PRODUCT ID: NC2-27X40-ENG

OSHA Job Safety and Health IT'S THE LAW!

All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a workrelated injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request 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 OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

Contact OSHA. We can help.

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

and the public, which may be used by the employee to express breast milk.

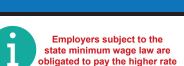
Employers must:

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Report to OSHA all work-related fatalities within 8 hours, and all inpatient hospitalizations, amputations and losses of an eye within 24 hours.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations.

FREE ASSISTANCE to identify and correct hazards is available to small and mediumsized employers, without citation or penalty, through OSHA-supported consultation programs in every state.



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



Federal Minimum Wage

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT \$7.25 PER HOUR BEGINNING JULY 24, 2009 The law requires employers to display this poster where employees can readily see it.



Updated 6/23

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 (PUMP AT WORK): 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

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

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 reauirements. Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico. Some state laws provide greater employee protections: employers must comply with both.

• Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference

between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent

contractors are not • Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

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

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 a qualified worker's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an "undu

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? Being able to sit or drink water Receiving closer parking

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

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

IRS Withholding

Since you last filed Form W-4 with your employer did you... Marry or divorce? Gain or lose a dependent? Change your name?

YOU MAY NEED TO CHECK YOUR WITHHOLDING

Were there major changes to...

Your nonwage income (interest, dividend, 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 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 poster or publish this Bulletin Board Poster so that your employees will see it. Please indicate where they can get forms and information

Workers' Compensation

N.C. WORKERS' COMPENSATION NOTICE TO INJURED WORKERS AND EMPLOYERS

All employees of this business, except specifically excluded executive

officers, suffering work-related injuries may be entitled to Workers'

Compensation benefits from the employer or its insurance carrier.

IF YOU HAVE A WORK-RELATED INJURY OR AN OCCUPATIONAL DISEASE

The Employee Should:

Certificate of Coverage

mailing address.

benefits.

FORM 17

 Report the injury or occupational disease to the Employer immediately Give written notice to the Employer within 30 days.

 File a claim with the Industrial Commission on a Form 18 immediately, but no later than 2 years from injury date or occupational disease. Give a copy to the Employer. If medical treatment and wage loss compensation are not promptly provided, call the insurance carrier/administrator or request a hearing

before the Industrial Commission using a Form 33 Request for Hearing. Commission forms are available at website www.ic.nc.gov or by calling the Help Line. Your employer's workers' compensation insurance carrier is

• The insurance policy number is_

 Your employer's workers' compensation insurance policy is valid until

For assistance: Call the Industrial Commission HELP LINE—(800)

The Employer Should: • Provide all necessary medical services to the Employee. Report the injury to the carrier/administrator and file a Form 19 Report of Injury within 5 days with the Industrial Commission, if the Employee

misses more than 1 day from work or if cumulative medical costs exceed \$4,000.00. · Give a copy of your completed Form 19 to the Employee along with a copy of a blank Form 18 Notice of Accident. Ensure that compensation is promptly paid as required under the Workers' Compensation Act.

NORTH CAROLINA INDUSTRIAL COMMISSION 1235 MAIL SERVICE CENTER RALEIGH, NORTH CAROLINA 27699-1235 Website: www.ic.nc.gov

TO EMPLOYER: THIS FORM MUST BE PROMINENTLY POSTED IF YOU HAVE WORKERS' COMPENSATION INSURANCE OR QUALIFY AS SELF-INSURED. (N.C. Gen. Stat. §97-93).

Unemployment Insurance

HR that powers your business

Employers covered by the Employment Security Law of North

and Notice to Workers as to Benefit Rights

Carolina (Chapter 96 of the North Carolina General Statutes) contribute to a special fund set aside for the payment of unemployment insurance benefits. No money is withheld from workers' checks for unemployment insurance purposes.

