and may request certification of a qualifying exigency.

What does my employer need to do?

you had not taken leave, and

If you are eligible for FMLA leave, your **employer** <u>must</u>:

About your FMLA rights and responsibilities, and

WAGE AND HOUR DIVISION

UNITED STATES DEPARTMENT OF LABOR

You do <u>not</u> 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

Your **employer** may request certification from a health care provider to verify medical leave

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

State employees may be subject to certain limitations in pursuit of direct lawsuits regarding

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

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

leave for their own serious health conditions. Most federal and certain congressional employees

Continue your group health plan coverage while you are on leave on the same basis as if

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

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** <u>must</u>

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

against you for requesting FMLA leave or cooperating with a WHD investigation.

FED

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FEDERAL MINIMUM WAGE \$7.25 PER HOUR

BEGINNING JULY 24, 2009 The law requires employers to display this poster

where employees can readily see it. At least 1½ times the regular rate of pay for all hours worked over 40 in a

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

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

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

DEPARTMENT OF LABOR

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

and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA. **ADDITIONAL INFORMATION**

from view and free from intrusion from coworkers and the public, which

amount in liquidated damages in instances of minimum wage, overtime,

The Department has authority to recover back wages and an equal

may be used by the employee to express breast milk.

LABOR

LAWS

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

- exemptions also apply to the pump at work requirements. Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico. Some state laws provide greater employee protections; employers must comply with both
- Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not.

Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

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

> > **REV. 04/2023**

Wisconsin Minimum Wage Rates

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

ENFORCEMENT

Effective July 24, 2009

\$10.50

	(Wis. Sta	tat. ch. 104)		
General Minimum \	Nage Rates		Minimum Wage Rat	
Non-Opportunity Employees:	Opportunity Employees:		Non-Opportunity Employees:	Opportunit Employees
\$7.25 per Hour	\$5.90 per Hour		\$2.33 per Hour	\$2.13 per Ho

Note: "Opportunity employee" means an employee who is not yet 20 years old and

who has been in employment status with a particular employer for 90 or fewer consecutive calendar days from the date of initial employment. Minimum Wage Rates foi **Minimum Rates** \$7.25 per Hour \$5.90

\$7.25 per Hour For more information contact:

STATE OF WISCONSIN DEPARTMENT OF WORKFORCE DEVELOPMENT

EQUAL RIGHTS DIVISION 201 E WASHINGTON AVE, ROOM A100 819 N 6TH ST ROOM 723 MADISON WI 53703 **MILWAUKEE WI 53203**

MADISON WI 53708-8928 TELEPHONE: (608) 266-6860

o the higher minimum wage rate.

Website: https://dwd.wisconsin.gov/er/

TELEPHONE: (414) 227-4384

The Department of Workforce Development is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format or need it translated to another language, please contact us. ERD-9247-P

Wisconsin Maximum Allowances for Board and Lodging Effective July 24, 2009

	Non-Opportunity Employees	Opportunity Employees
Meals	\$87.00 Per Week	\$70.80 Per Week
	\$4.15 Per Meal	\$3.35 Per Meal
Lodging	\$58.00 Per Week	\$47.20 Per Week
	\$8.30 Per Day	\$6.75 Per Day

Agricultural Employment

Meals	\$87.00 Per Week \$4.15 Per Meal
Lodging	\$58.00 Per Week \$8.30 Per Day

Camp Counselor Employment Weekly Salary for All Employees [Adults and Minors]

	Board & Lodging	Board Only	No Board or Lodging
Salary Rates	\$210.00	\$265.00	\$350.00
/hen boa	rd or lodging provided	by an employer is ac	cepted and received by

an employee, the employer is permitted to deduct up to the above amounts from the worker's paycheck. The amounts deducted are used to determine if the employee is receiving the required minimum wage rates.

