# 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 Employees may choose, or an employer may require, use of accrued 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 To bond with a child (leave must be taken within 1 year of the

medically necessary or otherwise permitted, employees may take leave

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

 To care for the employee's spouse, child, or parent who has a For the employee's own qualifying serious health condition that 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, opposing any practice made unlawful by the FMLA, or being involved in military member who is the employee's spouse, child, or 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 who works for a covered employer must meet three An employee does not need to use leave in one block. When it is

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

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

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

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

employees of private firms who are reasonably suspected of involvement in

a workplace incident (theft, embezzlement, etc.) that resulted in economic

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

for refusing to take a test or for exercising other rights under the Act.

private individuals engaged in national security-related activities.

pharmaceutical manufacturers, distributors and dispensers.

**Unemployment Insurance Benefits** 

1. File your claim for benefits with the RI Dept. of Labor and Training (DLT) the same

2. File your claim online at www.dlt.ri.gov/ui or by telephone at (401) 415-6772. Visit

www.dlt.ri.gov/ui for hours of operation. For more information, visit www.dlt.ri.gov/ui or

3. Monday is a high-volume telephone day; you may prefer to file your claim later in the

week. You will need your Social Security number and name, address and telephone

numbers of your employers for the last two years. If you are not a U.S. citizen, your

c. Be physically able to work, available for work and actively seeking work, and

You are protected under provisions of the Rhode Island Employment Security Act and

The RI Dept. of Labor and Training offers free employment and training related

2. Resource rooms with a wide range of employment and training resources.

6. Résumé writing seminars to help you create an effective resume and cover letter.

Visit www.dlt.ri.gov to find a Career Center near you. You can also access many

All workers have the right to:

Raise a safety or health concern with

Receive information and training on

substances in your workplace.

job hazards, including all hazardous

Request a confidential OSHA inspection

of your workplace if you believe there are

unsafe or unhealthy conditions. You have

the right to have a representative contact

Participate (or have your representative

30 days (by phone, online or by mail)

if you have been retaliated against for

speak in private to the inspector

• File a complaint with OSHA within

See any OSHA citations issued to

Request copies of your medical

This poster is available free from OSHA.

Contact OSHA. We can help.

records, tests that measure hazards

in the workplace, and the workplace

participate) in an OSHA inspection and

related injury or illness, without being

your employer or OSHA, or report a work-

A safe workplace.

retaliated against.

OSHA on your behalf.

using your rights.

injury and illness log.

your employer.

3. Career counseling and testing to help assess aptitudes and interests.

4. Internet access for employment and training information.

5. Job Search workshops to help you develop interviewing skills

4. To collect unemployment benefits, the law requires that you must:

b. Have earned minimum qualifying wages while you were working,

d. Register for work with the RI Dept. of Labor and Training.

**Employment and Training Services** 

If you become totally/partially unemployed:

call (401) 415-6772.

alien registration number is required.

the Temporary Disability Insurance Act.

If you need help finding a job:

1. Job referral and placement services.

services on the Internet at www.employri.org.

Ref.: Rhode Island General Law §28-44-38;41-15

Department of Labor and Training

services including:

week you are unemployed or working reduced hours.

a. Be unemployed through no fault of your own,

 Work at a location where the employer has at least 50 EMPLOYER RESPONSIBILITIES employees within 75 miles of the employee's worksite. Once an employer becomes aware that an employee's need for leave is \*Special "hours of service" requirements apply to airline flight crew 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, just also provide a notice of rights and responsibilities under the Generally, employees must give 30-days' advance notice of the need FMLA. If the employee is not eligible, the employer must provide a 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 ough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include forming an employer that the employee is or will be unable to

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 may file a complaint with the U.S. Department of Labor, 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 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 leave Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the

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

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

assess civil penalties against violators. Employees or job applicants may

test results disclosed to unauthorized persons.

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER

WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

also bring their own court actions.

