

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 care for a child placed with a child for adoption or foster care.
- 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 employer's job.
- For the employee's own military service or the military member who is the employee's spouse, child, or parent.

BENEFITS PROTECTION
While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave. Employees who return from FMLA leave, and employees must be restored to the same or an equivalent position with equivalent pay, benefits, and other employment terms and conditions.

EMPLOYER RESPONSIBILITIES
An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave. An employer may not require an employee to use FMLA leave if the employee is not eligible for FMLA leave, or if the employee is not using FMLA leave for a reason for which FMLA leave was previously taken or certified. Employers can require a certification or 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.

EMPLOYER RESPONSIBILITIES
Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must provide a written notice to the employee of the FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA.

ENFORCEMENT
Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may file a private lawsuit against an employer. The FMLA does not affect any federal or state law prohibiting discrimination or disparate impact on the basis of race, sex, or other protected characteristics.

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

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
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 (lie kind of the detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers.

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.

The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.

EXAMINEE RIGHTS
Where 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.

Department of Economic Opportunity
Division of Workforce Services
Reemployment Assistance Program
1-800-304-2418
www.floridajobs.org

This notice must be posted in accordance with Section 443.151(1) Florida Statutes, of the Florida Reemployment Assistance Program Law.
Ref.: Florida Statute 443.151

FLORIDA LAW PROHIBITS DISCRIMINATION

BASED ON:
RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN, DISABILITY, AGE, PREGNANCY OR MARITAL STATUS.

WHAT IS COVERED UNDER THE LAW:

- EMPLOYMENT
- PUBLIC ACCOMMODATIONS
- RETALIATION AFTER FILING A CLAIM
- STATE EMPLOYEE WHISTLE-BLOWER RETALIATION

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

FLORIDA COMMISSION ON HUMAN RELATIONS
4075 Esplanade Way, Suite 110
Tallahassee, Florida 32399
<http://FCHR.state.fl.us>
Phone: (850) 488-7082
Voice Messaging 1-800-342-8170

LA LEY DE LA FLORIDA PROHIBE DISCRIMINACIÓN

BASADA EN:
RAZA, COLOR, RELIGIÓN, SEXO, ORIGEN NACIONAL, INCAPACIDAD, EDAD, EMBARAZO, O ESTADO CIVIL.

LO QUE ESTÁ CUBIERTO BAJO LA LEY:

- EMPLEO
- LUGARES DE ACOMODO PÚBLICO
- ACCIÓN VENGATIVA DESPUES DE PRESENTAR UNA QUEJA
- ACCIÓN VENGATIVA EN CONTRA DE PRESENTAR UNA QUEJA BAJO LA LEY DE "SOPLÓN" (WHISTLE-BLOWER)

¡Si usted siente que ha sido discriminado, visite nuestra página web o llámenos!

LA COMISIÓN DE RELACIONES HUMANAS DE LA FLORIDA
4075 Esplanade Way, Suite 110
Tallahassee, Florida 32399
<http://FCHR.state.fl.us>
Teléfono: (850) 488-7082
Correo de Voz: 1-800-342-8170

Ref.: Florida Statute 760.10

To Employees:

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

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

You may be eligible to receive reemployment assistance benefits if you meet the following requirements:

- You must be totally or partially unemployed through no fault of your own.
- You must apply for benefits at <https://connect.myflorida.com>.
- You must register for work at www.employflorida.com.
- You must have a history of sufficient employment and wages.
- You must be **able to work and available for work.**

You may file a claim for partial unemployment for any week you work less than full time due to lack of work if your wages during that week are less than your weekly benefit amount.

You must report all earnings while claiming benefits. Failure to do so is a third-degree felony with a maximum penalty of 5 years imprisonment and a \$5,000 fine.

Discharges related to misconduct connected with work may result in disqualification with a penalty period **AND** remain in effect until a set amount of wages have been earned with new employment.

Voluntarily quitting a job without good cause attributable to the employer may result in disqualification until a set amount of wages have been earned with new employment.

If you have any questions regarding reemployment assistance benefits, contact the Department of Economic Opportunity, Reemployment Assistance Program at:

Department of Economic Opportunity
Division of Workforce Services
Reemployment Assistance Program
1-800-304-2418
www.floridajobs.org

This notice must be posted in accordance with Section 443.151(1) Florida Statutes, of the Florida Reemployment Assistance Program Law.
Ref.: Florida Statute 443.151

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 1 1/2 times the regular rate of pay for all hours worked over 40 in a workweek.

CHILD LABOR
An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youthful 14 and 15 year old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hour restrictions. Different rules apply in agricultural employment.

TIP CREDIT
Employees of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employees must pay tipped employees a cash wage of at least \$2.13 per hour if they claim the credit against their minimum wage obligation. If an employer's tip 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. The employer must provide a break for the nursing mother 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 to equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may initiate and/or enforcement proceedings. Employees may file a complaint and may proceed for each violation or repeated violation of the minimum wage or overtime provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. High maximum money penalties.

