# EMPLOYEE RIGHTS **UNDER THE FAMILY AND MEDICAL LEAVE ACT**

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

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 · The birth of a child or placement of a child for adoption or foster

Ref.: 29 USC, Ch. 28, Sec. 2619

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

employer's normal paid leave policies. To bond with a child (leave must be taken within 1 year of the While employees are on FMLA leave, employers must continue health surance coverage as if the employees were not on leave. To care for the employee's spouse, child, or parent who has a Upon return from FMLA leave, most employees must be restored to the qualifying serious health condition; same job or one nearly identical to it with equivalent pay, benefits, and For the employee's own qualifying serious health condition that other employment terms and conditions makes the employee unable to perform the employee's job; An employer may not interfere with an individual's FMLA rights or For qualifying exigencies related to the foreign deployment of a retaliate against someone for using or trying to use FMLA leave, military member who is the employee's spouse, child, or opposing any practice made unlawful by the FMLA, or being involved in

any proceeding under or related to the FMLA. 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 An employee does not need to use leave in one block. When it is Have worked for the employer for at least 12 months: medically necessary or otherwise permitted, employees may take leave Have at least 1,250 hours of service in the 12 months before

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

Employees may choose or an employer may require use of accrued

paid leave for FMLA leave, the employee must comply with the

 Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite. paid leave while taking FMLA leave. If an employee substitutes accrued \*Special "hours of service" requirements apply to airline flight crew 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.

Employers can require a certification or periodic recertification

certification is incomplete, it must provide a written notice indicating

FMLA. If the employee is not eligible, the employer must provide a Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA Employees do not have to share a medical diagnosis, but must provide ugh information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include Employees may file a complaint with the U.S. Department of Labor, forming an employer that the employee is or will be unable to Wage and Hour Division, or may bring a private lawsuit against an perform his or her job functions, that a family member cannot perform is necessary. Employees must inform the employer if the need for leave

Once an employer becomes aware that an employee's need for leave is

for a reason that may qualify under the FMLA, the <mark>employer m</mark>ust notify

the employee if he or she is eligible for FMLA leave and, if eligible,

just also provide a notice of rights and responsibilities under the

EMPLOYER RESPONSIBILITIES

The FMLA does not affect any federal or state law prohibiting is for a reason for which FMLA leave was previously taken or certified. discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leav supporting the need for leave. If the employer determines that the

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

WH1420 REV 04/16

Equal Employment Opportunity is **THE LAW** Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations organizations are protected under Federal law from discrimination on the following base

l'itle VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay ringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregna or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodati 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 liscrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination

ased on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment

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 ination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment. Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic nformation in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also

and strictly limits disclosure of genetic information. Gen about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical uistory); and requests for or receipt of genetic services by applicants, employees, or their family members.

All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a 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 r right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discri The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for viduals with hearing impairments). EEOC field office information is available at www.eeoc.gov or in most telephone directories in the U.S. ment or Federal Government section. Additional information about EEOC, including information about charge filing, is available at

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

**Employers Holding Federal Contracts or Subcontracts** on the following bases RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN Executive Order 11246, as amended, prohibits job disation on the basis of race, color, religion, sex or national origin, and requires affirmati 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 imployment qualified individuals with disabilities at all levels of employment, including the executive level. DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS Γhe Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discri 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 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 conta-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 (roll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at OFCCP-Public@dol.gov, or by calling at OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor.

Programs or Activities Receiving Federal Financial Assistance 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, discrimination causes or may cause discrimin on in providing services under such programs. Title IX of the Education Amendments of 197 rohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistan

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, If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should

## **Minimum Wage**



Labor Laws of the State of Maine provide protection for people who work in Maine. The Maine Department of Labor administers the laws, which all employers must follow. Department representatives inspect workplaces to ensure compliance. Citations and penalties may be issued to employers who do not comply.



**Maine Law (Title 26** M.R.S.A. § 42-B) requires every employer to place this poster in the workplace where

This poster is available online at no charge and may be copied.

