YOUR EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with job-protected leave for qualifying family and medical reasons. The U.S. Department of

An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness may take up to 26 workweeks of FMLA leave in a single

You have the right to use FMLA leave in one block of time. When it is medically necessary or otherwise permitted, you may take FMLA leave intermittently in separate blocks of time,

FMLA leave is not paid leave, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for

You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of

You do not have to share a medical diagnosis but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You must

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

Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave.

Your employer cannot interfere with your FMLA rights or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your employer must confirm whether you are eligible or not eligible for FMLA leave. If

If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. Scan the QR code to learn

U.S. Equal Employment Opportunity Commission

Know Your Rights: Workplace Discrimination is Illegal

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in

employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help.

State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional

Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees.

The birth, adoption or foster placement of a child with you,

12-month period to care for the servicemember.

You are an **eligible employee** if **all** of the following apply:

You have worked for your employer at least 12 months,

You work for a **covered employer** if **one** of the following applies:

Airline flight crew employees have different "hours of service" requirements.

Follow your employer's normal policies for requesting leave,

Give notice at least 30 days before your need for FMLA leave, or

If advance notice is not possible, give notice as soon as possible

Allow you to take job-protected time off work for a qualifying reason,

your employer determines that you are eligible, your employer must notify you in writing:

How much of your requested leave, if any, will be FMLA-protected leave.

Employees (current and former), including managers and temporary employees

Under the EEOC's laws, an employer may not discriminate against you, regardless of your

Sex (including pregnancy, childbirth, and related medical conditions, sexual

Genetic information (including employer requests for, or purchase, use, or disclosure

Retaliation for filing a charge, reasonably opposing discrimination, or participating

Failure to provide reasonable accommodation for a disability; pregnancy, childbirth,

Conduct that coerces, intimidates, threatens, or interferes with someone exercising

their rights, or someone assisting or encouraging someone else to exercise rights,

regarding disability discrimination (including accommodation) or pregnancy

or related medical condition; or a sincerely-held religious belief, observance or

Interference, coercion, or threats related to exercising rights regarding disability

You work for an elementary or public or private secondary school, or

Am I eligible to take FMLA leave?

Personnel Management

Generally, to request FMLA leave you must:

What does my employer need to do?

Where can I find more information?

about our WHD complaint process.

FED

Job applicants

Color

Religion

Disability

National origin

Age (40 and older)

immigration status, on the bases of:

orientation, or gender identity)

What Organizations are Covered?

Most private employers

All aspects of employment, including

Hiring or promotion

Assignment

practice

Benefits

Referral

Visit

E-Mail

Job training

Classification

Discharge, firing, or lay-off

Staffing agencies

If you are eligible for FMLA leave, your **employer must**:

requesting FMLA leave or cooperating with a WHD investigation.

About your FMLA rights and responsibilities, and

DEPARTMENT OF LABOR

UNITED STATES OF AMERICA

WAGE AND HOUR DIVISION

UNITED STATES DEPARTMENT OF LABOR

Union members and applicants for membership in a union

of genetic tests, genetic services, or family medical history)

What Employment Practices can be Challenged as Discriminatory?

Harassment (including unwelcome verbal or physical conduct)

Obtaining or disclosing genetic information of employees

you live/work). You can reach the EEOC in any of the following ways:

an inquiry through the EEOC's public portal:

1-844-234-5122 (ASL video phone)

an EEOC field office (information at

1-800-669-4000 (toll free)

www.eeoc.gov/field-office)

1-800-669-6820 (TTY)

https://publicportal.eeoc.gov/Portal/Login.aspx

Requesting or disclosing medical information of employees

filing a charge, or participating in an investigation or proceeding

in a discrimination lawsuit, investigation, or proceeding

discrimination or pregnancy accommodation

State and local governments (as employers)

Educational institutions (as employers)

Pay (unequal wages or compensation)

What Types of Employment Discrimination are Illegal?

Call 1-866-487-9243 or visit dol.gov/fmla to learn more.

How do I request FMLA leave?

You work for a covered employer,

Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month period for:

Your serious mental or physical health condition that makes you unable to work,

Your employer has at least 50 employees within 75 miles of your work location.

