OSHA Job Safety and Health

IT'S THE LAW!

Provide employees a workplace free from

rights under the law, including raising a

with OSHA, or reporting a work-related

Comply with all applicable OSHA standards.

fatalities within 8 hours, and all inpatient

hospitalizations, amputations and losses

Provide required training to all workers

in a language and vocabulary they can

Prominently display this poster in the

Post OSHA citations at or near the

FREE ASSISTANCE to identify and correct

hazards is available to small and medium-

sized employers, without citation or penalty,

place of the alleged violations.

Report to OSHA all work-related

of an eye within 24 hours.

health and safety concern with you or

recognized hazards. It is illegal to retaliate

against an employee for using any of their

Employers must:

injury or illness.

understand.

workplace.

effective: 06-01-15 - \$8.25/hou effective: 01-01-19 - \$8.75/hour

effective: 10-01-19 - \$9.25/hour

EMPLOYEES WHO RECEIVE TIPS

Employees in agriculture.

Outside commission paid salespeople

RECORD KEEPING REQUIREMENTS:

The minimum cash wage payable to employees who receive tips is \$2.<mark>23 per ho</mark>ur, effecti<mark>ve</mark>

The employer must be able to prove that the employee received the ba<mark>lance of th</mark>e full

NOTE: Delaware's minimum cash wage for tipped employees is greater than the cash

Tips may not be taken or retained by an employer except as required by law. Tip-pooling

wage required by federal law. Employers must pay Delaware's higher rate

Junior camp counselors employed by non-profit summer camp programs.

Employees in domestic service in or about private homes

Bona fide executives, administrators, and professionals

educational, religious or non-profit organizations

government agencies and paying all applicable taxes and fees for the individual. Fail to properly withhold state and federal taxes from an employee Fail to forward money withheld from an employee's wages to the appropriate state or

federal agency within 7 days of the applicable pay period Pay an employee wages that are less than the minimum wage established under state and federal law for the work performed Misclassify a worker as an independent contractor for purposes of avoiding wage, tax, or workers' compensation obligations under this title. Knowingly conspire to assist, advise, or facilitate a violation of this section

Following an investigation in which the Department makes an initial determination that an employer has violated one or more provisions of subsection (a) of this section, the Department may decide to impose a civil penalty. An employer who violates this section is subject to a civil penalty of not less than \$2,000 and not more than \$20,000 for each violation

Each instance of a violation of subsection (a) of this section per employee is a The Department may also refer cases to the Department of Justice for criminal prosecution consistent with § 841D of Title 11

RETALIATION An employer is subject to a civil penalty of not less than \$20,000 and not more than \$50,000 for each violation if the employer discharges or in any manner retaliates or discriminates against an individual because

that individual does any of the following under this section: a. Made a complaint or provided information to the Department.

Employees engaged in fishing and fish processing at sea. Volunteer workers (for b. Caused, or is going to cause, an investigation to be instituted.

c. Testified, or is going to testify, in a hearing.

YOU MAY NEED TO CHECK YOUR WITHHOLDING Since you last filed Form W-4 with your employer did you.. Marry or divorce? If you can answer "ves". Gain or lose a dependent? Change your name? Were there major changes to...

> Employer: Please poster 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.

Meal breaks must be given sometime after the first two (2) hours of work and before the last two (2) hours of work.

directly with children.

Compliance would adversely affect public safety.

• An employer has fewer than five (5) employees on a shift at one location (the exception would only apply to that shift). • The continuous nature of an employer's operations, such as chemical production or research experiments, requires employees to respond to urgent or unusual conditions at all times and the employees are compensated for their meal breaks. Where exemptions are allowed, employees must be allowed to eat meals at their work stations or other authorized locations and use rest room facilities as reasonably necessary.

