* * * * * * *



LaborLawCenter.com 1-800-745-9970 • Product ID: NY50

Compliance Code: NY-1221-F02 • Check Compliance By Scanning Here •



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 Act of 1964, GENETICS Title II of the Genetic Information Nondiscrimination Act of 2008 protects as amended, protects applicants and employees from discrimination in hiring, promotion, applicants and employees from discrimination based on genetic information in hiring discharge, pay, fringe benefits, job training, classification, referral, and other aspects of promotion, discharge, pay, fringe benefits, job training, classification, referral, and employment, on the basis of race, color, religion, sex (including pregnancy), or national other aspects of employment. GINA also restricts employers' acquisition of genetic origin. Religious discrimination includes failing to reasonably accommodate an employee's information and strictly limits disclosure of genetic information. Genetic informatior eligious practices where the accommodation does not impose undue hardship.

NEW YORK

promotion, discharge, pay, fringe benefits, job training, classification, referral, and other their family members. 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 WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED There are strict time other aspects of employment.

the payment of wages to women and men performing substantially equal work, in jobs office information is available at www.eeoc.gov or in most telephone directories in the same establishment.

includes information about genetic tests of applicants, employees, or their family DISABILITY Title I and Title V of the Americans with Disabilities Act of 1990. as amended. members; the manifestation of diseases or disorders in family members (family medica protect gualified individuals from discrimination on the basis of disability in hiring, history); and requests for or receipt of genetic services by applicants, employees, or

aspects of employment. Disability discrimination includes not making reasonable **RETALIATION** All of these Federal laws prohibit covered entities from retaliating against commodation to the known physical or mental limitations of an otherwise qualified 🔰 a person who files a charge of discrimination, participates in a discrimination proceeding or otherwise opposes an unlawful employment practice.

applicants and employees 40 years of age or older from discrimination based on age in limits for filing charges of employment discrimination. To preserve the ability of EEOC to hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and 🛛 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. SEX (WAGES) In addition to sex discrimination prohibited by Title VII of the Civil Rights Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in 669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field that require equal skill, effort, and responsibility, under similar working conditions, in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at www.eeoc.gov.

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases: RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, NATIONAL of employment, including the executive level.

ORIGIN Executive Order 11246, as amended, prohibits employment discrimination based PROTECTED VETERANS The Vietnam Era Veterans' Readjustment Assistance Act of 1974, on race, color, religion, sex, sexual orientation, gender identity, or national origin, and as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires equires affirmative action to ensure equality of opportunity in all aspects of employment. affirmative action to recruit, employ, and advance in employment, disabled veterans PAY SECRECY Executive Order 11246, as amended, protects applicants and employees recently separated veterans (i.e., within three years of discharge or release from active duty), from discrimination based on inquiring about, disclosing, or discussing their active duty wartime or campaign badge veterans, or Armed Forces service medal veterans. compensation or the compensation of other applicants or employees.

amended, protects qualified individuals with disabilities from discrimination in hiring, under these Federal laws. Any person who believes a contractor has violated its oromotion, discharge, pay, fringe benefits, job training, classification, referral, and other 🚽 nondiscrimination or affirmative action obligations under the authorities above should aspects of employment. Disability discrimination includes not making reasonable contact immediately: The Office of Federal Contract Compliance Programs (OFCCP), U.S. accommodation to the known physical or mental limitations of an otherwise gualified Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800 individual with a disability who is an applicant or employee, barring undue hardship to 397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at the employer. Section 503 also requires that Federal contractors take affirmative action OFCCP-Public@dol.gov, or by calling an OFCCP regional or district office, listed in most to employ and advance in employment qualified individuals with disabilities at all levels telephone directories under U.S. Government, Department of Labo

RETALIATION Retaliation is prohibited against a person who files a complaint of NDIVIDUALS WITH DISABILITIES Section 503 of the Rehabilitation Act of 1973, as discrimination, participates in an OFCCP proceeding, or otherwise opposes discriminatior

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

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

RACE, COLOR, NATIONAL ORIGIN, SEX In addition to the protections of Title VII of the which receive Federal financial assistance. EEOC 9/02 and OFCCP 8/08 Versions Useable With 11/09 Supplement

Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, INDIVIDUALS WITH DISABILITIES Section 504 of the Rehabilitation Act of 1973, as prohibits discrimination on the basis of race, color or national origin in programs or amended, prohibits employment discrimination on the basis of disability in any program ctivities receiving Federal financial assistance. Employment discrimination is covered by or activity which receives Federal financial assistance. Discrimination is prohibited in all Title VI if the primary objective of the financial assistance is provision of employment, or 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 services under such programs. Title IX of the Education Amendments of 1972 prohibits been discriminated against in a program of any institution which receives Federal financial mployment discrimination on the basis of sex in educational programs or activities assistance, you should immediately contact the Federal agency providing such assistance. Mandatory Supplement to EEOC P/E-1(Revised 11/09) "EEO is the Law" Poster

NEW YORK MINIMUM WAGE

Attention Miscellaneous Industry Employees

WE ARE YOUR DOL

New Yo	ork City
Large Employers (11 or more employees)	Small Employers (10 or less employees
Minimum Wage \$15.00	Minimum Wage \$15.00
Overtime after 40 hours \$22.50	Overtime after 40 hours \$22.50
Tipped workers \$15.00	Tipped workers \$15.00
Overtime after 40 hours \$22.50	Overtime after 40 hours \$22.50