### Minimum Wage is \$12.15 per hour effective January 1, 2021

state law. This includes all public and private employers regardless of profit or size. Effective January 1, 2021, the minimum wage in Maine is \$12.15 per hour. **Municipal Minimum Wage Ordinances** 

and/or Portland or any other municipality that passes a local minimum wage ordinance, may be subject to additional regulations and should check with municipal officials.

**Service Employee** 

A service employee is someone who regularly receives more than \$30 a month in tips. As of January 1, 2021, employers must pay a direct wage of at least \$6.08 per hour to service employees. If the employee's direct wage combined with earned tips do not average, on a weekly basis, the state required minimum wage, the employer must pay the difference.

Unless specifically exempted, employees must receive overtime pay for hours worked in excess of 40 in a workweek at a rate not less than time and one-half their regular rates of pay. Employers have the right to allow or deny overtime, but if overtime is worked, it must be paid in accordance with state requirements. Compensatory or "comp" time cannot be used by private-sector employers, although private-sector employers can allow employees to flex their time within the workweek (but not the pay

period if the pay period is longer than a seven day cycle

in the workweek). For more information, contact: Maine Department of Labor **Bureau of Labor Standards** 45 State House Station Augusta, Maine 04333-0045 Telephone: 207-623-7900

TTY users call Maine Relay 711. Web site: www.maine.gov/labor/bls Email: bls.mdol@maine.gov

**Exemptions from Overtime** Maine statutes incorporate by reference the salary

requirements under the Fair Labor Standards Act (FLSA). The new minimum salary requirement will be \$700.97 per week as of January 1, 2021. Salary is only one factor in determining whether a worker is exempt from overtime under federal or state law. The duties of each worker must be considered as part of this analysis. Failure to adhere to both requirements—meeting the duties test and the weekly salary threshold—will result in violations of both federal or state law or of one jurisdiction or the other depending on the discrepancies in the laws.

of the pay period, hours worked, total earnings and itemized deductions.

Employers shall keep, for three years, accurate records of hours worked and wages paid to all employees.

The Department of Labor enforces state wage and hour laws. Employers with questions about the law may call 207-623-7900 or may visit the department's webpage.

legislature.maine.gov/statutes/26/title26sec664.html

www.maine.gov/labor/labor\_laws/overtime.html

\*Note: Maine employers may also be covered under the federal Fair Labor Standards Act. For more information, contact the U.S. Department of Labor Wage and Hour Office at 603-666-7716.

he Maine Department of Labor provides equal opportunity in employment and programs. Auxiliary aids and services are available to people with disabilities upon request. rev. 09/2

Ref.: MRSA Title 26 § 42-B

#### EEOC-P/E-1 (Revised 11/09) lie detector tests. **EXAMINEE**

**ENFORCEMENT** The Secretary of Labor may bring court actions to restrain violations and

workers can easily see it.

Under Maine labor laws, any business operating in the state with one employee is automatically covered by

Employers with employees who work in Bangor **Statements to Employees** 

Every employer shall give to each employee with the payment of wages a statement clearly showing the date

**Minimum Wage Guidance** www.maine.gov/labor/labor laws/minimum wage faq.html

**Overtime Guidance** 

legislature.maine.gov/statutes/26/title26sec664.html





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

## All workers have the right to:

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

This poster is available free from OSHA.

Contact OSHA. We can help.

## **Employers must:**

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness
- Comply with all applicable OSHA standards.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the
- Post OSHA citations at or near the place of the alleged violations.

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



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

## **EMPLOYEE POLYGRAPH PROTECTION ACT**

**EMPLOYEE RIGHTS** 

**EMPLOYEE RIGHTS** 

**UNDER THE FAIR LABOR STANDARDS ACT** 

**FEDERAL MINIMUM WAGE** 

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

An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work

n non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old ma

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

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 breas

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

The Department has authority to recover back wages and an equal amount in liquidated damages

n 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

discharging workers who file a complaint or participate in any proceeding under the FLSA.