1. rate of pay; 2. day, hour and place of payment;

3. employer's fringe benefits policies · Notify employees in writing of any reductions in the rate of pay,

Furnish each employee with a pay statement showing: 1. amount of wages due;

2. pay period covered by the payment; 3. amounts of deductions (separately specified) which have been

4. total number of hours worked in pay period (for employees who are paid at an hourly rate.) **PAYMENT OF WAGES:**

• Employees must be paid all wages within seven (7) days from the close of each pay period [with some exceptions, see §1102(b)].

 If the payday falls on a non-work day, payment shall be made on the preceding workday.

2. Cash advances or charges for goods and services (unless there is a signed agreement specifying the amount owed and the repayment schedule); Damaged property;

4. Failure to return employer's property.

Carry Workers' Compensation insurance coverage. Provide all necessary medical, surgical, and hospital treatment from the accident date. Every employer shall keep a record of all injuries received by employees and make a report within ten (10) days thereof in writing to the Office of Workers' Compensation. Ascertain the average weekly wages of the employee and provide compensation in accordance with the provisions of the law, for disability beyond the third day after the accident. All agreements as to compensation must be submitted to the Office of Workers' Compensation for approval.

THE EMPLOYEE SHOULD: Immediately notify the employer in writing of accidental injury or occupational disease and request medical services. Failure to give notice

Whistleblowers' Protection Act

This chapter may be cited as the "Delaware Whistleblowers' Protection Act." 74 Del. Laws, c. 361, § 1.;

(1) "Employee" means a person employed full or part-time by any employer, and shall include, but not be limited to, at-will employees, contract employees, independent contractors, and volunteer firefighters as defined in § 6651(c) of Title 16. (2) "Employer" means any person, partnership, association, sole

proprietorship, corporation or other business entity, including any department, agency, commission, committee, board, council, bureau, or authority or any subdivision of them in state, county or municipal government. One shall employ another if services are performed for wages or under any contract of hire, written or oral, express or implied.

corporation, association, or any other legal entity. (4) "Public body" means all of the following: a. A state-wide elected official, agency, department, division, bureau, board, commission, council, authority, or other body in the

executive branch of state government or employee of them; b. A legislator or employee of the legislative branch of state government:

c. An elected official of a county, city, or school district or

employee of them; d. A law-enforcement agency or employee of that law-

enforcement agency; and

e. A federal agency or employee of that federal agency.

5) "Supervisor" means any individual to whom an employer has given the authority to direct and control the work performance of the affected employee or any individual who has the authority to take

corrective action regarding the violation of a law, rule or regulation about which the employee complains. (6) "Violation" means an act or omission by an employer, or an a. Materially inconsistent with, and a serious deviation from,

of this State, or the United States, to protect employees or other persons from health, safety, or environmental hazards while on the employer's premises or elsewhere; or b. Materially inconsistent with, and a serious deviation from, financial management or accounting standards implemented pursuant to a rule or regulation promulgated by the employer or a law, rule, or regulation promulgated under the laws of this State,

a political subdivision of this State, or the United States, to protect any person from fraud, deceit, or misappropriation of public or private funds or assets under the control of the employer. '4 Del. Laws, c. 361, § 1.; § 1703 Protection. An employer shall not discharge, threaten, or otherwise discriminate against an employee regarding the employee's compensation, terms, conditions, location, or privileges of employment:

(1) Because the employee, or a person acting on behalf of the employee, reports or is about to report to a public body, verbally or in writing, a violation which the employee knows or reasonably believes has occurred or is about to occur, unless the employee knows or has reason to know that the report is false; or (2) Because an employee participates or is requested by a public body to participate in an investigation, hearing, or inquiry held by that public body, or a court action, in connection with a violation as defined in this chapter; or

(c) As used in subsection (a) of this section, "damages" means damages for injury or loss caused by each violation of this chapter. (d) A court, in rendering a judgment in an action brought under

resides, or the county where the person against whom the civil

complaint is filed resides or has their principal place of business.

this chapter, shall order, as the court considers appropriate, reinstatement of the employee, the payment of back wages, full reinstatement of fringe benefits and seniority rights, expungement of records relating to the disciplinary action or discharge, actual damages, or any combination of these remedies. A court may also award, as part of a judgment in an action brought under this chapter, all or a portion of the costs of litigation, including attorneys' fees, if the court determines that such an award is appropriate.

