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LaborLawCenter.com



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:

in hiring, promotion, discharge, pay, fringe benefits, job training, classification, accommodation does not impose undue hardship.

OHIO

disability in hiring, promotion, discharge, pay, fringe benefits, job training, employees, or their family members. classification, referral, and other aspects of employment. Disability **RETALIATION** All of these Federal laws prohibit covered entities from retaliating discrimination includes not making reasonable accommodation to the known against a person who files a charge of discrimination, participates in a discrimination 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.

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 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, referral, and other aspects of employment, on the basis of race, color, religion, classification, referral, and other aspects of employment. GINA also restricts sex (including pregnancy), or national origin. Religious discrimination includes employers' acquisition of genetic information and strictly limits disclosure failing to reasonably accommodate an employee's religious practices where the of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the DISABILITY Title I and Title V of the Americans with Disabilities Act of 1990, as manifestation of diseases or disorders in family members (family medical amended, protect qualified individuals from discrimination on the basis of history); and requests for or receipt of genetic services by applicants,

proceeding, or otherwise opposes an unlawful employment practice.

WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect 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 Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at www.eeoc.gov or in most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at 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:

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 campaign badge veterans, or Armed Forces service medal veterans. their compensation or the compensation of other applicants or employees. discrimination includes not making reasonable accommodation to the known

RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, disabilities at all levels of employment, including the executive level. NATIONAL ORIGIN Executive Order 11246, as amended, prohibits employment PROTECTED VETERANS The Vietnam Era Veterans' Readjustment Assistance discrimination based on race, color, religion, sex, sexual orientation, gender 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

RETALIATION Retaliation is prohibited against a person who files a complaint INDIVIDUALS WITH DISABILITIES Section 503 of the Rehabilitation Act of of discrimination, participates in an OFCCP proceeding, or otherwise 1973, as amended, protects qualified individuals with disabilities from opposes discrimination under these Federal laws. Any person who believes a discrimination in hiring, promotion, discharge, pay, fringe benefits, job contractor has violated its nondiscrimination or affirmative action obligations training, classification, referral, and other aspects of employment. Disability under the authorities above should contact immediately: The Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor, physical or mental limitations of an otherwise qualified individual with a 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800-397-6251 disability who is an applicant or employee, barring undue hardship to the (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at employer. Section 503 also requires that Federal contractors take affirmative OFCCP-Public@dol.gov, or by calling an OFCCP regional or district office, listed action to employ and advance in employment qualified individuals with 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.

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

RACE, COLOR, NATIONAL ORIGIN, SEX In addition to the protections of Title activities which receive Federal financial assistance. VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of INDIVIDUALS WITH DISABILITIES Section 504 of the Rehabilitation Act of 1973, 1964, as amended, prohibits discrimination on the basis of race, color or as amended, prohibits employment discrimination on the basis of disability in national origin in programs or activities receiving Federal financial assistance. any program or activity which receives Federal financial assistance. Discrimination Employment discrimination is covered by Title VI if the primary objective of the is prohibited in all aspects of employment against persons with disabilities who, financial assistance is provision of employment, or where employment with or without reasonable accommodation, can perform the essential functions discrimination causes or may cause discrimination in providing services under of the job. If you believe you have been discriminated against in a program of such programs. Title IX of the Education Amendments of 1972 prohibits any institution which receives Federal financial assistance, you should employment discrimination on the basis of sex in educational programs or immediately contact the Federal agency providing such assistance.

Mandatory Supplement to EEOC P/E-1(Revised 11/09) "EEO is the Law" Poster

DISCRIMINATION

KNOW YOUR RIGHTS - EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW

The Ohio Civil Rights Act protects applicants and employees of private employers, state, county and local governments, educational institutions, labor organizations, employment agencies and personnel placement services from unlawful discriminatory employment practices

