Labor laws change frequently. Contact your distributor to ensure that you are in full compliance with required State and Federal posting requirements at least once a year.

#### **EEOC - EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW**

#### **EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW**

PRIVATE EMPLOYERS, STATE AND LOCAL GOVERNMENTS, EDUCATIONAL INSTITUTIONS, **EMPLOYMENT AGENCIES AND LABOR ORGANIZATIONS** 

Applicants to and employees of most private employers, state and local governments, educational institutions,

employment agencies and labor organizations are protected under Federal law from discrimination on the following bases: RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN Title VII of the Civil Rights GENETICS Title II of the Genetic Information Nondiscrimination Act of 2008 Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose

NEBRASKA

**DISABILITY** Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship. AGE The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. **SEX (WAGES)** In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment.

> **EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS** Applicants to and employees of companies with a Federal government contract or subcontract are protected

RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, individuals with disabilities at all levels of employment, including the NATIONAL ORIGIN Executive Order 11246, as amended, prohibits employment discrimination based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment. **PAY SECRECY** Executive Order 11246, as amended, protects applicants and employees from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants

**INDIVIDUALS WITH DISABILITIES** Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified

under Federal law from discrimination on the following bases:

charge filing, is available at www.eeoc.gov.

executive level. **PROTECTED VETERANS** The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans. **RETALIATION** Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these Federal laws. Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately: The Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at OFCCP-Public@dol.gov, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor. If you believe that you have experienced discrimination contact OFCCP: 1-800-397-6251 | TTY 1-877-889-5627 | www.dol.gov.

protects applicants and employees from discrimination based on genetic

information in hiring, promotion, discharge, pay, fringe benefits, job training,

classification, referral, and other aspects of employment. GINA also restricts

employers' acquisition of genetic information and strictly limits disclosure of

genetic information. Genetic information includes information about genetic

tests of applicants, employees, or their family members; the manifestation of

requests for or receipt of genetic services by applicants, employees, or their

retaliating against a person who files a charge of discrimination, participates

WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED There

preserve the ability of EEOC to act on your behalf and to protect your right

to file a private lawsuit, should you ultimately need to, you should contact

EEOC promptly when discrimination is suspected: The U.S. Equal Employment

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

are strict time limits for filing charges of employment discrimination. To

diseases or disorders in family members (family medical history); and

**RETALIATION** All of these Federal laws prohibit covered entities from

in a discrimination proceeding, or otherwise opposes an unlawful

Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or

1-800-669-6820 (toll-free TTY number for individuals with hearing

#### PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE Federal financial assistance.

RACE, COLOR, NATIONAL ORIGIN, SEX In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on institution which receives Federal financial assistance, you should the basis of sex in educational programs or activities which receive EEOC 9/02 and OFCCP 8/08 Versions Useable With 11/09 Supplement

**INDIVIDUALS WITH DISABILITIES** Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job. If you believe you have been discriminated against in a program of any immediately contact the Federal agency providing such assistance. Mandatory Supplement to EEOC P/E-1(Revised 11/09) "EEO is the Law" Poster

#### FEDERAL MINIMUM WAGE

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT FEDERAL MINIMUM WAGE \$7.25 PER HOUR BEGINNING JULY 24, 2009

## can readily see it.

**OVERTIME PAY** At least 1 ½ times your regular rate of pay for all hours worked over 40 in a workweek. **CHILD LABOR** An employee must be at least 16 years old to work in

most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment. TIP CREDIT Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by

their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference **NURSING MOTHERS** The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA's overtime requirements in order for the employee to express breast milk for her nursing child for one year after the child's birth each time such employee has a need to express breast milk. Employers are also required to provide a place, other than a bathroom, that is shielded from view and

**ENFORCEMENT** The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money

free from intrusion from coworkers and the public, which may be used

by the employee to express breast milk.

overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA. **ADDITIONAL INFORMATION** 

 Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions. Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico. Some state laws provide greater employee protections; employers

must comply with both. Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not.

 Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor. WAGE AND HOUR DIVISION



illnesses or injuries.

**ENFORCEMENT** 



# **USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT**

• If you leave your job to perform military service, you have the right to

• Even if you don't elect to continue coverage during your military service,

you have the right to be reinstated in your employer's health plan when

you are reemployed, generally without any waiting periods or exclusions

(e.g., pre-existing condition exclusions) except for service-connected

http://www.dol.gov/vets. An interactive online USERRA Advisor can be

may request that your case be referred to the Department of Justice or

You may also bypass the VETS process and bring a civil action against an

The rights listed here may vary depending on the circumstances. This

notice was prepared by VETS, and may be viewed on the internet at this

Federal law requires employers to notify employees of their rights under

you and your dependents for up to 24 months while in the military.