74 Del. Laws, c. 361, § 1. § 1705 Collective bargaining. This chapter shall not be construed to diminish or impair the rights of a person under any collective bargaining agreement.

74 Del. Laws, c. 361, § 1.; § 1706 Exemption. This chapter shall not be construed to require an employer to compensate an employee for participation in an investigation,

74 Del. Laws, c. 361, § 1.; § 1707 Notices requirement.

keep the employer's employees informed of their protections and obligations under this chapter. 74 Del. Laws, c. 361, § 1; 70 Del. Laws, c. 186, § 1.;

§ 1708 Burden of proof. The burden of proof in any action brought under this chapter shall be upon the employee to show that the primary basis for the discharge,

threats, or discrimination alleged to be in violation of this chapter was that the employee undertook an act protected pursuant to § 1703 of this title. 74 Del. Laws, c. 361, § 1.;

It is a violation of the law for an employer to take action against you

because you oppose or speak out against sexual harassment in the

workplace. The Delaware Discrimination in Employment Act prohibits

employers from retaliating or discriminating against any person because

Retaliation Is Prohibited Under the Law

STATE OF DELAWARE DEPARTMENT OF LABOR DIVISION OF INDUSTRIAL AFFAIRS The Delaware Discrimination in Employment Act

The Delaware Discrimination in Employment Act protects all individuals against discrimination in the workplace based on gender. Sexual harassment is a form of gender discrimination. A new law against sexual harassment passed in 2018 extends protections to all individuals, in all workplaces, including employees, applicants, apprentices, staffing agency workers, independent contractors, elected officials and their staff.

agricultural workers, domestic workers, and unpaid interns. Sexual Harassment and the Law Sexual harassment of an employee is unlawful when the employee is subjected to conduct that includes unwelcome sexual advances, requests

for sexual favors, and other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an employee's employment; (2) submission to or rejection of such conduct is used as the basis for employment decisions affecting an employee; or (3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive working environment.

 unwelcome or inappropriate touching threatening or engaging in adverse action after someone refuses a sexual

Some Examples of Sexual Harassment

 making lewd or sexual comments about an individual's appearance, body, or style of dress

 conditioning promotions or other opportunities on sexual favors displaying pornographic images, cartoons, or graffiti on computers, emails, cell phones, bulletin boards, etc. making sexist remarks or derogatory comments based on gender

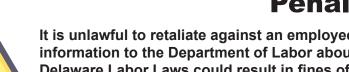
4425 N. MARKET STREET, 3 RD FLOOR WILMINGTON, DE 19802 (302) 761-8200 655 S. BAY ROAD, SUITE 2H

Report Sexual Harassment

DOVER, DF 1990 (302) 422-1134

GEORGETOWN, DE 19947

(302) 422-1134





FIRE-RESCUE PHYSICIAN:

IRS Withholding

Calculator at www.irs.gov/individuals on the IRS website. Your nonwage income (interest, dividend, capital gains, etc.)? Your family wage income (you or your spouse started or ended a job)? our itemized deductions?

This rule does not apply when:

 There is a collective bargaining agreement or other employer-employee written agreement which provides otherwise. Rules have been issued granting exemptions when:

Payment of Wages

EMPLOYERS OF 4 OR MORE EMPLOYEES ARE REQUIRED

Notify employees in writing at the time of hire of:

and any changes in the day, hour or place of payment, or benefits.

made from the wages:

• Wages must be paid at least once a month.