To care for your spouse, child or parent with a serious mental or physical health condition, and

or on a reduced schedule by working less hours each day or week. Read Fact Sheet #28M(c) for more information

You have at least 1,250 hours of service for your employer during the 12 months before your leave, and

Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,

Your employer may request certification from a health care provider to verify medical leave and may request certification of a qualifying exigency.

also inform your employer if FMLA leave was previously taken or approved for the same reason when requesting additional leave.

employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress.

Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE \$7.25 PER HOUR BEGINNING JULY 24, 2009

The law requires employers to display this poster where employees can readily see it.

At least 1½ times the regular rate of pay for all hours worked over 40 in a

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

restrictions. Different rules apply in agricultural employment.

Employers of "tipped employees" who meet certain conditions may claim a partial vage 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

non-manufacturing, non-mining, non-hazardous jobs with certain work hours

The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for their nursing child for one year after the child's birth each time the employee needs to express breast milk. Employers must

Revised Statutes Annotated Chapter 279, as amended

\$7.25 PER HOUR EFFECTIVE SEPTEMBER 1, 2008

Unless otherwise provided by statute, no person, firm, or corporation shall

employ any employee at an hourly rate lower than that set forth in the

Employees engaged in Household Labor, Domestic Labor, Farm Labor,

Outside Sales Representatives, Summer Camps for Minors, Newspaper

OVERTIME PAY. Those employees covered by RSA 279, with the following

exceptions, shall in addition to their regular compensation, be paid at the

rate of time and one-half for all time worked in excess of 40 hours in any one

Any employee employed by an amusement, seasonal, or recreational

average receipts for the other 6 months of such year.

Any employee of employers covered under the provisions of the

Tipped employees of a restaurant, hotel, motel, inn or cabin, who customarily

customers will receive a base rate from the employer of not less than 45

percent of the applicable minimum wage. Restaurant shall include an

it does not operate for more than 7 months in any calendar

during the preceding calendar year, its average receipts for any

6 months of such year were not more than 33 1/3 percent of its

Carriers, Non-Professional Ski Patrol and Golf Caddies.

Federal Fair Labor Standards Act.

INSPECTION DIVISION

95 PLEASANT ST.

CONCORD NH 03301

(603) 271-1492 & 271-3176

he employee is entitled to the higher minimum wage rate

MONDAY

payment of wages less frequently, except it shall be at least once each calendar month.

PAYMENT OF WAGES. All wages due an employee must be paid on a weekly or biweekly

NOTICE TO EMPLOYEE. Employer must notify employee in writing when hiring of the rate of pay, or

on vacation pay, sick leave and other fringe benefits; furnish employee statement of deductions each payday.

consecutive hours without granting him a one half-hour lunch or eating period, except if it is feasible for the

employee who so requests to inspect such employee's personnel file and upon request provide such employee

inless required or empowered by state or federal law; or unless by written authorization by the employee for a

LUNCH OR EATING PERIOD. An employer may not require an employee to work more than five

mployee to eat during the performance of his/her work, and the employer permits him/her to do so.

ACCESS TO PERSONNEL FILE. Every employer shall provide a reasonable opportunity for an

WITHHOLDING WAGES. Employer may not withhold or divert any portion of an employee's wages

lawful purpose accruing to the benefit of the employee, per regulation promulgated by the Commissionel INSPECTION DIVISION

any changes prior to change; make available in writing, or by posted notice, employment practices and policies

basis. The Labor Commissioner may, upon written petition showing good and sufficient reason, permit

TUESDAY

federal minimum wage law, as amended.

OF LABOR UNITED STATES OF AMERICA

NH

FED

WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR

DEPARTMENT OF LABOR

MINIMUM WAGE LAW

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 for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties 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.

LAWS

ADDITIONAL INFORMATION Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions. Certain narrow exemptions also

apply to the pump at work requirements. 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.

establishment in a temporary or permanent building, kept, used, maintained,

advertised, and held out to the public to be a place where meals are regularly

prepared or served for which a charge is made and where seating and table

term does not include establishments which do not primarily prepare and

service is available for customers or where delivery services are available. The

serve food. Tipped employees shall also include employees who deliver meals

prepared in a restaurant to the customer's home, office, or other location. If

an employee shows to the satisfaction of the commissioner that the actual

amount of wages received at the end of each pay period did not equal the

minimum wage for all hours worked, the employer shall pay the employee

RECORDS. Every employer of employees shall keep a true and accurate

No youth under the age of 16 shall be employed or permitted to work

without first obtaining a New Hampshire Youth Employment Certificate

except for his/her parents, grandparents, guardian, or at work defined as casual or farm labor. **Certificates shall be obtained by an employer within**