**Temporary Disability Insurance Benefits** 

If you have become ill or injured and meet all of the following requirements, you may be

1. You are unemployed due to illness, surgery, or injury for a minimum of seven

3. You have a timely exam: an in-office physical exam the week within the calendar

week in which the first day of unemployment due to sickness occurs or within the

4. You earned enough qualifying wages during the base period to be monetarily

If you are caring for a seriously ill: child, spouse, parent, parent in-law, grandparent,

domestic partner, or you are bonding with a newborn child, adopted child or foster child within the first 12 months of parenting; you may be eligible to receive benefits if

1. You are unemployed because you are caring for a seriously ill family member or

2. You provide the department with the required medical evidence of the seriously ill

family member and your need to care for him/her or the required proof of parent child

Complete a TDI/TCl application. TDI claims must be filed within 90 days of the first week out of work due to illness. The DLT Director may extend this period up to 26

weeks if the individual can show a good medical reason for the delay in filing. TCI

Or call (401) 462-8420, Option #1 to request an application be mailed to you. For

NOTE: You may be entitled to a refund of a portion of your contributions if during the

employer. Information may be obtained regarding a refund by calling (401) 574-8700

or writing to the RI Division of Taxation, Employer Tax Section, One Capitol Hill, Suite

calendar year TDI contributions were deducted from your pay by more than one

claims must be filed within 30 days after the first day of leave is taken for reasons of

bonding or caregiving. TDI/TCI application may be obtained online at www.dlt.ri.gov/tdi.

2. You are under the care of an approved Qualified Health Care Provider,

Who is Eligible for Temporary Caregiver Insurance Benefits?

3. You earned enough in qualifying wages to be monetarily eligible.

more information, visit www.dlt.ri.gov/tdi or call (401) 462-8420.

Job Safety and Health

IT'S THE LAW!

Provide employees a workplace free from

rights under the law, including raising a

health and safety concern with you or

with OSHA, or reporting a work-related

Comply with all applicable OSHA standards.

workplace fatality or within 24 hours of

Provide required training to all workers

Prominently display this poster in the

Post OSHA citations at or near the

place of the alleged violations.

On-Site Consultation services are

programs in every state.

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

available to small and medium-sized

employers, without citation or penalty,

through OSHA-supported consultation

in a language and vocabulary they can

any work-related inpatient hospitalization,

Notify OSHA within 8 hours of a

amputation, or loss of an eye.

recognized hazards. It is illegal to retaliate

against an employee for using any of their

Who is Eligible for TDI Benefits?

calendar week prior or subsequent thereto, and

you meet the following requirements:

relationship for bonding claims, and

36, Providence, RI 02908-5829.

**Employers must:** 

injury or illness.

understand.

bonding with a child,

How to Apply:

consecutive days or more,

For additional information or to file a complaint:

certification is incomplete, it must provide a written notice indicating

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

**EMPLOYEE RIGHTS** 

**EMPLOYEE POLYGRAPH PROTECTION ACT** 

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

**NOTICE TO ALL EMPLOYEES** 

**ENFORCEMENT** 

pre-employment screening or during the course of employment

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

WH1420 REV 04/16

of the State of Rhode Island **Workers' Compensation Insurance Company: Adjusting Company: Policy Effective Date:** 

This employer is subject to the provisions of the

**WORKERS' COMPENSATION ACT** 

In accordance with Rhode Island General Law §28-32-1, the employer must report to the Director of Labor and Training every personal injury sustained by an employee if the injury incapacitates the employee from earning full wages for at least three (3) days or requires medical treatment, regardless of the period of incapacity. If the injury proves fatal, the report must be filed within forty-eight (48) hours. If not fatal, the report shall be made within ten (10)

employee's first visit to any facility under contract or agreement with the employer or insurer to provide priority care shall not be considered the employee's initial choice.

For more information about Workers' Compensation procedures and benefits, call the Education

An injured employee shall have the freedom to choose medical treatment initially. The

Unit at (401) 462-8100 and press option #1 or TDD (401) 462-8006. If you suspect fraud, contact the Fraud Prevention Unit at (401) 462-8100 and press option #7.

In accordance with Rhode Island General Law §28-29-13, this notice must be posted and maintained in conspicuous places where workers are employed. Fines may be imposed for noncompliance.

DWC-8 (6/2020) Ref.: Rhode Island General Law §28-29-13

The Rhode Island Right-To-Know Law

#### **IGNORING THIS POSTER CAN BE HAZARDOUS TO YOUR HEALTH**

Under the Rhode Island Right-To-Know Law, your employer must tell you about the dangers of any hazardous substances in your workplace.

You have a right to know: • the common name or trade names of the substance, including the chemical name;

• the level at which exposure to the substance is hazardous, if known; • the effects and symptoms of exposure at hazardous levels;

• the potential for flammability, explosion, and reactivity of the substance; appropriate emergency treatment; • proper procedures for the safe use of and exposure to the substance;

• procedures for clean-up of leaks and spills

Your employer must provide you with the above information. If he or she has not, make sure you ask about it. **Your company representative is:** 

rights under the Hazardous Substances Right-to-Know Law, contact the R.I. Department of Labor and Training at (401) 462-8570. "Because not knowing about the hazardous substances you work with is the greatest

The Right-To-Know Law was created to protect you. For more information about your

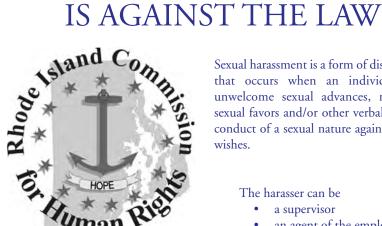
This poster must be displayed in a conspicuous location in the workplace.