Certain occupations and establishments are exempt from the minimum wage, and/or overtime

· Special provisions apply to workers in American Samoa, the Commonwealth of the Norther

. Some state laws provide greater employee protections; employers must comply with both

. Some employers incorrectly classify workers as "independent contractors" when they are

pay protections and correctly classified independent contractors are not.

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

Certain full-time students, student learners, apprentices, and workers with disabilities may be

Mariana Islands, and the Commonwealth of Puerto Rico.

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

nilk for her nursing child for one year after the child's birth each time such employee has a need

employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal

certain work hours restrictions. Different rules apply in agricultural employment.

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

used by the employee to express breast milk.

pay provisions.

CHILD LABOR

**TIP CREDIT** 

NURSING

MOTHERS

INFORMATION

**WORKERS**'

COMPENSATION

**BOARD REGIONAL** 

**OFFICES** 

AUGUSTA

442 Civic Center Drive, Suite 225

Augusta, ME 04333-0156

207-287-2308 • 1-800-400-6854

LEWISTON

36 Mollison Way

Lewiston, ME 04240-5811

207-753-7700 • 1-800-400-6857

**BANGOR** 

106 Hogan Road, Suite 1

Bangor, ME 04401

207-941-4550 • 1-800-400-6856

PORTLAND

207-822-0840 • 1-800-400-6858

CARIBOU

43 Hatch Drive, Suite 110

Caribou, ME 04736-2347

207-498-6428 • 1-800-400-6855

Visit our website at:

www.maine.gov/wcb

Statewide TTY: 711

When calling for assistance, please say the name

be called for you. Please stay on the line.

Tenemos intérpretes a su disposición

favor manténgase en la línea.

Temos intérpretes à sua disposição

chamado. Por favor, aguarde na linha.

Abbiamo intèrpreti disponibili

of your language in English and an interpreter will

Si necesita que le atiendan en español por favor diga

"Spanish" y le conectaremos con un intérprete. Por

Se precisar de atendimento em Português, por favor diga "Portuguese" e um intérprete será prontamente

Se avete bisogno di assistenza in Italiano, Vi preghiamo

di dire "Italian" e un intèrprete sará messo a Vostra

disposizione. Vi preghiamo di rimanere in linea.

Lorsque vous appelez pour demander de l'aide,

prononcez le mot "French" et nous mettrons un

interprète à votre disposition. Prière de rester en ligne

Des interprètes sont à votre disposition

access to, or operation of its programs, services or activitie

WCB-90 (1/20)

MAINE

DEPARTMENT OF

LABOR

company policy or in practice.

special uniforms and certain tools of the trade

including domestic partner;

Organ donation;

**Unfair Agreement** 

n 2 years for

Interpreters Available

1037 Forest Avenue, Suite 11

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

Federal. State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities The Act permits polygraph (a kind of lie detector) tests to be administered

in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in 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

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.

assess civil penalties against violators. Employees or job applicants may

WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.





## **Video Display Terminals**

Education and training MRSA Title §252.

Employee. "Employee" means any person engaged to work on a steady or regular basis as an operator by an employer located or doing business in the Employer, "Employer" means any person,

partnership, firm, association or corporation, public or private that uses 2 or more terminals at one

speak to your supervisor or contact the Bureau of Labor Standards Tel: 1-877-SAFE-345 (1-877-723-3345) FTY users call Maine Relay 711. Web site: www.maine.gov/labor/bl

Ref.: MRSA Title 26 § 42-B

training program must be provided both orally and in writing, except that an employer that uses fewer than 5 terminals at one location may provide the education and training program in writing only. The program must include, at a minimum A. Notification of the rights and duties created

> copy of this subchapter. B. An explanation or description of the proper use of terminals and the protective measure that the operator may take to avoid or minimize symptoms or conditions that may

operation and a description of methods to achieve and maintain this posture, including the use of any adjustable work station equipment used by the operator 2. Literature; clearinghouse. The bureau shall ecommend to employers, for use in education and

Training schedule. Employers shall provide within 30 days of employment and annually

# **CALL 911**

POLICE: **AMBULANCE:** 

PHYSICIAN: **HOSPITAL**: FIRE DEPARTMENT:

**PAY DAY IS ON:** 

■ WEDNESDAY ☐ THURSDAY **PAY SCHEDULE IS:** 

■ MONDAY

☐ TUESDAY

TIME:

□ SEMI MONTHLY

☐ FRIDAY

□ SATURDAY

□ SUNDAY

AND

OF THE MONTH

### Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER

M.R.S.A. § 42-B) requi The Maine Video Display Terminal (VDT) Law gives **LABOR** certain rights to people who use computers for work. This poster is available online at no charge and may be copied.