REV. 06/2020

REV. 06/2020

NOTICE: This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under the Fair Labor Standards Act posting, hich indicates the federal minimum wage. Where federal and state rates both apply to an employee, the U.S. Department of Labor dictates that the employee is entitled

(e.g., street trades, agriculture, and work in school lunch programs. See the

These minors are subject to the same hourly and time of day restrictions

Minors under 18 years of age may not work more than 6 consecutive hours

Minors 16 & 17 years of age who are employed after 11:00 pm must have 8 hours

Minimum Wage for minors is \$7.25 per hour. Employers may pay an "Opportunity

For further information about the federal child labor laws call (608) 441-5221

For further information about the state child labor laws, call the Equal Rights

DEPARTMENT OF WORKFORCE DEVELOPMENT — EQUAL RIGHTS DIVISION **PO BOX 8928 MADISON WI 53708**

TELEPHONE: (608) 266-6860

Website: https://dwd.wisconsin.gov/er/

DWD is an equal opportunity employer and service provider. If you have a disability

and need assistance with this information, please dial 7-1-1 for Wisconsin Relay

Service. Please contact the Equal Rights Division at (608) 266-6861 to request

information in an alternate format, including translated to another language.

or write to U.S. Department of Labor, Wage & Hour, 740 Regent Street, Suite 102,

Wisconsin Employment of Minors Guide, ERD-4758-P, for more detail).

of rest between the end of one shift and the start of the next shift.

Division in Madison (608) 266-6860 or Milwaukee (414) 227-4384

Wage" of \$5.90 per hour for the first 90 days of employment

On the 91st day, the wage must increase to \$7.25 per hour.

as minors who are 14 or 15 years of age.

without having a 30-minute, duty free meal period.

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

WI

WI

Hours and Times of Day Minors May Work in Wisconsin Minors under 14 years of age are allowed to work in certain occupations

State and federal laws do not limit the hours that minors 16 years of age or over may work, except that they may not be employed or permitted to work during hours of equired school attendance under Wis. Stat. § 118.15. State and federal laws also permit minors under 16 to work up to seven days per week in the delivery of newspapers and agriculture. In most other types of labor, minors under 16 may only work six days a week

Most employers must obtain work permits for minors under 16 before permitting them to work. For further information, see the Wisconsin Employment of Minors Guide (ERD-4758-P)

Maximum Hours of Work for 14 & 15 year-old minors	After Labor Day through May 31	June 1 through Labor Day	
Daily Hours			
Non-School Days	8 hours	8 hours	
School Days	3 hours	3 hours	
Weekly Hours			
Non-School Weeks	40 hours	40 hours	
School Weeks	18 hours	18 hours	
Permitted Time of Day	7am-7pm	7am-9pm	

Employers subject to both federal and state laws must comply with the more stringent section of the two laws

State child labor laws prohibit work during times that minors are required to be in school, except for students participating in work experience and career exploration programs operated by the school

Minors under 16 years of age are limited to the maximum hours and time of day restrictions even though they may work for more than one employer during the

Advance Notice Required

Employers who use honesty testing must display this poster in one or more conspicuous places where notices to employees are customarily posted. Under Wisconsin law, requiring or requesting that an employee or applicant take an honesty test (lie detector) is unlawful or heavily regulated. Further, employers may not discriminate against a person who refuses to take a test

Employee Protections

Against Use of Honesty Testing

Devices (Wis. Stat. § 111.37)

An employer may request that an employee take a test in connection with an investigation involving economic loss or injury to a business if the employee is a easonable suspect. Honesty tests can be used by law enforcement agencies and certain businesses engaged in providing security services, alarm systems, and who manufacture, distribute or sell controlled substances.

Employee & Applicant Rights examinee's right to proper notice, the right to discontinue a test at any time and the right to advance written notice of the questions to be asked.

Victims of unlawful honesty testing may file a complaint within 300 days after the date the unfair honesty testing occurred, at one of the offices below STATE OF WISCONSIN

DEPARTMENT OF WORKFORCE DEVELOPMENT **EQUAL RIGHTS DIVISION**

STREET ADDRESS: 819 N 6TH ST ROOM 723

201 E WASHINGTON AVE ROOM A100 MADISON WI 53703

MILWAUKEE WI 53203 MAILING ADDRESS: PO BOX 8928

MADISON, WI 53708-8928 TELEPHONE: (608) 266-6860 TELEPHONE: (414) 227-4384 Website: https://dwd.wisconsin.gov/er/

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When Employers Decide to Cease **Providing a Health Care Benefit Plan**

Wisconsin law (Wis. Stat. § 109.075) requires employers who plan to discontinue health care benefits to current employees, retirees, and dependents of employees or retirees in some instances to provide the affected individuals with 60 days' notice of the cessation of benefits. Q: Which employers must comply with this requirement?