military status in hiring, promotion, tenure, discharge, pay, fringe

benefits, job training, classification, referral, terms, conditions

indirectly related to employment. In addition, employees who

leave employment to perform military service, which includes

the performance of duty, on a voluntary or involuntary basis,

in a uniformed service, under competent authority, must be

Disability Ohio law prohibits discrimination on the basis of

disability in hiring, promotion, tenure, discharge, pay, fringe

benefits, job training, classification, referral, terms, conditions and

privileges of employment, or any other matter directly or indirectly

related to employment. In addition, applicants and employees must

be provided with a reasonable accommodation for their disabilities,

Age Ohio law prohibits discrimination against persons 40 years

of age or older on the basis of age in hiring, promotion, tenure,

discharge, pay, fringe benefits, job training, classification, referral,

terms, conditions and privileges of employment, or any other

Harassment Ohio law prohibits harassment in the workplace on

any basis set forth herein, which includes the creation of a racially

or sexually hostile work environment, verbally or physically abusive

treatment, and requiring submission to sexual advances as a condition

reasonable steps should be taken to prevent and promptly correct

harassment in the workplace, which includes the establishment of a

policy against harassment and a procedure for receiving, investigating

Retaliation Ohio law prohibits retaliation against any person

matter directly or indirectly related to employment.

and remedying complaints of workplace harassment.

except when the accommodation imposes an undue hardship.

reemployed upon conclusion of such service.

Race and Color Ohio law prohibits discrimination on the basis of undue hardship. Military Status Ohio law prohibits discrimination on the basis of

race or color in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, terms, conditions and privileges of employment, or any other matter directly or indirectly related to employment. In addition, any facially neutral employment and privileges of employment, or any other matter directly or policy or practice that results in a discriminatory impact on the basis of race or color is a prohibited form of discrimination unless such policy or practice is job-related and based upon business necessity. National Origin and Ancestry Ohio law prohibits discrimination on the basis of *national origin or ancestry* in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, terms, conditions and privileges of employment, or any other matter directly or indirectly related to employment. In addition, any policy or practice limiting or prohibiting the use of any language in the workplace is a prohibited form of discrimination unless such limitation

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Governor Mike DeWine

or prohibition is jobrelated and based upon business necessity. Sex, Including Pregnancy, Sexual Orientation, and Gender Identity Ohio law prohibits discrimination on the basis of sex or *pregnancy* in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, terms, conditions and privileges of employment, or any other matter directly or indirectly related to employment. Women affected by pregnancy, childbirth or related medical condition must be afforded leave for a reasonable period of time and may not be discharged under a policy providing insufficient or no leave. The U.S. Supreme Court, in the case of Bostock v. Clayton Cty., Georgia. U.S. 140 S. Ct. 1731 (2020), as well as other federal court cases, have extended sex discrimination to of employment, continued employment or promotion. In addition, all include prohibition of employment discrimination on the basis of sexual orientation and gender identity.

Religion Ohio law prohibits discrimination on the basis of *religion* in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, terms, conditions and privileges of employment, or any other matter directly or indirectly related because that person has opposed any unlawful discriminatory to employment. In addition, applicants and employees must be practice, or because that person has made a charge, testified, provided with a reasonable accommodation for religious beliefs assisted or participated in any manner in any investigation, and practices, except when the accommodation imposes an proceeding or hearing.

ENFORCEMENT: The Ohio Civil Rights Commission (OCRC) investigates complaints of discrimination and harassment in employment. Complaints must be filed with the OCRC within two years of the last act of discrimination or harassment. For more information or assistance in filing a complaint, please call toll free: 1-888-278-7101, TTY (614) 752-2391 or visit our website at: www.crc.ohio.gov Publication Date 04-21

FEDERAL MINIMUM WAGE

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE \$7.25 PER HOUR BEGINNING JULY 24, 2009 The law requires employers to display this poster where for each willful or repeated violation of the minimum wage or

employees can readily see it. **OVERTIME PAY** At least 1 ½ times your regular rate of pay for

agricultural employment.

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

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**

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

1/16

You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and: · 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.

If 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

U.S. Department of Labor

1-866-487-2365

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 if that person has no service connection.

HEALTH INSURANCE PROTECTION

• If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military. • 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 illnesses or injuries.

ENFORCEMEN

• The U.S. Department of Labor, Veterans Employment and Training 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 against an employer for violations of USERRA.

Publication Date — April 2017

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 place notices for employees.



Employer Support Of The Guard And Reserve 1-800-336-4590

NO SMOKING NOTICE

J.S. Department of Justice



Office of Special Counsel

To report violations call 866-559-OHIO (6446) in accordance with Chapter 3794 of the Ohio Revised Code.