• The U.S. Department of Labor, Veterans Employment and Training

Service (VETS) is authorized to investigate and resolve complaints of

• For assistance in filing a complaint, or for any other information on USERRA, contact VETS at **1-866-4-USA-DOL** or visit its web site at:

• If you file a complaint with VETS and VETS is unable to resolve it, you

the Office of Special Counsel, as applicable, for representation.

address: http://www.dol.gov/vets/programs/userra/poster.htm.

viewed at: http://www.dol.gov/elaws/userra.htm.

elect to continue your existing employer-based health plan coverage for

THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

of the uniformed services, and applicants to the uniformed services.

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

REEMPLOYMENT RIGHTS You have the right to be reemployed in your HEALTH INSURANCE PROTECTION civilian job if you leave that job to perform service in the uniformed service • you ensure that your employer receives advance written or verbal

notice of your service; you have five years or less of cumulative service in the uniformed services while with that particular employer; you return to work or apply for reemployment in a timely manner after conclusion of service; and you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

f you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job. RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

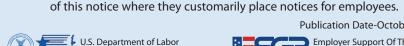
are a past or present member of the uniformed service; have applied for membership in the uniformed service; or are obligated to serve in the uniformed service; then an employer may not deny you: initial employment; reemployment; retention in employment;

any benefit of employment because of this status. In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no USERRA, and employers may meet this requirement by displaying the text service connection.













employer for violations of USERRA.



Publication Date-October 2008 Employer Support Of The Guard And Reserve 1-800-336-4590

## OSHA - THE OCCUPATIONAL SAFETY AND HEALTH ACT



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

## All workers have the right to:

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

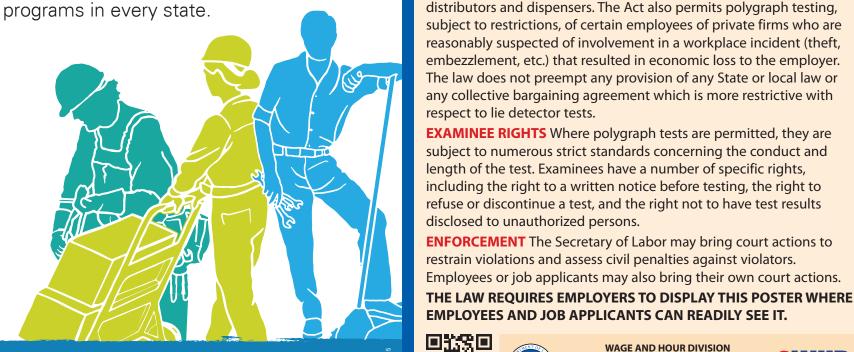
Contact OSHA. We can help.

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

# **Employers must:**

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

FREE ASSISTANCE to identify and correct hazards is available to small and mediumsized employers, without citation or penalty, through OSHA-supported consultation



#### **UNEMPLOYMENT INSURANCE**

#### **UNEMPLOYMENT INSURANCE ADVISEMENT OF BENEFIT RIGHTS** Unemployment Claims may be filed via the Internet at dol.nebraska.gov TITLE 219 - DEPARTMENT OF LABOR CHAPTER 2 - CLAIMS FOR BENEFITS

**001.** This chapter is adopted pursuant to Neb. Rev. Stat. §48-628, 48-627, 48-629, and 48-607. **002.** A. Any individual who wants to make a claim for unemployment benefits shall file an application for benefits by electronic media through the Nebraska Department of Labor Claims Center. The individual shall provide such information as required on the application. Each application shall be signed by electronic signature or handwritten on a form

prescribed by the Commissioner. B. In addition to completing and filing an initial application for benefits, a claimant shall register for work with the appropriate Department office unless this requirement is waived pursuant to 219 NAC 4(004). The initial application for

benefits may serve as registration for work with an employment office by way of common data automatically shared and made accessible to the Nebraska employment service program.

C. The initial application for benefits shall be effective Sunday of the week in which the applicant files an application with the Department. The Commissioner, for good cause, may establish a different effective date. D. A week shall be deemed to be in, within, or during that benefit year which includes the greater part of such week. **003. A.** A separate claim for benefits shall be made for each week of unemployment by a method of claiming as prescribed by the Commissioner.