be kept on file by all employers of youths. An employer shall not employ a

youth 16 or 17 years of age, unless the employer obtains and maintains on

permitting the youth's employment. The parental permission shall be on file

at the establishment's worksite prior to the first day of employment. Written

ion is not required for a 16 or 17 year old youth who has

Ken Merrifield

FRIDAY

EMPLOYEES SEPARATED. When an employee quits, resigns, or is suspended because of labor dispute

wages must be paid not later then the next regular payday or by mail if the employee so requests. Employees

discharged must be paid in full within seventy-two hours. Willful failure to pay as above subjects employer to

liquidated damages of ten percent of the unpaid wages for each day except Sunday and legal holidays. In case

of dispute over amount due, employer shall pay amount conceded by him to be due, leaving employee remedie

The acceptance of payment by employee shall not constitute a release to the balance of a claim and any release

REQUIRED PAY

CIVIL PENALTY

There may be a minimum civil penalty of \$100.00 per violation of any section of the New Hampshire Labor Laws.

Ken Merrifield

On any day an employee reports to work at an employer's request, the employee shall be paid not less than 2

required by an employer as a condition of payment shall be null and void and in violation of the law.

hours pay at their regular rate of pay. This does not apply to employees of counties or municipalities

file a signed written document from the youth's parent or legal guardian

graduated from high school or obtained a general equivalency diploma.

3 business days of the first day of employment. Copies of certificates shall

record of the hours worked by each, wages paid to each, and classification of

NEW HAMPSHIRE YOUTH EMPLOYMENT LAW

the difference to guarantee the applicable minimum wage.

employment when necessary.

Deputy Commission

THIS NOTICE MUST BE POSTED IN A CONSPICUOUS PLACE

NOTICE: This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under the Fair Labor Standards Act

osting, which indicates the federal minimum wage. Where federal and state rates both apply to an employee, the U.S. Department of Labor dictates that

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

DEPARTMENT OF LABOR

PROTECTIVE LEGISLATION LAW

Wages In this Establishment Will Be Paid On:

WEDNESDAY



REV. 02/01/2018

SATURDAY

REV. 04/2023

1-866-487-9243 www.dol.gov/agencies/whd

OF LABOR UNITED STATES

www.dol.gov/agencies/who

FED

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

You have the right to be reemployed in your civilian job if you leave that job to perform service in the

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

you have not been separated from service with a disqualifying discharge or under other than 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

uniformed service; have applied for membership in the uniformed service: or

initial employment; reemployment; retention in 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 **HEALTH INSURANCE PROTECTION**

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

ENFORCEMENT 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

If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be ferred 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

grams/userra/poster 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.

> U.S. Department of Labor • 1-866-487-2365 U.S. Department of Justice Office of Special Counsel Employer Support of the Guard and Reserve • 1-800-336-4590

REV. 05/2022

NH

THIS NOTICE MUST BE POSTED IN A CONSPICUOUS PLACE REV. 02/01/2018

NH

NH

SUNDAY

with a copy of all or part of the file.

95 PLEASANT ST.

CONCORD NH 03301

(603) 271-1492 & 271-3176

Department of Labor NOTICE OF VETERANS' BENEFITS AND SERVICES

Danielle N. Albert

Deputy Commission

nployees may access information about veterans' benefits and services through the following New Hampshire Department of Military Affairs and Veterans' Services Main Website: <u>www.dmavs.nh.gov</u> – Telephone: (603) 225-1200 NH Division of Veterans Services: https://www.dmavs.nh.gov/veterans-services - Telephone: (603) 624-9230 NH Department of Employment Security — www.nhes.nh.gov — (603) 224-3311 Substance Abuse and Mental Health Treatment Resources

US Department of Veterans Affairs ("VA") — www.va.gov — 1-800-827-1000 National Alliance on Mental Illness ("NAMI") — www.nami.org — 1-800-950-6264 NH Recovery Friendly Workplace Initiative — www.recoveryfriendlyworkplace.com — (603) 271-2121 Educational, Workforce, and Training Resources NH Department of Employment Security — <u>www.nhes.nh.gov/services/job-seekers/veterans</u> —

(603) 224-3311 US Department of Labor Veterans Employment and Training Service — <u>www.dol.gov/agencies/vets</u>

VA Veteran Readiness and Employment ("VR&E")- www.benefits.va.gov/vocrehab Tax Benefit Resources

NH Strong as Granite - www.dhhs.nh.gov/programs-services/health-care/behavioral-health/strong-granite US Substance Abuse and Mental Health Services Administration — <u>www.samhsa.gov</u> — 1-877-726-4727

Contact your town/city tax assessor's office for information about veterans' property tax credit benefits.