PUBLIC EMPLOYEE RISK REDUCTION POSTER

Ohio Bureau of Workers' Compensation



• A safe workplace.

of retaliation.

on your behalf.

in your workplace.

your behalf.

your rights.

employer.

o Raise a safety or health concern with your

employer or the Public Employment Risk

Reduction Program (PERRP), or report a

safety or health concerns you may have

about your workplace. You may have a

representative file a complaint with PERRP

• Receive information and training about job

it presents an imminent (life-threatening)

have a representative contact PERRP on

o Participate (or have your representative

in private to the compliance officer.

• File a union grievance or file a complaint

with the State Personnel Board of Review

if you have suffered retaliation for using

• See any citations PERRP issues to your

o Request copies of your medical records,

and the workplace injury and illness log.

within 60 days (by phone, online or by mail)

tests that measure hazards in the workplace,

danger to you or your co-workers. You may

participate) in a PERRP inspection and speak

o Refuse a work assignment if you believe

hazards, including all hazardous substances

• File a complaint with PERRP about any

work-related injury or illness, without fear

Job Safety and Health

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

WORKERS' COMPENSATION

OHIO BUREAU OF WORKERS' COMPENSATION

SELF-INSURED WORKERS' COMPENSATION

NOTICE TO EMPLOYEES

(1) A hospital bill;

self-insuring employers.

(1) Written notice of the specific part or parts of the body claimed to have self-insuring employer to, or on behalf of, an employee for:

REQUIRED POSTING

notice of rebuttable presumption. Rebuttable presumption means that an bureau of workers' compensation . The notice shall state that it is proof of employee may dispute or prove untrue the presumption (or belief) that alcohol workers' compensation coverage, or that the employer has complied with or a controlled substance not prescribed by the employee's physician is the section 4123.35 of the Revised Code and has been authorized by the proximate cause (main reason) of the work-related injury.

The burden of proof is on the employee to prove that the presence of alcohol or a controlled substance was not the proximate cause of the work-related injury. An due. The notice, when posted, constitutes sufficient notice to the employer's employee who tests positive or refuses to submit to chemical testing may be disqualified for compensation and benefits under the Workers' Compensation Act.

THIS LANGUAGE MUST BE POSTED WITH THE CERTIFICATE OF COVERAGE section 4123.35 of the Revised Code.

ATTENTION OHIO EMPLOYERS Notice Regarding Ohio's Workers' Compensation

Posting Requirement

Ohio Bureau of Workers' Compensation

Workers' Compensation:

total disability:

within one year after the injury or death:

directly, one of the following has occurred;

no more than satisfy the requirements of this section;

as follows:

Each employer paying premiums into the state insurance fund or electing directly to pay compensation to the employer's injured employees or the dependents of the employer's killed employees as provided in section 4123.35

Section 4123.84 of the Ohio Revised Code (workers' compensation) reads

specific part or parts of the body injured shall be forever barred unless,

been injured has been made to the Industrial Commission or the Bureau of

occupational disease, has paid wages in lieu of compensation for

(2) The Employer, with knowledge of a claimed compensable injury or

(3) In the event the employer has elected to pay compensation or benefits

(a) Written notice of the specific part or parts of the body claimed to have been injured has been given to the commission or bureau, or the

employer has furnished treatment by a licensed physician in the employ

of an employer; providing, however, that the furnishing of such treatment

shall not constitute a recognition of a claim as compensable, but shall do

(A) In all cases of injury or death, claims for compensation or benefits for the

of the Revised Code, shall post conspicuously in the employer's place or places Effective October 13, 2004, Section 4123.54 of the Ohio Revised Code requires of employment notices, which shall be furnished at least annually by the administrator of workers' compensation directly to compensate employees or dependents, and the date of the authorization. The notice shall indicate that coverage is contingent on continued payment of premiums and assessments employees of the fact that the employer carries workers' compensation coverage or that the employer has complied with the elective provisions of

Amended by 130th General Assembly File No. TBD, HB 493, §1, eff. 9/17/2014.