THE EMPLOYER SHOULD:

Workers' Compensation IMPORTANT THINGS TO DO IN CASE OF INJURY

or to accept medical services may deprive the employee of the right to compensation. Give promptly to the employer, directly or through a supervisor, notice of any claim for compensation for the period of disability beyond the third day after the accident. In case of fatal injuries, notice must be given by one or more dependents of the deceased or by a person on their behalf. In case of failure to reach an agreement with the employer in regard to compensation under the law, file an application with the Industrial Accident Board for a hearing on the matters at issue within two (2) years of the date of accidental injury or one (1) year of knowledge of a diagnosis of an occupational disease or an ionizing radiation injury. All forms can be obtained from the Office of Workers' Compensation.

WHISTLEBLOWERS' PROTECTION

§ 1702 Definitions. As used in this chapter:

(3) "Person" means an individual, sole proprietorship, partnership,

standards implemented pursuant to a law, rule, or regulation promulgated under the laws of this State, a political subdivision

DELAWARE SEXUAL HARASSMENT NOTICE

No person shall smoke in any enclosed area in which the general public is invited or in which the general public is permitted, including but not limited to any workplace not exempted. Delaware's amended Clean Indoor Air Act, which goes into effect on November 27, 2002 prohibits smoking in any indoor enclosed area to which the general public is invited or in which the general public is permitted, including: **ALL WORKPLACES**

The following places are specifically excluded from the Clean Indoor Air Act: Private homes, private residences and private automobiles, except when such homes, residences or vehicles are used for child care or day care, or when the private vehicle is used for the public transportation of children or as part of health care or day care transportation; Any indoor area where private social functions are being held when seating arrangements are under the control of the sponsor of the function and not the owner, operator, manager or person in charge of such indoor area; Limousines under private hire; A hotel or motel room rented to one (1) or more guests provided the total percentage of such hotel or motel rooms does not exceed twenty-five percent (25%); Any fund raising activity or function sponsored by a volunteer fire company, auxiliary of a fire company, or a volunteer ambulance or volunteer rescue company; provided, however, that the fund raising activity or function takes place upon property owned or leased by the volunteer fire, rescue or ambulance company; Any

• \$100 for a first violation; • Not less than \$250 for each subsequent violation; • Not less than \$2,000 nor more than \$10,000 for any employer who discharges or discriminates against an employee in any manner because that employee has provided information or assisted the Department of Labor.

time in each 24 hour period; - May not work more than 5 hours continuously without a non-work

Child Labor

The minimum age for employment is 14. - Work Permits are required for all employed minors under the age

- Employers are required to keep work permits on file for each - A new Work Permit is required when a minor changes employers. Specific Provisions for Individuals 14 and 15 Years of Age:

- Before 7:00 a.m. or after 7:00 p.m. - except from June 1st through Labor Day when the evening hour shall be extended to 9:00 p.m.; - More than 4 hours per day on school days; - More than 8 hours per day on non-school days; - More than 18 hours in any week when school is in session for 5 days;

- More than 5 hours continuously without a non-work period of at

MINORS 14-15 YEARS OF AGE SHALL NOT WORK:

- More than 6 days in any week;

least 30 consecutive minutes.

- More than 40 hours per week; and

Specific Provisions for Individuals 16 and 17 Years of Age: - Not more than 12 hours in a combination of school and work hours per day; Must have at least 8 consecutive hours of non-work, non-school

For a list of Prohibited Occupations, contact:

period of at least 30 consecutive minutes.

Wilmington, DE 19802 • (302) 761-8200 Georgetown American Job Center • 8 Georgetown Plaza, Suite 2 Georgetown, DE 19947 • (302) 856-5230

Blue Hen Corporate Center • 655 S Bay Road, Ste. 2H Dover, DE 19901 • (302) 422-1134

PAYDAY IS ON

Payday Notice

PAY SCHEDULE IS

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

Family Medical Leave Act

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

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.