Obtaining a Veteran's Indicator on Driver's License or Non-driver ID Card NH Department of Safety, Division of Motor Vehicles – www.dmv.nh.gov – (603) 227-4000 Unemployment Insurance Benefits Whole Health Care Services – to include Oral Health Care Options for qualified NH Veterans VA Manchester Health Care System - https://www.va.gov/manchester-health-care/ - (603) 624-4366 NH Veterans Freedom to Smile - www.dmavs.nh.gov/community-based-military-programs/veterans-

freedom-smile-initiative-oral-health-care-options

THURSDAY

603 Legal Aid – www.603legalaid.org – (603) 224-3333 New Hampshire Legal Assistance – www.nhla.org – 1-800-562-3174 NH Bar Association Lawyer Referral Service – <u>www.nhbar.org</u> – (603) 229-0002 Veterans' Crisis Line

Dial 988 then Press 1 INSPECTION DIVISION Danielle N. Albert Ken Merrifield 95 PLEASANT ST. **Deputy Commissioner** CONCORD, NH 03301 (603) 271-6294

THIS NOTICE MUST BE POSTED IN A LOCATION ACCESSIBLE TO ALL EMPLOYEES IOTICE: This state requires an employer to display a Workers' Compensation posting furnished by the employer's insurance carrier or a state agency. Employers should

ntact their insurance carrier or the appropriate state agency to obtain a copy of this state's Workers' Compensation posting or notice of compliance/certificate of insurance ployees should refer to the Workers' Compensation posting or notice of compliance/certificate of insurance furnished by the state or the employer's insurance carrier for

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT FULFILL THIS STATE'S WORKERS' COMPENSATION POSTING REQUIREMENT.

www.nhes.nh.gov

NH YOU ARE REQUIRED BY LAW TO POST THIS IN A CONSPICUOUS PLACE

"We're working to keep New Hampshire working" **UNEMPLOYMENT NOTICE** If you become partially or totally unemployed: on the day your work hours are significantly reduced. Your claim is Filing over the Internet Filing in person effective the calendar week it is opened. File a claim in person at File on-line and register for

work at www.nh.gov/nhes the office nearest you and reaister for work. **Example:** If your last day of work was a Friday and you **Example:** If your last day of worked a full week, do not work was a Friday and you the office nearest you the week. Open your claim the following Sunday - Saturday followina week Office Hours: 8am - 4:30pm (before midnight). Monday - Friday

Failure to apply as explained below may result in a loss in your entitlement to some benefits! You must file your initial claim within 3 business days of becoming unemployed or no later than the last calendar day of the first week

for which you wish to file for benefits. For filing purposes you are considered to be unemployed on the last day you actually work or

What should you have available before you file? Your social security number Information about where you worked in the past 18 months,

including company names, addresses and approximate dates vou worked there Your most recent check stubs, W2's and 1099 forms from the last 18 months

The amounts of your separation pay, severance, vacation, holiday, sick, bonus pay and wages in lieu of notice you

Who pays for Unemployment Compensation Taxes? Employers pay the tax that is deposited in the Unemployment Compensation Trust Fund from which benefits are paid.

Eligibility for Unemployment Compensation is determined on an individual basis and based on the law. You have to open a claim and then file a claim each week to know if you are eligible

NH EMPLOYMENT SECURITY OFFICES Berlin Claremont Concord Conway Keene Laconia Littleton Manchester Nashua Salem Portsmouth Somersworth NHES is a proud member of America's Workforce Network and NH WORKS

NHES is an Equal Opportunity Employer and complies with the Americans with Disabilities Act.