A: An employer who operates a business enterprise in Wisconsin that employs 50 or more persons in the state must provide written notice of its intention to cease providing health care benefits to affected parties. Q: Who is an affected individual entitled to this notice?

A: Employees, any union representing employees of the business, retirees, and dependents of employees and retires currently covered by the health care plan are entitled to receive 60 days' written notice that the benefits will cease. Q: Why should an affected person file a complaint about not receiving 60

A: A person who did not receive proper notice may receive either the value of the insurance premium(s) for the period without notice or the actual value of medical expenses incurred during the non-notification period (maximum of Q: If I have questions concerning this requirement or if I wish to file a complaint about not receiving notice, whom should I contact?

A: Contact either the Equal Rights Division in Milwaukee or Madison **STATE OF WISCONSIN**

DEPARTMENT OF WORKFORCE DEVELOPMENT **EOUAL RIGHTS DIVISION**

819 N 6тн ST

For help using online services or if you are truly

unable to go online

State of Wisconsin DWD

Department of Workforce Development

dwd.wisconsin.gov/ui

Notice to Employers: All employers covered by Wisconsin's

display this poster where employees will easily see it. If

employers do not have a permanent work site regularly

provided to each employee. For additional copies, visit:

dwd.wisconsin.gov/dwd/publications/ui/notice.htm or call

Notice to Employees: The federal Social Security Act requires

to verify your identity and determine your eligibility. If you do

not provide your social security number, we cannot take your

DWD is an equal opportunity employer and service provider. If

please dial 7-1-1 for Wisconsin Relay Service. Please contact the

that you give us your social security number. It will be used

accessed by employees, an individual copy is to be

toll-free (844) 910-3661 during business hours

Call Unemployment Insurance (UI) at (414) 435-7069 or

201 E WASHINGTON AVE, ROOM A100 PO BOX 8928 **MADISON WI 53708** TELEPHONE: (608) 266-6860

ROOM 723 MILWAUKEE WI 53203 TELEPHONE: (414) 227-4384 Website: https://dwd.wisconsin.gov/er/

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REV. 06/2020

Notice to Employees About Applying for WISCONSIN UNEMPLOYMENT BENEFITS

• If you served in the military in the last 18 months, Form

If you want UI benefit payments by direct deposit, your

Go to my.unemployment.wisconsin.gov

Note: When you authorize to use online services, you may

be mailed an identity verification letter with a code that

Log on to access your claimant portal.

Complete your initial claim application.

must be entered within seven days.

Apply online during these times:

Read and accept terms and conditions.

How to Apply

bank's routing number and your account number

If you are a federal civilian employee, Form SF-50 or SF-8.

If you are a union member, the name and local number of

dwd.wisconsin.gov/uiben/handbook/apply.htm

When to Apply You are totally unemployed

Your weekly earnings are reduced

You expect to be laid off within the next 13 weeks, or You are participating in the Trade Adjustment Assistance nsure if you will qualify? Apply to find out if you are eligible. nly DWD can determine if you will qualify.

IMPORTANT: You must file an initial claim application vithin seven days of the end of the calendar week in which ou want to receive a UI benefit payment

formation You Need To Apply: A username and password (for filing online). A valid email address or mobile phone number

Your current address. Your social security numbe Your Wisconsin driver license or identification number (if

you have one) Your work history for the last 18 months, including: Employers' business names. Employers' addresses (including zip code).

If you are not a U.S. citizen, your alien registration number

document number and expiration date.

