



KNOW YOUR RIGHTS IN THE WORKPLACE

VERMONT & FEDERAL PRINTABLE LABOR LAWS

VT-1225-F04

For more information please call 1-800-745-9970

 **LaborLawCenter.com**

CHILD LABOR LAWS

CHILD LABOR LAW

21 V.S.A. § 434

NON-AGRICULTURAL EMPLOYMENT:

Children Age 14 and 15 MAY NOT work in hazardous occupations and may not work in communications or public utilities jobs, construction or repair jobs, drive a motor vehicle, manufacturing and mining jobs, power-driven machinery or hoisting apparatus other than typical office machines, processing occupations, public messenger jobs, transporting persons or property, workrooms where products are manufactured, mined or processed, or warehoused and stored.

Children Age 14 and 15 MAY work outside of school hours in various non-manufacturing, non-mining, non-hazardous jobs under the following conditions:

No more than 3 hours on a school day or 18 hours in a school week; 8 hours on a non-school day or 40 hours in a nonschool week;

Work may not begin before 7 a.m. or end after 7 p.m.;

From June 1 through Labor Day, hours are extended to 9 p.m.;

Permitted jobs include office, grocery store, retail store, restaurant, amusement park, or gasoline station.

Children Age 16-18

An employee must be at least 16 years old to work most jobs. No person less than 18 years old may work in hazardous occupations:

Hazardous Occupations

Manufacturing and storing explosives, driving a motor vehicle and being an outside helper on a motor vehicle; coal mining, logging and saw-milling, power-driven woodworking machines, exposure to radioactive substances, power-driven hoisting apparatus, power-driven metal-forming, punching, and shearing machines, mining (other than coal mining), meat packing or processing, power-driven bakery machines, power-driven paper-product machines, manufacturing brick, tile, and related products, power-driven circular saws, band saws, and guillotine shears, wrecking, demolition, and shipbreaking operations, roofing operations, or excavation operations.

A person must be at least 18 to work in any of the hazardous non-farm jobs listed above.

THIS IS A MANDATORY POSTER

Vermont Department of Labor: P.O. Box 488, Montpelier, VT

Labor.Complaints@vermont.gov

(802) 828-4000 | Fax: (802) 865-7655

AGRICULTURAL EMPLOYMENT:

Once a person turns **16 years old**, they can do any job in agriculture.

A youth 14 or 15 years old can work in agriculture, on any farm, but only in non-hazardous jobs.

A youth 12 or 13 years of age can only work in agriculture on a farm if a parent has given written permission or if a parent is working on the same farm as their child, and only in non-hazardous jobs.

If the youth is **younger than 12**, they can only work in agriculture on "small" farms that are exempt from minimum wage requirements. "Small" farm refers to any farm that did not use more than 500 "man-days" of agricultural labor in any calendar quarter (3-month period) during the preceding calendar year. "Man-day" refers to any day during which an employee works at least one hour. If the farm is "small," workers under 12 years of age can only be employed with a parent's permission and only in non-hazardous jobs.

Hazardous agricultural occupations include:

- Operating a tractor of over 20 PTO (Power-Take-Off) horsepower, or connecting or disconnecting implements or parts to such a tractor.
- Operating or helping to operate Corn picker, cotton picker, grain combine, hay mower, forage harvester, hay baler, potato digger, or mobile pea viner, Feed grinder, crop dryer, forage blower, auger conveyor, or the unloading mechanism of a non-gravity-type self-unloading wagon or trailer; or, Power post-hole digger, power post driver, or non-walking-type rotary tiller, Trencher or earthmoving equipment; Fork lift; Potato combine; or Power-driven circular, band or chainsaw.
- Working on a farm in a yard, pen, or stall occupied by Bull, boar, or stud horse for breeding, or Sow with suckling pigs, or cow with newborn calf with umbilical cord present.
- Loading, unloading, felling, bucking, or skidding timber with a butt (large end) diameter of more than 6 inches.
- Working from a ladder or scaffold at a height of over 20 feet.
- Driving a bus, truck, or automobile when transporting passengers, or riding on a tractor as a passenger or helper