If your work hours are substantially reduced or your job is eliminated due to lack of work you may qualify for unemployment in-surance benefits. If you work less than the equivalent of (3) customary scheduled full time days, during any payroll week because work was not available, you may be eligible for unemployment insurance benefits. An employer may file claims for employees through the use of automation in case of partial unemployment. An employer may file an attached claim for an employee only once during a benefit year, and the period of partial unemployment for which the claim is filed may not exceed six consecutive weeks. You must notify the employer of any wages earned from all sources during the payroll week. Unemployment insurance benefit payments are processed in Raleigh, North Carolina. Please be sure that your employer has your correct

If you lose your job with this employer, you may contact the Department of Commerce, Division of Workforce Solutions (DWS) at www.nccommerce.com/workforce to assist you in securing suitable work. DWS provides a wide variety of services free of charge. If suitable work is not readily available you may file a claim for unemployment insurance benefits with the Division of Employment Security at des.nc.gov, or by phone at 877-841-9617.

By law, workers who become unemployed for other reasons or who refuse suitable work may be denied unemployment insurance

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

Security at the address shown on the bottom of this poster. During Labor Disputes [Section 96-14.7(b)]

or need more information, contact the Division of Employment

If you have any questions about unemployment insurance benefits

An individual is disqualified for benefits if the Division determines

the individual's total or partial unemployment is caused by a labor dispute at your place of employment or any location owned by the employer within the state of North Carolina. Once the labor dispute has ended, such workers shall continue to be ineligible for unemployment insurance benefits for the period of time that is reasonably necessary to resume operations in the workers' place of employment

employees may see it. Additional copies may be obtained online at

Instructions for Employers 1.Post this notice on your premises in such a place that all

2. You must notify affected workers of a vacation period within a reasonable period of time before it begins.

3.Benefit claims for attached workers may be filed online at des.

North Carolina Department of Commerce Division of Employment Security P.O. Box 25903 Raleigh, N.C. 27611 Telephone: (919) 707-1237 des.nc.gov

For More Information, Contact:



Family Medical Leave Act

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 nedical 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

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.

leave in a single 12-month period to care for the servicemember.

 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

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

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 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

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

USERRA HEALTH INSURANCE PROTECTION

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

• FOR USE BY PRIVATE SECTOR AND STATE GOVERNMENT **EMPLOYERS** • YOUR RIGHTS UNDER USERRA THE UNIFORMED SERVICES **EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT**

USERRA protects the job rights of individuals who voluntarily

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

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

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 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

notice of your service; • you have five years or less of cumulative

you return to work or apply for reemployment in a timely manner

service in the uniformed services while with that particular employer;

• 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 <a href="https://www.htt 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 Specia Counsel, as applicable, for representation. • You may also bypass the VETS process and bring a civil action against an employer for In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making

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/

a statement in connection with a proceeding under USERRA, even in

programs/userra/poster Federal law requires employers to notify employees of their rights under USERRA, and employers may mee this requirement by displaying the text of this notice where they customarily place notices for employees.







Polygraph Protection

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

EXAMINEE RIGHTS

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.

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

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

may also bring their own court actions. THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE

WAGE AND HOUR DIVISION **UNITED STATES DEPARTMENT OF LABOR**





State OSHA Wage and Hour Notice to Employees and OSH Notice to Employees

must be posted together.

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

OSH Notice to Employees Safety and Health

N.C. Department of Labor Responsibilities

The state of North Carolina has a federally approved program to dminister the Occupational Safety and Health Act in North Carolina This program is administered by the N.C. Department of Labor, Occupational Safety and Health (OSH) Division.

The OSH Division has the following responsibilities and powers: • Inspections—The OSH Division conducts workplace inspections

that can be triggered by complaints, accidents or because the workplace has been randomly selected for an inspection. Citations—Following an inspection, the employer may be cited for one or more violations of the OSHA standards. The employer will be

given a timetable to correct the violation to avoid further action. • Penalties—The Commissioner shall have the authority to assess penalties against any employer who violates the requirements of the OSH Act. The Commissioner shall adjust minimum and maximum civil penalties in accordance with the requirements set forth in the U.S. Consumer Price Index for All Urban Consumers published by the U.S. Department of Labor as necessary to comply with federal law. The Commissioner shall have a period of 60 calendar days from