RIGHT OF NURSING MOTHERS TO EXPRESS BREAST MILK

NEW YORK BREASTFEEDING:

Section 206-c of the New York State Labor Law provides as follows: Right of Nursing Mothers to Express Breast Milk. An employer shall provide reasonable unpaid break time or permit an employee to express breast milk for her nursing child for up to three years following child birth. The employer shall make reasonable efforts to provide a room or other location, in close proximity to the work area, where an employee can express milk in privacy. No employer shall discriminate in any way against an employee who chooses to express breast milk in the workplace. An employee wishing to avail herself of this benefit is required to give her employer advance notice. Such notice shall preferably be provided to the employer prior to the employee's return to work following the birth of the child in order to allow the employer an opportunity to establish a location and schedule leave time amongst multiple employees if needed. Rev. 10/08

BLOOD DONATION LEAVE

Section 202-j of the Labor Law mandates that employers provide leave time to employees for the purpose of donating blood. The two types of blood donation leaves are Off-Premises Blood Donation and Donation Leave Alternatives.

Compensation for Leave - Leave granted to employees for off-premises blood donation is not required to be paid leave. leave taken by employees for donation leave alternatives shall be paid leave given without requiring the employee to use accumulated vacation, personal, sick, or other already existing leave time.

Off-Premises Donation - Employees taking leave for off-premises blood donation shall be permitted at least one leave period per calendar year of three hours duration during the employee's regular work schedule. Employers are not required to allow off-premises blood donation leave under Labor Law § 202-j to accrue if it is not used during the calendar year. Leave granted to employees for off-premises blood donation is not required to be paid leave.

Donation Leave Alternatives - Leave for blood donation leave alternatives shall be given twice per calendar year and it shall be paid leave given without use of vacation, personal, sick, or other already existing leave accruals. Under the Donation Leave Alternatives, the donating of blood should be at a convenient time and place set by the employer. The time shall not be a time outside an employee's normal work hours nor shall the location be not reasonable travel distance for an employee. If an employee provides prompt notice that he or she is not or was not able to participate in a blood donation leave alternative because the employee is or was on leave (such as sick or vacation leave), and if as a result the employer has not provided the employee with the opportunity to participate in at least two blood leave alternatives during working hours in a calendar year, the employer must either make available another such alternative to the employee, or allow the employee to take leave to make an off-premises donation. Employees donating blood during a blood donation leave alternative must be allowed sufficient leave time necessary to donate blood, to recover, including partaking nourishment after donating, and to return to work.

Our company's blood donation will occur:

Please indicate time and place

Please indicate administrato

Should you have any questions, please contact:

LS 703 (03-16)

PAYDAY NOTICE

Regular Paydays for Employees of

		(Company Name)		
		Shall be as follows	•	
Weekly	Bi-Weekly	Monthly	Other	

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 employer can take *Special "hours of service" requirements apply to airline flight crew employees. up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following **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 birth of a child or placement of a child for adoption or foster care; To bond with a child (leave must be taken within 1 year of the child's birth or placement);

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

s the employee's spouse, child, or parent. n eligible employee who is a covered servicemember's spouse, child, parent, or next of or periodic recertification supporting the need for leave. If the employer determines that kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the certification is incomplete, it must provide a written notice indicating what additional the servicemember with a serious injury or illness. An employee does not need to use information is required. leave in one block. When it is medically necessary or otherwise permitted, employees EMPLOYER RESPONSIBILITIES Once an employer becomes aware that an employee's may take leave intermittently or on a reduced schedule. Employees may choose, or an need for leave is for a reason that may qualify under the FMLA, the employeer must notify employer may require, use of accrued paid leave while taking FMLA leave. If an employee 🛛 the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a substitutes accrued paid leave for FMLA leave, the employee must comply with the notice of rights and responsibilities under the FMLA. If the employee is not eligible, the

employer's normal paid leave policies. BENEFITS & PROTECTIONS While employees are on FMLA leave, employers must leave will be designated as FMLA leave, and if so, how much leave will be designated as continue health insurance coverage as if the employees were not on leave. Upon return FMLA leave. rom FMLA leave, most employees must be restored to the same job or one nearly **ENFORCEMENT** Employees may file a complaint with the U.S. Department of Labor, dentical 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 does not affect any federal or state law prohibiting discrimination or supersede any state someone for using or trying to use FMLA leave, opposing any practice made unlawful by or local law or collective bargaining agreement that provides greater family or medical the FMLA, or being involved in any proceeding under or related to the FMLA.

LIGIBILITY REQUIREMENTS An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must: Have worked for the employer for at least 12 months Have at least 1,250 hours of service in the 12 months before taking leave;* and Work at a location where the employer has at least 50 employees within 75 miles of the emplovee's worksite.

l information or to file a complain 1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627 WWW.WAGEHOUR.DOL.GOV U.S. Department of Labor | Wage and Hour Division

FRINGE BENEFITS AND HOURS

NOTICE REQUIREMENTS FOR FRINGE BENEFITS AND HOURS

Section 195.5 of the New York State Labor Law effective December 12, 1981 provides as follows: "Every employer shall notify his employees in writing or by publicly posting the employer's policy on sick leave, vacation, personal leave, holidays and hours."