Auxiliary aids and services are available upon request to individuals with disabilities. TTY/TDD Access: Relay NH 1-800-735-2964

REV. 01/2012

REV. 09/17/2024

NH **Equal Pay** RSA 275:37

It is illegal in New Hampshire under both state and federal law to pay employees different wages for the same work based solely on sex. If you think that your employer has violated this provision, please contact the New Hampshire Department of Labor, 95 Pleasant St, Concord, NH 03301 Phone: (603) 271-1492, 271-6294, or 271-3176

Fax: (603) 271-2668 Email: InspectionDiv@dol.nh.gov You may file a wage claim by downloading the form at: http://www.nh.gov/labor/documents/wage-claim.pdf The full text of RSA 275:37 Equal Pay can be found at this link: http://www.gencourt.state.nh.us/rsa/html/XXIII/275/275-37.htm **RSA 275:38-a Non-Retaliation Provision.** No employer shall

discharge or in any other manner discriminate against any employee because they invoke their rights under this statute, including filing charges or complaints, or causing any investigation, proceeding, hearing, or action under or related to this subdivision, or has testified or is planning to testify or has assisted or participated in any manner in any such investigation, proceeding, hearing, or action or has inquired about, discussed, or disclosed his or her wages or those of

> **INSPECTION DIVISION** 95 PLEASANT ST. **CONCORD NH 03301** (603) 271-1492 & 271-3176

> > Claremont

NH

Berlin

DES 218B

DEPARTMENT OF LABOR

This section shall not apply to any employee who has access to the wage information of other employees as a part of such employee's essential job functions who 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 RSA 275:41-a 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. RSA 275:41-b Pay Disclosure. No employer shall require that an employee refrain from disclosing the amount of his or her wages or sign a waiver or other document that purports to deny the employee the right to disclose the amount of his or her wages, salary, or paid benefits, as a condition of employment. No employer shall discharge, formally discipline, or otherwise discriminate against an employee who discloses the amount of his or her wages, salary,

or paid benefits RSA 275:41 Limitation of Actions. Any action to recover unpaid wages and liquidated damages based on violation of RSA 275:37, shall be commenced within 3 years of discovery of the violation. No action brought under this section shall include any violation that occurred more than 4 years prior to the commencement of such

Effective Date: January 1, 2015 **Danielle N. Albert** Ken Merrifield **Deputy Commissione**

REV. 06/25/2018

PLEASE HELP YOUR EMPLOYEES BY VOLUNTARILY POSTING THIS IN A CONSPICUOUS PLACE

www.nhes.nh.gov "We're working to keep New Hampshire working" Is Your Company Having a Vacation Shutdown? After your last day of work open a claim on the Internet at

New Hampshire Employment Security

If you do not have Internet access, please go immediately Failure to apply immediately may result in a loss to your nearest NH Employment Security office. in your entitlement to some benefits! File as directed on the Internet application. What should you have available before you file? Vacation and holiday pay count as wages in reference to Your social security number

Unemployment Compensation, but if you are unsure about eligibility because of vacation or holiday pay, please open a claim and file. Know where you worked in the past 18 months, including names of companies, addresses and approximate dates you worked there. Have your check stubs, W2s, and 1099 forms available for easy

You have to open a claim and then file a claim each week as directed to know if you are eligible! Eligibility for Unemployment Compensation is determined on an individual basis and based on the law. Visit the NH Employment Security Resource Center in an Employment Security office near you for free resources, tools, and information, or visit our Website at: www.nhes.nh.gov

NH EMPLOYMENT SECURITY OFFICES

Salem Littleton Manchester Portsmouth Nashua NHES is a proud member of America's Workforce Network and NH WORKS. NHES is an Equal Opportunity Employer and complies with the Americans with Disabilities Act. Auxiliary aids and services are available upon request to individuals with disabilities. TTY Access: Relay NH 1-800 735 2964

Concord

Conway

FED

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.

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.

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

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.

DEPARTMENT OF AMERICA

WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243

WH1462

REV. 02/2022

uniformed services. **REEMPLOYMENT RIGHTS**

you return to work or apply for reemployment in a timely manner after conclusion of service; and

 are obligated to serve in the uniformed are a past or present member of the

then an employer may not deny you promotion: or any benefit of employment

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

1-866-4-USA-DOL or visit its website at https://www.dol.gov/agencies/vets/. An interactive online USERRA Advisor can be viewed at https://webapps.dol.gov/elaws/vets/userra.