07A .0301 or any related or subsequent regulations setting penalty standards in compliance with Part 1903 of Title 29 of the Code of Federal Regulations, and on its website. OSHA Standards—The division adopts all federally mandated OSHA standards verbatim or can rewrite them to meet state

the date a final rule is published in the Federal Register to publish

the civil penalties in the North Carolina Register under 13 NCAC

conditions, as long as the new version is at least as strict as the federal standard. A copy of any specific standard adopted by the OSH Division is available free of charge. The entire "General Industry" or

"Construction Industry" standards are available for a nominal cost by

calling 1-800-625-2267 or 919-707-7876. **Employer Rights and Responsibilities**

Public and private sector employers have a "general duty" to provide their employees with workplaces that are free of recognized hazards likely to cause serious injury or death. Employers must comply with the OSHA safety and health standards adopted by the Labor

• **Inspections**—An employer has the legal right to refuse to allow an

inspector to enter the workplace without an administrative inspection

warrant. If this occurs, the inspector will obtain a warrant to conduct

the inspection. The employer has the right to accompany the inspector during the physical inspection. • **Discrimination**—It is illegal to retaliate in any way against an employee for raising a health or safety concern, filing a complaint, reporting a work-related injury or illness, or assisting an inspector. The department will investigate and may prosecute employers who

 Citations—If an OSH inspection results in one or more citations, the employer is required to promptly and prominently display the citation(s) at or near the place where the violation allegedly occurred. It must remain posted for three working days or until the violation has been corrected or abated, whichever is longer.

• Contesting Penalties—Once an employer has been cited, he or she may request an "informal conference" with OSH officials to discuss the penalty, abatement or other issues related to the citation This request must be made within 15 working days after the citation The employer may formally contest (by filing a "Notice of Contest") the citation(s) or proposed penalty to the N.C. Occupational

Safety and Health Review Commission. The Review Commission

is an independent body that hears and decides contestments by

employers and employees concerning citations, abatement periods

Employers wishing to know more about the procedures for filing a "Notice of Contest" should contact the Review Commission. Telephone: 919-733-3589. Website: www.oshrb.state.nc.us. • Injury and Illness Records—Employers with 11 or more employees, unless specifically exempted, are required to maintain updated occupational injury and illness records of their employees. Recordkeeping forms and information concerning these requirements may be obtained from the Education, Training and

Technical Assistance Bureau, N.C. Department of Labor. Call 1-800-**625-2267** or **919-707-7876**. • Accident and Fatality Reporting—An employer must report

the following Within eight hours: Any work-related fatality. Within 24 hours: • Any work-related in-patient hospitalization of one or more Any work-related amputation.

To report an accident, call the OSH Division at 1-800-625-2267 or

Employee Rights and Responsibilities

Any work-related loss of an eye

Public and private sector employees must comply with occupational

safety and health standards, rules, regulations, and those orders issued under OSHA that relate to their own actions and conduct. • Complaints—An employee has a right to make a complaint regarding workplace conditions he or she believes are unsafe, unhealthy or in violation of OSHA standards. When an OSH

inspector is in an employee's workplace, that employee has a right to point out unsafe or unhealthy conditions and to freely answer any questions asked by the inspector. When making a complaint, the employee may request that his or her name be kept confidential. To make a complaint, call 1-800-625-2267 or 919-779-8560.

Complaints also can be made online at www.labor.nc.gov. Contesting Abatement—Employees may contest any abatement

period set as a result of an OSH inspection at their workplace. An

employee has the right to appear before the Review Commission to

contest the abatement period and seek judicial review. Other OSHA Information • Federal Monitoring—The OSH Division is monitored by the U.S. Department of Labor. Federal authorities ensure that continued state administration is merited. Any person who has a complaint about

of the U.S. Department of Labor, 61 Forsyth St. S.W., Suite 6T50, Additional Information or Questions—Anyone having a question

about any of the above information may write or call:

the state's administration of OSHA may contact the Regional Office

N.C. Department of Labor Occupational Safety and Health Division 1101 Mail Service Center Raleigh, NC 27699-1101 Phone: 1-800-625-2267 Fax: 919-707-7964 E-mail: ask.osh@labor.nc.gov www.labor.nc.gov

Unemployment Insurance

Employers (Form 17)