For written information on your employer's policy on sick leave, vacation, personal leave, holidays and hours can be obtained at: (Please advise employees where they may obtain written information on fringe benefits and hours.)

SCHEDULE OF HOURS OF WORK FOR MINORS

Following are the HOURS OF WORK FOR MINORS UNDER EIGHTEEN employed at

PI	ease	provi	ide da	aily si	tarting	,					lishm eal p				/	n min	or is a	sche	dulea	l to w	vork.			
Name of Minor			l/Perio In (al/Perio In		Tue - In		Wed In		al/Perio In			l/Perio In (Fri - (In					(Meal Out	
				ļ			ļ	ļ			 	ļ		 					ļ			—	—	 —

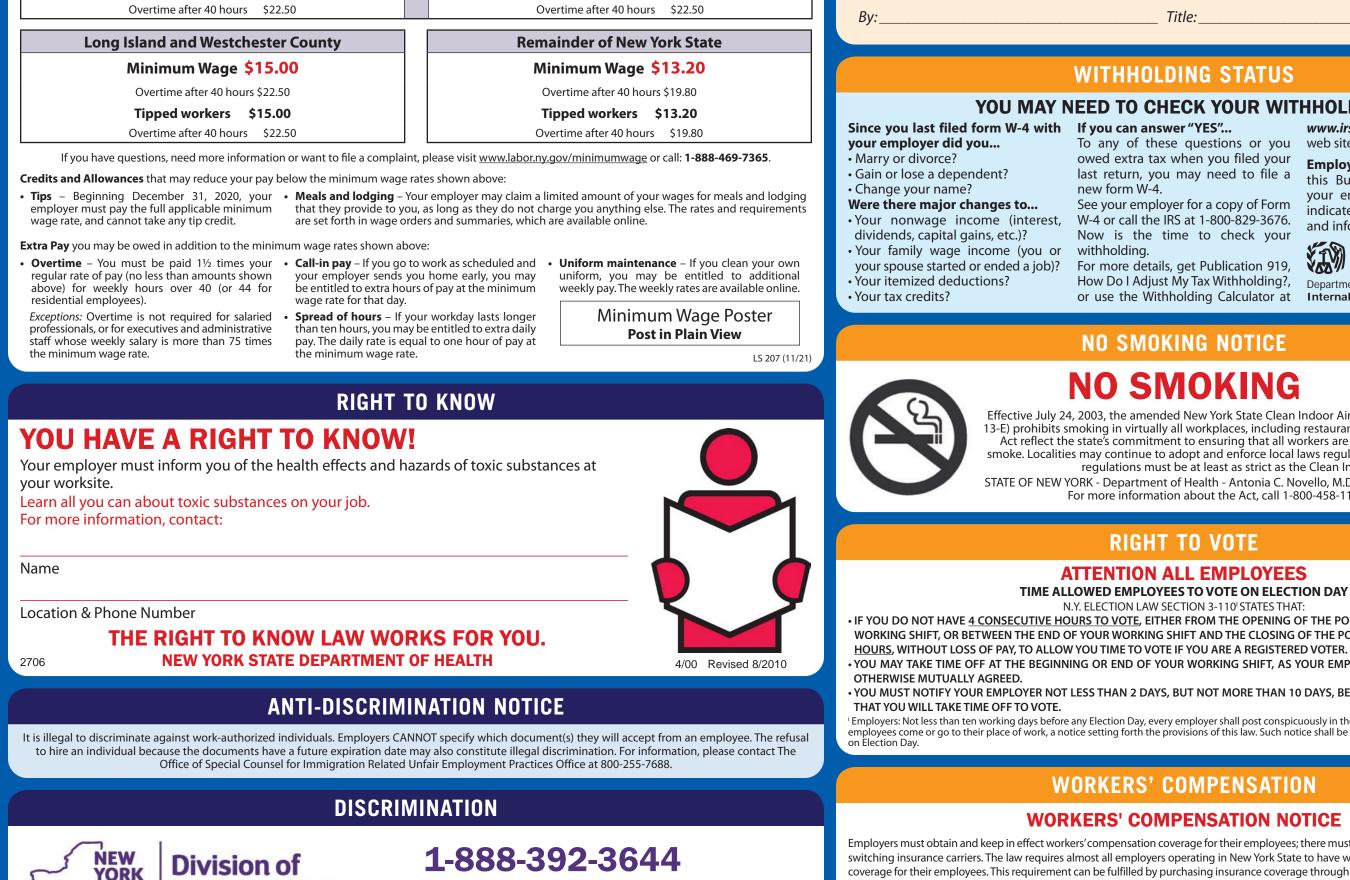
he employer as soon as possible and, generally, follow the employer's usual procedures Employees do not have to share a medical diagnosis, but must provide enough To care for the employee's spouse, child, or parent who has a qualifying serious health information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment

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

employer must provide a reason for ineligibility. Employers must notify its employees if

Wage and Hour Division, or may bring a private lawsuit against an employer. The FMLA leave rights

口器口 \Box





ALSO IS PROHIBITED

THIS ESTABLISHMENT IS SUBJECT TO THE NEW YORK STATE HUMAN RIGHTS LAW (EXECUTIVE LAW, ARTICLE 15)

