proporcionan los servicios de dichos programas. El Título IX de las Reformas Educativas de 1972 prohíbe la discriminación laboral según el sexo en los programas o las actividades educativas que reciben asistencia financiera federal.

### **PERSONAS CON DISCAPACIDADES**

La Sección 504 de la Ley de Rehabilitación de 1973, con sus modificaciones, prohíbe la discriminación laboral por discapacidad en cualquier programa o actividad que reciba asistencia financiera federal. Queda prohibida la discriminación en todos los aspectos laborales contra las personas discapacitadas que, con o sin adaptaciones razonables, pueden desempeñar las funciones esenciales del trabajo.

Si cree que ha sido víctima de discriminación en algún programa de una institución que reciba asistencia financiera federal, debe comunicarse de inmediato con la agencia federal que brinda dicha asistencia.



# SAFETY AND HEALTH PROTECTION ON THE JOB

## INTRODUCTION:

The intent of the Indiana Occupational Safety and Health Act of 1974, Indiana Code 22-8-1.1, is to assure, so far as possible, safe and healthful working conditions for the workers in the State.

The Indiana Department of Labor has primary responsibility for administering and enforcing the Act and the safety and health standards promulgated under its provisions.

Requirements of the Act include the following:

## EMPLOYERS:

Each employer shall establish and maintain conditions of work which are reasonably safe and healthful for employees and free from recognized hazards that are causing or likely to cause death or serious physical harm to employees. The Act further requires that employers comply with the Occupational Safety and Health Standards, Rules, and Regulations.

## EMPLOYEES:

All employees shall comply with Occupational Safety and Health Standards and all rules, regulations, and orders issued under the Act, which are applicable to their own actions and conduct.

## INSPECTION:

The Act requires that an opportunity be provided for employees and their representatives to bring possible safety and health violations to the attention of the Department of Labor inspector in order to aid the inspection. This requirement may be fulfilled by allowing a representative of the employees and a representative of the employer to accompany the inspector during inspection. Where there is no employee representative, the inspector shall consult with a reasonable number of employees.

## COMPLAINT:

Employees have the right to file a complaint with the Department of Labor. There shall be an inspection where reasonable grounds exist for the Department of Labor to believe there may be a hazard. Unless permission is given by the employees complaining to release their names, they will be withheld from the employer. Telephone Number (317) 232-2693.

The Act provides that no employer shall discharge, suspend, or otherwise discriminate in terms of conditions of employment against any employees for their failure or refusal to engage in unsafe practices or for filing a complaint, testifying, or otherwise acting to exercise their rights under the Act.

Employees who believe they have been discriminated against may file a complaint with the Department of Labor within 30 days of the alleged discrimination. Please note that extensions of the 30-day filing requirement may be granted under certain special circumstances, such as where the employer has concealed or misled the employee regarding the grounds for discharge. However, a grievance-arbitration proceeding, which is pending, would not be considered justification for an extension of the 30-day filing period. The Commissioner of Labor shall investigate said complaint and upon finding discrimination in violation of the Act, shall order the employer to provide necessary relief to the employees. This relief may include rehiring, reinstatement to the job with back pay, and restoration of seniority.

All employees are also afforded protection from discrimination under Federal Occupational Safety and Health Act and may file a complaint with the U.S. Secretary of Labor within 30 days of the alleged discrimination.

## VIOLATION NOTICE:

When an alleged violation of any provision of the Act has occurred, the Department of Labor shall promptly issue a written order to the employer, who shall be required to post it prominently at or near the place where the alleged violation occurred until it is made safe and required safeguards are provided or 3 days, whichever is longer.

## PROPOSED PENALTIES:

The Act provides for CIVIL penalties of not more than \$7,000 for each serious violation and CIVIL penalties of up to \$7,000 for each non-serious violation. Any employer who fails to correct a violation within the prescribed abatement period may be assessed a CIVIL penalty of not more than \$7,000 for each day beyond the abatement date during which such violation continues. Except as otherwise provided below involving a worker fatality, any employer who knowingly or repeatedly violates the Act may be assessed CIVIL penalties of not more than \$70,000 for each violation and a penalty of not less than \$5,000 shall be imposed for each knowing violation. A violation of posting requirements can bring a penalty of up to \$7,000.

## *Proposed Penalties in Conjunction with a Worker Fatality*

An employer who knowingly violates the Act and where any such violation can reasonably be determined to have contributed to an employee fatality, shall be assessed a civil penalty of not less than \$9,472 for each violation and may be assessed a civil penalty of up to \$132,598 for each violation.

## VOLUNTARY ACTIVITY:

The Act encourages efforts by labor and management, before the Department of Labor inspections, to reduce injuries and illnesses arising out of employment.

The Act encourages employers and employees to reduce workplace hazards voluntarily and to develop and improve safety and health programs in all workplaces and industries.

Such cooperative action would initially focus on the identification and elimination of hazards that could cause death, injury, or illness to employees and supervisors.

The Act provides a consultation service to assist in voluntary compliance and give recommendations for the abatement of cited violations. This service is available upon a written request from the employer to INSafe. Telephone Number (317) 232-2688.

## COVERAGE:

The Act does not cover those hired for domestic service in or about a private home and those covered by a federal agency. Those exempted from the Act's coverage include employees in maritime services, who are covered by the U.S. Department of Labor, and employees in atomic energy activities who are covered by the Atomic Energy Commission.

## NOTE:

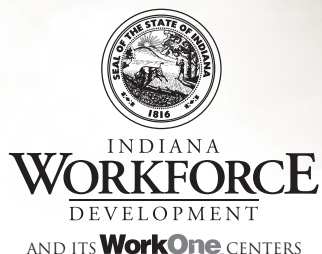
Under a plan approved March 6, 1974, by the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA), the State of Indiana is providing job safety and health protection for workers throughout the State. OSHA will monitor the operation of this plan to assure that continued approval is merited. Any person may make a complaint regarding the State administration of this plan directly to the OSHA Regional Office, Regional Administrator, Region V, U.S. Department of Labor, Occupational Safety and Health Administration, 230 South Dearborn Street, Chicago, Illinois 60604, Telephone Number (312) 353-2220.

## MORE INFORMATION:

INDIANA DEPARTMENT OF LABOR  
402 West Washington Street, Room W195  
Indianapolis, Indiana 46204  
Telephone: (317) 232-2655  
TT/Voice: (800) 743-3333  
Fax: (317) 233-3790  
Internet: <http://www.in.gov/labor>

**EMPLOYERS: This poster must be displayed prominently in the workplace.**





# Esta Empresa es Sujeta a las Leyes de Indiana de Seguro de Desempleo

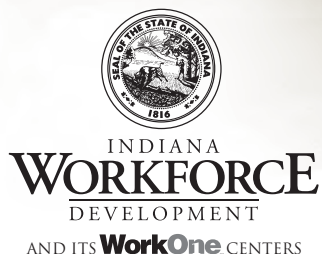
Si usted pierde su empleo o trabaja menos de tiempo completo, descubra si usted puede ser elegible para el seguro de desempleo reportandose inmediatamente a la oficina más cercana de Indiana Desarrollo De Labor.

Para solicitar beneficios, por favor traiga su tarjeta de Seguro Social, el nombre y la dirección correcta de su patrón más reciente.

No se hace ningunas deducciones de el pago de los empleados de parte del seguro de desempleo. Este patrón paga este impuesto. Si usted tiene más preguntas sobre este programa, pongase en contacto con el departamento de Indiana Desarrollo De Labor, Avenida Del Norte Del Senado 10, Indianapolis, IN 46204. Teléfono: 1-800-891-6499.

[www.in.gov/dwd](http://www.in.gov/dwd)

1-800-891-6499



# This Business is Subject to Indiana's Unemployment Insurance Laws

If you lose your job or work less than full time, you may be eligible for unemployment insurance benefits. Information is available on-line at [www.in.gov/dwd](http://www.in.gov/dwd). Computers are available at any Indiana WorkOne Center.

No deductions are made from employees' pay for unemployment insurance. This employer pays this tax.

[www.in.gov/dwd](http://www.in.gov/dwd)

1-800-891-6499



*Indiana Department of Labor  
402 West Washington St., Rm 195  
Indianapolis, IN 46204  
(317) 232-2655  
[www.in.gov/dol](http://www.in.gov/dol)*

# **INDIANA MINIMUM WAGE LAW**

## ***\$7.25 per hour***

Indiana law requires this poster to be displayed in a conspicuous place in the area where employees are employed.

Most Indiana employers and employees are covered by the minimum wage and overtime provisions of the federal Fair Labor Standards Act (FLSA); however, those not covered under federal law may still be covered by the Indiana Minimum Wage Law.

Both the federal and Indiana state minimum wage increased from \$6.55 per hour to \$7.25 per hour, effective July 24, 2009.