Ref.: Rhode Island General Law §28-21-1

DLT-L-47 (Rev. 6/2020)



### SEXUAL HARASSMENT



Sexual harassment is a form of discrimination that occurs when an individual makes unwelcome sexual advances, requests for sexual favors and/or other verbal or physical conduct of a sexual nature against her or his

> The harasser can be • a supervisor

> > • a non-employee

• the same sex as the victim

and to individuals who aid and abet an

unlawful employment practice.

• an agent of the employer • a supervisor in another area • a co-worker Sexual harassment occurs when

submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably terferes with an individual's work performance or creates an intimidating, hostile, or offensive

Sexual harassment is a violation of

state and federal laws.

The prohibition against sexual harassment does not only apply to employers. It also applies to labor organizations, employment agencies, work environment.

Report incidents of harassment to:

If you believe you are or have been the

victim of sexual harassment, contact:

RHODE ISLAND COMMISSION

FOR HUMAN RIGHTS 180 Westminster Street, Third Floor Providence, RI 02903 401-222-2661 TDD: 401-222-2664 Fax: 401-222-2616 www.richr.ri.gov

#### NOTICE OF RIGHT TO BE FREE FROM DISCRIMINATION BECAUSE OF PREGNANCY, CHILDBIRTH AND RELATED CONDITIONS

State law protects employees and applicants from discrimination based on pregnancy, childbirth and related conditions. Federal law provides similar protections

imployees and applicants have the right under state law to request a reasonable accommodation for conditions related to pregnancy, childbirth and related conditions such as the need to express breast milk for a nursing child. This workplace may not:

> hardship on this employer's enterprise, business or program; require you to take a leave if another reasonable accommodation can be granted; deny you employment opportunities based on a refusal to provide a reasonable

> refuse to grant you the reasonable accommodation unless it would create an undue

If you want to request a reasonable accommodation, or if you have been discriminated against based on pregnancy, childbirth or related condition, please contact one of the following staff members:

Phone Number Email address

If you have been the victim of discrimination based on pregnancy, childbirth or related conditions and/or denial of a reasonable accommodation, contact **Rhode Island Commission for Human Rights** 180 Westminster Street, 3rd Floor Providence, RI 02903

(401) 222-2661 TTY: 401-222-2664 RICHR/July 2015 www.richr. ri.gov

### **HEALTHY AND SAFE FAMILIES and WORKPLACES ACT**

Pursuant to RI General Law §28-57, you are entitled to sick and safe leave to address your own health and safety needs as well as those of your family. This leave may or may not be paid depending on the size of your employer and other factors as detailed in the law. Visit www.dlt.ri.gov/wrs or call (401) 462-WAGE (9243) for more information.

### 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

Attention Employees

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

Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based or

per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combiner

with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the

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

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

**MINIMUM WAGE - RHODE ISLAND** 

Effective October 1, 2020

**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.

ADDITIONAL

THIS LAW PROVIDES..... **HOURLY MINIMUM WAGE FOR ALL EMPLOYEES** 

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

restrictions. Different rules apply in agricultural employment.

EXCEPT: Full time students under 19 years of age working in a non-profit religious, educational, librarial or community services organization. Minors 14 and 15 years of age working not more than 24 hours in a week

Employees receiving gratuities (as of Jan. 1, 2017): OVERTIME PAY - At least 1 1/2 times your regular rate of pay for all hours worked over 40 in any one work week. Note: The law contains exemptions from the minimum wage and/or overtime pay requirements for certain occupations or establishments

\*Learners and Handicapped workers may be paid less than the applicable minimum but only under certificate issued at the discretion of the Director of Labor and Training. MANDATORY NURSE OVERTIME - Pursuant to RI Law \$23-17.20-1 et. seq., a hospital may not require ertain nurses and certified nurse assistants to work overtime except in an unforeseeable emergent circumstance

MINIMUM SHIFT HOURS - Employees requested or permitted to report for duty at the beginning of a work shift must be provided with 3 hours work or 3 hours wages. Retail establishment employees must be provided with CHILD LABOR - Employees must be at least 16 years old to work in most nonfarm jobs and 18 to work in nonfarm jobs declared hazardous by the U.S. Secretary of Labor, Youths 14 and 15 may work, with a special permi

issued by local school officials, in various jobs outside school hours under certain conditions. Different rules apply

**ENFORCEMENT** - The Rhode Island Dept. of Labor and Training (DLT) may bring criminal action against any employer who pays substandard wages to an employee and seek, upon conviction, a penalty up to \$500.00 and/or imprisonment of up to 90 days. Each week an employer fails to pay the applicable minimum wage constitutes a separate violation.