ALL EMPLOYERS (until February 8, 2020, only employers with 4 or

more employees are covered), EMPLOYMENT AGENCIES, LABOR

Also prohibited: discrimination in employment on the basis of Sabbath

observance or religious practices; hairstyles associated with race (also

applies to all areas listed below); prior arrest or conviction record;

ORGANIZATIONS AND APPRENTICESHIP TRAINING PROGRAMS

ESESTE ESTABLECIMIENTO ESTÁ SUJETO A LA LEY DE DERECHOS HUMANOS DEL ESTADO DE NUEVA YORK (LEY EJECUTIVA, SECCIÓN 15)

HARASSMENT BASED UPON ANY OF THESE PROTECTED CLASSES PROHIBIDO EL ACOSO SEXUAL O EL ACOSO POR CUALQUIERA DE ESTAS CLASES PROTEGIDAS.

> TODOS LOS EMPLEADORES (hasta el 8 de febrero de 2020, solo los empleadores de cuatro o más personas), AGENCIAS DE EMPLEO, ORGANIZACIONES DE TRABAJO Y PROGRAMAS DE CAPACITACIÓN **DE APRENDICES**

> Asimismo, está prohibida la discriminación en el empleo sobre la base de la observancia del Shabat o prácticas religiosas; peinados asociados con la raza (también se aplica a las áreas enumeradas a continuación) arresto previo

YOU MAY NEED TO CHECK YOUR WITHHOLDING

ince you last filed form W-4 with our employer did you	If you can answer "YES" To any of these questions or you	<i>www.irs.gov/individuals</i> on the IRS web site.
Marry or divorce? Gain or lose a dependent? Change your name? /ere there major changes to Your nonwage income (interest, dividends, capital gains, etc.)?	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 or call the IRS at 1-800-829-3676. Now is the time to check your	Employer: Please post or publish this Bulletin Board Poster so that your employees will see it. Please indicate where they can get forms and information on this subject.
Your family wage income (you or your spouse started or ended a job)? Your itemized deductions? Your tax credits?	withholding. For more details, get Publication 919, How Do I Adjust My Tax Withholding?, or use the Withholding Calculator at	Publication 213 (Rev. 8-2009) Cat. No. 11047P Department of the Treasury Internal Revenue Service www.irs.gov

Effective July 24, 2003, the amended New York State Clean Indoor Air Act (Public Health Law, Article 13-E) prohibits smoking in virtually all workplaces, including restaurants and bars. The changes in the Act reflect the state's commitment to ensuring that all workers are protected from secondhand smoke. Localities may continue to adopt and enforce local laws regulating smoking. However, these regulations must be at least as strict as the Clean Indoor Air Act. STATE OF NEW YORK - Department of Health - Antonia C. Novello, M.D., M.P.H., Dr. P.H., Commissioner

For more information about the Act, call 1-800-458-1158, ext. 2-7600.

• IF YOU DO NOT HAVE 4 CONSECUTIVE HOURS TO VOTE, EITHER FROM THE OPENING OF THE POLLS TO THE BEGINNING OF YOUR WORKING SHIFT, OR BETWEEN THE END OF YOUR WORKING SHIFT AND THE CLOSING OF THE POLLS, YOU MAY TAKE OFF UP TO 2

• YOU MAY TAKE TIME OFF AT THE BEGINNING OR END OF YOUR WORKING SHIFT, AS YOUR EMPLOYER MAY DESIGNATE, UNLESS

• YOU MUST NOTIFY YOUR EMPLOYER NOT LESS THAN 2 DAYS, BUT NOT MORE THAN 10 DAYS, BEFORE THE DAY OF THE ELECTION

Employers: Not less than ten working days before any Election Day, every employer shall post conspicuously in the place of work where it can be seen as mployees come or go to their place of work, a notice setting forth the provisions of this law. Such notice shall be kept posted until the close of the polls Revised 4.14.2020

WORKERS' COMPENSATION NOTICE

Employers must obtain and keep in effect workers' compensation coverage for their employees; there must be no lapse in coverage even when switching insurance carriers. The law requires almost all employers operating in New York State to have workers' compensation and disability coverage for their employees. This requirement can be fulfilled by purchasing insurance coverage through an insurance carrier or by obtaining authorization from the Board to be self-insured. Employers must post a notice of workers' compensation coverage and employee rights. This notice is in a form prescribed by the Workers' Compensation Board. Employers obtain the notice from their insurance carrier or, if selfinsured, from the Board. The notice includes the name and address of the insurance carrier and the policy number of the employer. It must be posted in a conspicuous place in the employer's place of business. Violations of this requirement can result in a fine of up to \$250 per violation.

DISABILITY BENEFITS LAW

An employer who has had in New York State employment 1 or more employees on each of at least 30 days in any calendar year shall be a "covered employer" subject to the Disability Benefits Law after the expiration of 4 weeks following the 30th day of such employment. These 30 days of employment need not be consecutive days but must be work days of employment in one calendar year. In addition to the above-stated provisions, effective January 1, 1984, employers of personal or domestic employees in a private home are subject if they employ at least one employee who works 40 or more hours per week for that one employer. (NOTE: Prior to January 1, 1984, employers are subject only if they have 4 or more employees.) Each covered employer must post and maintain conspicuously at the place or places of business a prescribed form, Notice of Compliance, stating the provisions have been made for the payment of Disability Benefits to all eligible employees. To obtain the Notice of Compliance, please contact your Disability Insurance Carrier.