The Indiana Minimum Wage Law generally requires employers to pay employees at least the minimum wage for all hours worked and to pay employees 1 ½ times their regular rate of pay ("Overtime compensation") when employees work more than forty (40) hours during a work week. However, there are many exceptions to the overtime pay requirement. Most of those exceptions can be found at Indiana Code § 22-2-2-3 (a) – (p).

Indiana law requires every employer subject to the Indiana Minimum Wage Law to furnish each employee a statement of the hours worked by the employee, the wages paid to the employee, and a listing of the deductions made. The Indiana Minimum Wage Law also prohibits pay discrimination on the basis of sex.

### **Tipped Employees**

Generally, employers must pay tipped employees at least \$2.13 per hour if the employer claims a tip credit. If the employee's tips combined with the hourly wage do not equal the minimum wage, the employer must make up the difference.

### **Training Wage**

Indiana employers may pay \$4.25 per hour to employees under 20 years of age for the first 90 consecutive calendar days after the employee is initially employed by the employer.

### **Violations**

Indiana law provides for both civil and criminal penalties for violation of the Indiana Minimum Wage Law.

For Additional Information For additional information, please contact the Indiana Department of Labor's Wage and Hour Division by email at [wagehour@dol.in.gov](mailto:wagehour@dol.in.gov) or phone (317) 232-2655



# “EEO is the Law” Poster Supplement

## Employers Holding Federal Contracts or Subcontracts Section Revisions

*The Executive Order 11246 section is revised as follows:*

### **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.

### **PAY SECRECY**

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.

*The Individuals with Disabilities section is revised as follows:*

### **INDIVIDUALS WITH DISABILITIES**

Section 503 of the Rehabilitation Act prohibits discrimination on the basis of disabilities from discrimination in hiring, promotion, discharge, pay and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal agencies ensure equal employment opportunities for individuals with disabilities at all levels of employment, including the executive level.

*The Vietnam Era, Special Disabled Veterans section is revised as follows:*

### **PROTECTED VETERANS**

The Vietnam Era Veterans’ Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits discrimination on the basis of protected status on 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.

*Mandatory Supplement to EEOC P/E-1(Revised 11/09) “EEO is the Law” Poster.*

If you believe that you have experienced discrimination contact OFCCP: 1-800-397-6251 | TTY 1-877-889-5627 | [www.dol.gov](http://www.dol.gov).

# “IOE es la Ley” Cartel Suplementario

## Sección revisada de empleadores que mantienen contratos o subcontratos federales

*La sección del Decreto Ejecutivo 11246 está revisada de la siguiente manera:*

### **RAZA, COLOR, RELIGIÓN, SEXO, ORIENTACIÓN SEXUAL, IDENTIDAD DE GÉNERO, NACIONALIDAD**

El Decreto Ejecutivo 11246, en su forma enmendada, prohíbe la discriminación en el empleo por motivo de raza, color, religión, sexo, orientación sexual, identidad de género o nacionalidad y requiere programas de acción afirmativa para asegurar la igualdad de oportunidades en todos los aspectos de empleo.

### **SECRETO DE PAGO**

El Decreto Ejecutivo 11246, en su forma enmendada, protege a los solicitantes y empleados de la discriminación por motivo de investigar, revelar o discutir su compensación o la compensación de otros solicitantes y empleados.

*La sección de Personas con Discapacidades está revisada de la siguiente manera:*

### **PERSONAS CON DISCAPACIDADES**

La sección 503 de la Ley de Rehabilitación de 1973, en su forma enmendada, protege a personas calificadas con discapacidades de la discriminación en la contratación, promoción, despido, pago, beneficios adicionales, capacitación laboral, clasificación, referencia, y otros aspectos del empleo.

La discriminación por discapacidad incluye, el no realizar una adaptación razonable a las limitaciones físicas o mentales conocidas de un individuo calificado con discapacidad, ya sea un solicitante o empleado, salvo una carga excesiva para el empleador.

La sección 503 también requiere que los contratistas federales tomen acción afirmativa para contratar y ayudar a progresar a individuos calificados con discapacidades en todos los niveles de empleo, incluido el nivel ejecutivo.

*La sección Veteranos con Discapacidades Especiales, de la Era de Vietnam está revisada de la siguiente manera:*

### **VETERANOS PROTEGIDOS**

La Ley de Asistencia de Reajuste de los Veteranos de la Era de Vietnam de 1974, en su forma enmendada, 38 USC 4212, prohíbe la discriminación laboral y requiere la acción afirmativa para reclutar, contratar, y progresar en el empleo, a favor de los veteranos discapacitados, veteranos recientemente separados (es decir, dentro de los tres años de la descarga o liberación del servicio activo), veteranos en servicio activo en tiempos de guerra, veteranos insignia de campaña y veteranos de las fuerzas armadas con medalla de servicio.

*Suplemento Obligatorio para la CIOE P/E-1(Revisado el 11/09) “IOE es la Ley” Cartel.*

Si usted cree que ha experimentado discriminación, contáctese con la OFCCP: 1-800-397-6251 | TTY 1-877-889-5627 | [www.dol.gov](http://www.dol.gov).



U.S. Department of Labor



# 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 work-related 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.

*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.
- 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 medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.



# PROTECCIÓN DE SEGURIDAD Y SALUD EN EL TRABAJO

## PRESENTACIÓN:

La intención de la Ley de Seguridad y Salud Ocupacional de Indiana de 1974, Código 22-8-1.1, de Indiana es asegurar, tanto como sea posible, las condiciones de seguridad y salud en el trabajo de los trabajadores en el estado.

El Departamento del Trabajo de Indiana tiene la responsabilidad primaria de administrar y hacer cumplir la Ley y las medidas de seguridad y salud promulgadas según sus disposiciones.

Los requerimientos de la Ley incluyen lo siguiente:

## EMPLEADORES:

Cada empleador establecerá y mantendrá condiciones de trabajo que sean razonablemente seguras y saludables para los empleados y libres de riesgos reconocidos que causen o sea probable que causen la muerte o daños físicos graves a los empleados. La Ley también requiere que los empleados cumplan con las normas, reglas y regulaciones ocupacionales de seguridad y salud.

## EMPLEADOS:

Todos los empleados acatarán las normas ocupacionales de seguridad y salud y todas las reglas, regulaciones y órdenes publicadas según la Ley, las cuales son aplicables a sus propias acciones y conducta.

## INSPECCIÓN:

La Ley requiere que se proporcione una oportunidad a los empleados y a sus representantes para señalar posibles infracciones a la seguridad y salud a la atención del Inspector del Departamento del Trabajo para ayudar en la inspección. Este requisito se puede cumplir permitiendo que un representante de los empleados y un representante del empleador acompañen al inspector durante la inspección. Donde no haya un representante de empleados, el inspector consultará con un número razonable de empleados.

## QUEJA:

Los empleados tienen el derecho de presentar una queja ante el Departamento del Trabajo. Habrá una inspección donde existan motivos razonables para que el Departamento del Trabajo considere que puede haber un riesgo. A menos que se otorgue permiso a los empleados que se quejen para revelar sus nombres, estos nombres serán retenidos por parte del empleador. Número de teléfono (317) 232-2693.

La Ley prevé que ningún empleador despedirá, suspenderá o discriminará de otro modo en términos de condiciones de empleo contra los empleados por rehusarse a participar en prácticas no seguras o por presentar una queja, testificar o actuar de otro modo para ejercer sus derechos según la Ley.

Los empleados que consideren que han sido discriminados pueden presentar una queja ante el Departamento del Trabajo en el plazo de 30 días del alegato de discriminación. Tenga en cuenta que las extensiones del requisito de 30 días para presentar se pueden otorgar bajo ciertas circunstancias especiales, tales como donde el empleador ha ocultado o inducido a error al empleado en relación con los motivos para el despido. Sin embargo, un procedimiento de denuncia-arbitraje, que esté pendiente, no se considerará justificación para una extensión del período de presentación de 30 días. El Comisionado del Trabajo investigará dicha queja y si encuentra discriminación en infracción de la ley, ordenará al empleador que proporcione la exención a los empleados. Esta exención puede incluir la reconstratación, reincorporación al empleo con salario atrasado y restitución de antigüedad.

A todos los empleados también se les otorga protección de discriminación según la Ley Federal de Seguridad y Salud Ocupacional (Federal Occupational Safety and Health Act) y puede presentar una queja ante el Secretario del Trabajo en el plazo de 30 días del alegato de discriminación.

## NOTIFICACIÓN DE INFRACCIÓN:

Cuando haya ocurrido un alegato de infracción de cualquier provisión de la Ley, el Departamento del Trabajo emitirá cuanto antes una orden al empleador, a quien se le requerirá que la publique en un lugar destacado en o cerca del lugar donde ocurrió el alegato de infracción hasta que se considere segura y se proporcionen las garantías establecidas o 3 días lo que sea más largo.