ADDITIONAL INFORMATION
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 for employee protections, employees must comply with both. Some employers may be required to provide an "Independent Contractor" when they are actually employees under the FLSA. It is important to know the difference between the two because 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.

U.S. DEPARTMENT OF LABOR
WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR
1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov

NOTICE TO EMPLOYEES MINIMUM WAGE IN FLORIDA

\$11.00 PER HOUR

Effective September 30, 2022, the Florida minimum wage will be \$11.00 per hour, with a minimum wage of at least \$7.98 per hour for tipped employees, in addition to tips, through September 29, 2023.

On November 3, 2020, Florida voters approved a state constitutional amendment to gradually increase the state's minimum wage each year until reaching \$15.00 per hour on September 30, 2026. On September 30, 2022, Florida's minimum wage will increase to \$11.00 per hour. Each year thereafter, Florida's minimum wage will increase by \$1.00 until the minimum wage reaches \$15.00 per hour on September 30, 2026. Resuming in 2027, the minimum wage will be adjusted annually for inflation.

An employer may not retaliate against an employee for exercising his or her right to receive the minimum wage. Rights protected by the State of Florida Constitution include the right to:

- File a complaint about an employer's alleged noncompliance with lawful minimum wage requirements.
- Inform any person about an employer's alleged noncompliance with lawful minimum wage requirements.
- Inform any person of his or her potential rights under Section 24, Article X of the State Constitution and to assist the individual in asserting such rights.

An employee who has not received the lawful minimum wage after notifying his or her employer and giving the employer 15 days to resolve any claims for unpaid wages may bring a civil action in a court of law against an employer to recover back wages plus damages and attorney's fees.

An employer found liable for intentionally violating minimum wage requirements is subject to a fine of \$1,000 per violation, payable to the State. The Attorney General, or other official designated by the Legislature, may bring a civil action to enforce the minimum wage.

For additional details, see Section 24, Article X of the State of Florida Constitution, and section 448.110, Florida Statutes.

Employer Notice Requirements For Workers' Compensation

Employers who carry workers' compensation coverage: Obtain the information sticker from your insurance carrier and affix it to the "WORKERS' COMP WORKS FOR YOU" posting below.

Employers who do not carry workers' compensation coverage: An employer who employs fewer than four employees, who is permitted by law to elect not to secure payment of compensation under this chapter, and who elects not to do so shall post clear written notice in a conspicuous location at each worksite directed to all employees and other persons performing services at the worksite of their lack of entitlement to benefits under this chapter. (Florida Statutes, Section 440.055)

Job Safety and Health IT'S THE LAW!

U.S. Department of Labor Occupational Safety and Health Administration

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 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.

Employers must:

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

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

This poster is available free from OSHA.

Contact OSHA. We can help.

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

Workers' Comp Works For You

If you are injured on the job:

- Notify your employer immediately to get the name of an approved physician. Workers' comp insurance may not pay the medical bills if you don't report your injury promptly to your employer.
- Notify the doctor and medical staff that you were injured on the job so that bills may be properly filed.
- If you have any problems with your claim or suffer excessive delays in treatment, contact the State of Florida's Division of Workers' Compensation at 1-800-342-1741.

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

69L-6.007, F.A.C. Compensation Notice DFS-F4-1548
Revised March 2010 (Fraud reporting link updated May 2021)

PLACE INSURER INFORMATION STICKER HERE

PAY DAY NOTICE

PAY DAY IS ON:

MONDAY FRIDAY
 TUESDAY SATURDAY
 WEDNESDAY SUNDAY
 THURSDAY

PAY SCHEDULE IS:

WEEKLY SEMI MONTHLY
 BIWEEKLY MONTHLY

PAYCHECKS ARE ISSUED ON THE: _____ **AND** _____ **OF THE MONTH**

AT: _____
TIME: _____

Know Your Rights: Workplace Discrimination is Illegal

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

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

What Organizations are Covered?
- All private employers
- State and local governments (see employees)
- Educational institutions (see employees)

What Types of Employment Discrimination are Illegal?
- Age (40 and over)
- Race
- Color
- Religion
- National origin
- Sex (including pregnancy and related conditions, sexual orientation, or gender identity)
- Disability
- Genetic information (including employer requests for a genetic test, or disclosure of genetic test results, genetic services, or family medical history)
- Information for being a charge, receipt, receipt, discrimination, or participation in a discrimination lawsuit, investigation, or proceeding
- Whistleblower retaliation
- Whistleblower retaliation

What Types of Employment Discrimination are Illegal?
- Harassment (including offensive verbal or physical conduct, slurs, or threats)
- Retaliation
- Pay (unlawful wage or compensation)
- Pregnancy (including reasonable accommodations for a disability or a pregnancy-related health, observation or practice)
- Job training
- Classification
- Recruiting or hiring practices (including information of employees)
- Changing or changing general information of employees
- Discharge or discharge (including information of employees)
- Promotion
- Pay (including wage or compensation)
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