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:

DEPARTMENT OF LABOR **WORKER'S RIGHT TO KNOW ACT** Revised Statutes Annotated Chapter 277-A, as amended

EMPLOYEES YOU HAVE A RIGHT TO KNOW ABOUT TOXIC SUBSTANCES USED IN THIS

WORKPLACE The New Hampshire "Right to Know" law (RSA 277-A) guarantees that: You be notified by a posting of the long and short-term health hazards of all toxic substances that you may come into contact with.

You be trained by your employer in the safe use and handling of these toxic materials. You have the right to request complete information, in the form of a Material Safety Data Sheet, from your employer on any toxic substance you may have contact with. Your employer must respond to this request within five working days. To learn more about the toxic materials used in this workplace, and to obtain Material Safety Data

Sheets, contact the employer representative listed below.

(EMPLOYER REPRESENTATIVE'S NAME)

95 PLEASANT ST. CONCORD NH 03301 (603) 271-1492

CONCORD, NH 03301

For information call:

An employer shall not discharge, threaten, or

the United States:

discriminate against any public or private employee

If the employee, in good faith, reports or

causes to be reported an alleged violation of

state, a political subdivision of this state, or

OR, the employee objects to or refuses to

OR, the employee refuses to execute a

under the laws of this state, a political

OR, the employee participates in an

participate in any activity that the employee,

directive which the employee, in good faith,

subdivision of this state or the United States

investigation, hearing, or inquiry conducted

by any governmental entity or any court

the employer has violated any law or rule

action which concerns allegations that

adopted under the laws of this state, a

political subdivision of this state, or the

RIGHTS AND REMEDIES - RSA 275-E:4

grievance procedure or similar process available with

After the employee has made a reasonable effort

to maintain or restore his/her rights through any

And has filed the written complaint with the New

Hampshire Department of Labor, which can result

in a judgment to order reinstatement, payment of

"Employee" means and includes every person

who may be permitted, required, or directed by any

employer, in consideration of direct or indirect gain

or profit, to engage in any employment, but shall not

include any person exempted from the definition of

employee as stated in RSA 281-A:2, VI(b)(2), (3), or (4),

or RSA 281-A:2, VII(b), or a person providing services

as part of a residential placement for individuals with

developmental, acquired, or emotional disabilities,

or any person who meets all of the following criteria:

has agreed in writing to carry out the

this chapter.

The person possesses or has applied for a

federal employer identification number or

social security number, or in the alternative,

responsibilities imposed on employers under

The person has control and discretion over

the means and manner of performance of

than the means or manner by which the

bargained for by the employer.

INSPECTION DIVISION

work is performed, is the primary element

The person has control over the time when

the work is performed, and the time of

the work, in that the result of the work, rather

fringe benefits, seniority rights, and injunctive relief.

He/she may request a hearing with the New

Hampshire Department of Labor

INSPECTION DIVISION

CONCORD NH 03301 (603) 271-1492 & 271-3176

95 PLEASANT ST.

NH

believes violates any law or rule adopted

in good faith, believes is a violation of the law

any law or rule adopted under the laws of this

603.271.2767

nh.gov/hrc

INSPECTION DIVISION

Based on:

National Origin

Race

Color

NH

Danielle N.Albert Deputy Commissioner

EMPLOYMENT DISCRIMINATION IS AGAINST

THE LAW IN NEW HAMPSHIRE

Gender Identity

Marital Status

New Hampshire Commission For Human Rights

Sexual Orientation

DEPARTMENT OF LABOR

THE WHISTLEBLOWERS' PROTECTION ACT - RSA 275-E

Religion

ADDITIONAL RIGHTS AND REMEDIES

FOR PUBLIC EMPLOYEES ONLY - RSA

275-E:8 and 9

Public employees can issue complaints to the

New Hampshire Department of Labor, who

has the authority to investigate complaints or information concerning the possible existence of

any activity constituting fraud, waste, or abuse in

or local, or relating to programs and operations

the expenditure of any public funds, whether state

involving the procurement of any supplies, services,

or construction by governmental entities within the

The identity of the person who filed the complaint

enforcement agency that is conducting a criminal

No governmental entity shall take any retaliatory

action against a public employee who, in good faith,

files a complaint under this section and the public

employee shall be afforded all protections under

No governmental entity shall threaten, discipline,

against a public employee who files a complaint

with the department of labor under RSA 275-E:8 or

otherwise discloses or threatens to disclose activities

mismanagement or waste of public funds, property,

or manpower, or evidences an abuse of authority or

performance is not dictated by the employer.