## MULTAS PROPUESTAS:

La Ley establece multas CIVILES de no más de \$7,000 por cada infracción grave, y multas CIVILES de hasta \$7,000 por cada infracción de menor gravedad. Al empleador que no corrija una infracción dentro del periodo de corrección prescrito se le puede prorratar una multa CIVIL de no más de \$7,000 por cada día más allá de la fecha de corrección durante el cual tal infracción continúa. Salvo lo indicado de otro modo más abajo que involucre el fallecimiento de un trabajador, cualquier empleador que a sabiendas o repetidamente infrinja la ley se le pueden imponer multas CIVILES de no más de \$70,000 por cada infracción y una multa de no menos de \$5,000 por cada infracción conocida. Una infracción de publicación de requisitos puede conllevar una multa de hasta \$7,000

## *Multas propuestas conjuntamente con el fallecimiento de un trabajador*

Un empleador quien a sabiendas infrinja la Ley y donde se pueda determinar razonablemente que tal infracción contribuyó a la muerte de un empleado, se le impondrá una multa civil de no menos de \$9,472 por cada infracción y se le puede imponer una multa civil de hasta \$132,598 por cada infracción.

## ACTIVIDAD VOLUNTARIA:

La Ley alienta los esfuerzos por el trabajo y la administración, ante las inspecciones del Departamento del Trabajo, para disminuir lesiones y enfermedades que surjan del empleo.

La Ley alienta a los empleadores y a los empleados a disminuir voluntariamente los riesgos en el sitio de trabajo y a desarrollar y mejorar los programas de seguridad y salud en todos los lugares de trabajo e industrias.

Tal acción de cooperación se enfocaría inicialmente en la identificación y eliminación de riesgos que pudiesen ocasionar la la muerte, lesiones o enfermedades a los trabajadores y supervisores.

La Ley establece un servicio de consulta para asistir al cumplimiento voluntario y brindar recomendaciones para la anulación de las infracciones citadas. Este servicio está disponible mediante una solicitud por escrito del empleado a INSafe. Número de teléfono (317) 232-2688.

## COBERTURA:

La Ley no ampara a quienes estén contratados para servicio doméstico en una vivienda privada o similar, ni a quienes están amparados por una agencia federal. Los exceptuados de la cobertura de la Ley incluye a los empleados en servicios marítimos, quienes están amparados por el Departamento de Trabajo de EE. UU. y los empleados en actividades de energía atómica quienes están amparados por la Comisión de Energía Atómica.

## NOTA:

Según un plan aprobado el 6 de marzo de 1974, por el Departamento del Trabajo de EE.UU., la Administración de Seguridad y Salud Ocupacional (Occupational Safety and Health Administration, OSHA), el Estado de Indiana proporciona protección de seguridad y salud a los trabajadores en todo el estado. OSHA monitorizará la operación de este plan para garantizar que merezca la aprobación continua. Cualquier persona puede presentar una queja en relación con la administración estatal de este plan, directamente a la Oficina Regional de la OSHA, la Administración Regional V, el Departamento del Trabajo, y la Administración de Seguridad y Salud Ocupacional, en 230 South Dearborn Street, Chicago, Illinois 60604; Número de teléfono (312) 353-2220.

## MÁS INFORMACIÓN:

### DEPARTAMENTO DEL TRABAJO DE INDIANA

402 West Washington Street Room W195

Indianapolis, Indiana 46204

Teléfono: (317) 232-2655

TT/Voice: (800) 743-3333

Fax: (317) 233-3790

Internet: <http://www.in.gov/labor>



**EMPLEADORES:** Este cartel se debe publicar de forma destacada en el lugar de trabajo.

# PLEASE READ THESE IMPORTANT INSTRUCTIONS

The following information is required to process this Wage Claim:

- Employee and Employer name, mailing address and telephone.
- The gross amount of claim.
- Length of employment – include dates.
- Type of claim (e.g. non-payment, overtime, deduction, etc.)
- Dates and hours worked if claiming non-payment of wages (see examples below).
- Signature and date.

This claim will not be processed if:

- The amount claimed represents payment for time not actually worked (examples: holiday pay, sick pay, reimbursements, severance pay, overdraft fees or bonus pay).
- Your former employer has filed for bankruptcy protection. You should contact the bankruptcy court.
- The employer does not have a location in Indiana.
- You worked as an independent contractor. You should consult an attorney.
- The gross amount of your claim is less than \$30.00 or more than \$6,000.
- You initiated private legal action to recover the wages claimed.
- You were employed by the State of Indiana (Please contact the Indiana State Personnel Department).
- The claim is against a business in which you were an owner or partner.

**The Wage Claim Process (Please be patient, it can take as long as 90 days to resolve some wage disputes).**

If your wage claim is accepted, correspondence will be sent directly to the employer. The employer will have two (2) weeks to either mail a check directly to you or dispute the amount claimed. If no response is received, a final notice will be sent to the employer allowing one (1) additional week for response. If no response is received after the final notice, a copy of the Wage Claim file will be sent to you along with a letter recommending that you consult an attorney or pursue your claim in the appropriate court. If the employer disputes the amount claimed, the Indiana Department of Labor will make a determination based upon Indiana law and all evidence presented. If a determination cannot be made, you will receive notice along with a letter recommending you consult an attorney or pursue your claim in the appropriate court.

**The Indiana Department of Labor accepts Wage Claims as a service to resolve wage disputes. We cannot guarantee compensation. In addition, Indiana law provides no job protection if you are terminated as a result of filing a wage claim against your current employer.**

**EXAMPLES of Mathematical Calculations of the Amount of Claim (Your calculations must match the amount of claim):**

## NON-PAYMENT OF PAYCHECK

			Wage	Amount	
<u>Date</u>	<u>Hours Worked</u>		<u>Rate</u>	<u>Owed</u>	
8/5/09	8.0 hours	X	\$12.00	= \$96.00	<b>AMOUNT OF CLAIM: \$222.00</b>
8/6/09	10.50 hrs	X	\$12.00	= \$126.00	

## NON-PAYMENT OF VACATION

# Hours accrued		Wage	Amount	
<u>Vacation Time</u>		<u>Rate</u>	<u>Accrued</u>	
40.0 hrs	x	\$11.25	=	\$450.00

## PAYROLL DEDUCTION

Pay	Amount		
<u>Date</u>	<u>Deducted</u>		
1/8/10	\$53.13	(\$53.13 + \$132.52)	<b>AMOUNT OF CLAIM: \$185.65</b>
1/22/10	\$132.52		





# APPLICATION FOR WAGE CLAIM

State Form 2069 (R5 / 12-09)  
INDIANA DEPARTMENT OF LABOR

Wage Claim # \_\_\_\_\_

INDIANA DEPARTMENT OF LABOR

WAGE AND HOUR DIVISION

402 West Washington Street, W195  
Indianapolis, IN 46204

(Please type or print your response and be sure to answer all questions)

Employee	Employer
Name	Name
Address	Address
City	City
State, and Zip Code	State, and Zip Code
Telephone number	Telephone number

Amount of Claim		Length of Employment:	From		To	
-----------------	--	-----------------------	------	--	----	--

Address Where Work Was Performed:

Reason for Leaving Employment:

Reason Given for Non-Payment:

Wage Agreement:	Hourly		Salary		Commission		Piece Rate	
Type of Claim: Check Box(es)	Minimum Wage Complaint		Non-Payment of Overtime		Non-Payment of Vacation		Payroll Deduction	Non-Payment of Paychecks

## INSTRUCTIONS:

- (1) Show, mathematically, how you calculated the amount of your claim
- (2) Be sure to list the dates of non-payment, including hours worked each day with beginning and ending times
- (3) Submit supporting documentation

--

## Incomplete Forms:

Any incomplete Application for Wage Claim will be returned to its sender in its entirety without action taken from our Department.

## Disclaimer

The Department of Labor has the right to reject this claim at any time if, in the judgement of the Commissioner of Labor, said claim is not valid and enforceable in the courts.

Date Received (Office Use Only)

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Signed		Dated	
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## **Teen Work Hour Restrictions**

Employers of minors who are 14, 15, 16 or 17 years of age are required by law to post the maximum number of hours minors may be permitted to work each day of the week. The information must be posted in a conspicuous place or in places where notices are customarily posted. For additional copies please visit [www.in.gov/dol/youthemployment.htm](http://www.in.gov/dol/youthemployment.htm).

### **14 and 15 year old minors**

3 hours per school day  
8 hours per non-school day  
18 hours per school week  
40 hours per non-school weeks

May not work before 7:00 a.m. or after 7:00 p.m. but may work until  
9:00 p.m. from June 1 through Labor Day, except on a night  
followed by a school day

May only work outside of school hours,  
(Not during normal school hours)

### **16 and 17 year old minors**

9 hours per day  
40 hours per school week  
48 hours per non-school week  
No more than 6 consecutive workdays  
No start time between 12:00 a.m. & 6:00 a.m.