Any employer who hinders or delays the DLT Director or authorized representative in the performance of duties in the enforcement of the law; refuses to admit the Director or said representative to any place of employment; fails to make, keep, and preserve, any records as required; falsifies any such record; refuses to make such record accessible to the Director or said representative upon demand; or refuses to furnish a sworn statement of such record or any

> THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES CAN READILY SEE IT.

For more information on the Rhode Island Minimum Wage Law Call (401) 462-WAGE (9243) or visit www.dlt.ri.gov/ls Labor Standards Unit

Rhode Island Department of Labor and Training

DLT is an equal opportunity employer/program, auxiliary aids and services are available on request to individuals with disabilities. TTY via RI Relay 711

#### - NOTICE TO EMPLOYEES -

#### **Rhode Island Parental & Family Medical Leave Act** This notice is to provide you with information on the Rhode Island Parental & Family Medical Leave Act, which requires that employers of 50 or more employees grant an unpaid leave of absence.

upon the request of an eligible employee, for 13 consecutive weeks in any two calendar years, under certain conditions. Employees Eligible request, which certification shall specify the probable duration **Return From Leave** 

Employees are eligible to apply for leave if they are full-time employees who work an average of 30 hours a week or more and have been employed continuously for at least 12 months.

Purpose of Leave The leave required to be provided under the Act must be for one or more of the following reasons: Birth of a child of an employee 2. Placement of a child 16 years of age or less with an

Ref.: Rhode Island General Law §28-12-11

employee in connection with the adoption of such child by the 3. "Serious illness" of the employee or the employee's parent, spouse, child, mother-in-law, or father-in- law. (Serious Illness is defined to mean a disabling physical or mental illness, injury, mpairment or condition that involves in-patient care in a hospital, nursing home, or hospice, or out-patient care requiring

continuing treatment or supervision by a health care provider). Requests for Leave In order to be entitled to the leave, the employee must give at least 30 days notice of the intended date upon which the requested leave is to commence and terminate, unless prevented by medical emergency from doing so. Employees may be requested to provide written certification from a

physician caring for the person who is the reason for the leave Ref.: Rhode Island General Law §28-48-10

An employee who has been employed for 12 consecutive months is entitled to 10 hours of leave during any 12 month period to attend school conferences or other school-related activities for a child of whom the employee is the parent, foster parent, or quardian. A notice of 24 hours prior to the leave must be given to the employer by the employee. The leave is not required to be paid; except an employee may substitute any

accrued paid vacation leave or other appropriate paid leave.

Use of Sick Leave by Adoptive Parent Any employer who allows sick time or sick leave of an employee to be used after the birth of a child shall allow the same time to be used for the placement of a child 16 years of age or less with an employee in connection with the adoption of the child by the employee Continuation of Health Benefits

Prior to the commencement of leave, the employee must pay his employer a sum equal to the premium required to maintain the employee's health benefits in force during the period of leave, which sum is required to be returned to the employee within 10 days following return to work.

benefits, pay and other terms and conditions of employment, including all fringe benefits and service credits that the

The Act makes it unlawful for any employer to interface with, restrain, or deny employees the rights provided under the Act. Any discrimination or disciplinary action taken against an employee for exercising his rights under the Act, or for opposing any practice made unlawful by the Act, is also prohibited.

action brought by an employee, (2) by a complaint filed with the Director of Labor and Training of the State of Rhode Island. Civil penalties are provided for violations of the Act or any order issued by the Director of Labor and Training

Department of Labor and Training RHODE ISLAND



**Prevailing** Wage **Overtime** 

**Proper Pay** 

Apprentice rates apply only to apprentices properly registered under approved State apprenticeship programs.

If you do not receive proper pay, you may file a complaint with the RI Department of Labor and Training and your claim will be investigated by the department. You may contact the Prevailing Wage Division at (401) 462-8580, option # 7 for additional information. In addition, please note that RI Law 37-13-17 also provides for a private right of action to collect wages and benefits.