HEALTHCARE WHISTLEBLOWER'S PROTECTION ACT

HEALTHCARE WHISTLEBLOWER'S PROTECTION ACT

21 V.S.A. §§ 507 - 509

VERMONT PROTECTS HEALTHCARE EMPLOYEES WHO REPORT OR REFUSE TO COMMIT ILLEGAL ACTS

Every hospital and nursing home must post this notice.

It is illegal for your employer to fire you, threaten you, retaliate against you or treat you differently because:

1. You reported a violation of the law by your employer to any person, entity, or public body;
2. You reported a medical error or improper quality of patient care by your employer to any person, entity, or public body;
3. You reported something that risks someone's health or safety;
4. You have objected or refused to participate in any activity, policy, or practice of your employer that you reasonably believe is a violation of a law or constitutes improper quality of care, or that will endanger your life; or
5. You have been involved in an investigation or hearing held by the government.

You are protected by this law ONLY if:

1. You are employed by a hospital, or nursing home; and
2. You tell your employer about the problem and allow a reasonable time for it to be corrected; or
3. You have good reason to believe that your employer will not correct the problem.

If you have been fired or your employer has retaliated against you due to a violation of this law, you may:

1. Use any available internal process, grievance procedure, or similar process available to you to maintain or restore any loss of employment rights with your employer; or
2. Bring an action in the superior court of the county where the retaliation by your employer occurred.

To report a violation, unsafe condition, practice, or illegal act in your workplace, contact:
(The employer should fill this out)

(Name)

(Location)

(Title)

(Telephone)

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PREGNANCY ACCOMMODATION NOTICE

Accommodations for Pregnant Employees In Vermont

21 V.S.A. § 495k

WHAT IS THE LAW?

An employee with a pregnancy-related condition has a right to reasonable accommodations in the workplace to perform their job. A pregnancy-related condition is one caused by pregnancy, childbirth, or a medical condition related to pregnancy or childbirth. The law applies to all Vermont workplaces and all pregnant employees.

EFFECTIVE DATE: January 1, 2018

WHAT ARE THE EMPLOYER'S OBLIGATIONS?

When employees request a reasonable accommodation pertaining to pregnancy, the employer should take time to work with the employee to fulfill the request. Ignoring a request, retaliating against, or firing the employee requesting a reasonable accommodation could expose the employer to damages and civil penalties.

DOES AN EMPLOYER HAVE TO GRANT EVERY ACCOMMODATION REQUEST?

An employer may decline a reasonable accommodation if the accommodation would constitute an undue hardship. An accommodation creates an undue hardship if it would be significantly difficult, unduly expensive or unworkable to put into place.

WHAT ARE THE EMPLOYEE'S RIGHTS?

If you feel you need reasonable accommodations to perform your job, you must request the accommodation by communicating with your employer. Examples of pregnancy related accommodations include, but are not limited to:

- More breaks for the bathroom, water intake, or rest
- Access to a chair or stool
- Time off for prenatal appointments
- A private, clean space for breast feeding.
- Assistance with specific duties, such as manual labor or heavy lifting
- Time off to recover from medical conditions related to pregnancy or childbirth

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VERMONT FAMILY LEAVE ACT

PARENTAL LEAVE AND FAMILY LEAVE

21 V.S.A. § 472

Vermont's **Parental Leave** Law covers employers with 10 or more workers who work an average of 30 hours per week over the course of a year.

Vermont's **Family Leave** Law, which includes Short-Term Family Leave, covers employers with 15 or more workers who work an average of 30 hours per week over the course of a year.