WI

 Employers' phone number. First and last dates of work with each employer. Reason for no longer working with each employer

weeks of the birth or placement of that child.

policies, which are more generous than leaves required by the law.

the violation occurred, whichever is later.

of the employee's child, providing the leave begins within sixteen (16)

Up to two (2) weeks of leave in a calendar year for the care of a child,

spouse, domestic partner, as defined in § 40.02(21c) or 770.01(1) or

Up to two (2) weeks leave in a calendar year for the employee's own

This law only applies to an employee who has worked for the employer more than 52

also requires that employees be allowed to substitute paid or unpaid leave provided

by the employer for Wisconsin Family and Medical Leave. Employers may have leave

A complaint concerning a denial of rights under this law **must be filed within 30**

days after the violation occurs or the employee should have reasonably known that

consecutive weeks and for at least 1000 hours during that 52-week period. The law

parent or a parent of a domestic partner with a serious health condition.

Midnight - 3:00 PM Saturday **Need Help?**

9:00 AM - Midnight Available 24 Hours

For access to a computer and workforce services: Visit your closest Job Center

Unemployment Insurance Division at (414) 435-7069 or toll-free at (844) 910-3661 to request information in an alternate format

REV. 01/04/2024

Section 103.10, Wisconsin Statutes, requires that all employers with 50 or more For answers to questions about the law, a complete copy of the law, or to make employees display a copy of this poster in the workplace. Employers with 25 or a complaint about a denial of rights under the law contact: more employees are required to post their particular leave policy **STATE OF WISCONSIN** Under state law all employers with 50 or more permanent employees must allow **DEPARTMENT OF WORKFORCE DEVELOPMENT EQUAL RIGHTS DIVISION** Up to six (6) weeks leave in a calendar year for the birth or adoption

Wisconsin Family and Medical Leave Act

201 E WASHINGTON AVE ROOM A100 MADISON WI 53708

MILWAUKEE WI 53203 TELEPHONE: (414) 227-4384 Telephone: (608) 266-6860

The Department of Workforce Development is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format or need it translated to another language, please contact us.

819 N 6TH ST

REV. 06/2020

ERD-9006-P

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EMPLOYEE RIGHTS

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

Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating

against an employee or prospective employee for refusing to take a test or for exercising other

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

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.

Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

EXAMINEE RIGHTS

The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

DEPARTMENT OF HOUR DIVISION UNITED STATES OF WHC 1-866-487-9243 UNITED STATES DEPARTMENT OF

REV. 02/2022

WH1462

FED YOUR RIGHTS UNDER USERRA THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the against past and present members of the uniformed services, and applicants to the

National Disaster Medical System. USERRA also prohibits employers from discriminating uniformed services. REEMPLOYMENT RIGHTS

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

you ensure that your employer receives advance written or verbal notice of your you have five years or less of cumulative service in the uniformed services while with that particular employer you return to work or apply for reemployment in a timely manner after conclusion of

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

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

retention in employment

are a past or present member of the are obligated to serve in the uniformed uniformed service; service; have applied for membership in the

uniformed service; or then an employer may not deny you: initial employment; promotion; or any benefit of employment reemployment;

because of this status. In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection. **HEALTH INSURANCE PROTECTION** If you leave your job to perform military service, you have the right to elect to continue

your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military. Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

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

You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA. The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: nttps://www.dol.gov/agencies/vets/programs/userra/poster Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by

displaying the text of this notice where they customarily place notices for employees. U.S. Department of Labor • 1-866-487-2365 U.S. Department of Justice Office of Special Counsel

Employer Support of the Guard and Reserve • 1-800-336-4590 REV. 05/2022

Wisconsin Fair Employment Law

Section 111.31-111.395 Wisconsin Statutes and **DWD 218 Wisconsin Administrative Code requires** that all employers prominently display this Poster in all places of employment.