/ideo Display Terminals MRSA Title 26 §251. Bureau. "Bureau" means the Department of Labor, Bureau of Labor Standards.

Operator. "Operator" means any employee whose primary task is to operate a terminal for more than four consecutive hours, exclusive of breaks, on a daily

Terminal. "Terminal" means any electronic video screen data presentation machine, commonly called

For full text of the statute visit MRSA Title 26 §251, 252. ou have guestions about working safely at the compute

Every employer shall establish an education and training program for all operators as provided in this section.

under this subchapter by posting in a prominent location in the workplace a

result from extended or improper use. Instruction related to the importance of maintaining proper posture during termina

training programs, occupational safety literature that provides appropriate, current and pertinent data or

operators with this education and training program

# **EMERGENCY NUMBERS**

POISON CONTROL: OSHA: **PAY DAY NOTICE** 

□ WEEKLY □ BIWEEKLY ☐ MONTHLY

**PAYCHECKS ARE ISSUED ON THE:** 

(Federal family medical leave is different, call 866-487-9243 for more information.)



## MAINE jobs. The Maine Department of Labor administers the laws, which

all employers must follow. Department representatives inspect workplaces to ensure compliance. Citations and penalties may be all employers must follow. Department representatives inspect issued to employers who do not comply. This poster describes some important parts of the laws. A copy of

the actual laws and formal interpretations may be obtained from the Department of Labor, Bureau of Labor Standards, by calling (207) 623-7900. (The laws are also on the Bureau website.)

Bureau of Labor Standards for details. All minors under 16 years of age need work permits in order to work. Superintendent of schools certify academic standing.

by Bureau of Labor Standards. All employers must keep accurate payroll records for workers under 18. Records must show what time the minor began work

total hours worked, and what time the minor finished work each

Maine Department of Labor Bureau of Labor Standards 45 State House Station Augusta, Maine 04333-0045 Tel: 207-623-7900 or 207-623-7930 TTY users call Maine Relay 711 Website: www.maine.gov/labor/bls

Email: bls.mdol@maine.gov

Ref.: MRSA Title 26 § 839 & 42-B

# **Maine Employment Security Law**

This poster is designed to notify individuals of their rights dministration of the regarding the filing of claims for unemployment benefits. Employment Security Law It does not have the force or effect of law. For more formation, call 1-800-593-7660 toll free otices to its workers.

This poster is available online at no charge and may be copied. **Full- and Part-Time Workers** 

Number. Also, you should have the names and addresses of all employers for whom you worked, and your dates of ployment in the last 18 months. To file online: www.maine.gov/reemployme This is the fastest, easiest way to file

To file by phone: 1-800-593-7660

low to file a claim for unemployment benefits

in filing your claim once you are out of work.

All new and reactivated claims for unemployment benefits

re filed either online, telephone or by mail. **Do not delay** 

When filing, you will need to know your Social Security

LABOR

TTY Users Call Maine Relay 711. Il individuals filing for Unemployment Insurance penefits are required by law to be registered with the Maine JobLink, Visit www.mainecareercenter.gov o access Maine JobLink.

/e provide language interpreter services in

rangements will be made to have an interpreter ssist you when you call the Unemployment Claims Center. o claim by mail: In some cases, your employer will give you a claim form. Mail your initial claim form to Unemployment Claims Center listed below.