B. An individual shall be ineligible for benefits for any week for which the individual fails to demonstrate that the

individual engaged in an active and earnest search for work as required under 219 NAC 4(002). C. If prescribed by the Commissioner, a claim form will be mailed by the Department and shall be completed by the claimant and returned to and received by the Department within ten days of the later of the date mailed or the week ending date which will be stated on the form. A claimant who fails to timely return the claim form shall be ineligible for that week's benefits unless good cause for the late return can be shown. If found ineligible, such applicant shall also be ineligible for benefits for any intervening weeks until the week in which the claim form is returned, regardless of cause. D. An electronic media claim transaction shall be completed by the claimant and received by the Department by the

Friday following the most recent week ending date. The failure of a claimant to timely complete an electronic media transaction shall be the basis for a denial of that week's benefits unless good cause for the late transaction can be shown. Any intervening weeks until the week in which the transaction was completed and received by the Department shall also be denied, regardless of cause.

E. A claim for benefits shall be filed for waiting week credit even though benefits are not payable for that week. **F.** A claim for benefits shall be filed for each week of eligibility during the time an applicant is awaiting the results of an appeal hearing if the applicant intends to claim benefits during that time period.

**004.** The Department may direct a claimant to contact one of its offices to meet eligibility or other reporting requirements, or to provide other information as needed in the administration of Nebraska Employment Security Law. Unless good cause is shown, failure to contact the office as directed may result in the denial of benefits beginning with the week the claimant was scheduled to report and ending the Saturday prior to the week in which he/she reports to

005. In the event that wage information cannot be obtained from an employer, the Department may request that such information be provided by the claimant. The claimant may be required to provide payroll check stubs, W-2's, or other reliable information corroborating the amount of wages stated by the claimant. A failure by the claimant to comply with such a request by the due date on the form shall cause the claim to be processed without the requested wages and may result in a denial of benefits until the week in which the information regarding requested wages is received by

**006.** In the event of a major disaster declared by both the Governor of the State of Nebraska and the President, the Commissioner may permit backdating of the effective date of unemployment insurance claims to agree with the effective date of the federal disaster period. **007.** Each worker engaged in employment covered by the Nebraska Employment Security Law, including service covered

by election of an employer, shall procure a federal social security account number and furnish that number to every employer for whom that worker performs covered employment. 008. Weeks of disqualification assessed pursuant to Neb. Rev. Stat. §48-628 and reductions in benefits determined

pursuant to Neb. Rev. Stat. §48-626 shall be determined in accordance with the number of weeks of disqualification in effect on the applicable date of the most recently filed initial, transitional or additional claim. TITLE 219 - DEPARTMENT OF LABOR

#### CHAPTER 4 - CLAIMANT'S AVAILABILITY / WORK SEARCH REQUIREMENTS

001. This chapter is adopted pursuant to Neb. Rev. Stat. §48-607, 48-627 and 48-628. **002.** A. A claimant attached to a Nebraska job market shall be referred to an employment services office established in accordance with Neb. Rev. Stat. §48-662 or the employment services' web application for reemployment services unless the waiver provisions of 219 NAC 4 §005 are met. Claimants not attached to a Nebraska job market shall register with the employment service office of the state of their residence unless the waiver provisions of 219 NAC 4 §005 are met. B. Unless the waiver provisions of 219 NAC 4 §005 are met, each claimant attached to a Nebraska job market shall be required to register for work and create a resume in the employment services' web application in order to become

C. A claimant will also be required to make an active and earnest search for work that is reasonably calculated to result in the earliest possible reemployment of the claimant. The search shall include for each week of benefits, at least two contacts with employers in person, by mail or by telephone or other electronic media. A claimant attached to a Nebraska job market shall record each week's work search effort in an electronic web application maintained by the Department of Labor as the Commissioner of Labor shall direct. Claimants not attached to a Nebraska job market shall record each week's work search effort in such manner as the Commissioner of Labor shall direct. A failure to record the work search effort will be considered a failure to report as directed, and subject to applicable administrative penalty for each week. D. Electronic notifications by the employment services web application of job openings matching up with the job skills described in the claimant's resume in the employment services' web application shall be considered as a direction by the

Commissioner to apply for available, suitable work within the meaning of Neb. Rev. Stat. §48-628(3). E. Eligibility for benefits of claimants seeking only part-time work is established in Neb. Rev. Stat. §48-627 **003.** A claimant who has drawn benefits for over six weeks will be required to expand the scope of the job search regarding acceptable hours, wages, conditions, location, and type of work.