Until 10:00 p.m. on nights followed by a school day

**With written parental permission 16 and 17 year old minors may work until 11:00 p.m.  
on nights followed by a school day**

No restricted end time on nights not followed by a school day

May not work in an establishment open to the public between 10:00 p.m. & 6:00 a.m. unless another  
employee at least 18 years of age also works during the same hours as the minor.



**Indiana Department of Labor/Bureau of Child Labor**  
402 West Washington Street, Room W195, Indianapolis, Indiana 46204  
Phone: (317) 232-2655 • Fax: (317) 233-3790 • TT Voice: 1-800-743-3333  
E-Mail: [youthemployment@dol.in.gov](mailto:youthemployment@dol.in.gov) • Web: [www.in.gov/dol/youthemployment.htm](http://www.in.gov/dol/youthemployment.htm)





State of Illinois  
Department of Labor

# Your Rights Under Illinois Employment Laws

## Wage Increases Schedule

Effective July 1, 2020	.....\$10.00
Effective Jan. 1, 2021	.....\$11.00
Effective Jan. 1, 2022	.....\$12.00
Effective Jan. 1, 2023	.....\$13.00
Effective Jan. 1, 2024	.....\$14.00
Effective Jan. 1, 2025	.....\$15.00

## Minimum Wage \$9.25 per hour (Effective Jan. 1, 2020) and Overtime

- **Coverage:** Applies to employers with 4 or more employees. Domestic workers are covered even if the employer only has 1 worker. Certain workers are not covered by the Minimum Wage Law and some workers may be paid less than the minimum wage under limited conditions. For more information, visit our website. (See wage increases schedule above).
- **Tipped Employees:** Must be paid at least 60% of the applicable minimum wage. If an employee's tips combined with the wages from the employer do not equal the minimum wage, the employer must make up the difference.
- **Overtime:** Most hourly employees and some salaried employees are covered by the overtime law and must be compensated at time and one-half of their regular pay for hours worked over 40 in a workweek.

**Hotline: 1-800-478-3998**

## Unpaid Wages

### Wage Payment and Collection Act

- Employees must receive their final compensation, including earned wages, vacation pay, commissions and bonuses on their next regularly scheduled payday.
- Unauthorized deductions from paychecks are not allowed except as specified by law.
- Employers must reimburse employees for all necessary expenditures or losses incurred by an employee during the scope of employment and related to services performed for the employer. Employee must submit reimbursement request within 30 calendar days unless an employer policy allows for additional time to submit.

## Equal Pay Act

- Requires employers to pay equal wages to men and women doing the same or substantially similar work, unless such wage differences are based upon a seniority system, a merit system, or factors other than gender.
- Employers and employment agencies are banned from asking applicants past wage and compensation histories.
- Employees may disclose or discuss their own salaries, benefits, and other compensation with their co-workers and colleagues.
- Employers are not allowed to pay less to African American employees versus a non-African American employees.

**Hotline: 1-866-EPA-IDOL**

## Domestic or Sexual Violence Leave

### Victims' Economic Security and Safety Act

Provides employees who are victims of domestic or sexual violence, or who have family members who are victims, with up to 12 weeks of unpaid leave during a 12-month period.

**Phone: 312-793-6797**

## Meal and Rest Periods

### One Day Rest in Seven Act

- Provides employees with 24 consecutive hours of rest each calendar week.
- Employers may obtain permits from the Department allowing employees to voluntarily work seven consecutive days.
- Employees working 7½ continuous hours must be allowed a meal period of at least 20 minutes no later than 5 hours after the start of work.

**Phone: 312-793-2804**

## Child Labor

### Workers under Age 16

- Children under the age of 14 may not work in most jobs, except under limited conditions.
- 14 and 15-year-olds may work if the following requirements are met:
  - Employment certificates have been issued by the school district and filed with the Department of Labor confirming that a minor is old enough to work, physically capable to perform the job, and that the job will not interfere with the minor's education;
  - The work is not deemed a hazardous occupation (a full listing can be found on our website);
  - Work is limited to 3 hours per day on school days, 8 hours per day on non-school days and no more than 6 days or 48 hours per week;
  - Work is performed only between the hours of 7 a.m. to 7 p.m. during the school year (7 a.m. to 9 p.m. June through September); and
  - A 30-minute meal period is provided no later than the fifth hour of work.

**Hotline: 1-800-645-5784**

This is a summary of laws that satisfies Illinois Department of Labor posting requirements. For a complete text of the laws, visit our website at:

[www.labor.illinois.gov](http://www.labor.illinois.gov)

For more information or to file a complaint, contact us at:

160 N. LaSalle St, Suite C-1300, Chicago, IL 60601 • Chicago 312.793.2800 • Springfield 217.782.6206 • Marion 618.993.7090

**THIS POSTER MUST BE DISPLAYED WHERE EMPLOYEES CAN EASILY SEE IT.**



# Emergency Care for **CHOKING**

## CONSCIOUS VICTIM

**If victim CAN breathe,  
cough or make sounds,  
DO NOT INTERFERE.**



**Give quick upward  
thrusts above the  
belly button and  
below the ribs until  
object is forced out,  
victim can breathe  
again, or victim  
becomes unconscious**

**If victim CANNOT breathe,  
cough or make sounds,  
ask if you can help.**



## UNCONSCIOUS VICTIM

Send someone to call 911 and get the Automated External Defibrillator (AED).  
**IF YOU ARE ALONE**, perform 5 sets of 30 compressions and 2 breaths before  
leaving to call 911. Follow these steps.



**1**  
Give 30 compressions pushing  
down **AT LEAST 2 inches** on the  
center of the chest. Place one hand  
on top of the other. Push hard.



**2**  
Open the airway and check  
the mouth for objects.  
Remove the obstructing  
object only if you see it.



**3**  
With the airway open,  
attempt to give **TWO** breaths.  
If unsuccessful, return to  
compressions.

**Repeat steps 1, 2 and 3 until victim starts breathing or until emergency medical help arrives.**

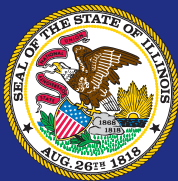
Illinois Department of Public Health  
Emergency Medical Systems and Highway Safety  
422 S. 5th St., Third Floor  
Springfield, IL 62701 • 217-785-2080

Standards for CPR and ECC are consistent with  
American Heart Association recommendations.

IOCI 14-210

- Have someone call for an ambulance, rescue squad or EMS.
- **DO NOT PRACTICE ON PEOPLE.** Abdominal thrusts may cause injury.
- Use back blows and chest thrust on infants. Use chest thrust on pregnant women and obese victims.
- For children 1 to 8 years of age, compress at the depth of approximately 2 inches.
- Learn to perform emergency care for choking and cardiopulmonary resuscitation (CPR).
- For CPR training information, call your local American Heart Association or American Red Cross chapter.





State of Illinois  
Department of Labor



# Job Safety and Health IT'S THE LAW!

## Required Posting for State and Local Government Employers

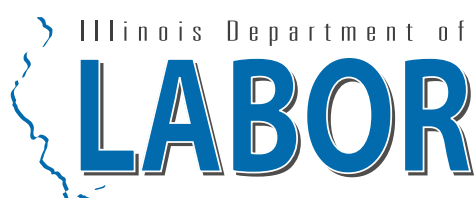
### EMPLOYEES:

- **You** have the right to a safe workplace.
- **You** have the right to raise a safety or health concern with your employer or confidentially with IL-OSHA.
- **You** have the right to request an IL-OSHA inspection if you believe there are unsafe or unhealthy conditions.
- **You** have the right to participate in an IL-OSHA inspection and speak privately to the inspector.
- **You** have the right to see IL-OSHA citations issued to your employer.
- **You** must comply with all standards under the Illinois Occupational Safety and Health Act that applies to your own actions and conduct on the job.
- **You** can file a complaint with IL-OSHA within 30 days if you have been retaliated against for exercising your rights under the Act.
- **You** have the right to copies of your medical records and records of your exposures to toxic and harmful substances or conditions.

### EMPLOYERS:

- Must furnish employees a workplace free from recognized hazards.
- Must comply with all applicable standards under the Illinois Occupational Safety and Health Act.
- Must prominently display this poster in the workplace as well as all notices and all official correspondence received by IL-OSHA.
- Must post any citations issued by IL-OSHA at or near the place of the alleged violation(s).
- Must correct workplace hazards by the date indicated on the citation and must certify that the hazards have been abated.
- Must maintain records of work-related injuries and illnesses. Employers must post the previous year annual summary (OSHA 300A) from February 1 until April 30.
- **NOTIFICATION REQUIREMENT:** Employers must orally report any work-related fatalities within 8 hours, and any inpatient hospitalization, amputation, or loss of an eye within 24 hours by calling 217-782-7860. This is a 24/7 hotline.