**Maine Department of Labor** 97 State House Station, Augusta, ME 04333-0097

Ref.: Maine Rule 12-172 Ch. 2

exiliary aids and services are available to people with disabilities upon request

base pay. An employee is entitled to earn one hour of paid leave from a single employer for every 40 hours worked, up to 40 hours in one year of employment. Accrual of leave begins at the start of employment, but the employer is not required to permit use of the leave before the employee has been employed by that employer for 120 days during a one-year period. **Earned Income Tax Credit** Employees may be eligible for federal and state earned income tax credits. Employees may apply for the tax credits on the employee's income tax return Note: Maine employers may also be covered under the Federal Fair Labor Wage and Hour Office at 866-487-9243.

For more information, contact:

**Bureau of Labor Standards** 

45 State House Station Augusta, Maine 04333-0045

Whistleblower's Protection Act

This poster is available online at no charge and may be copied.

4. You have refused to do something that will endanger your life or someone else's life and you have asked your

It is illegal for your boss to fire you, threaten you, retaliate against you or treat you differently because:

Maine Law (Title 26

M.R.S.A. § 839) require

every employer to

lace this poster in

the workplace where

vorkers can easily see i

**Protection of Employees** 

Who Report or Refuse to

Commit Illegal Acts

This poster describes some important parts of the law. A

copy of the actual law or formal interpretations may be

obtained from the Department of Labor, Bureau of Labor

Standards by calling 207-623-7900. (The laws are also on the

Leave for Victims of Violence, Assault, Sexual Assault or Stalking

Must be allowed upon request if an employee (or a child, parent or spouse of an employee) is a victim of violence, assault, sexual assault

Title 19-A M.R.S.A., c. 101 and the employee needs the time to:

• Prepare for and attend court proceedings; or

Obtain necessary services to remedy crisis.

Receive medical treatment; or

Leave to Care for Family

immediate family member who is ill.

**Earned Paid Leave (Effective 01.01.2021)** 

or stalking or any act that would support an order for protection under

If the employer's policy provides for paid time off, the employee must

be allowed to use up to 40 hours in a 12-month period to care for an

An employer that employs more than 10 employees in the usual and

regular course of business for more than 120 days in any calendar year

shall permit each employee to earn paid leave based on the employee's

located at: 45 Commerce Drive Telephone: 207-623-7900 | TTY users call Maine Relay 711. Email: bls.mdol@maine.gov At-Will Employment - Under Maine law, an at-will employee may be terminated for any reason not specifically prohibited by law. In most instances, you are an at-will employee unless you are covered by a collective bargaining agreement or other contract that limits termination. If you have questions about at-will

The Maine Department of Labor provides equal opportunity in employment and programs. Auxiliary aids and services are available to people with disabilities upon request.

Maine Law (Title 26,

requires every employer

o place this poster in

the workplace where

workers can easily see i

M.R.S.A. § 42-B)

employment, contact your human resources department or the Bureau of Labor

LABOR

. You reported a violation of the law:

employer to correct it; or

You are protected by this law ONLY if:

(This information should be filled in by the employer)

You are a healthcare worker and you reported a medical error;

3. You reported something that risks someone's health or safety:

5. You have been involved in an investigation or hearing held by the government.

2. You have good reason to believe that your boss will not correct the problem

1. You tell your boss about the problem and allow a reasonable time for it to be corrected; or

To report a violation, unsafe condition or practice or an illegal act in your workplace, contact:

FOR DATES OF INJURY ON AND AFTER JANUARY 1, 2020 WORKERS' COMPENSATION

du travail.

**Notice to Employees:** 

vorkers' compensation insurance for its employees.

Workers' compensation insurance provides benefits

State law requires your employer to provide

If you are injured at work, NOTIFY YOUR

EMPLOYER AT ONCE. You may lose your right

to receive benefits unless your employer is notified

subject to a two year statute of limitations. Worker

It is against the law for employers to misclassify

within 60 days of your injury. Your claim is also

Compensation Board to help injured workers.

employees as independent contractors for the

purposes of avoiding workers' compensation

employer paid taxes and withholdings. For more

information on laws pertaining to the hiring of

If you have any questions about your rights

independent contractors, visit the Worker

please contact one of the regional offices.