A worker who has worked for a covered employer for an average of 30 hours a week for a year is entitled to leave under these laws. During any 12 month period, the worker is entitled to up to 12 weeks of unpaid leave:

- **Parental Leave:** during the pregnancy and/or after childbirth; or, within a year following the initial placement of a child 16 years of age or younger with the worker for the purpose of adoption;
- **Family Leave:** for the serious illness of the worker, worker's child, stepchild, ward, foster child, party to a civil union, parent, spouse, or parent of the worker's spouse.

In addition to the leave provided in 21 V.S.A. Sec. 472, a worker is entitled to **short-term family leave** of up to 4 hours in any 30 day period (but not more than 24 hours in any 12 month period):

Short-Term Family Leave: to participate in preschool or school activities related to the academic advancement of the worker's child, stepchild, foster child, or ward; to attend or accompany the worker's child, stepchild, foster child, or ward, or the worker's parent, spouse or parent-in-law to medical or dental appointments; to accompany the worker's parent, spouse, or parent-in-law to services related to their care and well-being; to respond to a medical emergency involving the employee's child, stepchild, foster child, ward, or the employee's parent, spouse or parent-in-law.

The worker must give reasonable written notice of intent to take **family or parental leave**, including anticipated dates leave will start and end. The employer may not require notice more than 6 weeks prior to birth or adoption. If serious illness is

claimed, the employer may require certification from a physician. For **short-term family leave**, a worker must give notice as early as possible, at least seven days before leave is to be taken, unless waiting could have a significant adverse impact.

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A worker may use sick leave, vacation leave, or other accrued paid leave during the leave, up to six weeks. The employer may not require the worker to use accrued leave. Accrued paid leave use does not extend parental and family leave beyond 12 weeks.

The employer must continue to provide all worker benefits unchanged during the leave period, but may require the worker to contribute to the cost at the existing rate of worker contribution.

Upon return, a worker must be offered the job held previously or a comparable one at equal pay, benefits, and seniority.

Exceptions: a worker is not entitled to leave if the employer can prove by clear and convincing evidence that:

- **Layoff:** the job would have been terminated during leave, or worker would have been laid off for unrelated reasons; or
- **Unique Services:** the worker performed unique services and hiring a permanent replacement, after giving the worker notice of intent to do so, was the employer's only alternative to prevent substantial and grievous economic injury.

This law sets a minimum standard for parental and family leave rights. It does not prevent an employer from offering a more generous leave policy and does not reduce an employer's obligation under a collective bargaining agreement or existing program that provides greater leave rights than the law requires.

VERMONT PROTECTS EMPLOYEES FROM RETALIATION OF ANY KIND IN CONNECTION WITH THE ENFORCEMENT OF THIS LAW.

A worker aggrieved by a violation of this law may:

- Bring a private lawsuit for injunctive relief, economic damages including prospective lost wages for a period not to exceed one year, attorney fees, and court costs;
- (If not a state employee) lodge a complaint with the Office of the Attorney General, or (if a state employee) with the Vermont Human Rights Commission. The agencies may investigate and bring court action to enforce this law.



SAFETY RECORDS

POSTING OF SAFETY RECORDS NOTICE TO EMPLOYEES

21 V.S.A. § 691a

All Vermont employers must advise their employees that they may review the employer's record of workplace safety, including workplace injury and illness, and where that information may be found. The employer's data shall be available for review by any employee and by the Commissioner of Labor. This information shall not otherwise be publicly accessible.

The employer's data is available at: _____
(Location)

Employer Contact: _____
(Name) Work Telephone Email

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EMPLOYER'S REINSTATEMENT LIABILITY

WORKER'S COMPENSATION REINSTATEMENT RIGHTS NOTICE

21 V.S.A. § 643b Reinstatement

An employer who regularly employs 10 or more people (at least 10 of whom work more than 15 hours a week), has an obligation to rehire a worker who has suffered a work related injury provided that the following conditions are met:

1. The worker recovers from the injury within two (2) years of the onset of disability;
2. The worker keeps the employer informed of his or her interest in reinstatement and his or her current mailing address;
3. The worker had an expectation of continuing work had injury not occurred; and
4. The worker is physically capable of performing either their prior job, if available, or an alternative suitable position.