NCDOL does not handle matters relating to unemployment insurance. If you would like information about unemployment insurance policies or procedures, please contact the Department of Commerce, Division of Employment Security, P.O. Box 25903, Raleigh, NC 27611-5903, 1-888-737-0259; www.ncesc.com. N.C. Workers' Compensation Notice to Injured Workers and

NCDOL does not handle matters relating to workers' compensation If you would like information about workers' compensation policies or procedures, please contact the N.C. Industrial Commission at N.C. Industrial Commission, 4340 Mail Service Center, Raleigh, NC 27699-4340; 919-807-2500; www.ic.nc.gov. Form 17 must be prominently posted and must be printed in the same colors and format that appear on the Industrial Commission website. To download and print the current version of Form 17, visit www.ic.nc. This notice must be posted conspicuously. This poster is available

Call 1-800-625-2267 or 919-707-7876 or order online. 1-800-NC-LABOR (1-800-625-2267)

Labor or are used by permission/license of their respective copyright

free of charge to all North Carolina workplaces.

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www.labor.nc. gov

Follow **NCDOL** on

Payday Notice

PAY SCHEDULE IS

□ MONDAY □ TUESDAY □ WEDNESDAY □ THURSDAY □ FRIDAY □ SATURDAY □ SUNDAY

PAYCHECKS ARE ISSUED ON THE

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

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

certificates are required. To obtain a YEC, please visit our website at www.labor.nc.gov. **Hazardous or Detrimental Occupations:** State and federal labor

Youth Employment

Overtime

N.C. Department of Labor

Wage and Hour Act

Wage and Hour Notice to Employees

employees at least \$7.25 per hour.

rounded to the lowest nickel.

Minimum Wage: \$7.25 per hour (effective 7/24/09).

Employers in North Carolina are required to pay the higher of the

minimum wage increased to \$7.25 per hour effective July 24, 2009;

An employer may pay as little as \$2.13 per hour to tipped employees

therefore, employers in North Carolina are required to pay their

so long as each employee receives enough in tips to make up

the difference between the wages paid and the minimum wage.

Employees must be allowed to keep all tips, except that pooling is

permitted if no employee's tips are reduced more than 15%. The

employer must keep an accurate and complete record of tips as

these records, the employer may not be allowed the tip credit.

certified by each employee monthly or for each pay period. Without

Certain full-time students may be paid 90% of the minimum wage,

Time and one-half must be paid to all employees after 40 hours of

provisions specifically do not apply to certain types of employees

Rules for all youths under 18 years old are: Youth employment

laws protect youth workers by making it illegal for employers to hire

types of power equipment such as meat slicers, circular saws, band

them in dangerous jobs. For example, non-agricultural workers

under 18 years of age may not operate a forklift; operate many

saws, bakery machinery or woodworking machines; work as an

Exemptions may be found in NCGS § 95-25.14.

electrician or electrician's helper; or work from any height above 10 feet, including the use of ladders and scaffolds. Certain exemptions apply for Supervised Practice Youth Internships. For a complete list of prohibited jobs, please visit our website at www.labor.nc.gov.

Additional rules for 16- and 17-year-olds are: No work between 11 p.m. and 5 a.m. when there is school the next day. Exception: When the employer gets written permission from the youth's parents

Additional rules for 14- and 15-year-olds are: Where work can be performed: Retail businesses, food service establishments, service stations and offices of other businesses. Work is not permitted in manufacturing, mining or construction, or with power-driven machinery. Youths 14 years of age cannot work on the premises of a business holding an ABC permit for the on-premises sale or consumption of alcoholic beverages, except that youths 14 years of age can work on the outside grounds of the premises with written consent from a parent or guardian if the youth is not involved with the preparation, serving, dispensing or sale of alcoholic beverages. (NOTE: Unless action is taken by the N.C. General Assembly, this rule will apply to youths under 16 years of age effective Jan. 1,

from June 1 through Labor Day when school is not in session). Breaks: 30-minute breaks are required after any period of five consecutive hours of work. Additional rules for youths under 14 years old are: Work is generally not permitted except when working for the youth's parents;

Maximum hours per day: Three on school days; eight if a non-school day.

Hours of the day: May work only between 7 a.m. and 7 p.m. (9 p.m.