It is unlawful to discriminate against employees and job applicants because of their:

Use of Lawful Products Arrest or Conviction **Honesty Testing** Ancestry Disability National Origin Marital Status Pregnancy or Childbirth

Sexual Orientation Creed (Religion) Genetic Testing Age (40 or Over) Military Service Declining to Attend a Meeting or Participate in any Communication About

Religious or Political Matters This law applies to employers, employment agencies, labor unions and

Employers may not require certain types of honesty testing or genetic testing as a condition of employment, nor discipline an employee because of the results. Employees may not be harassed in the workplace based on their protected status nor retaliated against for filing a complaint, for assisting with a complaint, or for opposing

discrimination in the workplace. For more information or a copy of the law and the administrative rules contact:

STATE OF WISCONSIN DEPARTMENT OF WORKFORCE DEVELOPMENT **EQUAL RIGHTS DIVISION** 201 E WASHINGTON AVE ROOM A100 819 N 6TH ST

PO BOX 8928 **ROOM 723 MILWAUKEE WI 53203** MADISON WI 53708 TELEPHONE: (414) 227-4384 TELEPHONE: (608) 266-6860

Website: https://dwd.wisconsin.gov/er/ The Department of Workforce Development is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format or need it translated to another language, please contact us.

REV. 06/2020

Employee Rights under Wisconsin's Business Closing/Mass Layoff Notification Law Under Wisconsin law, employees have certain rights and employers have certain

obligations to give proper notice to their employees and others before taking What is a "business closing" or "mass layoff?" **A "business closing"** requires notice if there is a permanent or temporary shutdown

of an employment site or of one or more facilities or operating units at an employment site or within a single municipality that affects 25 or more employees (not including 'new" or "low-hour" employees).

A "mass layoff" requires notice if there is a reduction in the workforce that is not a "business closing" and which affects the following number of employees (excluding new or low hour employees) at an employment site or within a single municipality: At least 25% of the employer's workforce or 25 employees, whichever is greater or

At least 500 employees. Employees are counted if their employment is terminated (not including discharges for cause, voluntary departures, or retirements), if they are laid off for more than 6 months, or if their hours are reduced more than 50 percent during each month of any 6-month period, as the result of a business closing or mass layoff. New or low-hour employees

who have been employed for fewer than 6 of the 12 months preceding the date on

which a notice is required or who average fewer than 20 hours of work per week - are

Who must provide notice and when?

With certain exceptions, businesses employing 50 or more persons in the State of Wisconsin must provide written notice 60 days before implementing a "business closing" or "mass layoff" in this state. The federal or state government (and their political subdivisions), charitable or tax exempt institutions and organizations, and independent contractors are not covered under this law and do not have to provide notice. Additional exceptions exist in various situations involving strikes or lockouts, sales, relocations, temporary or seasonal employment, unforeseeable circumstances, natural or man-made disasters, temporary cessation in operations, or businesses in financial trouble.

What employees are entitled to receive notice? Employees are entitled to receive notice if they are counted as part of "business closing" or "mass layoff." New or low-hour employees may also be entitled to receive notice in situations where there is a "business closing" or "mass layoff."

employee may also recover attorney fees and costs in a lawsuit.

What can employees recover if notice is required and not given? If an employer implements a "business closing" or "mass layoff" without providing required notice, an affected employee may recover back pay and benefits for each day that required notice was not provided (up to a maximum of 60 days). An affected

DEPARTMENT OF WORKFORCE DEVELOPMENT

EQUAL RIGHTS DIVISION

The Department of Workforce Development is an equal opportunity employer and

service provider. If you have a disability and need to access this information in an

alternate format or need it translated to another language, please contact us.

If you have questions regarding this law or wish to file a complaint, call or write us at: STATE OF WISCONSIN

201 E WASHINGTON AVE ROOM A100 819 N 6TH ST PO BOX 8928 **ROOM 723** MADISON WI 53708 **MILWAUKEE WI 53203** TELEPHONE: (608) 266-6860 TELEPHONE: (414) 227-4384 Website: https://dwd.wisconsin.gov/er/

REV. 06/2020

when requesting additional leave.

leave rights.