30 West Spring St., L-B2, Columbus, OH 43215 (800) 644-6292, press 3 then 2 (614) 621-1137 (fax)

(b) Compensation or benefits have been paid or furnished equal to or

As used in division (A) (3) (b) of this section, "benefits" means payment by a

Note: This notice is to be posted and maintained at all times in one or

more conspicuous places in workshops or places of employment by all

(4) Written notice of death has been given to the commission or bureau

greater than is provided for in Sections 4123.52, 4123.55 to 4123.62,

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 free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

ENFORCEMENT The Department has authority to recover back wages and 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

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.



1-800-829-3676. Now is the time to check your withholding.

For more details, get Publication 919, How Do I Adjust My Tax

Publication 213

Cat. No. 11047P

Kimberly Hall

Director

Mike DeWine

Jon Husted

Lt. Governo Sheryl Maxfield

(Rev. 8-2009)

Withholding?, or use the Withholding Calculator at

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

PAYDAY NOTICE

Regular Paydays for Employees of

(Company Name) Shall be as follows: Monthl Other Weeklv Bi-Weekly Title:

WITHHOLDING STATUS

YOU MAY NEED TO CHECK YOUR WITHHOLDING

Since you last filed form W-4 with your employer did you... See your employer for a copy of Form W-4 or call the IRS at Marry or divorce?

 Gain or lose a dependent? Change your name?

Were there major changes to...

Employer: Please post or publish this Bulletin Board Poster so • Your nonwage income (interest, dividends, capital gains, etc.)? that your employees will see it. Please indicate where they can • Your family wage income (you or your spouse started or get forms and information on this subject. ended a job)?

Your itemized deductions?

• Your tax credits? If you can answer "YES"...

dependent children

Ohio Department of Commerce

Mike Dewine,

Governor

Jon Husted,

Lt. Governor

Sheryl Maxfield

Director

Mike DeWine

Governor

To any of these questions or you owed extra tax when you Department of the Treasury filed your last return, you may need to file a new form W-4. Internal Revenue Service www.irs.gov

UNEMPLOYMENT INSURANCE

XXX IRS

NOTICE TO EMPLOYEES THIS EMPLOYER PROVIDES UNEMPLOYMENT INSURANCE COVERAGE FOR EMPLOYEES

Employees who become unemployed (or are working less than full time) may be eligible for unemployment insurance benefits. Apply by phone at 1-877-644-6562 (OHIOJOB) or online at http://unemployment.ohio.gov

Be prepared to provide the following information when applying

 Social Security number Driver's license or State ID number • Employer's identification notice (pay stubs or W2 form) • Name and address of all other employers for whom work was performed during the past 18 months

Names, Social Security numbers, and dates of birth of all

APPLY FOR WORK AT YOUR NEAREST OHIOMEANSJOBS CENTER

Ohio Department of Job and Family Services

This institution is an equal opportunity provider and employer. A proud partner of the American Job Center network. IES 55341 (Rev. 4/2019)

OHIO MINIMUM WAGE

STATE OF OHIO

2022 MINIMUM WAGE www.com.ohio.gov

NON-TIPPED EMPLOYEES

It's the Law!

All Ohio public employers must: All Ohio public employees have the right to:

- o Provide employees a workplace free from recognized hazards. It is illegal to retaliate against employees for using any of their rights under the law, including raising a health and safety concern with you or with PERRP, or reporting a work-related injury or illness.
- o Comply with all adopted PERRP standards.
- Report to PERRP all work-related fatalities within eight hours, and all incidents resulting in a hospitalization, amputation or loss of an eye within 24 hours.
- o Provide required training to workers in a manner they can understand.
- o Prominently display this poster in the workplace.
- Post PERRP citations at or near the place of the alleged violations.
- o Maintain, post and submit injury and illness statistics to PERRP.

Free compliance assistance to

identify and correct hazards is available to all public employers, without citation or penalty.

To request compliance assistance visit our website, or send an email to: PERRPRequest@bwc.state.oh.us



Contact PERRP at 1-800-671-6858. We can help! Fax 614-621-5754 • TTY 1-800-750-0750 • www.bwc.ohio.gov

OSHA - THE OCCUPATIONAL SAFETY AND HEALTH ACT

EMPLOYEE POLYGRAPH PROTECTION ACT

and 4123.64 to 4123.67 of the Revised Code.