**004.** A claimant who is unavailable for employment or physically unable to work for any reason for four days of any week shall be disqualified from receiving benefits for that week. Exception; "duty before any court under a lawfully issued summons during the week of unemployment claimed." See, 20 CFR 604.5(b).

**005.** The Commissioner may waive the requirement that an applicant search for work if: A. The applicant is attached to a regular job or industry; B. The applicant is eligible for referral as a member in good standing in a labor union which has a hiring hall; C. Compliance would be oppressive or inconsistent with the purpose of the Nebraska Employment Security Law; D. The applicant is attending training approved by the Commissioner pursuant to 225 NAC 1; or E. The applicant is attending training funded in whole or part pursuant to Neb. Rev. Stat. §48-622.02. **006.** A claimant shall be ineligible for benefits during any week in which the claimant fails to participate in reemployment

services as directed by the Commissioner, such as job search assistance services, if the claimant has been determined to

be likely to exhaust regular benefits and to need reemployment services pursuant to a profiling system established by the Commissioner pursuant to Neb. Rev. Stat. §48-627(6), §303(j)(1) of the Federal Social Security Act, and 219 NAC 17, unless the commissioner determines that: A. The claimant has completed such services; or B. There is justifiable cause for the claimant's failure to participate in such services. **007.** For purposes of Neb. Rev. Stat. §48-628(7), an individual shall be considered to be registered for full attendance at

and regularly attending an established school, college or university if the individual is treated as a full-time student at the school, college or university that the individual is attending for purposes of determing eligibility for federally subsidized Equal Opportunity Program/Employer

TDD: 800.833.7352 Auxiliary aids and services are available upon request to individuals with disabilities.

PAYDAY NOTICE

**Regular Paydays for Employees of** 

(Company Name)

Shall be as follows:

WITHHOLDING STATUS

YOU MAY NEED TO CHECK YOUR WITHHOLDING

Since you last filed form W-4 with your employer did you...

Your nonwage income (interest, dividends, capital gains, etc.)?

• Your family wage income (you or your spouse started or ended a job)?

To any of these questions or you owed extra tax when you filed your last return,

you may need to file a new form W-4. See your employer for a copy of Form W-4

Now is the time to check your withholding. For more details, get Publication 919,

employees will see it. Please indicate where they can get forms and information

**EMPLOYEE POLYGRAPH PROTECTION ACT** 

**EMPLOYEE RIGHTS** 

**EMPLOYEE POLYGRAPH PROTECTION ACT** 

The Employee Polygraph Protection Act prohibits most private

**PROHIBITIONS** Employers are generally prohibited from requiring or

requesting any employee or job applicant to take a lie detector test,

employee or prospective employee for refusing to take a test or for

**EXEMPTIONS** Federal, State and local governments are not affected

by the law. Also, the law does not apply to tests given by the Federal

restrictions, to certain prospective employees of security service firms

(armored car, alarm, and guard), and of pharmaceutical manufacturers,

WAGE AND HOUR DIVISION

employment screening or during the course of employment.

and from discharging, disciplining, or discriminating against an

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

employers from using lie detector tests either for pre-

exercising other rights under the Act.

How Do I Adjust My Tax Withholding?, or use the Withholding Calculator at

**Employer:** Please post or publish this Bulletin Board Poster so that your

Marry or divorce?

• Gain or lose a dependent? Change your name?

or call the IRS at 1-800-829-3676.

鄉IRS

www.irs.gov/individuals on the IRS web site.



It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination. For information, please contact

ANTI-DISCRIMINATION NOTICE

The Office of Special Counsel for Immigration Related Unfair Employment Practices Office at 800-255-7688.