Management or Congress

notify you in writing

WHD complaint process

Your Employee Rights Under the Family and Medical Leave Act

What is FMLA leave? The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with job-protected leave for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees

Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month period for: The birth, adoption or foster placement of a child with you

Your serious mental or physical health condition that makes you unable to work, To care for your spouse, child or parent with a serious mental or physical health condition,

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

An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness may take up to 26 workweeks of FMLA leave in a single 12-month period to care for the servicemember

You have the right to use FMLA leave in **one block of time**. When it is medically necessary or otherwise permitted, you may take FMLA leave intermittently in separate blocks of time, or on a reduced schedule by working less hours each day or week. Read Fact Sheet #28M(c) for more

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 vou need FMLA leave.

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

FED

- You work for a covered employer. You have worked for your employer at least 12 months,
- You have at least 1,250 hours of service for your employer during the 12 months before
- Your employer has at least 50 employees within 75 miles of your work location. Airline flight crew employees have different "hours of service" requirements.
- You work for a **covered employer** if **one** of the following applies:
- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,
- You work for an elementary or public or private secondary school, or You work for a public agency, such as a local, state or federal government agency. Most

federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management. **How do I request FMLA leave?**

Generally, to request FMLA leave you must:

FED

Who is Protected?

Religion

Disability

National origin

Age (40 and older)

Job applicants

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

Employees (current and former), including

What Types of Employment Discrimination are

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

against you, regardless of your immigration status, on the

Sex (including pregnancy, childbirth, and related

medical conditions, sexual orientation, or gender

Genetic information (including employer requests

for, or purchase, use, or disclosure of genetic tests,

Retaliation for filing a charge, reasonably opposing

discrimination, or participating in a discrimination

exercising rights regarding disability discrimination

genetic services, or family medical history)

Interference, coercion, or threats related to

State and local governments (as employers)

What Employment Practices can be Challenged as

Educational institutions (as employers)

Pay (unequal wages or compensation)

Failure to provide reasonable accommodation for a

disability; pregnancy, childbirth, or related medical

condition; or a sincerely-held religious belief,

Obtaining or disclosing genetic information of

Requesting or disclosing medical information of

from opposing discrimination, filing a charge, or

participating in an investigation or proceeding

Conduct that coerces, intimidates, threatens, or

interferes with someone exercising their rights, or

someone assisting or encouraging someone else to

exercise rights, regarding disability discrimination

(including accommodation) or pregnancy

Conduct that might reasonably discourage someone

lawsuit, investigation, or proceeding

or pregnancy accommodation

What Organizations are Covered?

Most private employers

All aspects of employment, including:

Hiring or promotion

observance or practice

Discharge, firing, or lay-off

Staffing agencies

Discriminatory?

conduct)

Benefits

Referral

employees

employees of either sex:

Job training

Classification

Assianment

Union members and applicants for membership in

managers and temporary employees

U.S. Equal Employment Opportunity Commission

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

> What can You Do if You Believe **Discrimination has Occurred?** Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the

following ways an inquiry through the EEOC's public portal: https://publicportal.eeoc.gov/Portal/Login.aspx 1-800-669-4000 (toll free) 1-800-669-6820 (TTY) 1-844-234-5122 (ASL video phone)

an EEOC field office (information at www.eeoc.gov/field-office) info@eeoc.gov E-Mail Additional information about the

EEOC, including information about

filing a charge of discrimination, is

Gender Identity, National Origin

available at www.eeoc.gov.

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action commitments of companies doing business with the Federal Government. If you are applying for a job with, or are an employee of, a company with a Federal contract or subcontract, you are protected under Federal law from discrimination on the following bases: Race, Color, Religion, Sex, Sexual Orientation,

discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or national Harassment (including unwelcome verbal or physical origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment Asking About, Disclosing, or Discussing Pay Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their

Executive Order 11246, as amended, prohibits employment

compensation or the compensation of other applicants or

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

Where can I find more information? Call 1-866-487-9243 or visit dol.gov/fmla to learn more. If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. Scan the QR code to learn about our

DEPARTMENT OF LABOR UNITED STATES OF AMERICA

SCAN ME

WH1420

REV. 04/2023

employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help. **Protected Veteran Status** The Vietnam Era Veterans' Readjustment Assistance Act of

1974, as amended, 38 U.S.C. 4212, prohibits employment

discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three vears of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans. Retaliation Retaliation is prohibited against a person who files a nination, participates in an OFCCI proceeding, or otherwise opposes discrimination by

Federal contractors under these Federal laws.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities should contact immediately: The Office of Federal Contract Compliance Programs (OFCCP) U.S. Department of Labor 200 Constitution Avenue, N.W. Washington, D.C. 20210

1-800-397-6251 (toll-free) If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at https://ofccphelpdesk.dol.gov/s/, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at https://www.dol.gov/agencies/ofccp/contact.