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

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,

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

Fhe U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees

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

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

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

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. 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 How do I request FMLA leave? Generally, to request FMLA leave you must: Follow your employer's normal policies for requesting leave.

 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

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

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

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

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military

against past and present members of the uniformed services, and applicants to the uniformed services.

service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating

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

through OSHA-supported consultation **USERRA** programs in every state. • FOR USE BY PRIVATE SECTOR AND STATE GOVERNMENT EMPLOYERS YOUR RIGHTS UNDER USERRA THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

REEMPLOYMENT RIGHTS

notice of your service;

conclusion of service; and

may not deny you:

reemployment;

promotion; or

employees.

to lie detector tests.

EXAMINEE RIGHTS

WAGE AND HOUR DIVISION

General Provisions

General Provisions:

UNITED STATES DEPARTMENT OF LABOR

initial employment;

retention in employment;

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

you ensure that your employer receives advance written or verbal

you have five years or less of cumulative service in the uniformed

you have not been separated from service with a disqualifying

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

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

are obligated to serve in the uniformed service; then an employer

that job to perform service in the uniformed service and:

discharge or under other than honorable conditions.

to military service or, in some cases, a comparable job.

are a past or present member of the uniformed service;

any benefit of employment because of this status.

screening or during the course of employment.

HEALTH INSURANCE PROTECTION

have applied for membership in the uniformed service; or

services while with that particular employer;

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

Employers subject to the

requirements

Department of Labor.

SKU: DE2-27X40-ENG

All workers have the right to:

Raise a safety or health concern with

Receive information and training on

Request an OSHA inspection of your

workplace if you believe there are unsafe

or unhealthy conditions. OSHA will keep

your name confidential. You have the

right to have a representative contact

Participate (or have your representative)

participate) in an OSHA inspection and

speak in private to the inspector.

■ File a complaint with OSHA within

See any OSHA citations issued to

Request copies of your medical

injury and illness log.

records, tests that measure hazards

in the workplace, and the workplace

Contact OSHA. We can help.

30 days (by phone, online or by mail)

if you have been retaliated against for

substances in your workplace.

job hazards, including all hazardous

your employer or OSHA, or report a work-

related injury or illness, without being

A safe workplace.

retaliated against.

OSHA on your behalf.

using your rights.

your employer.

Federal Minimum Wage state minimum wage law are obligated to pay the higher rate EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT \$7.25 PER HOUR BEGINNING JULY 24, 2009

OVERTIME PAY: At least 11/2 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 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

wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference. 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 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.

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

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

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

Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.

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

• 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 1-866-487-9243 • TTY: 1-877-889-5627 • www.dol.gov/whd

WAGE AND HOUR DIVISION • UNITED STATES DEPARTMENT OF LABOR

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

hardship." An undue hardship is defined as causing significant difficulty or expense. Reasonable accommodations" are changes to the work environment or the way things are usually done at work.

WHAT ARE SOME POSSIBLE ACCOMMODATIONS FOR PREGNANT WORKERS?

Know Your Rights: Workplace Discrimination is Illegal

• Union members and applicants for membership in a union

What Types of Employment Discrimination are Illegal?

regardless of your immigration status, on the bases of:

disability discrimination or pregnancy accommodation

sincerelyheld religious belief, observance or practice

accommodation) or pregnancy accommodation

in any of the following ways:

eeoc.gov/Portal/Login.aspx

1-800-669-6820 (TTY)

www.eeoc.gov/field-office)

E-Mail info@eeoc.gov

Call 1–800–669–4000 (toll free)

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

Visit an EEOC field office (information at

charge of discrimination, is available at www.eeoc.gov.

The Department of Labor's Office of Federal Contract

Obtaining or disclosing genetic information of employees

• Requesting or disclosing medical information of employees

Conduct that might reasonably discourage someone from opposing

• 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

What can You Do if You Believe Discrimination has Occurred?