A l'intention des

D'après les lois de l'Etat du Maine, votre

employeur est tenu de souscrire à une assurance

Misclassification Task Force website at

www.maine.gov/labor/misclass.

**Employes:** 

to employees who are injured at work.

advocates are available at the Workers'

indemnisant ses employés victimes d'un accident

Si vous êtes victime d'un accident du travail,

IMMEDIATEMENT. Passé un délai de 60 jours,

vous risquez de perdre vos droits à l'indemnisation

Au-delà de deux ans, votre déclaration n'est plus

recevable. Pour aider les victimes d'un accident du

travail, le Workers' Compensation Board met des

La loi interdit aux employeurs de classifier

fallacieusement leurs salariés comme étant des

indemnités de chômage, ou aux autres charges et

retenues dues par employeur. Pour plus de détails

sur la législation relative a l'utilisation des services

Misclassification Task Force (Unité anti-fraude en

Si vous n'êtes pas sûr de vos droits, veuillez

La ley del estado de Maine requiere que su

contractants privés aux fins d'échapper a

l'assurance compensatrice-employé, aux

privés, visitez le site internet de Worker

matière de classification des salariés):

contacter l'un des bureaux régionaux.

www.maine.gov/labor/misclass.

**Trabajadores:** 

empresario proporcione el seguro de

Aviso a los

Tłumacze dostępni na życzenie

тесь на линии.

提供口譯服務

要挂斷電話。

ださい。

This poster is available in alternative format. For further assistance, contact the Maine Workers' Compensation Board, ADA Coordinator, telephone: (888) 801-9087 or TTY: 711

Labor Laws of the State of Maine provide protection for people who

workplaces to ensure compliance. Citations and penalties may be

This poster describes some important parts of the laws. A copy of

Department of Labor, Bureau of Labor Standards, by calling

207-623-7900. (The laws are also on the Bureau's web site.)

the actual laws or formal interpretations may be obtained from the

issued to employers who do not comply.

Employees must be paid in full at least every 16 days. Employees must be notified of any decrease in wages or salary at least one day prior to

Employees who leave a job must be paid in full on the next payday or

of accrued vacation pay and/or Earned Paid Leave if established in

Employers cannot require that an employee pay for losses such as

Nursing mothers must be provided with unpaid break time or be

ocation, other than a bathroom, where the milk can be expressed.

Birth or adoption of a child or domestic partner's child;

domestic partner, parent or child is on active duty;

financial arrangements with the worker

permitted to use their paid break or meal time to express milk.

proken merchandise, bad checks, or bills not paid by customers, nor for

Most employees must be offered a 30-minute paid or unpaid rest break

The employer must make reasonable efforts to provide a clean room or

An employee who has worked for the last 12 months at a workplace with

Serious illness of the employee or immediate family member,

Death or serious health condition of the employee's spouse.

domestic partner, parent or child if it occurs while the spouse,

Serious illness or death of a sibling who shares joint living and

within two weeks, whichever is earlier. This may also include the payment

work in Maine. The Maine Department of Labor administers the laws,

which all employers must follow. Department representatives inspect

angielsku "Polish" i czekać na linii.

Aby uzyskać pomoc tłumacze, proszę powiedzieć po

"Когда Вы обращаетесь за помощью по телефону,

пожалуйста скажите, что Вы говорите по-русски

(произнесите "РАШН"), и мы обеспечим Вас переводчиком. После этого, пожалуйста, оставай-

打電話請求幫助時,請用英語說"挾音呢斯"

通訳サービスをご利用いただけます

한국어 통역을 이용하실 수 있습니다.

(CHINESE)- 我們將爲您提供口譯人員。請不

通訳を必要とされる場合は「ジャパニーズ」と

おっしゃり、通訳がでるまでそのままでお待ちく

도움이 필요하여 전화를 거실 때 영어로 코리언

To the employer: This notice must be posted in a conspicuous place upon your premises accessible to employees. 39-A MRSA §406. The State of Maine does not discriminate on the basis of disability in admission to

**Regulation of Employment** 

This poster is available online at no charge and may be copied.