Reinstatement must be with all benefits earned up to the date of injury, including both seniority and accrued leave time. Such benefits need not accrue **during** the period of actual disability.

Please note that the right to reinstatement applies only to the first **available** suitable job. Thus, the employer is not obligated either to create an "extra" position for a returning worker or to layoff a current employee in order to comply with this law.

Questions regarding the above should be referred to the Vermont Department of Labor, Workers' Compensation and Safety Division at 802-828-2286 or our website: www.labor.vermont.gov.

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VERMONT MINIMUM WAGE

VERMONT MINIMUM WAGE NOTICE MINIMUM WAGE FOR VERMONT EMPLOYERS AND WORKERS

21 V.S.A. § 384

MINIMUM WAGE RATE

Effective 01/01/26	\$14.42 per hour
Effective 01/01/25	\$14.01 per hour
Effective 01/01/24	\$13.67 per hour

BASIC WAGE RATE (TIPPED EMPLOYEES)

Effective 01/01/26	\$7.21 per hour
Effective 01/01/25	\$7.01 per hour
Effective 01/01/24	\$6.84 per hour

MAXIMUM TIP CREDIT ALLOWED

Effective 01/01/26	\$7.21 per hour
Effective 01/01/25	\$7.00 per hour
Effective 01/01/24	\$6.83 per hour

ADDITIONAL INFORMATION

Service or Tipped Employees: "A service or tipped employee" is an employee of a hotel, motel, tourist place, or restaurant who customarily and regularly receives more than \$120.00 a month in tips for direct and personal customer service.

Basic Wage Rate: The basic wage rate is the minimum required employer contribution towards the minimum wage for service or tipped employees. If an employee does not receive sufficient tips in the work week to at least achieve the minimum wage for all hours worked that week, the employer must make up the difference.

THIS IS A MANDATORY POSTER

Vermont Department of Labor - Wage & Hour Division
63 Pearl Street Burlington, Vermont 05401 Labor.WageHour@vermont.gov
Phone: (802) 951-4083 | Fax: (802) 865-7655



MEALS AND LODGING ALLOWANCE



NOTICE MEALS AND LODGING ALLOWANCE -- INCREASE --

Indicated below is Vermont's Meals and Lodging Allowance

Effective **January 1, 2009**, and on each **January 1 thereafter**, the meals and lodging rates shall increase by five percent or the percentage increase of the Consumer Price Index, CPI-U, U.S city average, not seasonally adjusted, or successor index, as calculated by the U.S Department of Labor or successor agency for the 12-month preceding the previous **September 1**, whichever is smaller.

Effective January 1, 2023 An employer shall be entitled to deduct from the wages earned an allowance for meals and lodging actually furnished and accepted as follows:

Breakfast	\$3.59 daily	Full Board	\$12.11 daily or \$84.77 per week
Lunch	\$4.04 daily	Nightly Lodging	\$4.95 daily
Dinner	\$4.48 daily	Full Room	\$29.77 daily
		Full room and board	\$102.78 per week

FOR FURTHER INFORMATION CONTACT:

Vermont Department of Labor
Wage and Hour Unit
63 Pearl Street, Burlington, Vermont 05401
Email: Labor.WageHour@vermont.gov
Telephone: (802) 951-4083
Fax: (802) 865-7655
www.labor.vermont.gov

WH-31 01/23

WORKERS' COMPENSATION

EMPLOYER'S LIABILITY AND WORKERS' COMPENSATION

This employer, _____, has complied with the provisions of 21 V.S.A. § 687, by obtaining Workers' Compensation Insurance coverage through:

(Insurance Carrier)

Workers' Compensation benefits for lost time, medical expenses, disability or death because of a work-related injury are available through the above named company.

- An injured employee **MUST** immediately notify their employer of an injury.
- The employer **MUST** file an Employee Claim and Employer's First Report of Injury (Form 1) with the Vermont Department of Labor within 72 hours of the notice of an injury that requires medical attention or results in time lost from work. The employer must provide a copy of Form 1 to the injured worker and the insurance carrier.
- If the employer fails to file a First Report, an employee may file a Notice of Injury and Claim for Compensation (Form 5) with the Vermont Department of Labor within six months of injury.
- Information concerning injured worker rights and benefits is available on the Department's Workers' Compensation Division website at <http://www.labor.vermont.gov> or by calling (802) 828-2286.

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NO SMOKING NOTICE

THIS BUILDING IS
100%
SMOKE-FREE

Smoking is not allowed in Vermont workplaces.

If you have questions about the law call
1-866-331-5622 or log onto healthvermont.gov.

1-866-331-5622

healthvermont.gov



REV.11/09

UNEMPLOYMENT COMPENSATION

If you have been unemployed, or your work hours have been reduced, you may be eligible for unemployment benefits.

**Call the Vermont Department of Labor 1-877-214-3330 (toll free)
For Telecommunications Relay Service: Dial 711**

If you are forced to leave your job as a result of domestic violence, you may be eligible for benefits under the Domestic and Sexual Violence Survivor's Transitional Employment Program. When speaking with a representative at the toll-free number listed above, please ask to speak with the Domestic Violence Program Manager.

For free professional help in finding a job, an internship, or job training opportunities, visit a Department of Labor Job Center near you.

To find your local Job Center, visit labor.vermont.gov or call 833-719-1051

Equal opportunity is the law. The Vermont Department of Labor is an equal opportunity employer that administers equal opportunity programs.

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

Free language access assistance is also available.

Send an email to [add email address] or call 1-877-214-3330 (Relay 711)]
if you are in need of these services

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SEXUAL HARASSMENT

SEXUAL HARASSMENT IS ILLEGAL

Sexual harassment is illegal and prohibited by the Vermont Fair Employment Practices Act (VFEPa) (21 V.S.A. §§ 495 - 496a) and Title VII of the Civil Rights Act of 1964 (42 U.S.C.A. § 2000e et seq.).

Vermont law protects all workers, not just employees. Vermont's protections against sexual harassment extend to all individuals engaged "to perform work or services," even if they are not "employees" under state or federal law. References to "employer," "employee," and "employment" should be understood to apply to work agreements beyond the traditional employer-employee relationship.

Sexual Harassment is a form of sex discrimination and refers to unwelcome sexual advances, requests for sexual favors, and other verbal, physical, written, auditory, or visual conduct of a sexual nature when:

- a. Submission to that conduct is made either explicitly or implicitly a term or condition of work; or
- b. Submission to, or rejection of, such conduct by an individual is used as a component of the basis for work related decisions affecting that individual; or
- c. The conduct has the purpose or effect of substantially interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment does not need to be severe or pervasive to be unlawful.

It is unlawful to retaliate against an individual performing work or services for filing a complaint of sexual harassment or for cooperating in an investigation of sexual harassment.

Employers **MUST** ensure a workplace free from sexual harassment for individuals performing work or services. Every employer must promptly respond to or report complaints of sexual harassment or suspected sexual harassment.

Examples of sexual harassment include: unwelcome sexual advances, suggestive or lewd remarks, and unwanted hugs, touches, or kisses; requests for sexual favors, pornographic posters, cartoons, and drawings; unwelcome sexual jokes.

Consequences for committing sexual harassment may include: disciplinary action, from a verbal warning to dismissal; damages and other relief for the victim; civil penalties of up to \$10,000 per violation; criminal penalties.

Employees or individuals engaged to perform work or services who believe they have been sexually harassed or retaliated against for reporting sexual harassment are encouraged to report the situation as soon as possible to one or more of the following.

- a. His or her supervisor;
- b. _____ (the head of this organization);
- c. The person who is designated to receive such complaints and reports:
Name and Title: _____
Address and Telephone Number _____

The employer will promptly investigate and respond to all reports and knowledge of sexual harassment.

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EARNED SICK TIME ACT

Vermont's Earned Sick Time Act

21 V.S.A. § 482

HOW IS SICK TIME EARNED?

An employee will earn one hour of earned sick time for every 52 hours of actual work, including overtime. An employee will be entitled to use up to 40 hours in 2025 and subsequent years.

HOW CAN SICK TIME BE USED?

Sick time may be used when an employee or employee's child, parent, grandparent, spouse, or parent in-law is sick or injured. This includes obtaining healthcare or traveling to related appointments or to address the effects of domestic violence, sexual assault, or stalking. Earned sick time may be used to care for a family member because local schools or businesses are closed for public health or safety reasons.

WHEN DOES ACCRUAL BEGIN?

An employee begins accruing sick leave on January 1st, 2025 or on the first day of employment, whichever comes later.

WHEN WILL PAID SICK TIME BE AVAILABLE TO USE?

An employer may allow use of earned sick time as it accrues or may impose a waiting period of up to one year or first day of employment, whichever comes later.

ARE ALL EMPLOYEES ENTITLED TO SICK TIME?

Not all employees are subject to the protections of the Act. There are limited exemptions for certain types of employment and certain seasonal and part-time employees.

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Employment Protections for Victims of Crime

Employment Protections for Victims of Crime

21 V.S.A. § 472c

WHAT IS THE LAW?

Under Vermont law, alleged victims are protected from harassment or other discrimination by employers based on their status as an alleged victim. Employers are also required to provide alleged victims with job-protected, unpaid leave to attend certain legal proceedings relating to a relevant crime.

EFFECTIVE AS OF: July 1, 2022

WHO IS AN ALLEGED VICTIM?

An "alleged victim" is a person whom a prosecutor or other law enforcement official alleges, in a filed affidavit, has sustained:

- Physical, emotional, or financial injury or death
- As direct result of commission or attempted commission of a crime
- As direct result of commission or attempted commission of delinquency

EMPLOYEE RIGHTS

Employees who are alleged victims have the right to take unpaid leave to attend:

- Criminal proceedings where the employee is an alleged victim and has a legal right or obligation to appear at the proceeding;
- Relief from abuse hearings and neglect or exploitation hearings under when the employee is a plaintiff; or
- Hearings concerning an order against stalking or sexual assault.

While on alleged victim leave, employees may use any accrued sick leave, vacation leave, or any other paid leave. Employees must continue to receive employment benefits while on leave and have the right to return to their same job or a comparable position upon return.

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Safety and Health Protection on the Job

The Vermont Occupational Safety and Health Code (Title 21 V.S.A. Chapter 3, Sub-Chapters 4 and 5, and the rules adopted (there under) provides job safety and health protection for workers.

The purpose of the law is to assure safe and healthful working conditions throughout the State.

- You have the right to notify your employer or VOSHA about workplace hazards. You may ask VOSHA to keep your name confidential.
- You have the right to request a VOSHA inspection if you believe that there are unsafe and unhealthful conditions in your workplace.
- You or your representative may participate in the inspection.
- You can file a complaint with VOSHA within 30 days of discrimination by your employer for making safety and health complaints or for exercising your rights under the Vermont Occupational Safety and Health Act.
- You have a right to see VOSHA citations issued to your employer. Your employer must post the citations at or near the place of the alleged violation.
- Your employer must correct workplace hazards by the date indicated on the citation and must certify that these hazards have been reduced or eliminated.
- You have the right to copies of your medical records or records of your exposure to toxic and harmful substances or conditions.
- Your employer must post this notice in your workplace.
- The Statute provides that employees may not be discharged or discriminated against in any way for filing safety or health complaints or otherwise exercising their rights under the Code.
- The Statute also provides that employees who are discriminated against may bring a private action in Superior Court for appropriate relief including reinstatement, triple wages, damages, costs and reasonable attorney's fees.

The Occupational Safety and Health Act of 1970 (OSH Act), P.L. 91-596, assures safe and healthful working conditions for

You have a
right to a safe
and healthy
workplace.

IT'S THE LAW!



OCCUPATIONAL SAFETY AND HEALTH PROTECTION

working men and women throughout the Nation. To obtain more information on OSHA federal programs, call 1-800-321-OSHA or visit OSHA's website at www.osha.gov.

The Vermont Occupational Safety and Health Administration (VOSHA), in the Vermont Department of Labor, has the primary responsibility for administering the OSH Act in Vermont. To file a complaint, report an emergency, or seek VOSHA advice or assistance call 1-800-287-2765.

Under a plan approved October 1, 1973, by the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA), the State of Vermont is providing job safety and health protection for workers throughout the State. OSHA will monitor the operation of this plan to assure that continued approval is merited. Any person may make a complaint regarding Vermont's administration of this plan directly to the Occupational Safety and Health Administration, John F. Kennedy Federal Building, Room E-340, Boston, MA, 02203, Telephone (617) 565-9860.

ASSISTANCE AND INFORMATION:

The plan provides that employers and employees may request free voluntary compliance consultative or training assistance, which is provided by non-enforcement Project WorkSAFE personnel.

1-800-287-2765
www.labor.vermont.gov



Further information, including copies of the Code and of specific safety and health standards, may be obtained by contacting:

**Project WorkSAFE
Department of Labor
5 Green Mountain Drive
P. O. Box 488
Montpelier, Vermont 05601-0488
Telephone (888) SAFE-YES
Toll-free at 1-888-723-3937.**



 **VERMONT**
DEPARTMENT OF LABOR
(03/14)

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 employees can readily see it.

OVERTIME PAY At least 1 ½ times your regular rate of pay for all hours worked over 40 in a workweek.

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

TIP CREDIT Employers of “tipped employees” who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee’s tips combined with the employer’s cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.

NURSING MOTHERS The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA’s overtime requirements in order for the employee to express breast milk for her nursing child for one year after the child’s birth each time such employee has a need to express breast milk. Employers are also required to provide a place, other than a bathroom, that is shielded from view and 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.

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.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

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



WH1088 REV 04/23

EEOC - Know Your Rights: Workplace Discrimination is Illegal



Know Your Rights: Workplace Discrimination is Illegal

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

Who is Protected?

- Employees (current and former), including managers and temporary employees
- Job applicants
- Union members and applicants for membership in a union

What Organizations are Covered?

- Most private employers
- State and local governments (as employers)
- Educational institutions (as employers)
- Unions
- Staffing agencies

What Types of Employment Discrimination are Illegal?

Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of:

- Race
- Color
- Religion
- National origin
- Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity)
- Age (40 and older)
- Disability
- Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)
- Retaliation for filing a charge, reasonably opposing

discrimination, or participating in a discrimination lawsuit, investigation, or proceeding

- Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation

What Employment Practices can be Challenged as Discriminatory?

All aspects of employment, including:

- Discharge, firing, or lay-off
- Harassment (including unwelcome verbal or physical conduct)
- Hiring or promotion
- Assignment
- Pay (unequal wages or compensation)
- Failure to provide reasonable accommodation for a disability; pregnancy, childbirth, or related medical condition; or a sincerely-held religious belief, observance or practice
- Benefits
- Job training
- Classification
- Referral
- Obtaining or disclosing genetic information of employees
- Requesting or disclosing medical information of employees
- Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or proceeding

- 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 accommodation

What can You Do if You Believe Discrimination has Occurred?

Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:

Submit an inquiry through the EEOC's public portal: <https://publicportal.eeoc.gov/Portal/Login.aspx>

Call 1-800-669-4000 (toll free)
1-800-669-6820 (TTY)
1-844-234-5122 (ASL video phone)

Visit an EEOC field office (information at www.eeoc.gov/field-office)

E-Mail info@eeoc.gov

Additional information about the EEOC, including information about filing a charge of discrimination, is available at www.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 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 Federal law from discrimination on the following bases:

Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

Asking About, Disclosing, or Discussing Pay Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees.

Disability Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal 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. 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, including the executive level.

Protected Veteran Status The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.

Retaliation Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors under these Federal laws. Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP)
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, D.C. 20210
1-800-397-6251 (toll-free)

If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services. OFCCP may also be contacted by submitting 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 <https://www.dol.gov/agencies/ofccp/contact>.

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Race, Color, National Origin, Sex In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

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.

(Revised 6/27/2023)

FMLA | FAMILY AND MEDICAL LEAVE ACT

Your Employee Rights Under the Family and Medical Leave Act

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

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

- The birth, adoption or foster placement of a child with you,
- Your serious mental or physical health condition that makes you unable to work,
- To care for your spouse, child or parent with a serious mental or physical health condition, and
- Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

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 12-month period to care for the servicemember.

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

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 which you need FMLA leave.

Am I eligible to take FMLA leave? You are an **eligible employee** if **all** of the following apply:

- You work for a covered employer,
- You have worked for your employer at least 12 months,
- You have at least 1,250 hours of service for your employer during the 12 months before your leave, and
- Your employer has at least 50 employees within 75 miles of your work location.

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

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

- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,
- You work for an elementary or public or private secondary school, or
- 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 Personnel Management.

How do I request FMLA leave? Generally, **to request FMLA leave you must:**

- 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.

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

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

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

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

What does my employer need to do? If you are eligible for FMLA leave, your **employer must:**

- Allow you to take job-protected time off work for a qualifying reason,
- Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and
- 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 requesting FMLA leave or cooperating with a WHD investigation.

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

- About your FMLA rights and responsibilities, and
- How much of your requested leave, if any, will be FMLA-protected leave.

Where can I find more information?

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

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 about our WHD complaint process.**



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

SCAN ME



WH1420 REV 04/23

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

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

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.

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 **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>**
- 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 — May 2022

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: **<https://www.dol.gov/agencies/vets/programs/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

EMPLOYEE POLYGRAPH PROTECTION ACT

EMPLOYEE RIGHTS EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.

PROHIBITIONS Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

EXEMPTIONS Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities. The Act permits polygraph (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.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

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



WH1462 REV 02/22

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.

WITHHOLDING STATUS

YOU MAY NEED TO CHECK YOUR WITHHOLDING

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

- Marry or divorce?
- Gain or lose a dependent?
- Change your name?

Were there major changes to...

- Your non-wage income (interest, dividends, capital gains, etc.)?
- Your family wage income (you or your spouse started or ended a job)?
- Your itemized deductions?
- Your tax credits?

If you can answer “YES”...

To any of these questions or you owed extra tax when you filed your last return, you may need to file a new form W-4. See your employer for a copy of Form W-4 or call the IRS at 1-800-829-3676.

Now is the time to check your withholding. For more details, get Publication 919, *How Do I Adjust My Tax Withholding?*, or use the Withholding Calculator at: **www.irs.gov/individuals** on the IRS website.

Employer: Please post or publish this Bulletin Board Poster so that your employees will see it. Please indicate where they can get forms and information on this subject.



PAYDAY NOTICE

Regular Paydays for Employees of

(Company Name)

Shall be as follows:

☐ **Weekly**

☐ **Bi-Weekly**

☐ **Monthly**

☐ **Other** _____

By: _____

Title: _____