Contact the EEOC promptly if you suspect discrimination. Do not delay,

Submit an inquiry through the EEOC's public portal: https://publicportal.

Additional information about the EEOC, including information about filing a

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

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

TO REORDER, CALL 1-888-488-7678 OR ORDER AT STATEANDFEDERALPOSTER.CO

Compliance Programs (OFCCP) enforces the nondiscrimination and

under Federal law from discrimination on the following bases:

affirmative action commitments of companies doing business with the

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

discrimination, filing a charge, or participating in an investigation or

All aspects of employment, including:

Pay (unequal wages or compensation)

Discharge, firing, or lay-off

Hiring or promotion

Assignment

Job training

Referral

Classification

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

• Sex (including pregnancy and related conditions, sexual orientation, or

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

Interference, coercion, or threats related to exercising rights regarding

What Employment Practices can be Challenged as Discriminatory?

Harassment (including unwelcome verbal or physical conduct)

Failure to provide reasonable accommodation for a disability or a

participating in a discrimination lawsuit, investigation, or proceeding.

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

the EEOC may be able to help.

What Organizations are Covered?

State and local governments (as employers)

Educational institutions (as employers)

Most private employers

Staffing agencies

Color

Religion

National origin

gender identity

Disability

Age (40 and older)

Who is Protected?

· Job applicants

Some state laws provide greater employee protections; employers must comply with both.

Having flexible hours Receiving appropriately sized uniforms and safety apparel Receiving additional break time to use the bathroom, eat, and rest Taking leave or time off to recover from childbirth Being excused from strenuous activities and/or exposure to chemicals not safe for pregnancy

WHAT OTHER FEDERAL EMPLOYMENT LAWS MAY APPLY TO PREGNANT WORKERS? Other laws that apply to workers affected by pregnancy, childbirth, or related medical conditions, include: Title VII which prohibits employment discrimination based on sex, pregnancy, or other protected categories (enforced by the U.S. Equal Employment Opportunity

Learn more at www.EEOC.gov/Pregnancy-Discrimination

medal veterans.

Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, 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, by Federal contractors based on race, color, religion, sex, sexual

Asking About, Disclosing, or Discussing Pay

of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees. 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

Executive Order 11246, as amended, protects applicants and employees

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

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise oppose discrimination by Federal contractors under these Federal laws.

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)

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL

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

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.

Pregnant Workers Fairness Act (PWFA) The Pregnant Workers Fairness Act (PWFA) is a federal law that, starting June 27, 2023, requires covered employers to provide "reasonable accommodations" to qualified worker's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an "unduc

Being able to sit or drink water Receiving closer parking

The ADA which prohibits employment discrimination based on disability (enforced by the EEOC) The Family and Medical Leave Act which provides unpaid leave for certain workers for pregnancy and to bond with a new child (enforced by the U.S Department of The PUMP Act which provides nursing mothers a time and private place to pump at work (enforced by the U.S. Department of Labor)

Equal Employment Opportunity

Executive Order 11246, as amended, prohibits employment discrimination orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

> 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

veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities should contact

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/

ASSISTANCE

Race, Color, National Origin, Sex

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

PAYCHECKS ARE ISSUED ON THE

For additional information: 1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627 www.dol.gov/whd

addresses listed. Fox Valley Offices • 4425 North Market Street - 3rd Floor

state law do not affect an employer's obligation to comply with any provisions of federal law.

■ MONDAY ■ TUESDAY ■ WEDNESDAY ■ THURSDAY ■ FRIDAY ■ SATURDAY ■ SUNDAY

☐ WEEKLY ☐ BI-WEEKLY ☐ SEMI-MONTHLY ☐ MONTHLY ☐

MAKING UNAUTHORIZED COPIES IS AGAINST THE LAW AND MAY SUBJECT YOU TO CIVIL AND CRIMINAL LIABILIT

plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for you return to work or apply for reemployment in a timely manner after service-connected illnesses or injuries. • 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

• 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.

service, you have the right to be reinstated in your employer's health

Even if you don't elect to continue coverage during your military

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

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

Polygraph Protection

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

The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect

Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-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

involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer

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. 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.