TTY via RI Relay 711 • Equal Opportunity Employer/Program • Auxiliary aids and services are available upon request.

State and Federal laws prohibit harassment and discrimination in hiring, terms and conditions, promotion, discharge, salary, benefits, and other aspects of employment based on race, color, religion, ancestral origin, sex, sexual orientation\*, gender identity or Sland Com expression\*, physical or mental disability or age (over 40). \*State only

State law also prohibits employers from asking applicants about arrest records, and makes it unlawful to ask about convictions until at or after a first interview (with certain exceptions).

You have the right to a workplace free of harassment and discrimination.

Report incidents of harassment and discrimination to the Commission for Human Rights and the company representative named below:

180 Westminster Stree Third Floor Providence, RI 02903 401-222-2661 TDD: 401-222-2664 www.richr.ri.gov

**Rhode Island** 

Commission for Human Rights

### **Labor and Labor Relations**

**CHAPTER 28-50 SECTION 28-50-3** 

§ 28-50-3 Protection - An employer shall not discharge, threaten, or otherwise discriminate against an employee regarding the employee's compensation, terms, conditions,

(1) Because the employee, or a person acting on behalf of the employee, reports or is about to report to a public body, verbally or in writing, a violation which the employee tnows or reasonably believes has occurred or is about to occur, of a law or regulation or rule promulgated under the law of this state, a political subdivision of this state, or the United

(2) Because an employee is requested by a public body to participate in an investigation, hearing, or inquiry held by that public body, or a court action, or (3) Because an employee refuses to violate or assist in violating federal, state or local law, rule or regulation, or

(4) Because the employee reports verbally or in writing to the employer or to the employee's supervisor a violation, which the employee knows or reasonably believes has

occurred or is about to occur, of a law or regulation or rule promulgated under the laws of this state, a political subdivision of this state, or the United States, unless the employee knows or has reason to know that the report is false. Provided, that if the report is verbally made, the employee must establish by clear and convincing evidence that the report was

Equal Employment Opportunity is **THE LAW** Private Employers, State and Local Governments, Educational Institutions, Emp

Title VII of the Civil Rights Act of 1964, as amended, protects inge benefits, job training, classification, referral, and other aspects of employment, on the bas

isability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability with a disability who is an applicant or employee, barring undue hardship. pased on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

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 iscrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and litle II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic tion in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also estricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information

bout genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical istory); and requests for or receipt of genetic services by applicants, employees, or their family members. ll of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a ion proceeding, or otherwise opposes an unlawful employment practice WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED

ne U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for ndividuals with hearing impairments). EEOC field office information is available at www.eeoc.gov or in most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at EEOC 9/02 and OFCCP 8/08 Versions Useable With 11/09 Supplement

not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is ar DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS

20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at OFCCP-Public@dol.gov, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government. Department of Labor. RACE, COLOR, NATIONAL ORIGIN, SEX

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\$11.50

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.

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

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

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.

special provisions apply to workers in American Saniba, the Commonwealth of the North Islands, and the Commonwealth of Puerto Rico. Some state laws provide greater employee protections; employers must comply with both

and correctly classified independent contractors are not.

Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Marian

as of 10/1/20\$10.35

\$8.63

DLT - L - 58 (Rev.10/20)

Employees who are granted leave under the Act are entitled to be restored to the position held when the leave commenced, or to a position with equivalent seniority, status, employment

employee had been entitled to at the commencement of the **Prohibited Acts** 

Alleged violations of the Act may be complained of (1) in a civil





**Working on State or Municipal Financed Construction Projects?** You must not be paid less than the Davis Bacon wage rate for each trade listed on the Wage Determination schedule posted with this Overtime rate applies when working over 8 hours a day or 40 hours a week.

Rhode Island Department of Labor and Training John O. Pastore Center 1511 Pontiac Avenue, Cranston RI 02920-4407

DLT-L-39 Rev. 06/2020

# DISCRIMINATION IS ILLEGAL

WE ARE AN EQUAL OPPORTUNITY EMPLOYER

# **TITLE 28**

The Rhode Island Whistleblowers' Protection Act

States, unless the employee knows or has reason to know that the report is false, or

pyment Agencies and Labor Organizations	Employers Holding Federal Contracts or Subcontracts
ational institutions, employment agencies and labor on on the following bases:	Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from di on the following bases:
discrimination in hiring, promotion, discharge, pay, asis of race, color, religion, sex (including pregnancy), ployee's religious practices where the accommodation	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 require 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

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination and requires affirmativ 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), Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise oppose discrimination under these Federal laws.

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 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.