#### FMLA - FAMILY AND MEDICAL LEAVE ACT

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

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION **LEAVE ENTITLEMENTS** Eligible employees who work for a covered within 75 miles of the employee's worksite. 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

• To bond with a child (leave must be taken within 1 year of the child's birth or placement); To care for the employee's spouse, child, or parent who has a

qualifying serious health condition; For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;

For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent. An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule. Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes

accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies. **BENEFITS & PROTECTIONS** While employees are on FMLA leave,

employers must continue health insurance coverage as if the

employees were not on leave. Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

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

 Have worked for the employer for at least 12 months; Have at least 1,250 hours of service in the 12 months before taking

Work at a location where the employer has at least 50 employees

Please post in a conspicuous place. **Date Posted:** 

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\*Special "hours of service" requirements apply to airline flight

**REQUESTING LEAVE** Generally, employees must give 30-days'

advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures. Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if

treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified. Employers can require a certification or periodic recertification

to perform his or her job functions, that a family member cannot

supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating

**EMPLOYER RESPONSIBILITIES** Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

**ENFORCEMENT** Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.



#### STATE OF NEBRASKA **EQUAL OPPORTUNITY COMMISSION**



Notice to Job Applicants Employees, Employers, Labor Unions, Employment Agencies, Landlords, Tenants, Proprietors, Public: DISCRIMINATION IN EMPLOYMENT, HOUSING, PUBLIC ACCOMMODATIONS IS PROHIBITED BY STATE LAW. **Unlawful Employment Practices** 

It is illegal for an employer to discriminate against you because of your Race, Color, Sex, Pregnancy, National Origin, Marital Status, **Disability, Religion** and/or **Age (40- years-old and over)**. Discrimination may occur in such areas as *Hiring, Promotions, Transfers, Lay-offs,* Discipline and Termination, Compensation and Benefits, Training, Other Terms or Conditions of Employment, or Sexual Harassment. The Nebraska Equal Opportunity Commission is authorized to investigate allegations of discrimination under the Fair Employment Practices Act and the Equal Pay Act of Nebraska, both of which covers employers with 15 or more employees; and the Nebraska Age Discrimination in Employment Act, which covers employers with 20 or more employees. Labor Organizations, Employment Agencies, Apprenticeship and Training Programs are all covered by the law.

Authority: Sections 48-1001 through 48-1009; Sections 48-1101 through 48-1125; Sections 48-1219 through 1227, R.R.S. Nebraska, 1943. **Public Accommodations and Housing Discrimination** 

The Nebraska Fair Housing Act prohibits unlawful housing practices which includes discrimination because of Race, Color, Religion, National **Origin, Sex, Disability** and **Familial Status** in *Purchases, Sales, Rentals, Loans, Publishing, Representation, Inquiry, Listings, Discharge,* or *Demotion* of Agents or Employees in obedience to the law, blockbusting and other such actions. Authority: Sections 20-301 through 20-344, R.R.S. Nebraska, 1943.

The Nebraska Civil Rights Act of 1969-Public Accommodation prohibits discrimination because of Race, Color, Religion, Sex, National Origin,

or Ancestry in Services, Privileges, Facilities, Advantages and Accommodations by all Public Places and Businesses offering the same. Private establishments, etc. must meet the exceptions as set out in the law. Authority: Sections 20-132 through 20-143, R.R.S. Nebraska, 1943. **Protection From Retaliation** The Laws enforced by the Nebraska Equal Opportunity Commission prohibit an employer, landlord, or others subject to the laws from engaging in

any form of retaliation because you have filed a charge of discrimination opposed a practice made illegal by these laws, or acted as a witness in any investigation or hearing conducted by the Commission. In addition, the Fair Employment Practices Act makes it illegal for an employer to engage in any retaliation because a person has opposed any illegal practice or refused to carry out any action that is illegal under the laws of the State of Nebraska or the United States. **COMPLAINTS:** The Nebraska EOC will investigate every complaint in an impartial manner, without cost to you and without publicity. If there is reasonable cause

to believe that the law was violated, the Nebraska EOC will hold a conciliation conference. In case of failure to settle or resolve a charge by conference, mediation, conciliation, arbitration or persuasion, a public hearing or litigation may occur. EMPLOYERS, EMPLOYMENT AGENCIES, UNIONS, LANDLORDS, LENDERS, REAL ESTATE OFFICES, PROPRIETORS, PUBLIC, ETC: You may

call on the Nebraska EOC for information on procedures, advice on policy problems, literature, reading lists, films, speakers service, and aid For Information or Assistance, Please write, call, or come to:

Main Office

**Equal Opportunity Commission** 301 Centennial Mall South, 5th Floor 4500 Avenue 'l' P.O. Box 94934 Lincoln, Nebraska 68509-4934 Telephone (402) 471-2024

1-800-642-6112

Branch Office 1313 Farnam on-the-Mall Omaha, Nebraska 68102-1836 Telephone (402) 595-2028 1-800-382-7820

www.neoc.ne.gov

**Branch Office** Panhandle Office Complex 4500 Avenue 'l' P.O. Box 1500 Scottsbluff, Nebraska 69363-1500 Telephone (308) 632-1340 1-800-830-8633

**THIS NOTICE MUST BE POSTED** in conspicuous, well-lighted places—e.g., hiring offices, employee bulletin boards, employment agency waiting rooms, union hall-which are frequented by employees, job seekers, or applicants for union membership. Firms and organizations that have more than one such office, plant or posting place, should request extra copies of this notice. For information on exceptions write to Nebraska EOC. This document satisfies the requirements for posting pursuant to the laws administered by the NEOC.