PAID FAMILY LEAVE NOTICE

Most private employers with one or more employees are required to obtain Paid Family Leave insurance. Your insurance carrier will provide you with a notice to employees (Notice of Compliance) stating that you have Paid Family Leave insurance. The Notice will include information about your carrier.

A SCHEDULE OF HOURS OF WORK FOR MINORS UNDER 18 YEARS OF AGE MUST BE POSTED IN THE ESTABLISHMENT BY THE EMPLOYER.

EQUAL PAY NOTICE

Equal Pay Provision of the New York State Labor Law Article 6, Section 194

www.labor.ny.gov

Division of Labor Standards

194. Differential in rate of pay because of protected class status prohibited. No employee with status within one or more protected class or classes shall be paid a wage at a rate less than the rate at which an employee without status within the same protected class or classes in the same establishment is paid for: (a) equal work on a job the performance of which requires equal skill, effort and responsibility, and which is performed under similar working conditions, or (b) substantially similar work, when viewed as a composite of skill, effort, and responsibility, and performed under similar working conditions; except where payment is made pursuant to a differential based on: (i) a seniority system

(ii) a merit system;

NEW YORK STATE OF OFFORTUNITY. Department of Labor

(iii) a system which measures earnings by quantity or quality of production; or (iv) a bona fide factor other than status within one or more protected class or classes, such as education, training, or experience. Such factor:

- (A) shall not be based upon or derived from a differential in compensation
- based on status within one or more protected class or classes and (B) shall be job-related with respect to the position in question and shall
- be consistent with business necessity. Such exception under this paragraph shall not apply when the employee demonstrates (1) that an employer uses a particular employment practice that
- causes a disparate impact on the basis of status within one or more protected class or classes,
- (2) that an alternative employment practice exists that would serve
- the same business purpose and not produce such differential, and (3) that the employer has refused to adopt such alternative practice.
- For the purpose of subdivision one of this section: (a) "business necessity" shall be defined as a factor that bears a manifest
- relationship to the employment in question, and (b) "protected class" shall include age, race, creed, color, national origin, sexual orientation, gender identity or expression, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, or domestic violence victim status, and any employee protected from discrimination pursuant to paragraphs (a), (b), and (c) of subdivision one of section two hundred ninety-six and any intern protected from discrimination pursuant to section two hundred ninety-six-c of the executive law.

For the purposes of subdivision one of this section, employees shall be deemed to work in the same establishment if the employees work for the same employer at workplaces located in the same geographical region, no

Garden Cit larger than a county, taking into account population distribution, economic 400 Oak Street, Suite 101 activity, and/or the presence of municipalities. Garden City, NY 11530 (a) No employer shall prohibit an employee from inquiring about, discussing, (516) 794-8195 or disclosing the wages of such employee or another employee.

(b) An employer may, in a written policy provided to all employees, establish reasonable workplace and workday limitations on the time, place and manner for inquires about, discussion of, or the disclosure of wages. Such limitations shall be consistent with standards promulgated by the commissioner and shall be consistent with all other state and federal laws. Such limitations may include prohibiting an employee from discussing or disclosing the wages of another employee without such employee's prior permission.

(c) Nothing in this subdivision shall require an employee to disclose his or her wages. The failure of an employee to adhere to such reasonable limitations in such written policy shall be an affirmative defense to any claims made against an employer under this subdivision, provided that any adverse employment action taken by the employer was for failure to adhere to such reasonable limitations and not for mere inquiry, discussion or disclosure of wages in accordance with such reasonable limitations in such written policy. (d) This prohibition shall not apply to instances in which an employee who has access to the wage information of other employees as a part of such employee's essential job functions discloses the wages of such other employees to individuals who do not otherwise have access to such information, unless such disclosure is in response to a complaint or charge, or in furtherance of an investigation, proceeding, hearing, or action under this chapter, including an investigation conducted by the employer. Nothing in this section shall be construed to limit the rights of an employee provided under any other provision of law or collective

bargaining agreement. For questions, write or call your nearest office, (listed below), of the: New York State Department of Labor **Division of Labor Standards**

Albany District	New York City District	Syracuse District
State Office Campus	75 Varick Street, 7th Floor	333 East Washington
Bldg. 12, Rm. 185A	New York, NY 10013	Street, Rm. 121
Albany, NY 12240	(212) 775-3880	Syracuse, NY 13202
(518)457-2730		(315) 428-4057
Buffalo District	Rochester Sub-District	White Plains District
290 Main Street, Rm. 226	276 Waring Road, Rm. 104	120 Bloomingdale Road
Buffalo, NY 14202	Rochester, NY 14609	White Plains, NY 10605
(716) 847-7141	(585) 258-4550	(914) 997-9521
Garden City District		

15603(08/20)

UNEMPLOYMENT INSURANCE

ATTENTION EMPLOYERS NOTICE REGARDING UNEMPLOYMENT INSURANCE

The New York State unemployment insurance program, which is administered by the State Labor Department, provides immediate, short-term financial protection for people who are out of work through no fault of their own. It is financed by employers through a tax on their payrolls. If you pay compensation to individuals for their services, you may be liable for Unemployment Insurance and Withholding taxes and wage reporting responsibilities. In order to determine if your business is liable for Unemployment Insurance, please contact, 1-800-829-3676. Upon registration, employers (except household employers) will receive a poster, "Notice to Employees", IA 133, which informs their workers that their jobs are protected by unemployment insurance. It must be posted where it may easily be seen by employees. Additional copies may be obtained by contacting the nearest Unemployment Insurance Tax Services Office or the Department of Labor, Registration Subsection at 518-457-4179.