However, this shall not prohibit the employer

person as to completion schedule, range of

work hours, and maximum number of work

hours to be provided by the person, and in

the case of entertainment, the time such

The person hires and pays the person's

assistants, if any, and to the extent such

assistants are employees, supervises the

The person holds himself or herself out to

registered with the state as a business and

be in business for himself or herself or is

the person has continuing or recurring business liabilities or obligations.

The person is responsible for satisfactory

completion of work and may be held

contractually responsible for failure to

The person is not required to work exclusively

Ken Merrifield

complete the work.

entertainment is to be presented.

details of the assistants' work.

from reaching an agreement with the

demote, fire, transfer, reassign, or discriminate

or information that the employee reasonably

a danger to the public health and safety.

Danielle N. Albert

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DEPARTMENT OF LABOR

Criteria to Establish an Employee or

Independent Contractor

believes violates RSA 275-E:2, represents a gross

shall not be disclosed without his or her written

consent, unless such disclosure is to a law

Pregnancy

Physical Disability

Mental Disability

REV. 02/01/2018

Ken Merrifield

Additional information about the EEOC, including information about filing a charge of discrimination, is available at www.eeoc.gov.

info@eeoc.gov



EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action commitments of companies

a question online to OFCCP's Help Desk at https://ofccphelpdesk.dol.gov/s/, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at Conduct that might reasonably discourage someone from opposing discrimination, https://www.dol.gov/agencies/ofccp/contact. PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL

Race, Color, National Origin, Sex In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title What can You Do if You Believe Discrimination has Occurred? VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are color or national origin in programs or activities receiving Federal financial assistance. strict time limits for filing a charge of discrimination (180 or 300 days, depending on where Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

doing business with the Federal Government. If you are applying for a job with, or are an

employee of, a company with a Federal contract or subcontract, you are protected under

Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National

Executive Order 11246, as amended, prohibits employment discrimination by Federal

national origin, and requires affirmative action to ensure equality of opportunity in all

contractors based on race, color, religion, sex, sexual orientation, gender identity, or

Executive Order 11246, as amended, protects applicants and employees of Federal

compensation or the compensation of other applicants or employees.

contractors from discrimination based on inquiring about, disclosing, or discussing their

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals

with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits,

contractors. Disability discrimination includes not making reasonable accommodation

to the known physical or mental limitations of an otherwise qualified individual with

a disability who is an applicant or employee, barring undue hardship to the employer.

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C.

4212, prohibits employment discrimination against, and requires affirmative action to

recruit, employ, and advance in employment, disabled veterans, recently separated

wartime or campaign badge veterans, or Armed Forces service medal veterans.

Retaliation is prohibited against a person who files a complaint of discrimination,

action obligations under OFCCP's authorities should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP)

participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal

Any person who believes a contractor has violated its nondiscrimination or affirmative

If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access

ASSISTANCE

telecommunications relay services. OFCCP may also be contacted by submitting

veterans (i.e., within three years of discharge or release from active duty), active duty

Section 503 also requires that Federal contractors take affirmative action to employ and

advance in employment qualified individuals with disabilities at all levels of employment,

job training, classification, referral, and other aspects of employment by Federal

Federal law from discrimination on the following bases:

Asking About, Disclosing, or Discussing Pay

aspects of employment

including the executive level.

Protected Veteran Status

contractors under these Federal laws

U.S. Department of Labor

Washington, D.C. 20210

1-800-397-6251 (toll-free)

200 Constitution Avenue, N.W.

Individuals with Disabilities

Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency

providing such assistance

REV. 06/27/2023

REV. 04/2023



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.
- that measure hazards in the workplace, and the workplace injury and illness log.

Contact OSHA. We can help.

This poster is available free from OSHA.

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
- Provide required training to all workers in a language and vocabulary they can understand.

the alleged violations.

 Prominently display this poster in the workplace. Post OSHA citations at or near the place of

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



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



J. J. Keller & Associates, Inc. JJKeller.com/laborlaw 800-327-6868

FED-NH-ENG

This poster is in compliance with federal and state posting requirements.

95 PLEASANT ST. **CONCORD NH 03301** (603) 271-1492 & 271-3176

THIS NOTICE MUST BE POSTED IN A CONSPICUOUS PLACE

Danielle N. Albert

REV. 02/01/2018

REV. 02/01/2018

To update your labor law posters contact

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