(2) A medical bill to a licensed physician or hospital;

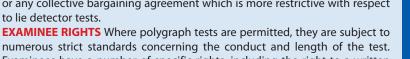
and prior approval has been given by the bureau.

(3) An orthopedic or prosthetic device.

EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT The Employee Polygraph Protection Act prohibits most private employers or any collective bargaining agreement which is more restrictive with respect

from using lie detector tests either for pre-employment screening or to lie detector tests. during the course of employment.

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. to have test results disclosed to unauthorized persons. **EXEMPTIONS** Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities. applicants may also bring their own court actions. 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



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

ENFORCEMENT The Secretary of Labor may bring court actions to restrain

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE



ANTI-DISCRIMINATION NOTICE

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

CHILD LABOR LAWS

PROHIBITIONS Employers are generally prohibited from requiring or numerous strict standards concerning the conduct and length of the test.

violations and assess civil penalties against violators. Employees or job

EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.



30 W. Spring St. Columbus, OH 43215

Section 4121.65 of the Ohio Revised Code grants authority to self-insuring employers to furnish rehabilitation services as long as the quality and content is equal to or greater than that provided by the bureau of workers' compensation,



STATE OF OHIO

MINOR LABOR LAWS

www.com.ohio.gov

OHIO REVISED CODE CHAPTER 4109* "MINOR" MEANS ANY PERSON LESS THAN 18 YEARS OF AGE

- WORKING PERMITS: Every minor 14 through 17 years of age must have a working permit unless otherwise stated in Chapter 4109. WAGE AGREEMENT: No employer shall give employment to a minor without agreeing with him/her as to the wages or compensation he/she shall receive for
- each day, week, month, year or per piece for work performed.

REST PERIOD: No employer shall employ a minor more than 5 consecutive hours without a rest period of at least 30 minutes.

LIST OF MINORS EMPLOYED: Employer shall keep a list of minors employed at each establishment and a list must be posted in a conspicuous place to which all minor employees have access

TIME RECORDS: Every employer shall keep a time book or other written record showing actual starting and stopping time of each work and rest period. These records must be kept for two (2) years.

RESTRICTIONS ON WORKING HOURS FOR MINORS 14 and 15 YEARS OF AGE

No person under 16 shall be employed:

1. During school hours except where specifically permitted by Chapter 4109

2. Before 7 a.m. or after 9 p.m. from June 1st to September 1st or during any school holiday of 5 school days or more; or after 7 p.m. at any other time 3. For more than 3 hours a day in any school day

4. For more than 18 hours in any school week

5. For more than 8 hours in any day when school is not in session

6. For more than 40 hours in any week that school is not in session nor during school hours, unless employment is incidental to bona fide programs of vocational cooperative training, work-study, or other work-oriented programs with the purpose of educating students, and the program meets standards established by the state board of education.

RESTRICTIONS ON WORKING HOURS FOR MINORS 16 and 17 YEARS OF AGE

No person 16 or 17 who is required to attend school shall be employed: . Before 7 a.m. on any day that school is in session or 6 a.m. if the person was not employed after 8 p.m. the previous night

2. After 11 p.m. on any night preceding a day that school is in session.

PROHIBITED OCCUPATIONS FOR MINORS UNDER 16 YEARS OF AGE

- 1. All manufacturing; mining; processing; public messenger service
- 2. Work in freezers and meat coolers and all preparation of meats for sale (except wrapping, sealing, labeling, weighing, pricing and stocking) Transportation; storage; communications; public utilities; construction; repair
- 4. Work in boiler or engine rooms; maintenance or repair of machinery
- 5. Outside window washing from window sills or scaffolding and/or ladders
- 6. Cooking and baking; operating, setting up, adjusting, cleaning, oiling or repairing power-driven food slicers, grinders, food choppers, cutters, bakery type mixers
- 7. Loading or unloading goods to and from trucks
- 3. All warehouse work except office and clerical
- 9. Work in connection with cars and trucks involving the use of pits, racks or lifting apparatus or involving the inflation of any tire mounted on a rim equipped with a removable retaining ring.