EMPLOYEE POLYGRAPH PROTECTION ACT

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.

ITIONS 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.

KEMPTIONS Federal, State and local governments are not affected by the law. Also, the w does not apply to tests given by the Federal Government to certain private ndividuals engaged in national security-related activities. The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions. to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers. The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in 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.



OSHA - THE OCCUPATIONAL SAFETY AND HEALTH ACT

DISCRIMINATION BASED UPON AGE, RACE, CREED, COLOR, LA LEY DE DERECHOS HUMANOS DEL ESTADO DE NUEVA NATIONAL ORIGIN, SEXUAL ORIENTATION, MILITARY STATUS, YORK PROHÍBE LA DISCRIMINACIÓN POR EDAD, RAZA, CREDO, SEX, PREGNANCY, GENDER IDENTITY OR EXPRESSION, COLOR, ORIGEN NACIONAL, ORIENTACIÓN SEXUAL, ESTATUS DISABILITY OR MARITAL STATUS IS PROHIBITED BY THE NEW MILITAR, SEXO, EMBARAZO, IDENTIDAD O EXPRESIÓN DE YORK STATE HUMAN RIGHTS LAW. SEXUAL HARASSMENT OR GÉNERO, DISCAPACIDAD O ESTADO CIVIL. TAMBIÉN ESTÁ

predisposing genetic characteristics; familial status; pregnancy- o antecedentes penales; las características genéticas predisponentes; el estado civil; las condiciones relacionadas con el embarazo.

WWW.DHR.NY.GOV

Reasonable accommodations for persons with disabilities and pregnancy-related conditions including lactation may be required. A reasonable accommodation is an adjustment to a job or work environment that enables a person with a disability to perform the essential functions of a job in a reasonable manner.

related conditions; domestic violence victim status.

Also covered: domestic workers are protected from harassment and retaliation; interns and nonemployees working in the workplace (for example temp or contract workers) are protected from all discrimination described above.

RENTAL, LEASE OR SALE OF HOUSING, LAND AND COMMERCIAL SPACE, INCLUDING ACTIVITIES OF REAL ESTATE BROKERS AND SALES PEOPLE

Also prohibited: discrimination on the basis of lawful source of income (for example housing vouchers, disability benefits, child support); familial status (families with children or being pregnant); prior arrest or sealed conviction; commercial boycotts or blockbusting Reasonable accommodations and modifications for persons with disabilities may also be required. Does not apply to:

(1) rental of an apartment in an owner-occupied two-family house (2) restrictions of all rooms in a housing accommodation to individuals of the same sex

(3) rental of a room by the occupant of a house or apartment (4) sale, rental, or lease of accommodations of housing exclusively to persons 55 years of age or older, and the spouse of such persons

ALL CREDIT TRANSACTIONS INCLUDING FINANCING FOR PURCHASE, MAINTENANCE AND REPAIR OF HOUSING

PLACES OF PUBLIC ACCOMMODATION SUCH AS RESTAURANTS, HOTELS, HOSPITALS AND MEDICAL OFFICES, CLUBS, PARKS AND **GOVERNMENT OFFICES**

Exception: Age is not a covered classification relative to public accommodations. Reasonable accommodations for persons with disabilities may also be required.

EDUCATION INSTITUTIONS

All public schools and private nonprofit schools, at all education levels, excluding those run by religious organizations.

ADVERTISING AND APPLICATIONS RELATING TO EMPLOYMENT, REAL ESTATE, PLACES OF PUBLIC ACCOMMODATION AND CREDIT TRANSACTIONS MAY NOT EXPRESS ANY DISCRIMINATION

If you wish to file a formal complaint with the Division of Human Rights, you must do so within one year after the discrimination occurred. The Division's services are provided free of charge. If you wish to file a complaint in State Court, you may do so within

Division and the State Court.

Retaliation for filing a complaint or opposing discriminatory practices is prohibited. You may file a complaint with the Division if you have been retaliated against.

FOR FURTHER INFORMATION, WRITE OR CALL THE DIVISION'S NEAREST OFFICE. HEADQUARTERS: ONE FORDHAM PLAZA, 4TH FLOOR, BRONX, NY 10458

Es posible que sea necesario hacer acomodos razonables para personas con discapacidades y condiciones relacionadas con el embarazo incluyendo lactación. Un arreglo razonable es una adaptación a un trabajo o entorno laboral que permita que una persona con discapacidad realice las tareas esenciales de un trabajo de manera razonable.