Discrimination Employers are prohibited by state law from discriminating against employees because of their RACE; COLOR; NATIONAL ORIGIN; SEX (INCLUDING PREGNANCY); RELIGION; DISABILITY; AGE (40+); GENETIC INFORMATION; SEXUAL ORIENTATION; GENDER IDENTITY; MARITAL STATUS; MEMBERSHIP IN VOLUNTEER EMERGENCY RESPONDER ORGANIZATION (VOLUNTEER FIREFIGHTERS, AMBULANCE PERSONNEL, LADIES AUXILIARY); VICTIM OF DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING; FAMILY CARE RESPONSIBILITIES; REPRODUCTIVE HEALTH DECISIONS:

1-866-487-9243 • TTY: 1-877-889-5627 www.dol.gov/whd

agencies and joint labor management committees for apprenticeship or training are covered by this law. SEXUAL HARASSMENT: Sexual harassment of employees, applicants, apprentices, staffing agency workers, unpaid interns, and independent contractors is unlawful. Sexual harassment can be unwelcome sexual advances, requests for sexual favor, or other verbal or physical conduct of a sexual nature when (1) the employee is expected to submit to such conduct; or (2) the employee's submission to or rejection of such conduct is used as the basis for employment decisions; or (3) such conduct has the effect of unreasonably interfering with the employee's work performance

DISCRIMINATION, OR OPPOSING OR PARTICIPATING IN THE

INVESTIGATION OF A DISCRIMINATORY EMPLOYMENT PRACTICE

imployers of four (4) or more employees, labor organizations, employment

or non-employee, employers are responsible if the employee complained to the employer and the employer has taken no ac on to stop or correct the sexual harassment. Effective January 1, 2019, employers must distribute the Department of Labor Sexual Harassment Informational worksheet to all employees. Employers with 50 or more employees must provide interactive sexual harassment training to all new employees, and every two years after **DISABILITY:** Employers are prohibited by state law from discriminating against any employee because of disability. State law requires the and RETALIATION FOR INITIATING A COMPLAINT OF EMPLOYMENT employment and advancement of qualified individuals with a disability

> **PREGNANCY:** Employers must provide reasonable accommodations to employees with respect to pregnancy, childbirth, lactation and related conditions. Employers may not deny job applicants a position based on the need for a pregnancy-related workplace accommodation, make unnecessary changes to a pregnant employee's job functions or require a pregnant employee to take paid or unpaid leave when a reasonable accommodation would permit the employee to continue working. **ANY PERSON:** who believes he or she has been discriminated against should contact the Delaware Department of Labor, Office of An

who, with or without reasonable accommodation, can perform the essential

-Discrimination at (302) 761-8200. or creating an intimidating, hostile, or offensive working environment. If the A Charge of Discrimination must be filled within 300 days of the harassment is by a supervisor, the employer may be responsible even if the employee has not complained. If the harassment is by a fellow worker alleged unlawful employment practice.

Clean Indoor Air Act

fund raising activity or function sponsored by a fraternal benefit society as defined by 18 Del. C. §6201; provided, however, that the fund raising activity or function takes place upon property owned or leased by the fraternal benefit society.

> The Delaware Department of Labor, Division of Industrial Affairs, Office of Labor Law Enforcement at any of the

This poster provides only general information regarding the provisions of Delaware's Child Labor Law. The requirements of

OF THE MONTH

OSHA:

AMBULANCE:

Emergency Notice

HAZARDOUS MATERIAI

To any of these 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

Breaks

All employees must receive a meal break of at least 30 consecutive minutes if the employee is scheduled to work 7.5 or more

• The employee is a professional employee certified by the State Board of Education and employed by a local school board to work

• Only one (1) employee may perform the duties of a position.