PROGRAMS OR ACTIVITIES RECEIVING

FEDERAL FINANCIAL ASSISTANCE

n 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

Race, Color, National Origin, Sex

of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance **Individuals with Disabilities** Section 504 of the Rehabilitation Act of 1973, as

amended, prohibits employment discrimination on

the basis of disability in any program or activity which

receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job. If you believe you have been discriminated against in

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

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Disability

Section 103.11, Wisconsin Statutes, requires all employers with 50 or more employees to display a copy of this poster in the workplace. Employers with 25 or more employees are required to post their particular leave policies.

Under state law all employers with 50 or more permanent employees must allow

a bone marrow or organ donor, provided that the employee provides his or her employer with written verification that the employee is to serve as a bone marrow or organ donor and so long as the leave is only for the period necessary for the employee to undergo the bone marrow or organ donation procedure and to recover from the procedure. This law applies only to an employee who has worked for the employer more than 52

consecutive weeks and for at least 1000 hours during that 52-week period. The law

have leave policies, which are more generous than leaves required by the law.

also requires that employees be allowed to substitute paid or unpaid leave provided

by the employer for Wisconsin Bone Marrow or Organ Donation Leave. Employers may

Up to six (6) weeks leave in a 12-month period for the purpose of serving as

WISCONSIN BONE MARROW AND ORGAN DONATION LEAVE ACT A complaint concerning a denial of rights under this law must be filed within 30 days after the violation occurs or the employee should have reasonably known that the

complaint about a denial of rights under the law contact:

Job Safety and Health

violation occurred, whichever is later.

STATE OF WISCONSIN **DEPARTMENT OF WORKFORCE DEVELOPMENT EQUAL RIGHTS DIVISION**

For answers to questions about the law, a complete copy of the law, or to make a

PO BOX 8928 819 N 6TH ST, ROOM 723 **MADISON WI 53708 MILWAUKEE WI 53203** TELEPHONE: (608) 266-6860 TELEPHONE: (414) 227-4384 Website: https://dwd.wisconsin.gov/er/

The Department of Workforce Development is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format or need it translated to another

REV. 06/2020



IT'S THE LAW!

All workers have the right to:

retaliated against.

OSHA on your behalf.

employer.

 A safe workplace. Raise a safety or health concern with your employer or OSHA, or report a workrelated injury or illness, without being

Receive information and training on job

hazards, including all hazardous substances

- in your workplace. Request a confidential OSHA inspection of your workplace if you believe there are
- 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

unsafe or unhealthy conditions. You have

the right to have a representative contact

(by phone, online or by mail) if you have been retaliated against for using your rights. See any OSHA citations issued to your

the workplace injury and illness log. This poster is available free from OSHA.

Contact OSHA. We can help.

TWO ways to verify poster compliance!

QR CODE Scan with phone camera:

ONLINE

Go to: JJKeller.com/LLPverify

Enter this code: 69510-012024

Request copies of your medical records, tests

that measure hazards in the workplace, and

Employers must: Provide employees a workplace free from

language, please contact us.

ERD-18114-E-P

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.

recognized hazards. It is illegal to retaliate

fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.

Provide required training to all workers in a

Notify OSHA within 8 hours of a workplace

- 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. On-Site Consultation services are available to

small and medium-sized employers, without

citation or penalty, through OSHA-supported

consultation programs in every state.

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

To update your labor law posters contact

J. J. Keller & Associates, Inc.

JJKeller.com/laborlaw

800-327-6868 JAN2024 65902F FED-WI-ENG

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