Maximum hours per week: 18 when school is in session; 40 when

These state youth employment provisions do not apply to farm, domestic or government work. Wage Payment

in newspaper distribution to consumers; modeling; or acting in

movie, television, radio or theater production.

Updated 6/22

Wages are due on the regular payday. If requested in writing, final paychecks must be sent by trackable mail. When the amount of wages is in dispute, the employer's payment of the undisputed portion cannot restrict the right of the employee to continue a claim for the rest of the wages.

Employees must be notified in writing of paydays, pay rates, policies

on vacation and sick leave, and of commission, bonus and other pay

matters. Employers must notify employees in writing of any reduction in

the rate of promised wages at least one pay period prior to such change.

Deductions from paychecks are limited to those required by law and those agreed to in writing on or before payday. If the written authorization that the employee signs does not specify a dollar amount, the employee must receive prior to payday (1) written notice of the actual amount to be deducted, (2) written notice of their right to withdraw the authorization, and (3) be given a reasonable opportunity to withdraw the authorization. The written authorization or written notice may be given in an electronic format, provided the requirements of the Uniform Electronic Transactions Act (Chapter 66 Article 40 of the N.C. General Statutes) are met.

The withholding or diversion of wages owed for the employer's

Deductions for cash or inventory shortages or for loss or damage

to an employer's property may not be taken unless the employee

receives seven days' advance notice. This seven-day rule does not

wage. No reductions may be made to overtime wages owed.

apply to these deductions made at termination. An employer may not use fraud or duress to require employees to pay back protected If the employer provides vacation pay plans to employees, the employer shall give vacation time off or payment in lieu of time off, as required by company policy or practice. Employees must be notified

in writing of any company policy or practice that results in the loss or

forfeiture of vacation time or pay. Employees not so notified are not

Equal Employment Opportunity

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

employees

• Union members and applicants for membership in a union What Organizations are Covered? Most private employers State and local governments (as employers)

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

 Age (40 and older) Disability Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical

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

 Assignment Pay (unequal wages or compensation) · Failure to provide reasonable accommodation for a disability or a sincerelyheld religious belief, observance or practice Benefits Job training Classification

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

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

E-Mail info@eeoc.gov Additional information about the EEOC, including information about filing a charge of discrimination, is available at www.eeoc.gov.

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,

AMBULANCE:

HOSPITAL

ALTERNATE

The wage payment provisions apply to all private-sector employers doing business in North Carolina. The wage payment provisions do not apply to any federal, state or local agency or instrumentality of

Wage & Hour

The department's Wage and Hour Bureau investigates complaints and may collect back wages plus interest if they are due to the minimum wage rate established by state or federal laws. The federal employee. The state of North Carolina may bring civil or criminal actions against the employer for violations of the law. The employee may also sue the employer for back wages. The court may award

> Anyone having a question about the Wage and Hour Act may call: **1-800-NC-LABOR** (1-800-625-2267)

attorney's fees, costs, liquidated damages and interest.

Classification Act, the Internal Revenue Code as adopted under N.C.

work in any one workweek with some exceptions. The state overtime as an independent contractor by his or her employer may report the suspected misclassification to the N.C. Industrial Commission's and do not apply to employees classified as exempt under the FLSA. Employee Classification Section by phone, email or fax. When filing a complaint, please provide the physical location, mailing address, and if available, the telephone number and email address for the employer suspected of employee misclassification:

> **Employee Classification Section** N.C. Industrial Commission 1233 Mail Service Center Raleigh, NC 27699-4333 Email: emp.classification@ic.nc.gov

Employment at Will

to collective bargaining or labor unions. The right of persons to work cannot be denied or reduced in any way because they are either members of a labor union (including labor organization or labor association) or chose not to be a member of any such labor union. An employer cannot require any person, as a condition of employment or continuation of employment, to pay any dues or other fees of any kind to a labor union. Also, an employer cannot enter into an agreement with a labor union whereby (1) non-union members are denied the right to work for the employer, (2) membership is made a condition of employment or continuation of employment, or (3) the labor union acquires an employment monopoly in any

independent federal agency that protects the rights of private sector

NLRB—Region 11 Office Republic Square 4035 University Parkway, Suite 200 Winston-Salem, NC 27106-3325