This Commission Investigates Unlawful Discrimination Complaints Filed Anywhere In The State Of Nebraska: At No Cost To The Person Making The Complaint

Revised 9/2011

## MINIMUM WAGE

# NEBRASKA

# DEPARTMENT OF LABOR **NEBRASKA MINIMUM WAGE**

Effective January 1, 2015

through December 31, 2015

\$8.00 Per hour

Effective January 1, 2016

\$9.00 Per hour

# **NOTICE TO EMPLOYEES**

Pursuant to and by virtue of authority vested in it by Chapter 48, Article 12, Section 48-1201 to 48-1209, Revised Statutes of Nebraska 1943, and Revised Statutes

Supplement 2007 it is declared to be the policy of this state to: 1. Establish a minimum wage for all workers at levels consistent with their health, efficiency and general

2. Safeguard existing minimum wage compensation standards which are adequate to maintain the health, efficiency and general well-being of workers against the unfair competition of wage and hour standards which do not provide adequate standards of living.

well-being, and

Publication 213

Cat. No. 11047P

(Rev. 8-2009)

## **MINIMUM WAGE RATES**

Every employer as defined, shall pay to each employee effective January 1, 2015, wages at the minimum rate **As Stated Above.** 

wages and gratuities equal or exceed applicable rate as stated above. A Training Wage of 75% of the federal minimum wage may be paid to new employees under age 20 for the first 90 consecutive calendar days

**\$2.13 Per hour:** (to waitresses and

waiters) provided that employee's

of employment Upon approval by the Commissioner of Labor, employers may pay the training wage rate for an additional 90 days provided the employee is participating in an on-the-job

training program.

\*Student-learners employed in a bona fide vocational training program may be paid special hourly rates of no less than 75% of the above applicable rates.

## **DEFINITIONS**

2. Employer shall include any

1. Employ shall include to permit to work;

individual, partnership, limited liability company, association, corporation, business trust, legal representative or any organized group of persons employing four or more employees at any one time except for seasonal employment of not more than twenty weeks in any calendar year, acting directly or indirectly in the interest of an employer in relation

- to an employee. 3. Employee shall include any individual employed by an employer.
- 4. Wages shall mean all remuneration for personal services, including commissions and bonuses and the cash value of all remunerations in any medium other than cash.

NE-1214-A1-F02

# **EXEMPTIONS**

- A. Any individual employed in agriculture; B. Any individual employed as a baby sitter in or about a
- private home; C. Any individual employed in a bona fide executive,

administrative, or professional capacity, or as a

- superintendent or supervisor; D. Any individual employed by the United States, or by the state or any political subdivision thereof; E. Any individual engaged in the activities of an
- educational, charitable, religious, or nonprofit organization when the employer-employee relationship does not in fact exist or when the services rendered to such organization are on a voluntary basis;
- F. Apprentices and learners otherwise provided by law; G. Veterans in training under supervision of the United States Department of Veterans Affairs;

H. A child in the employment of his or her parent or a

parent in the employment of his or her child; or I. Any person who, directly or indirectly, is receiving any form of federal, state, county, or local aid or welfare and who is physically or mentally disabled and employed in a program of rehabilitation, who shall receive a wage at a level

consistent with his or her health, efficiency, and general

Keep posted in a conspicuous place.

**Equal Opportunity Program/Employer** TDD: 800.833.7352

550 South 16th Street, Lincoln, NE 68508, Telephone: (402) 471-2239 dol.nebraska.gov

For further information regarding the Nebraska Wage and Hour Act, contact the Nebraska Department of Labor at the following address:

well-being.

Auxiliary aids and services are available upon request to individuals with disabilities.

the leave qualifies for FMLA protection. Sufficient information could

include informing an employer that the employee is or will be unable

perform daily activities, or that hospitalization or continuing medical

what additional information is required.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

lawsuit against an employer.



# DISCRIMINATION