The Illinois Occupational Safety and Health Act [820 ILCS 219] provides job safety and health protection for employees of state and local government agencies. The Illinois State Plan is a developmental plan partially funded by a federal grant. Any concerns regarding the administration of the Illinois State Plan can be forwarded to the OSHA Region V Office: Federal Building, 230 South Dearborn Street, Room 3244, Chicago, IL 60604. Phone: 312-353-2220.



[www.illinois.gov/idol](http://www.illinois.gov/idol)  
160 N. LaSalle Street, C-1300  
Chicago, IL 60601  
(312) 793-7308  
(312) 793-2081 fax



[www.osha.illinois.gov](http://www.osha.illinois.gov)  
900 South Spring Street  
Springfield, IL 62704  
(217) 782-9386  
[dol.safety@illinois.gov](mailto:dol.safety@illinois.gov)

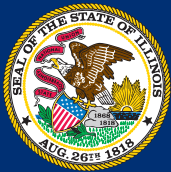
Free Safety & Health Consultation Services



[dol.consultation@illinois.gov](mailto:dol.consultation@illinois.gov)  
900 South Spring Street  
Springfield, IL 62704  
1-800-972-4216

The 23(g) State and Local Government Plan is funded by a federal grant which constitutes fifty percent of the overall budget. Fifty percent is financed by State funds.





## Victims' Economic Security and Safety Act (VESSA)

### Required Posting for Employers

**This act applies to employees who are victims of domestic violence of any kind by a family or household member**

- A victim or family member may use this time off as needed. It may be taken in increments.
- A victim or family member may use this time to:
  - Seek medical attention for injuries related to domestic violence.
  - Obtain counseling or other aid from a victim services organization.
  - Taking action to further protect their safety; or
  - Seeking legal assistance or participating in court proceedings.

**NOTICE** – Employee shall provide employer with 48 hours' notice before their leave.

**CERTIFICATION** – An employer may require the employee to provide certification of domestic violence and that leave is to address domestic violence. This information is to be kept in the strictest of confidence by the employer.

**DISCRIMINATION** – An employer may not discriminate against any employee for using leave under this law.

**Leave permitted during a 12-month period under the act based on number of employees:**

Number of employees	Leave permitted
1-14 employees	4 weeks
15-49 employees	8 weeks
50 or more employees	12 weeks

For information on filing a complaint please call: **312-793-6797**

or visit the website: <https://www2.illinois.gov/idol/Laws-Rules/CONMED/Pages/vessa.aspx>

**labor.illinois.gov • DOL.Questions@Illinois.gov**

Michael A Bilandic Building  
160 North LaSalle, Suite C-1300  
Chicago, Illinois 60601-3150  
(312) 793-2800  
Fax: (312) 793-5257

900 South Spring Street  
Springfield, Illinois 62704-2725  
(217) 782-6206  
Fax: (217) 782-0596

Regional Office Building  
2309 West Main Street, Suite 115  
Marion, Illinois 62959  
(618) 993-7090  
Fax: (618) 993-7258



## State of Illinois Department of Human Rights

# Employment Rights

Under the Illinois Human Rights Act, employers in Illinois are prohibited from discriminating against employees. The Illinois Department of Human Rights can investigate charges of Employment discrimination filed against a covered employer, public contractor, employment agency, labor organization or union.

## PROHIBITED EMPLOYMENT ACTIONS

The law protects persons from discrimination in all terms and conditions of employment, including:

- Recruitment
- Hiring
- Promotion or Demotion
- Renewal of Employment
- Selection for Training or Apprenticeship
- Transfer
- Pay
- Tenure
- Discharge
- Discipline
- Terms or Privileges of Employment

## TYPES OF DISCRIMINATION COVERED

- Race
- Color
- Religion
- Sex (*including Sexual Harassment*)
- National Origin
- Ancestry
- Age (40 and over)
- Order of Protection Status
- Marital Status
- Physical or Mental Disability
- Sexual Orientation (*including Gender-Related Identity*)
- Pregnancy
- Military Status
- Unfavorable Military Discharge
- Citizenship Status
- Native Language
- Arrest Record
- Immigration-Related Practices
- Retaliation for opposing unlawful discrimination and Coercion



## TO FILE A CHARGE

Submit a completed Complainant Information Sheet (CIS) either in person or by mail. If your allegations are covered under the Illinois Human Rights Act, a charge will be drafted for your signature.

You may file a charge of Employment discrimination with the Department if:

1. You are subjected to discriminatory treatment by an employer, employment agency, labor organization or union covered under the law; and
2. The conduct was based on your status in one of the types of discrimination covered; and
3. The charge is filed within 180 days of the date the alleged discrimination took place.

You may obtain a CIS from the Department's website ([www.illinois.gov/dhr](http://www.illinois.gov/dhr)) or by contacting one of the Department's offices below.

## WHAT THE DEPARTMENT CANNOT DO

The Department cannot investigate Employment charges:

- Based on political affiliations or personality conflicts
- Against the federal government



**For more information about filing a charge  
or for other process questions, contact:**

The Illinois Department of Human Rights

**[www.illinois.gov/dhr](http://www.illinois.gov/dhr)**

Office Hours: Monday through Friday; 8:30 a.m. – 5:00 p.m.

*(Intake interviews Monday-Thursday, 8:30 a.m.–3:00 p.m. No Intake Interviews on Fridays.)*

### **In Chicago:**

James R. Thompson Center  
100 West Randolph Street,  
Suite 10-100  
Chicago, IL 60601

(312) 814-6200  
(866) 740-3953 (TTY)  
(312) 814-6251 Fax

### **In Springfield:**

222 South College St.,  
1st Floor  
Springfield, IL 62704

(217) 785-5100  
(866) 740-3953 (TTY)  
(217) 785-5106 Fax

**Persons With Disabilities:** In compliance with the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, and the Illinois Human Rights Act, the Department will ensure that all programs are readily accessible to and usable by qualified individuals with disabilities. Contact the ADA coordinator for additional information at (312) 814-6262 (voice) or (866) 740-3953 (TTY).

# EMPLOYEE RIGHTS

## EMPLOYEE POLYGRAPH PROTECTION ACT

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

PROHIBITIONS	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	<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>
EXAMINEE RIGHTS	Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.
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 court actions.

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



WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243  
TTY: 1-877-889-5627  
[www.dol.gov/whd](http://www.dol.gov/whd)



# EMPLOYEE RIGHTS

## PAID SICK LEAVE AND EXPANDED FAMILY AND MEDICAL LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

The **Families First Coronavirus Response Act (FFCRA or Act)** requires certain employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020.

### ► PAID LEAVE ENTITLEMENTS

**Generally, employers covered under the Act must provide employees:**

Up to two weeks (80 hours, or a part-time employee's two-week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at:

- 100% for qualifying reasons #1-3 below, up to \$511 daily and \$5,110 total;
- $\frac{2}{3}$  for qualifying reasons #4 and 6 below, up to \$200 daily and \$2,000 total; and
- Up to 10 weeks more of paid sick leave and expanded family and medical leave paid at  $\frac{2}{3}$  for qualifying reason #5 below for up to \$200 daily and \$12,000 total.

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

### ► ELIGIBLE EMPLOYEES

In general, employees of private sector employers with fewer than 500 employees, and certain public sector employers, are eligible for up to two weeks of fully or partially paid sick leave for COVID-19 related reasons (see below). *Employees who have been employed for at least 30 days prior to their leave request may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 below.*

### ► QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19

An employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to **telework**, because the employee:

- |   |   |
|---|---|
| 1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;              | 5. is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or |
| 2. has been advised by a health care provider to self-quarantine related to COVID-19;                       | 6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.                           |
| 3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;                                    |   |
| 4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2); |   |

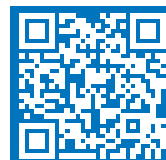
### ► ENFORCEMENT

The U.S. Department of Labor's Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA. Employers may not discharge, discipline, or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint, or institutes a proceeding under or related to this Act. Employers in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD.



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

For additional information  
or to file a complaint:  
1-866-487-9243  
TTY: 1-877-889-5627  
[dol.gov/agencies/whd](https://dol.gov/agencies/whd)



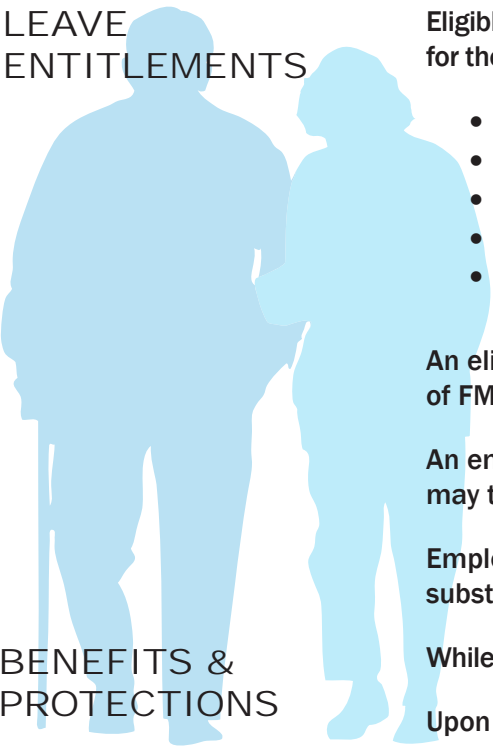
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# EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

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 one 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.