También están cubiertos: trabajadores domésticos están protegidos en casos acoso y represalias; internos y no empleados cuales trabajan en el lugar de trabajo (por ejemplo trabajadores temporarios o contratantes) están protegidos de toda discriminación descrita arriba.

ALQUILER, ARRENDAMIENTO O VENTA DE VIVIENDA, TERRENO O ESPACIO COMERCIAL INCLUYENDO ACTIVIDADES DE AGENTE DE **BIENES RAÍCES Y VENDEDORES**

También esta prohibido: la discriminación a base de fuente de ingreso legal (por ejemplo vales, beneficios de discapacidad, manutención de niños); estado familiar (familias con niños o en estado de embarazo); arresto previo o condena sellada; boicot comercial o acoso inmobiliario. También es posible que sea necesario realizar modificaciones y arreglos razonables para personas con discapacidades. Excepciones:

(1) alquiler de un apartamento en una casa para dos familias ocupada por el dueño

(2) restricciones de todas las habitaciones en una vivienda para individuos del mismo sexo

(3) alquiler de una habitación por parte del ocupante de una casa o apartamento

(4) venta, alguiler o arrendamiento de alojamiento en una casa exclusivamente a personas mayores de 55 años y al cónyuge de dichas personas

También se prohíbe: discriminación en vivienda sobre la base del estado civil (por ejemplo, familias con hijos).

TODAS TRANSACCIONES CREDITICIAS INCLUYENDO FINANCIAMENTO PARA LA COMPRA, MANTENIMIENTO Y REPARACION DE VIVIENDAS LUGARES DE ALOJAMIENTO PÚBLICO, COMO RESTAURANTES, HOTELES, HOSPITALES Y CONSULTORIOS MÉDICOS, CLUBS, PARQUES Y OFFICINAS DEL GOBIERNO.

Excepción

La edad no es una clasificación cubierta respecto a los alojamientos públicos. Es posible que sea necesario realizar arreglos razonables para personas con discapacidades

INSTITUCIONES EDUCATIVAS

Todas las escuelas publicas y escuelas privadas sin ánimo de lucro, en todos los niveles, excluyendo escuelas dirigidas por organizaciones religiosas.

PUBLICIDAD Y SOLICITUDES RELACIONADAS CON EL EMPLEO, LOS INMUEBLES, LOS LUGARES DE ALOJAMIENTO PÚBLICO Y LAS TRANSACCIONES CREDITICIAS NO DEBEN EXPRESAR NINGUN ACTO DISCRIMINATORIO

Si desea presentar una demanda formal ante la División de Derechos Humanos, debe hacerlo dentro de un año desde que ocurra la discriminación. Los servicios de la División se ofrecen sin cargo.

three years of the discrimination. You may not file both with the Si desea presentar una demanda ante el Tribunal Estatal, puede hacerlo dentro de los tres años desde que ocurriera la discriminación. No puede presentar una demanda ante la División y ante el Tribunal Estatal.

> Se prohíben las represalias por presentar una demanda u oponerse a prácticas discriminatorias. Puede presentar una demanda ante la División si sufrió represalias.

PARA OBTENER MÁS INFORMACIÓN, ESCRIBA O LLAME A LA OFICINA MÁS CERCANA DE LA DIVISIÓN. OFICINA CENTRAL: ONE FORDHAM PLAZA. 4TH FLOOR, BRONX, NY 10458

FEDERAL MINIMUM WAGE

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE \$7.25 BEGINNING JULY 24, 2009

The law requires employers to display this poster where employees can readily see it. be assessed for violations of the FLSA's child labor provisions. Heightened civil money **OVERTIME PAY** At least 1 ½ times your regular rate of pay for all hours worked over 40 in a workweel

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 um 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 piect to the F 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 rom coworkers and the public, which may be used by the employee to express breast milk. **ENFORCEMENT** The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also

penalties may be assessed for each child labor violation that results in the death or serious iniury of any minor employee, and such assessments may be doubled when the violations rmined to be willful or repeated. The law also prohibits retaliating against or are dete discharging workers who file a complaint or participate in any proceeding under the FLSA. NAL 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 time pay protections and correctly cla 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.

If you are self-insured, you can get this notice by contacting the NYS Workers' Compensation Board at certificates@wcb.ny.gov Post and maintain this notice in plain view.

USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

YOUR RIGHTS UNDER USERRA THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

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

REEMPLOYMENT RIGHTS HEALTH INSURANCE PROTECTION You have the right to be reemployed in your civilian job if you leave · If you leave your job to perform military service, you have the that job to perform service in the uniformed service and: right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months vou ensure that your employer receives advance written or verbal notice of your service: while in the military you have five years or less of cumulative service in the uniformed • Even if you don't elect to continue coverage during your military services while with that particular employer; service, you have the right to be reinstated in your employer's you return to work or apply for reemployment in a timely manner health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition after conclusion of service; and • you have not been separated from service with a disgualifying exclusions) except for service-connected illnesses or injuries. discharge or under other than honorable conditions. ENFORCEMENT If you are eligible to be reemployed, you must be restored to the The U.S. Department of Labor, Veterans Employment and Training iob and benefits you would have attained if you had not beer absent due to military service or, in some cases, a comparable job. **RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION** If you: • are a past or present member of the uniformed service: • have applied for membership in the uniformed service: or • are obligated to serve in the uniformed service; then an employer may not deny you: initial employment;
reemployment;
retention in employment; promotion; or • any benefit of employment, because of this status. In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even against an employer for violations of USERRA. if that person has no service connection.