것입니다. 전화를 끊지 마시고 기다리십시오.

(KOREAN)이라고 말씀하시면 통 역자를 연결해 드릴

"К вашим услугам имеются переводчики"

PREVENEZ VOTRE EMPLOYEUR

conseillers juridiques à leur disposition.

compensaciones para el trabajador a todos los

En caso de sufrir accidente o daño laboral,

NOTIFÍQUELO INMEDIATAMENTE A SU

EMPRESARIO. Podría perder el derecho a recibir

notificado de este accidente o daño en el plazo de

compensación a menos que su empresario sea

60 días. Así mismo esta reclamación debe hacer

ocurrido hace más de dos años. Los defensores de

trabajador están disponibles para proporcionar

de Administración de Compensaciones para el

Trabajador (Workers' Compensation Board).

ayuda a los trabajadores accidentados en el Consejo

El hecho de no clasificar a los empleados como

contratistas independientes, con el propósito de

evitar el seguro por compensación al trabajador,

cobertura para desempleados, ú otros impuestos

información acerca de las leyes pertenecientes a la

contratación de contratistas independientes, visite

el Worker Misclassification Task Force en la página

En caso de tener cualquier pregunta sobre sus

derechos, favor de dirigirse a una de las oficinas

regionales de compensaciones para el trabajador.

"Khi gọi điện thoại để được giúp đỡ, xin quý vị hãy

عند إتصالكم للمساعدة أو لطلب خدمة معينة نرجو منكم أن تذكروا

افراد مترجم در دسترس می باشند.

(أ-ز-ب-ك )ونحن سنقدَم لكم مترجما شفهيا . ابقوا على الخط من ﴿

را که بدان صحبت می کنید به انگلیسی ذکر کنید تا

راجع به امري به ما تلفن مي كنيد، لطفأ نام زباني

شما تماس گرفته شود. لطفأ روي خط منتظر بمانيد.

Marka aad caawinaad inoogu soo yeeraneysid, fadhlan

**Maine Law (Title 26** 

every employer to

place this poster in

the workplace where

workers can easily see it

M.R.S.A. § 42-B) requires

luqaddaada af Ingiriisi inoogu sheeg turjubaan ayaa

lguugu yeeri doonaaye. Taleefoonkana ha dhigin

قطع نكنيد. هنگاميكه براي درخواست كمك يا

مترجمون شفهيون متيشرون لخدمتكم

nói "VIETNAMESE" để chúng tôi cho thông dịch

viên giúp quý vị. Xin quý vị chờ trên đường dây.

pagados y retenidos por el empleador; está en

contra de la ley del empleador. Para mayor

web de www.maine.gov/labor/misclass.

"Có Thông Dịch Viên"

با یک مترجم برای

Turiunaanno waa la helavaa

referencia a un accidente o daño que no hava

accidentados en el trabajo.

trabajadores. El seguro de compensaciones para el

trabajador proporciona beneficios a los trabajadores

**Child Labor Laws** Child Labor Laws of the State of Maine provide protection for people under the age of 18 in both agricultural and nonagricultural

This poster is available online at no charge and may be copied.

14 and 15 year olds may work in most businesses, except in occupations declared hazardous and jeopardize their health. well-heing or educational opportunities. 16 and 17 year olds may work in most businesses, however not in hazardous jobs. These provisions also provide limited exemptions. Contact the

· Minor cannot work until permit is approved

Minor allowed only one permit during the school year

Maine employers may also be covered under the Federal Fair Labor Standards Act. For more information, contact the U.S. Department of Labor Wage and Hour Office at 603-666-7716 or http://youth.dol.gov

For more information, contact:

 No more than 6 hours on a school day No more than 10 hours on any holiday, vacation, or On last day of school week, may work up to 8 hours. · No more than 24 hours in a week, except may work 50 hours any week that approved school calendar is less than three days or during the first and last week of school calendar.

Work Hours 14 and 15 year olds

No more than six days in a row.

Not after 7 p.m. during school year

· Cannot work after 9 p.m. during summer vacation.