PROHIBITED OCCUPATIONS FOR MINORS 14 through 17 YEARS OF AGE

. Occupations involving slaughtering, meat-packing, processing or rendering Power-driven bakery machines 3. Occupations involved in the manufacture of brick, tile and kindred products 4. Occupations involved in the manufacture of chemicals 5. Manufacturing or storage occupations involving explosives Occupations involving exposure to radioactive substances and to ionizing radiations 7. Power-driven paper products machines 8. Power-driven metal forming, punching and shearing machines 9. Occupations involved in the operation of power-driven circular saws, band saws and guillotine shears 10. Power-driven woodworking machines 11. Coal mines 12. Occupations in connection with mining, other than coal 13. Logging and sawmilling 14. Motor vehicle occupations 15. Maritime and longshoreman occupations 16. Railroads 17. Excavation operations 18. Power-driven and hoisting apparatus 19. Roofing operations 20. Wrecking, demolition, and shipbreaking.

MINORS UNDER 16 YEARS OF AGE MAY NOT ENGAGE IN DOOR-TO-DOOR EMPLOYMENT UNLESS

The for-profit employer is REGISTERED with the Ohio Department of Commerce. DOOR-TO-DOOR SALES EMPLOYERS SHALL: . Be in compliance with all applicable Ohio and Federal laws relating to the employment of minors 2. Provide at least one supervisor who is over the age of eighteen, for each six minor employees 3. Have been and be in compliance with Ohio's Motor Vehicle Financial Responsibility, Workers' Compensation, Unemployment Compensation, and all other applicable laws 4. Require all minors to work at least in pairs 5. Not employ any minor who does not have an appropriate Age and Schooling Certificate 5. Provide each minor employee with a photo identification card 7. Not employ any minor in any door-to-door sales activity during school hours except where specifically permitted 3. Not employ minors under 16 in door-to-door sales activity before 7 a.m. or after 7 p.m. 9. Not employ minors 16 and 17 years of age in door-to-door sales activity before 7 a.m. or after 8 p.m.

A Minimum Wage of \$9.30 per hour

"Non-Tipped Employees" includes any employee who does not engage in an occupation in which he/she customarily and regularly receives more than thirty dollars (\$30.00) per month in tips. "Employers" who gross less than \$342,000 shall pay their employees no less than the current federal minimum wage rate "Employees" under the age of 16 shall be paid no less than the current federal minimum wage rate. Current Federal Minimum Wage" is \$7.25 per hour.

TIPPED EMPLOYEES

A Minimum Wage of \$4.65 per hour PLUS TIPS

"Tipped Employees" includes any employee who engages in an occupation in which he/she customarily and regularly receives more than thirty dollars (\$30.00) per month in tips. Employers electing to use the tip credit provision must be able to show that tipped employees receive at least the minimum wage when direct or cash wages and the tip credit amount are combined.

OVERTIME 1. An employer shall pay an employee for overtime at a wage rate	INDIVIDUALS EXEMPT FROM MINIMUM WAGE 1. Any individual employed by the United States;
ofone and one-half times the employee's wage rate for hours	 Any individual employed as a baby-sitter in the employer's
inexcess of 40 hours in one work week, except for employers	home, or a live-in companion to a sick, convalescing, or elderly
grossing less than \$150,000 per year.	person whose principal duties do not include housekeeping;
RECORDS TO BE KEPT BY THE EMPLOYER	 Any individual employed as an outside salesman compensated
1. Each employer shall keep records for at least three years,	by commissions or in a bona fide executive, administrative, or
available for copying and inspection by the Director of the Ohio	professional capacity, or computer professionals;
Department of Commerce, showing the following information	 Any individual who volunteers to perform services for a public
concerning each employee:	agency which is a State, a political subdivision of a State, or an
A. Name	interstate government agency, if
B. Address	 (i) the individual receives no compensation or is paid expenses,
C. Occupation	reasonable benefits, or a nominal fee to perform the services
D. Rate of Pay	for which the individual volunteered; and
E. Amount paid each pay period	(ii) such services are not the same type of services which the
F. Hours worked each day and each work week	individual is employed to perform for such public agency;
2. The records may be opened for inspection or copying at any reasonable time and no employer shall hinder or delay the Director of the Ohio Department of Commerce in the	 Any individual who works or provides personal services of a charitable nature in a hospital or health institution for which compensation is not sought or contemplated;
performance of these duties.	6. Any individual in the employ of a camp or recreational area for
SUB-MINIMUM WAGE RATE	children under eighteen years of age and owned and operated
To prevent the curtailment of opportunities for employment	by a non-profit organization or group of organizations.
and avoid undue hardship to individuals whose earning capacity is affected or impaired by physical or mental deficiencies or	7. Employees of a solely family owned and operated business who are family members of an owner.
injuries, a sub-minimum wage may be paid, as provided in the rules and regulations set forth by the Director of the Ohio Department of Commerce.	* For information about additional exemptions, please visit the Ohio Division of Industrial Compliance or U.S. Department of Labor websites.