Bureau investigates complaints filed by employees against their employers for alleged violations of the N.C. Retaliatory Employment Discrimination Act (REDA). Under REDA, an employer may not

Participation in the Juvenile Justice System

 Wage and Hour Complaints Occupational Safety and Health Complaints Mine Safety and Health Complaints

 Exercising Rights Under Domestic Violence Laws Pesticide Regulation Complaints Drug Paraphernalia Complaints

A REDA complaint must be filed with the bureau within 180 days of the date of retaliation.

benefit may not be taken if they reduce wages below the minimum Follow NCDOL on

Department of Labor or are used by permission/license of their respective copyright holders.

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subject to such loss or forfeiture.

Know Your Rights: Workplace Discrimination is Illegal The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in

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

Educational institutions (as employers) Unions Staffing agencies What Types of Employment Discrimination are Illegal?

 National origin Sex (including pregnancy and related conditions, sexual orientation, or gender identity)

Retaliation for filing a charge, reasonably opposing discrimination,

 Harassment (including unwelcome verbal or physical conduct) Hiring or promotion

 Referral Obtaining or disclosing genetic information of employees Requesting or disclosing medical information of employees Conduct that might reasonably discourage someone from opposing

What can You Do if You Believe Discrimination has Occurred? Contact the EEOC promptly if you suspect discrimination. Do not

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

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

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

Employee Classification

and Hour Act (N.C. Gen Stat. 95-25.2(4)), the N.C. Employee Fair Employment Security laws (N.C. Gen. Stat. 96-1(b)(10)), the N.C. Workers' Compensation Act (N.C. Gen. Stat. 97-2(2)), or the N.C. Revenue Act (N.C. Gen. Stat. 105-163.1(4)) shall be treated as an

Phone: 919-807-2582

North Carolina is an employment-at-will state. The term "employment-atwill" simply means that unless there is a specific law to protect employees or an employment contract providing otherwise, then an employer can treat its employees as it sees fit and the employer can discharge an employee at the will of the employer for any reason or no reason at all.

Office of the National Labor Relations Board. The NLRB is an employees to join together, with or without a union, to improve their wages and working conditions. Regional office contact:

336-631-5201 **Retaliatory Employment Discrimination** The department's Retaliatory Employment Discrimination

certain rights under the following: Workers' Compensation Claims

Employees who believe they have been retaliated against in their

www.labor.nc.gov

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the required state and federal posters, please visit our website at: www.labor.nc.gov/labor-law-posters

a company with a Federal contract or subcontract, you are protected under Federal law from discrimination on the following bases:

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

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

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

If you are deaf, hard of hearing, or have a speech disability, please may also be contacted by submitting a question online to OFCCP's Help Desk at https://ofccphelpdesk.dol.gov/s/, or by calling an

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.

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

HAZARDOUS MATERIAL

Any worker who is defined as an employee by the N.C. Wage

Any employee who believes that he or she has been misclassified

Fax: 919-715-0282

Right-to-Work Laws North Carolina is a "right-to-work" state. Right-to-work applies

NCDOL has no enforcement authority regarding labor union laws. For employee concerns regarding labor unions, contact the Regional

 Genetic Testing Discrimination • Sickle Cell or Hemoglobin C Carriers Discrimination N.C. National Guard Service Discrimination

employment because of activities under the above statutes, or employers who have questions about the application of REDA, may call: **1-800-NC-LABOR** (1-800-625-2267)

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

Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on compensation of other applicants or employees.

employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ

Forces service medal veterans. Retaliation Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise

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 **ASSISTANCE** Race, Color, National Origin, Sex

disabilities who, with or without reasonable accommodation, can

retaliate against an employee for engaging in REDA protected activities, such as filing a claim or initiating an inquiry, related to

National Origin Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion,

inquiring about, disclosing, or discussing their compensation or the

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

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.

Emergency Notice

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

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

dial 7-1-1 to access telecommunications relay services. OFCCP

Individuals with Disabilities

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

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

opposes discrimination by Federal contractors under these Federal