• If an employee is not present on the regular payday, payment shall be made on the next regular workday that the employee is present or by mail (only if requested by the employee). • Wages may be paid to a bank account designated by an employee (upon the employee's written request). • Wages may be paid in cash or by check (provided that suitable arrangements are made by the employer for cashing at a bank or other business establishment convenient to the work place).

• Whenever an employee quits, resigns, is discharged, suspended or laid off, the wages earned shall be paid on the next regularly scheduled payday(s) either through the usual pay channels or by mail (if requested by the employee) as if employment had not been suspended or terminated. **UNLAWFUL DEDUCTIONS:** Employers are not permitted to deduct or withhold wages for: 1. Cash or inventory shortages;

(3) Because an employee refuses to commit or assist in the commission of a violation, as defined in this chapter; or (4) Because the employee reports verbally or in writing to the employer or to the employee's supervisor a violation, which the employee knows or reasonably believes has occurred or is about to occur, unless the employee knows or has reason to know that the report is false. Provided, however that if the report is verbally made,

such report was made; or

participate in an investigation, hearing, trial or inquiry, of a person or entity other than employee, regarding noncompliance or an infraction of Chapter 80 of Title 15; or refuses to participate or assist in the noncompliance or an infraction of Chapter 80 of Title 15. 74 Del. Laws, c. 361, § 1; 79 Del. Laws, c. 344, § 1.; § 1704 Relief and damages. (a) A person who alleges a violation of this chapter may bring a civil action for appropriate declaratory relief, or actual damages, or both within 3 years after the occurrence of the alleged violation of this chapter. (b) An action commenced pursuant to subsection (a) of this section may be brought in Superior Court in the county where the alleged violation occurred, the county where the complainant

the employee must establish by clear and convincing evidence that

(5) Because an employee reports or is about to report to a public

body, to the employer or the employee's supervisor, verbally or in

knows or reasonably believes has occurred or is about to occur, of

Chapter 80 of Title 15 unless the employee knows or has reason

to believe the report is false; or participates or is requested to

writing any noncompliance or an infraction which the employee

hearing or inquiry held by a public body in accordance with § 1703 of An employer shall post notices and use other appropriate means to

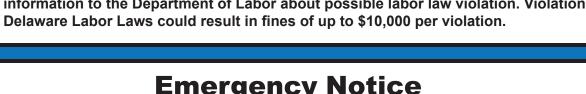
Sexual Harassment

the equal employment opportunity officer at your workplace, or human resources as soon as possible. Report sexual harassment to the Delaware Department of Labor Office of Anti-Discrimination. Call 302-761-8200 or 302-424-1134 or visit https://dia.delawareworks.com/discrimination/ to learn how to file a complaint or report discrimination. The Department can investigate or mediate your complaint and may be able to help you collect lost wages and other damages.

8 GEORGETOWN PLAZA, SUITE 2

that person opposed an unlawful discriminatory practice. Retaliation can occur through direct actions, such as demotions or terminations, or more subtle behavior, such as an increased work load or being transferred to a less desirable location. The Delaware Discrimination in Employment Act protects individuals against retaliation who have a good faith belief that their employer's conduct is illegal, even if it turns out that they were mistaken. If you have witnessed or experienced sexual harassment inform a manager,

BLUE HEN CORPORATE CENTER



It is unlawful to retaliate against an employee because (s)he has made a complaint or given information to the Dept of Labor about possible labor law violations. EMPLOYERS ARE REQUIRED BY LAW TO DISPLAY THIS OFFICIAL POSTER IN A PLACE ACCESSIBLE TO EMPLOYEES AND WHERE THEY REGULARLY PASS. **Penalty** It is unlawful to retaliate against an employee because (s)he has made a complaint or given information to the Department of Labor about possible labor law violation. Violations of

HOSPITAL: