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.

you have five years or less of cumulative service in the uniformed services while with that particular employer;

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

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

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had

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

based health plan coverage for you and your dependents for up to 24 months while in the military.

pre-existing condition exclusions) except for service-connected illnesses or injuries.

the Department of Justice or the Office of Special Counsel, as applicable, for representation.

displaying the text of this notice where they customarily place notices for employees.

protected leave in a 12-month period for the following reasons:

unable to perform the employee's job;

employee's spouse, child, or parent.

with the employer's normal paid leave policies.

involved in any proceeding under or related to the FMLA.

Have worked for the employer for at least 12 months;

generally, follow the employer's usual procedures.

indicating what additional information is required.

much leave will be designated as FMLA leave.

may bring a private lawsuit against an employer.

ANY CONDITION, TERM OR PRIVILEGE OF EMPLOYMENT.

EMPLOYER RESPONSIBILITIES

ENFORCEMENT

DEPARTMENT

UNITED STATES

OF AMERICA

OF LABOR

REV. 08/2017

with a serious injury or illness.

BENEFITS & PROTECTIONS

ELIGIBILITY REQUIREMENTS

for FMLA leave. The employee must:

employee's worksite.

If you leave your job to perform military service, you have the right to elect to continue your existing employer-

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.,

The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and

For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL

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

You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

may be viewed on the internet at this address: https://www.dol.gov/agencies/vets/programs/userra/poster Federal law

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 RIGHTS UNDER THE

FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

To bond with a child (leave must be taken within 1 year of the child's birth or placement);

To care for the employee's spouse, child, or parent who has a qualifying serious health

For the employee's own qualifying serious health condition that makes the employee

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may

An employee does not need to use leave in one block. When it is medically necessary or

otherwise permitted, employees may take leave intermittently or on a reduced schedule.

also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA

leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply

While employees are on FMLA leave, employers must continue health insurance coverage as if

Upon return from FMLA leave, most employees must be restored to the same job or one nearly

An employer may not interfere with an individual's FMLA rights or retaliate against someone for

using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being

An employee who works for a covered employer must meet three criteria in order to be eligible

Work at a location where the employer has at least 50 employees within 75 miles of the

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not

possible to give 30-days' notice, an employee must notify the employer as soon as possible and,

Employees do not have to share a medical diagnosis, but must provide enough information to

could include informing an employer that the employee is or will be unable to perform his or

the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information

her job functions, that a family member cannot perform daily activities, or that hospitalization or

continuing medical treatment is necessary. Employees must inform the employer if the need for

Employers can require a certification or periodic recertification supporting the need for leave.

Once an employer becomes aware that an employee's need for leave is for a reason that may

qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA

leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If

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

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

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

U.S. Department of Labor • Wage and Hour Division • WH1420

Tennessee Law Prohibits Discrimination in Employment

IT IS ILLEGAL TO DISCRIMINATE AGAINST ANY PERSON BECAUSE OF RACE, COLOR, CREED, RELIGION, SEX,

AGE, DISABILITY, OR NATIONAL ORIGIN IN RECRUITMENT, TRAINING, HIRING, DISCHARGE, PROMOTION, OR

If you feel that you have been discriminated against, contact the Tennessee Human Rights Commission.

LA LEY DE TENNESSEE PROHIBE LA DISCRIMINACIÓN EN EL EMPLEO

ENTRENAMIENTO, EMPLEO, AL DESPEDIR, PROMOVER O CUALQUIER CONDICIÓN, TÉRMINO O PRIVILEGIO

Si usted cree que ha sido víctima de discriminación,

comuníquese con la Comisión de Derechos Humanos de Tennessee. Contact Us/Para Mas Información:

TENNESSEE HUMAN RIGHTS COMMISSION

WILLIAM R. SNODGRASS TENNESSEE TOWER

312 ROSA L. PARKS AVENUE

23RD FLOOR

NASHVILLE, TENNESSEE 37243-1102

PHONE: (615) 741-5825 OR

1-800-251-3589 ESPAÑOL: 1-866-856-1252

WWW.TN.GOV/HUMANRIGHTS

ES EN CONTRA DE LA LEY DISCRIMINAR EN CONTRA DE CUALOUIER PERSONA DEBIDO EN BASE

A LA RAZA, COLOR, CREDO, RELIGIÓN, SEXO, EDAD, INCAPACIDAD U ORÍGEN EN EL SELECCIÓN.

For additional information or to file a complaint:

1-866-4-USWAGE

(1-866-487-9243) TTY: 1-877-889-5627

www.dol.gov/whd

REV. 04/2016

REV. 07/2014

REV. 03/2017

OCT2022

the employee is not eligible, the employer must provide a reason for ineligibility.

If the employer determines that the certification is incomplete, it must provide a written notice

Have at least 1,250 hours of service in the 12 months before taking leave;* and

*Special "hours of service" requirements apply to airline flight crew employees.

leave is for a reason for which FMLA leave was previously taken or certified.

identical to it with equivalent pay, benefits, and other employment terms and conditions.

For qualifying exigencies related to the foreign deployment of a military member who is the

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-

The birth of a child or placement of a child for adoption or foster care;

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and

requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by

or visit its website at https://www.dol.gov/agencies/vets/. An interactive online USERRA Advisor can be viewed at

promotion; or

any benefit of employment

are obligated to serve in the uniformed service;

you ensure that your employer receives advance written or verbal notice of your service;

not been absent due to military service or, in some cases, a comparable job.

are a past or present member of the uniformed

have applied for membership in the uniformed

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

FED **EMPLOYEE RIGHTS UNDER THE** FAIR LABOR STANDARDS ACT **ENFORCEMENT**

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 1½ times the regular rate of pay for all hours worked over 40 in a workweek.

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

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.

OF LABOR **UNITED STATES**

TN

WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT

1-866-487-9243

TTY: 1-877-889-5627 www.dol.gov/whd



Department of Labor and Workforce Development Wage Regulations Act It is unlawful for any employer to employ, permit or suffer to work any person without first informing the employee

of the amount of wages to be paid (T.C.A. §50-2-101). All wages or compensation of employees in private employment shall be due and payable not less frequently than once per month. Notice of regular paydays shall be posted by each employer in at least two conspicuous places. **REGULAR PAYDAY POSTED AS FOLLOWS:**

Each employee must have a 30-minute unpaid rest break or meal period if scheduled to work 6 hours consecutively, except in workplace environments that by the nature of business provide for ample opportunity to rest or take an appropriate break. Such break shall not be scheduled during or before the first hour of scheduled work activity

No employer shall discriminate between employees in the same establishment on the basis of sex by paying any employee salary or wage rates less than he pays to any employee of opposite sex for comparable skill, effort, and responsibility, and which are performed under similar working conditions (T.C.A. §50-2-202).

Minors 14 and 15 years of age may not be employed (T.C.A. §50-5-104): employed (T.C.A. §50-5-105):

- During school hours; Between 7:00 pm and 7:00 am;
- More than 3 hours a day on a school day;
- More than 8 hours a day on non-school days;
- During those hours when the minor is required to attend classes;
- More than 18 hours a week during school weeks; More than 40 hours a week during non-school

BREAK OR MEAL PERIOD (T.C.A. §50-5-115)

A minor must have a 30-minute unpaid break or meal period if scheduled to work 6 hours consecutively. Such break shall not be scheduled during or before the first hour of scheduled work activity.

- Coal mine occupations; Logging and sawmill operations;
- hoisting apparatus;
- punching and shearing machines; Mining elements other than coal;
- rendering;
- Operation of power-driven paper products

- Between the hours of 10:00 pm and 6:00 am, Sunday through Thursday evenings preceding
- consent. Then, the minor may work until midnight no more than 3 of the Sunday through Thursday nights.

- or storing explosives or articles containing operations:
- explosive components; Motor vehicle driving occupations;
- Operation of power-driven woodworking machines; Exposure to radioactive substances and ionizing radiations; Operation of elevator and other power-driven
- 11. Operation of power-driven bakery machines;

- CHILD LABOR ACT Minors 16 and 17 years of age may not be

 - a school day, except with parental or guardian

OCCUPATIONS PROHIBITED FOR MINORS UNDER THE AGE OF 18 (T.C.A. §50-5-106)

- In or about plants or establishments manufacturing 15. Wrecking, demolition and ship-breaking
 - 16. Roofing operations; 17. Excavation operations;
- Operation of power-driven metal forming,
- Slaughtering, meat packing, processing or
- Manufacture of brick, tile and kindred products; Operation of circular saws, band saws and guillotine
- 18. In any place of employment where the average monthly gross receipts from the sale of intoxicating beverages exceed twenty-five
 - percent (25%) of the total gross receipts of the place of employment, or in any place of employment where a minor will be permitted to take orders for or serve intoxicating beverages regardless of the amount of intoxicating beverages sold in the place of employment;
- 19. Occupations involved in youth peddling; 20. Posing or modeling alone or with others while
- engaged in sexual conduct for the purpose of preparing a film, photograph, negative, slide Any occupation which the commissioner
- shall by regulation declare to be hazardous or injurious to the life, health, safety and welfare

DUTIES OF EMPLOYERS (T.C.A. §50-5-111)

Employers of minors shall:

- Maintain a separate file record for each minor employed which shall be kept at the minor's place of employment and shall include the following: Employment application;
- Copy of minor's birth certificate, driver's license, state issued ID or passport, as evidence of age by
- Accurate daily time record for all minors subject to the provisions of this Act; Any records qualifying a minor for exemption under T.C.A. §50-5-107 (8)-(13).
- Allow the department to inspect all premises where minors are or could be employed and the contents of the Post in a conspicuous place on the business premises a printed notice of the provisions of the Child Labor Act
- furnished by the department; Furnish the department with records relative to the employment of minors.
- If a minor is 16 or 17 years of age and is home schooled, the file must include documentation from the Director of the LEA, the home school, or church-related school that confirms the minor's enrollment and authorization to work (T.C.A. §50-5-105).

For information on state laws contact the Tennessee Department of Labor and Workforce Development Labor Standards Unit Toll Free (844) 224-5818 (REGULATIONS) www.tn.gov/workforce

access, and affirmative action. Auxiliary aids and services are available upon request to individuals with disabilities. Callers with hearing impairments may use TTY/TDD 711.

Tennessee Department of Labor & Workforce Development; Authorization #337477

TN **WORKERS' COMPENSATION INSURANCE POSTING NOTICE How to Report Work-Related Injuries**

What should be done if injured at work? **Employee**

Workers' Compensation.

- Immediately report the injury to the
- Select a treating physician from a panel

the employer representative or the Bureau of

Complete your company's internal

- If you have questions or problems, contact
- - "Workplace Injury form" and notify your workers' compensation insurance company immediately, even if you have concerns about the validity of the claim
 - Offer a panel of physicians to the employee via Form C-42 available on the Bureau's website. In cases of emergency, call an ambulance and provide this form as soon as the

injured employee has stabilized.

Printed **name and title** of the employer representative to be notified in the event of a work-related injury

Printed name of an alternative employer representative to be notified in the event of a work-related injury **Telephone number** of employer representative to notify in event of a work-related injury

Address of employer representative to notify in event of a work-related injury

The Tennessee Bureau of Workers' Compensation is available to help both employees and employers.

TN

Commissioner.

BWC Bureau of WORKERS' COMPENSATION

Your employer provides insurance to help protect you when

you become unemployed through no fault of your own.

Tennessee employers pay the full cost of unemployment

insurance for their employees. Nothing is deducted from

your pay to cover the cost of this insurance nor does any

Be separated from employment through no fault of

Search for work by making a minimum of three

tangible job contacts and documenting during

weekly certification process. You may log in to

Failure to make three weekly work searches will result in

a loss of benefits unless you are job attached, a member

of a hiring union, or attending training approved by the

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www.Jobs4tn.gov to search for work online.

Have qualifying wages in the base period.

money come from State of Tennessee funds.

To be eligible for benefits you must

Be able and available for work.

220 French Landing Dr. 1-B Nashville, TN 37243-2667 800-332-2667 615-532-4810 *TTD: 800-332-2257* tn.gov/workerscomp

Workers' Compensation law requires this notice to be posted in a conspicuous place at the work site at all times

Unemployment Insurance Poster for Employees

Before beginning the claim filing process, you should have

If you become unemployed you may file for benefits at

your Social Security Number

- **Telephone Number**
- Address
- Name of county of residence
- Employment data for the last 18 months including employer name and address, and

benefits, to file a wage protest, to file an appeal of an

agency decision, to view/update information, and to view

and update your choice of type of unemployment benefit

- Bank routing number and bank account number if you elect to receive benefits by direct deposit; otherwise, you will receive benefits on the Way2Go MasterCard.
- You must keep your address current with the **Department of Labor and Workforce Development.** Go to www.Jobs4tn.gov to apply for unemployment

You may log in to www.Jobs4tn.gov to register and search for work by using services offered by our Tennessee American Job Centers. The Tennessee Department of Labor and Workforce Development has staff available to help you find a job or pursue training opportunities.

You may go to the Department's website at http://www.tn.gov/workforce/topic/find-local-help to find the location of the most convenient Tennessee American Job Center.

Please post in a conspicuous place. The TN Department of Labor and Workforce Development is committed

to principles of equal opportunity, equal access, and affirmative action. Auxiliary aids and services are available upon request to individuals with disabilities. Tennessee Relay Service is 711. Authorization No. 337386

FEDERAL

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.

Who is Protected? Employees (current and former), including managers and temporary

- 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)
- 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

Staffing agencies

Color Religion

FED

- National origin Sex (including pregnancy and related 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.

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)

REV. 05/2022

- Failure to provide reasonable accommodation for a disability or a sincerely-held religious belief, observance or practice
- Job training Classification
- 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 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

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,

The Office of Federal Contract Compliance

Programs (OFCCP)

or Armed Forces service medal veterans.

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

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

Individuals with Disabilities

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.

amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits

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

Section 504 of the Rehabilitation Act of 1973, as amended, prohibits

employment discrimination on the basis of disability in any program

any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

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

The law does not preempt any provision of any State or local law or

any collective bargaining agreement which is more restrictive with

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

The Secretary of Labor may bring court actions to restrain violations

and assess civil penalties against violators. Employees or job

www.dol.gov/whd

REV. 10/20/2022

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 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 quard), and of pharmaceutical manufacturers, distributors and 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.

UNITED STATES OF AMERICA

FED

EXEMPTIONS

WAGE AND HOUR DIVISION

UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243 TTY: 1-877-889-5627

resulted in economic loss to the employer.

respect to lie detector tests.

EXAMINEE RIGHTS

persons.

You Have a Right to a Safe and Healthful Workplace. IT'S THE LAW!

- You have the right to notify your employer or TOSHA about workplace hazards. You may ask TOSHA to keep your name confidential.
- You have the right to request a TOSHA inspection if you believe that there are unsafe and unhealthful conditions in your workplace. You or your representative may participate in the inspection.
- employer for making safety and health complaints or for exercising your rights under the TOSHA Act or the Tennessee Hazardous Chemical Right-to-Know Act.
- 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
- You have rights under the Tennessee Right to Know Law concerning hazardous chemicals in your work area. Your employer must provide training about health effects, protective measures, safe handling procedures, as well as information on interpreting labels and safety data sheets (SDS). You must be provided access to the
- 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.

et seq., assures safe and healthful working conditions for working men and women throughout the state. The Department of Labor and Workforce Development, Division of Occupational Safety and Health (TOSHA) has the primary responsibility for administering the TOSHA Act. The rights listed here may vary depending on the particular circumstances. To file a complaint, report an emergency or seek TOSHA advice, assistance or information, call 800-249-8510 or your nearest TOSHA office.

The **Tennessee Occupational Safety and Health Act of 1972**, T.C.A. §§ 50-3-101

Authorization No. 337330

REV. 03/2016

QR CODE Scan with phone camera: Go to: JJKeller.com/LLPverify **ONLINE** Enter this code: 62914-102022

TWO ways to verify poster compliance!

800-327-6868 65874F

To update your labor law posters contact

J. J. Keller & Associates, Inc.

JJKeller.com/laborlaw

You can file a complaint with TOSHA within 30 days of discrimination by your

- You have a right to see TOSHA citations issued to your employer. Your employer must
- safety data sheets and the workplace chemical list.

and must certify that these hazards have been reduced or eliminated.

• Chattanooga (423) 634-6424 • Jackson (731) 423-5640 • Kingsport (423) 224-2042 • Knoxville (865) 594-6180 • Memphis (901) 543-7259 • Nashville (615) 741-2793. To file a complaint online or obtain information on Federal OSHA and other state programs, visit OSHA's website at www.osha.gov. For additional information on TOSHA visit www.http://tn.gov/workforce/section/tosha.

FED-TN-ENG

62914

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

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

LABOR

FED

REEMPLOYMENT RIGHTS

service: or

then an employer may not deny you:

retention in employment;

HEALTH INSURANCE PROTECTION

resolve complaints of USERRA violations

https://webapps.dol.gov/elaws/vets/userra

initial employment;

under the FLSA. **ADDITIONAL INFORMATION** Certain occupations and establishments are exempt from the minimum wage, and/or

The Department has authority to recover back

violations. The Department may litigate and/or

wages and an equal amount in liquidated damages

in instances of minimum wage, overtime, and other

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

overtime pay provisions. Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Some state laws provide greater employee

protections; employers must comply with both.

Some employers incorrectly classify workers

are actually employees under the FLSA. It is

as "independent contractors" when they

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.

REV. 07/2016

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