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

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.

## BENEFITS & PROTECTIONS

## 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 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.

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.

## EMPLOYER RESPONSIBILITIES

## 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 or to file a complaint:

**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



# WORKERS' COMPENSATION



is a system of benefits provided by law to most workers who have job-related injuries or illnesses. Benefits are paid for injuries that are caused, in whole or in part, by an employee's work. This may include the aggravation of a pre-existing condition, injuries brought on by the repetitive use of a part of the body, heart attacks, or any other physical problem caused by work. Benefits are paid regardless of fault.

## IF YOU HAVE A WORK-RELATED INJURY OR ILLNESS, TAKE THE FOLLOWING STEPS:

- 1. GET MEDICAL ASSISTANCE.** By law, your employer must pay for all necessary medical services required to cure or relieve the effects of the injury or illness. Where necessary, the employer must also pay for physical, mental, or vocational rehabilitation, within prescribed limits. The employee may choose two physicians, surgeons, or hospitals. If the employer notifies you that it has an approved Preferred Provider Program for workers' compensation, the PPP counts as one of your two choices of providers.
- 2. NOTIFY YOUR EMPLOYER.** You must notify your employer of the accidental injury or illness within 45 days, either orally or in writing. To avoid possible delays, it is recommended the notice also include your name, address, telephone number, Social Security number, and a brief description of the injury or illness.
- 3. LEARN YOUR RIGHTS.** Your employer is required by law to report accidents that result in more than three lost work days to the Workers' Compensation Commission. Once the accident is reported, you should receive a handbook that explains the law, benefits, and procedures. If you need a handbook, please call the Commission or go to the Web site.

If you must lose time from work to recover from the injury or illness, you may be entitled to receive weekly payments and necessary medical care until you are able to return to work that is reasonably available to you.

It is against the law for an employer to harass, discharge, refuse to rehire or in any way discriminate against an employee for exercising his or her rights under the Workers' Compensation or Occupational Diseases Acts. If you file a fraudulent claim, you may be penalized under the law.

- 4. KEEP WITHIN THE TIME LIMITS.** Generally, claims must be filed within three years of the injury or disablement from an occupational disease, or within two years of the last workers' compensation payment, whichever is later. Claims for pneumoconiosis, radiological exposure, asbestosis, or similar diseases have special requirements. Injured workers have the right to reopen their case within 30 months after an award is made if the disability increases, but cases that are resolved by a lump-sum settlement contract approved by the Commission cannot be reopened. Only settlements approved by the Commission are binding.

For more information, go to the Illinois Workers' Compensation Commission's Web site or call any office:

Toll-free: 866/352-3033

Chicago: 312/814-6611

Peoria: 309/671-3019

Springfield: 217/785-7087

Web site: [www.iwcc.il.gov](http://www.iwcc.il.gov)

Collinsville: 618/346-3450

Rockford: 815/987-7292

TDD (Deaf): 312/814-2959

<b>BY LAW, EMPLOYERS MUST DISPLAY THIS NOTICE IN A PROMINENT PLACE IN EACH WORKPLACE AND COMPLETE THE INFORMATION BELOW.</b>			
Party handling workers' compensation claims			
Business address			
Business phone			
Effective date		Termination date	
Policy number		Employer's FEIN	



# IF YOU HAVE THE RIGHT TO WORK



## DON'T LET ANYONE TAKE IT AWAY

If you have the skills, experience, and legal right to work, your citizenship or immigration status shouldn't get in the way. Neither should the place you were born or another aspect of your national origin. A part of U.S. immigration laws protects legally-authorized workers from discrimination based on their citizenship status and national origin. You can read this law at [8 U.S.C. § 1324b](#).

The [Immigrant and Employee Rights Section \(IER\)](#) may be able to help if an employer treats you unfairly in violation of this law.

The law that IER enforces is 8 U.S.C. § 1324b. The regulations for this law are at 28 C.F.R. Part 44.

Call IER if an employer:

Does not hire you or fires you because of your national origin or citizenship status (this may violate a part of the law at 8 U.S.C. § 1324b(a)(1))

Treats you unfairly while checking your right to work in the U.S., including while completing the [Form I-9](#) or using [E-Verify](#) (this may violate the law at 8 U.S.C. § 1324b(a)(1) or (a)(6))

Retaliates against you because you are speaking up for your right to work as protected by this law (the law prohibits retaliation at 8 U.S.C. § 1324b(a)(5))

The law can be complicated. Call IER to get more information on protections from discrimination based on citizenship status and national origin.

**Immigrant and Employee Rights Section (IER)**

**1-800-255-7688**

**TTY 1-800-237-2515**

[www.justice.gov/ier](http://www.justice.gov/ier)

[IER@usdoj.gov](mailto:IER@usdoj.gov)



U.S. Department of Justice, Civil Rights Division, Immigrant and Employee Rights Section, January 2019

*This guidance document is not intended to be a final agency action, has no legally binding effect, and has no force or effect of law. The document may be rescinded or modified at the Department's discretion, in accordance with applicable laws. The Department's guidance documents, including this guidance, do not establish legally enforceable responsibilities beyond what is required by the terms of the applicable statutes, regulations, or binding judicial precedent. For more information, see "Memorandum for All Components: Prohibition of Improper Guidance Documents," from Attorney General Jefferson B. Sessions III, November 16, 2017.*



# SI USTED TIENE DERECHO A TRABAJAR



## NO DEJE QUE NADIE SE LO QUITÉ

**S**i usted dispone de las capacidades, experiencia y derecho legal a trabajar, su estatus migratorio o de ciudadanía no debe representar un obstáculo, ni tampoco lo debe ser el lugar en que usted nació o ningún otro aspecto de su nacionalidad de origen. Existe una parte de las leyes migratorias de los EE. UU. que protegen a los trabajadores que cuentan con la debida autorización legal para trabajar de la discriminación por motivos de su estatus de ciudadanía o nacionalidad de origen. Puede consultar esta ley contenida en la [Sección 1324b del Título 8 del Código de los EE. UU.](#)

**Es posible que la [Sección de Derechos de Inmigrantes y Empleados \(IER, por sus siglas en inglés\)](#) pueda ayudar si un empleador lo trata de una forma injusta, en contra de esta ley.**

La ley que hace cumplir la IER es la Sección 1324b del Título 8 del Código de los EE. UU. Los reglamentos de dicha ley se encuentran en la Parte 44 del Título 28 del Código de Reglamentos Federales.

*Este documento de orientación no tiene como propósito ser una decisión definitiva por parte de la agencia, no tiene ningún efecto jurídicamente vinculante y puede ser rescindido o modificado a la discreción del Departamento, conforme a las leyes aplicables. Los documentos de orientación del Departamento, entre ellos este documento de orientación, no establecen responsabilidades jurídicamente vinculantes más allá de lo que se requiere en los términos de las leyes aplicables, los reglamentos o los precedentes jurídicamente vinculantes. Para más información, véase «Memorándum para Todos Los Componentes: La Prohibición contra Documentos de Orientación Impropias», del Fiscal General Jefferson B. Sessions III, 16 de noviembre del 2017.*

Llame a la IER si un empleador:

No lo contrata o lo despiden a causa de su nacionalidad de origen o estatus de ciudadanía (esto podría representar una vulneración de parte de la ley contenida en la Sección 1324b(a)(1) del Título 8 del Código de los EE. UU.)

Lo trata de una manera injusta a la forma de comprobar su derecho a trabajar en los EE. UU., incluyendo al completar el [Formulario I-9](#) o utilizar [E-Verify](#) (esto podría representar una vulneración de la ley contenida en la Sección 1324b(a)(1) o (a)(6) del Título 8 del Código de los EE. UU.)

Toma represalias en su contra por haber defendido su derecho a trabajar al amparo de esta ley (la ley prohíbe las represalias, según se indica en la Sección 1324b(a)(5) del Título 8 del Código de los EE. UU.)

Esta ley puede ser complicada. Llame a la IER para más información sobre las protecciones existentes contra la discriminación por motivos del estatus de ciudadanía o la nacionalidad de origen.