Service (VETS) is authorized to investigate and resolve complaints of USERRA violations. For assistance in filing a complaint, or for any other information on USERRA, contact VETS at **1-866-4-USA-DOL** or visit its website at http://www.dol.gov/vets. An interactive online USERRA Advisor can be viewed at http://www.dol.gov/elaws/userra.htm. • If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation. • You may also bypass the VETS process and bring a civil action

Publication Date — April 2017

(3) (3) (3)

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: http://www.dol.gov/vets/programs/userra/poster.htm. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily

NEW YORK CORRECTION LAW ARTICLE 23-A

NEW YORK CORRECTION LAW ARTICLE 23-A LICENSURE AND EMPLOYMENT OF PERSONS PREVIOUSLY CONVICTED OF ONE OR MORE CRIMINAL OFFENSES

Section 750. Definitions. 751. Applicability. 752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited. 753. Factors to be considered concerning a previous criminal conviction; presumption. 754. Written statement upon denial of license or employment. 755. Enforcement. §750. Definitions. For the purposes of this article, the following terms shall have the following meanings: (1) "Public agency" means the state or any local subdivision thereof, or any state or local department, agency, board or commission. (2) "Private employer" means any person, company, corporation, labor organization or association which employs ten or more persons. (3) "Direct relationship" means that the nature of criminal conduct for which the person was convicted has a direct bearing on his fitness or ability to perform one or more of the duties or responsibilities necessarily related to the license, opportunity, or job in question. (4) "License" means any certificate, license, permit or grant of permission required by the laws of this state, its political subdivisions or instrumentalities as a condition for the lawful practice of any occupation, employment, trade, vocation, business, or profession. Provided, however, that "license" shall not, for the purposes of this article, include any license or permit to own, possess, carry, or fire any explosive, pistol, handgun, rifle, shotgun, or other firearm. (5) "Employment" means any occupation, vocation or employment, or any form of vocational or educational training. Provided, however, that "employment" shall not, for the purposes of this article, include membership in any law enforcement agency. §751. Applicability. The provisions of this article shall apply to any application by any person for a license or employment at any public or private employer, who has previously been convicted of one or more criminal offenses in this state or in any other jurisdiction, and to any license or employment held by any person whose conviction of one or more criminal offenses in this state or in any other jurisdiction preceded such employment or granting of a license, except where a mandatory forfeiture, disability or bar to employment is imposed by law, and has not been removed by an executive pardon, certificate of relief from disabilities or certificate of good conduct. Nothing in this article shall be construed to affect any right an employer may have with respect to an intentional misrepresentation in connection with an application for employment made by a prospective employee or previously made by a current employee. §752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited. No application for any license or employment, and no employment or license held by an individual, to which the provisions of this article are applicable, shall be denied or acted upon adversely by reason of the individual's having been previously convicted of one or more criminal offenses, or by reason of a finding of lack of "good moral character" when such finding is based upon the fact that the individual has previously been convicted of one or more criminal offenses, unless: (1) There is a direct relationship between one or more of the previous criminal offenses and the specific license or employment sought or held by the individual; or (2) the issuance or continuation of the license or the granting or continuation of the employment would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public. §753. Factors to be considered concerning a previous criminal conviction; presumption. 1. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall consider the following factors: (a) The public policy of this state, as expressed in this act, to encourage the licensure and employment of persons previously convicted of one or more criminal offenses. (b) The specific duties and responsibilities necessarily related to the license or employment sought or held by the person. (c) The bearing, if any, the criminal offense or offenses for which the person was previously convicted will have on his fitness or ability to perform one or more such duties or responsibilities. (d) The time which has elapsed since the occurrence of the criminal offense or offenses. (e) The age of the person at the time of occurrence of the criminal offense or offenses. (f) The seriousness of the offense or offenses. (g) Any information produced by the person, or produced on his behalf, in regard to his rehabilitation and good conduct. (h) The legitimate interest of the public agency or private employer in protecting property, and the safety and welfare of specific individuals or the general public. 2. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall also give consideration to a certificate of relief from disabilities or a certificate of good conduct issued to the



Job Safety and Health IT'S THE LAW!

All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a workrelated injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- 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.

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.
- 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 OSHAsupported consultation programs in every state.



NY-1221-F02





WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR 1-866-487-9243 TTY: 1-877-889-5627 WH1088 REV 07/16 www.dol.gov/whd

applicant, which certificate shall create a presumption of rehabilitation in regard to the offense or offenses specified therein. §754. Written statement upon denial of license or employment. At the request of any person previously convicted of one or more criminal offenses who has been denied a license or employment, a public agency or private employer shall provide, within thirty days of a request, a written statement setting forth the reasons for such denial. §755. Enforcement. 1. In relation to actions by public agencies, the provisions of this article shall be enforceable by a proceeding brought pursuant to article seventy-eight of the civil practice law and rules. 2. In relation to actions by private employers, the provisions of this article shall be enforceable by the division of human rights pursuant to the powers and procedures set forth in article fifteen of the executive law, and, concurrently, by the New York city commission on human rights.