· No more than 8 hours in any one day (weekend, holiday,

Not more than 40 hours in a week (school must be out

No more than 3 hours on a school day, including Friday.

• Not more than 18 hours in a week that school is in

Cannot work before 7 a.m.

When School Is Not in Session

vacation or workshop)

entire week).

When School Is in Session

session one or more days.

No more than 6 days in a row

When School Is Not in Session

When School Is in Session

holiday, vacation, or workshop)

• No more than 50 hours in a week.

Cannot work before 7 a.m. on a school day

Cannot work before 5 a.m. on a non-school day.

· No more than 10 hours in any one day (weekend,

Cannot work after 10:15 p.m. the night before a school

• Can work up to midnight when there is no school the

uxiliary aids and services are available to people with disabilities upon request.

Earnings during the base period: The "base period" is

a one-year period that includes four calendar quarters.

To establish a claim, an individual must have earned two

times the annual average weekly wage in Maine in each of

two different calendar quarters, and a total of six times the

annual, average, weekly wage in Maine in the whole base

period. In most cases, the Department of Labor has your

will take steps to obtain it.

CareerCenters

your income tax forms

withheld and sent to DHHS.

that employer.

wage information on file. If it is not on file, the Department

Separation: If you were laid off from your last job due to a

lack of work, no additional investigation is required. If you

separated from your last job for reasons other than lack of

work, you will be scheduled for a fact-finding interview. A

Weekly requirements: Weekly eligibility requirements

making an active search for work (unless your work

search has been "waived"), not refusing offers of suitable work or referral to suitable job opportunities from the

Aliens: If you are not a U.S. Citizen, your Social Security

Number and/or your Alien Permit number will be checked

Unemployment benefits are taxable: Unemployment

Child support: If you owe child support that you pay to

the Department of Health and Human Services (DHHS), up

to fifty percent (50%) of your unemployment check may be

Benefits for partial unemployment: An employer shal issue a properly completed partial unemployment claim

form to each employee who is customarily employed

full-time and who is given less than full-time hours during a week due to lack of work, and who is not separated from

benefits are taxable and have to be reported when you file

with the United States Citizenship and Immigration

include being able to work and being available for work,

determination will then be made regarding your eligibility

#### For more information or to file a complaint under this law, contact: The Maine Human Rights Commission 51 State House Station Augusta, Maine 04333 Tel: 207-624-6290 TTY users call Maine Relay 711 www.Maine.gov/mhrc

The following agencies may provide useful information on workplace safety and labor laws: U.S. Department of Labor Maine Department of Labor Wage and Hour Division Bureau of Labor Standards

P.O. Box 554 45 State House Station Portland, Maine 04112 Augusta, Maine 04333-0045 Tel: 207-623-7900 TTY users call Maine Relay 711 www.dol.gov Web site: www.maine.gov/labor/bls U.S. Department of Labor/OSHA

Email: bls.mdol@maine.gov 40 Western Avenue Augusta, Maine 04330 Tel: 207-626-9160 www.osha.gov



THE MAINE HUMAN RIGHTS ACT PROHIBITS SEX DISCRIMINATION

## **SEXUAL HARASSMENT** ON THE JOB IS ILLEGAL

V UNWELCOME SEXUAL ADVANCES

X SUGGESTIVE OR LEWD REMARKS X UNWANTED HUGS, TOUCHES, **KISSES** 

X RETALIATION FOR COMPLAINING ABOUT SEXUAL HARASSMENT

X REQUESTS FOR SEXUAL FAVORS

IF YOU FEEL YOU HAVE BEEN DISCRIMINATED **AGAINST, CONTACT:** MAINE HUMAN RIGHTS COMMISSION

51 STATE HOUSE STATION, AUGUSTA, MAINE 04333-0051

PHONE (207) 624-6290 FAX (207) 624-8729 TTY: MAINE RELAY 711

www.maine.gov/mhrc

OR CONTACT YOUR PERSONNEL

DEPARTMENT:

Ref.: MRSA Title 26 § 807

DEPARTMENT / AGENCY CONTACT Printed under appropriate: 01094H1010012 (10/2012)

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