### Sección de Derechos de Inmigrantes y Empleados (IER)

1-800-255-7688

TTY 1-800-237-2515

[www.justice.gov/crt-espanol/ier](http://www.justice.gov/crt-espanol/ier)

[IER@usdoj.gov](mailto:IER@usdoj.gov)



Departamento de Justicia de los EE. UU., División de Derechos Civiles, Sección de Derechos de Inmigrantes y Empleados, enero del 2019





# EMPLOYEE RIGHTS

## UNDER THE FAIR LABOR STANDARDS ACT

### FEDERAL MINIMUM WAGE

**\$7.25** PER HOUR

**BEGINNING JULY 24, 2009**

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

**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, 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.



WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243  
TTY: 1-877-889-5627  
[www.dol.gov/whd](http://www.dol.gov/whd)





# ***YOUR RIGHTS UNDER THE ILLINOIS SERVICE MEMBER EMPLOYMENT & REEMPLOYMENT RIGHTS ACT (330 ILCS 61)***



ISERRA (Illinois version of USERRA) protects the employment and benefits of service members who leave their civilian employment to serve our Nation or State.

In order to protect the common public interest in military service, it is the role of the Illinois Attorney General to promote awareness and ensure compliance with ISERRA by providing information, training, advocacy, and enforcement.

## **WHO IS PROTECTED?**

1. All members of the Armed Forces of the United States whether active duty or reserve, including the National Guard when performing State duty.
2. All members of Military Auxiliary Radio System, United States Coast Guard Reserve, Civil Air Patrol, and the Merchant Marines when performing official duties in support of an emergency.
3. Members who are released from military duty with follow-on care by the Department of Defense.

## **WHAT ARE THE RIGHTS, BENEFITS AND OBLIGATIONS UNDER ISERRA?**

ISERRA provides the same protections as USERRA (i.e., reemployment, benefits and discrimination) but expands protections to persons identified above and incorporates existing benefits to service members who are public employees. Because ISERRA represents the minimum employer requirements, employers maintain the right to provide greater benefits at their discretion.

## **WHO ENFORCES ISERRA?**

The ISERRA Advocate is an Assistant Attorney General appointed by the Illinois Attorney General to provide both advocacy and enforcement under ISERRA.

## **WHERE TO FIND MORE INFORMATION?**

Both service members and employers can find more information on the Attorney General's ISERRA Advocate webpage at [www.illinoisattorneygeneral.gov/rights/veterans.html](http://www.illinoisattorneygeneral.gov/rights/veterans.html) or call the Military & Veterans Rights Helpline at **1-800-382-3000** to ask questions or request training.



This notice is available for download on the Attorney General's website by going to [www.illinoisattorneygeneral.gov/rights/veterans.html](http://www.illinoisattorneygeneral.gov/rights/veterans.html). Employers are required to provide employees entitled to rights and benefits under ISERRA a notice of the rights, benefits, and obligations of service member employees. This requirement may be met by the posting of this notice where employers customarily place notices for employees. ISERRA is codified as Public Act 100-1101 and can be found at [www.ilga.gov/legislation/publicacts/100/PDF/100-1101.pdf](http://www.ilga.gov/legislation/publicacts/100/PDF/100-1101.pdf).



# Illinois Department of Employment Security

# NOTICE to workers about Unemployment Insurance Benefits

THE POSTING OF THIS NOTICE IS REQUIRED BY THE ILLINOIS UNEMPLOYMENT INSURANCE ACT.

## FILING A CLAIM

The Illinois Unemployment Insurance Act provides for the payment of benefits to eligible unemployed workers and for the collection of employer contributions from liable employers. It is designed to provide living expenses while new employment is sought. Claims should be filed as soon as possible after separation from employment. Claims can be filed online at [www.ides.illinois.gov](http://www.ides.illinois.gov) or at the nearest Illinois Department of Employment Security office to the worker's home. To be eligible for benefits, an unemployed individual must be available for work, able to work and actively seeking work and, in addition, must not be disqualified under any provisions of the Illinois Unemployment Insurance Act.

Each employer shall deliver the pamphlet "What Every Worker Should Know About Unemployment Insurance" to each worker separated from employment for an expected duration of seven or more days. The pamphlet shall be delivered to the worker at the time of separation or, if delivery is impracticable, mailed within five days after the date of the separation to the worker's last known address. Pamphlets shall be supplied by the Illinois Department of Employment Security to each employer without cost.

A claimant may also be entitled to receive, in addition to the weekly benefit amount, an allowance for a non-working spouse or a dependent child or children. The allowance is a percentage of the average weekly wage of the claimant in his or her base period. The weekly benefit amount plus any allowance for a dependent make up the total amount payable.

If, during a calendar week an employee does not work full-time because of lack of work, he or she may be eligible for partial benefits if the wages earned in such calendar week are less than his or her weekly benefit amount. For any such week, employers should provide employees with a statement of "low earnings" which should be taken to their Illinois Department of Employment Security office.

**NOTE:** Illinois unemployment insurance benefits are paid from a trust fund to which only employers contribute. No deductions may be made from the wages of workers for this purpose.

Unemployment insurance information is available from any Illinois Department of Employment Security office. To locate the office nearest you, call 1-800-244-5631 or access the locations through our website at [www.ides.illinois.gov](http://www.ides.illinois.gov).

## BENEFITS

Every claimant who files a new claim for unemployment insurance benefits must serve an unpaid waiting week for which he has filed and is otherwise eligible.

The claimant's weekly benefit amount is usually a percentage of the worker's average weekly wage. The worker's average weekly wage is computed by dividing the wages paid during the two highest quarters of the base period by 26. The maximum weekly benefit amount is a percentage of the statewide average weekly wage. The minimum weekly benefit amount is \$51. The statewide average weekly wage is calculated each year.

### If Your Benefit Year Begins:

#### *This year between:*

Jan. 1 and March 31

#### *This year between:*

April 1 and June 30

#### *This year between:*

July 1 and Sept. 30

#### *This year between:*

Oct. 1 and Dec. 31

### Your Base Period Will Be:

#### *Last year between:*

Jan. 1 and Sept. 30 and  
the year before between  
Oct. 1 and Dec. 31

#### *Last year between:*

Jan. 1 and Dec. 31

#### *Last year between:*

April 1 and Dec. 31 and  
this year between  
Jan. 1 and March 31

#### *Last year between:*

July 1 and Dec. 31 and  
this year between  
Jan. 1 and June 30

In order to be monetarily eligible, a claimant must be paid a minimum of \$1,600 during the base period with at least \$440 of that amount being paid outside the highest calendar quarter.

If you have been awarded temporary total disability benefits under a workers' compensation act or other similar acts, or if you only have worked within the last few months, your base period may be determined differently. Contact your local IDES office for more information.

## REPORTING TIPS

Each employee who receives tips must report these tips to employers on a written statement or on Form UC-51, "Employee's Report of Tips," in duplicate. Employers can furnish this form on request. The report shall be submitted on the day the wages are paid, or not later than the next payday, and shall include the amount of tips received during the pay period.

## TAXATION OF BENEFITS

Unemployment insurance benefits are taxable if you are required to file a state or federal income tax return. You may choose to have federal and/or Illinois state income tax withheld from your weekly benefits. Since benefits are not subject to mandatory income tax withholding, if you do not choose to withhold, you may be required to make estimated tax payments using Internal Revenue Service Form 1040 ES and Illinois Department of Revenue Form IL 1040 ES.

For additional information, call these toll-free numbers:  
**Internal Revenue Service** 1-800-829-1040.  
**Illinois Department of Revenue** 1-800-732-8866.

This poster fulfills all posting requirements for the Illinois Department of Employment Security.  
**EMPLOYERS ARE REQUIRED TO POST THIS NOTICE IN A CONSPICUOUS PLACE FOR ALL EMPLOYEES.**



**State of Illinois**  
**Department of Human Rights**

# IDHR



## **PREGNANCY** and your **RIGHTS** in the **WORKPLACE**

**Are you pregnant, recovering from childbirth, or do you have a medical or common condition related to pregnancy?**

**If so, you have the right to:**

- Ask your employer for a reasonable accommodation for your pregnancy, such as more frequent bathroom breaks, assistance with heavy work, a private space for expressing milk, or time off to recover from your pregnancy.
- Reject an unsolicited accommodation offered by your employer for your pregnancy.
- Continue working during your pregnancy if a reasonable accommodation is available which would allow you to continue performing your job.

**Your employer cannot:**

- Discriminate against you because of your pregnancy.
- Retaliate against you because you requested a reasonable accommodation.

# **PREGNANCY** and your **RIGHTS** in the **WORKPLACE**

It is illegal for your employer to fire you, refuse to hire you or to refuse to provide you with a reasonable accommodation because of your pregnancy. For more information regarding your rights, download the Illinois Department of Human Rights' fact sheet from our website at [www.illinois.gov/dhr](http://www.illinois.gov/dhr)

**Es ilegal que su empleador la despidiera, se niegue a contratarla o a proporcionarle una adaptación razonable a causa de su embarazo. Para obtener información sobre el embarazo y sus derechos en el lugar de trabajo en español, visite: [www.illinois.gov/dhr](http://www.illinois.gov/dhr)**



**For immediate help or if you have questions  
regarding your rights.**

**Call (312) 814-6200 or (217) 785-5100 or (866) 740-3953 (TTY)**

## **CHICAGO OFFICE**

100 West Randolph Street,  
10th Floor  
Intake Unit  
Chicago, IL 60601  
(312) 814-6200

## **SPRINGFIELD OFFICE**

222 South College St.,  
Room 101-A  
Intake Unit  
Springfield, IL 62704  
(217) 785-5100

**The charge process may be initiated by completing the form at:  
<http://www.illinois.gov/dhr>**

# Know Your Rights Under the Recovery Act!

## ***Did you know?***

The American Recovery and Reinvestment Act of 2009 <sup>1</sup> provides protections for certain employees of non-federal employers who make specified disclosures relating to possible fraud, waste and/or abuse of Recovery Act funds.