For further information about minimum wage issues, please contact: The Ohio Department of Commerce, Division of Industrial Compliance, 6606 Tussing Road, Reynoldsburg, Ohio 43068. Phone: 614-644-2239. TTY/TDD: 1-800-750-0750. An Equal Opportunity Employer and Service Provider. (REV. 9/30/21

POST IN A CONSPICUOUS PLACE

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 within 75 miles of the employee's worksite. covered employer can take up to 12 weeks of unpaid, job- *Special "hours of service" requirements apply to airline flight protected leave in a 12-month period for the following reasons: crew employees. The birth of a child or placement of a child for adoption or **REQUESTING LEAVE** Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to foster care: To bond with a child (leave must be taken within 1 year of the give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual child's birth or placement): To care for the employee's spouse, child, or parent who has a procedures. Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can qualifying serious health condition; determine if the leave qualifies for FMLA protection. Sufficient For the employee's own qualifying serious health condition that information could include informing an employer that the makes the employee unable to perform the employee's job; employee is or will be unable to perform his or her job functions, • For qualifying exigencies related to the foreign deployment of a that a family member cannot perform daily activities, or that military member who is the employee's spouse, child, or parent. hospitalization or continuing medical treatment is necessary. An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of Employees must inform the employer if the need for leave is for FMLA leave in a single 12-month period to care for the a reason for which FMLA leave was previously taken or certified. 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 If the employee is not eligible, the employer must provide a the employees were not on leave. Upon return from FMLA eave, most employees must be restored to the same job or one

proceeding under or related to the FMLA.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required. **EMPLOYER RESPONSIBILITIES** Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must 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. reason for ineligibility. 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. nearly identical to it with equivalent pay, benefits, and other employment terms and conditions. An employer may not **ENFORCEMENT** Employees may file a complaint with the U.S. interfere with an individual's FMLA rights or retaliate against Department of Labor, Wage and Hour Division, or may bring a someone for using or trying to use FMLA leave, opposing any private lawsuit against an employer. The FMLA does not affect practice made unlawful by the FMLA, or being involved in any any federal or state law prohibiting discrimination or supersede

any state or local law or collective bargaining agreement that



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.

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.



*For Exceptions to Coverage See Chapter 4109.06

This is a summary of ORC 4109. This summary does not include all of the requirements for minor labor laws. Persons should refer to 4109 for specific requirements applicable to them. This information can be accessed through the Ohio Department of Commerce website at www.com.ohio.gov.

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For further information about Minor Labor issues, please contact: The Ohio Department of Commerce, Division of Industrial Compliance & Labor, 6606 Tussing Road, Reynoldsburg, OH 43068 Phone: 614-644-2239. TTY/TDD: 800-750-0750. An Equal Opportunity Employer and Service Provider

ELIGIBILITY REQUIREMENTS An employee who works for a provides greater family or medical leave rights. covered employer must meet three criteria in order to be WH1420a REV 04/1 For additional information or to file a complaint: eligible for FMLA leave. The employee must: 1-866-4-USWAGE • Have worked for the employer for at least 12 months; (1-866-487-9243) TTY: 1-877-889-5627 **WHE** • Have at least 1,250 hours of service in the 12 months before taking leave:* and WWW.WAGEHOUR.DOL.GOV U.S. Department of Labor | Wage and Hour Division Work at a location where the employer has at least 50 employees (REV. 9/13/16)