## ***Who is protected?***

Employees of non-federal employers receiving recovery funds. This includes State and local governments, contractors, subcontractors, grantees or professional membership organizations acting in the interest of recovery fund recipients.

## ***How are Whistleblowers Protected?***

You cannot be discharged, demoted or otherwise discriminated against as a reprisal for making a protected disclosure.

## ***What types of disclosures are protected?***

The disclosure must be made by the employee to the Recovery Accountability and Transparency Board, an Inspector General, the Comptroller General, a member of Congress, a state or federal regulatory or law enforcement agency, a person with supervisory authority over the employee, a court or grand jury, or the head of a federal agency or his/her representatives.

The disclosure must involve information that the employee believes is evidence of:

- gross mismanagement of an agency contract or grant relating to recovery funds;
- a gross waste of recovery funds;
- a substantial and specific danger to public health or safety related to the implementation or use of recovery funds;
- an abuse of authority related to the implementation or use of recovery funds; or
- a violation of law, rule, or regulation related to an agency contract or grant awarded or issued relating to recovery funds.


## ***Take Action!***

Log on to [Recovery.gov](http://www.recovery.gov) for more information about your rights and details on how to report at [www.recovery.gov](http://www.recovery.gov).

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<sup>1</sup> [Section 1553 of Division A, Title XV of the American Recovery and Reinvestment Act of 2009, P.L. 111-5](#)





**“If I turn  
him down,  
will I lose  
my A?”**

# **It's never okay.**

If it feels like harassment, it probably is.

But how do you know for sure? And what are your rights?

Learn what constitutes harassment, and what you can do about it.

For immediate help call the Illinois Sexual Harassment and Discrimination

Helpline at 1-877-236-7703 (se Habla Español) or 711 (tty)

or visit [www.illinois.gov/sexualharassment](http://www.illinois.gov/sexualharassment)

**Because sexual harassment  
in higher education is  
against the law.**



**State of Illinois**  
Department of Human Rights

ILLINOIS DEPARTMENT OF  
**Human Rights**



# Sexual harassment in higher education is Illegal

Everyone has the right to attend a college or university free from sexual harassment. The Illinois Human Rights Act ("Act") makes it unlawful for teachers, professors, faculty members and other employees of colleges and universities to sexually harass their students. The Act specifically prohibits unwelcome advances or conduct of a sexual nature, and requests for sexual favors of students by an executive, faculty member, administrative staff member, or teaching assistant. The Act covers all public or private universities, colleges, community colleges, junior colleges, business schools, and vocational schools.

## Examples of Sexual Harassment in Higher Education:

- 1) a professor who continually makes jokes of a sexual nature in the classroom;
- 2) a registration advisor who tells a student he or she might be able to get into a class if the student dates the advisor;
- 3) an admissions officer who tells a prospective student that the advisor will put in a "good word" for the prospective student if he or she dates the advisor;
- 4) a financial assistance advisor who tells a student that "if you have sex with me, I can look out for scholarships for you;"
- 5) a teaching assistant who promises a student a better grade if the student does not resist any inappropriate touching or sexual advances.

**Protection Against Retaliation:** It is also unlawful for a teacher or professor, or for the college or university to retaliate against a student because the student reported sexual harassment, participated in an investigation of sexual harassment, or because the student filed a charge of discrimination with the Illinois Department of Human Rights.

**What to Do:** Any student who believes he or she is being subjected to sexual harassment or retaliated against should contact the Illinois Department of Human Rights for further information or to file a charge. Students may contact the Department by calling the Department at 312-814-6200 (Chicago) or 217-785-5100 (Springfield), 866-740-3953 (TTY); or by visiting the Department's website at [www.illinois.gov/dhr](http://www.illinois.gov/dhr). Any charge alleging sexual harassment in higher education must be filed within 300 days of the alleged incident(s). Charge forms are available on the Department's website at the following link:  
[https://www2.illinois.gov/dhr/FilingCharge/Documents/CIS\\_Emp\\_PA\\_FC\\_SH.pdf](https://www2.illinois.gov/dhr/FilingCharge/Documents/CIS_Emp_PA_FC_SH.pdf).

Any student who believes he or she is being subjected to sexual harassment or retaliated against should report the incident(s) to:

A student may obtain a copy of the educational institution's internal complaint policy by contacting:

If the sexual conduct is criminal in nature, students should also report the incident to the local law enforcement agency.

# It's never okay.

**Illinois Sexual Harassment and Discrimination Helpline and Website**

**1-877-236-7703 (se Habla Español) or 711 (tty)**

**Monday to Friday, 8:30 a.m. to 5:00 p.m.**

**[www.illinois.gov/sexualharassment](http://www.illinois.gov/sexualharassment)**

**The Department of Human Rights may be reached at [www.illinois.gov/dhr](http://www.illinois.gov/dhr) or:**

### CHICAGO OFFICE

100 W. Randolph Street, 10th Floor  
Intake Unit  
Chicago, IL 60601  
(312) 814-6200  
(866) 740-3953 (TTY)

### SPRINGFIELD OFFICE

535 West Jefferson Street, 1st Floor  
Intake Unit  
Springfield, IL 62702  
(217) 785-5100  
(866) 740-3953 (TTY)

### MARION OFFICE

2309 West Main Street, Suite 112  
Intake Unit  
Marion, IL 62959  
(618) 993-7463  
(866) 740-3953 (TTY)


**The charge process may be initiated by completing the form at:  
<http://www.illinois.gov/dhr>**



**State of Illinois**  
Department of Human Rights

ILLINOIS DEPARTMENT OF  
**Human Rights**

# YOU HAVE THE RIGHT TO BE FREE FROM JOB DISCRIMINATION AND SEXUAL HARASSMENT.



The Illinois Human Rights Act states that you have **the right to be free from unlawful discrimination and sexual harassment**. This means that employers may not treat people differently based on race, age, gender, pregnancy, disability, sexual orientation or any other protected class named in the Act. This applies to all employer actions, including hiring, promotion, discipline and discharge.

## REASONABLE ACCOMMODATIONS

You also have the right to reasonable accommodations based on pregnancy and disability. This means you can ask for reasonable changes to your job if needed because you are pregnant or disabled.

## RETALIATION

It is also unlawful for employers to treat people differently because they have reported discrimination, participated in an investigation, or helped others exercise their right to complain about discrimination.

## REPORT DISCRIMINATION

To report discrimination, you may:

1. Contact your employer's human resources or personnel department.
2. Contact the Illinois Department of Human Rights (IDHR) to file a charge.
3. Call the Illinois Sexual Harassment and Discrimination Helpline at 1-877-236-7703 to talk to someone about your concerns.

Chicago:  
James R. Thompson Center  
100 West Randolph Street, Suite 10-100  
Chicago, IL 60601  
(312) 814-6200  
(866) 740-3953 (TTY)  
(312) 814-6251 (Fax)



Springfield:  
535 W. Jefferson Street  
1st Floor  
Springfield, IL 62702  
(217) 785-5100  
(866) 740-3953 (TTY)  
(217) 785-5106 (Fax)

Website: [www.illinois.gov/dhr](http://www.illinois.gov/dhr)  
Email: [IDHR.Intake@illinois.gov](mailto:IDHR.Intake@illinois.gov)

Employers shall make this poster available and display it where employees can readily see it.

This notice is available for download at: [www.illinois.gov/dhr](http://www.illinois.gov/dhr)

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State of Illinois  
Illinois Department of Public Health

# NO SMOKING

## Indoors or Within 15 Feet of Entrance



To file a complaint:

[www.smoke-free.illinois.gov](http://www.smoke-free.illinois.gov)

**866-973-4646**

TTY 800-547-0466 (hearing impaired use only)



Smoke-Free Illinois Act 95-0017





# YOUR RIGHTS UNDER USERRA

## THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

**USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.**

### REEMPLOYMENT RIGHTS

You have the right to be reemployed in your civilian job if you leave that job to perform service 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.

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

### HEALTH INSURANCE PROTECTION

- ☆ If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military.
- ☆ Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

### 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 **<http://www.dol.gov/elaws/userra.htm>**.
- ☆ 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.

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: **<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.



**U.S. Department of Labor**  
**1-866-487-2365**



**U.S. Department of Justice**



**Office of Special Counsel**



**1-800-336-4590**

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