

# New York & Federal Employment Notices

## OSHA Job Safety and Health IT'S THE LAW!

Occupational Safety and Health Administration

All workers have the right to:

- A safe workplace.
- Raise a safety or health concern to your supervisor or OSHA, or report a work-related 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.

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 medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.

Contact OSHA. We can help.

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

## Family Medical Leave Act

EMPLOYERS UNDER THE FAMILY AND MEDICAL LEAVE ACT

What is FMLA leave? FMLA leave is a 12-week period of unpaid leave that provides eligible employees with job protection for qualifying family and medical reasons. FMLA leave is available to employees who have worked for a qualifying employer for at least 12 months and who have worked at least 1,250 hours for the employer during the 12-month period.

Eligible employees are entitled to 12 weeks of FMLA leave in a 12-month period for:

- The serious medical condition of the employee or the employee's spouse, child, or parent.
- The serious medical condition of the employee's spouse, child, or parent.
- The birth and care of a newborn child, or the placement of a child for adoption or foster care.
- The care for a family member who is a covered employee and is unable to perform his or her major life activities because of a serious medical condition.
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What are the FMLA leave requirements? FMLA leave is unpaid leave. However, if you are on FMLA leave, you must maintain your health insurance coverage. You must also return to work after your FMLA leave ends. If you do not return to work, you may be considered to have resigned from your job.

What are the FMLA leave restrictions? FMLA leave is unpaid leave. However, if you are on FMLA leave, you must maintain your health insurance coverage. You must also return to work after your FMLA leave ends. If you do not return to work, you may be considered to have resigned from your job.

What are the FMLA leave exceptions? FMLA leave is unpaid leave. However, if you are on FMLA leave, you must maintain your health insurance coverage. You must also return to work after your FMLA leave ends. If you do not return to work, you may be considered to have resigned from your job.

## USERRA

YOUR RIGHTS UNDER THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT ACT

USERRA protects the jobs rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Defense System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

USERRA covers:

- Military service.
- National Guard and Reserve service.
- Selected Reserve service.
- Selected National Guard and Reserve service.
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USERRA also covers:

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## Polygraph Test

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

PROHIBITIONS:

- No employer may use a lie detector test to determine whether an employee is qualified for a job.
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## State OSHA

OSHA is the federal agency responsible for enforcing workplace safety and health laws. State OSHA agencies are responsible for enforcing these laws in their respective states.

OSHA also provides:

- Free assistance to identify and correct hazards.
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## Whistleblower Protections

Whistleblowers are individuals who report information about a company's activities that may be illegal, unethical, or otherwise in violation of the law.

Whistleblowers are protected from:

- Retaliation.
- Discrimination.
- Harassment.
- Intimidation.
- Threats.
- Coercion.
- Unlawful interference with their rights.

## Right to Express Breast Milk

The National Labor Relations Board (NLRB) has ruled that employers must allow employees to express breast milk in a private, clean, and safe location.

Employers must:

- Provide a private, clean, and safe location for employees to express breast milk.
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## Discrimination

Discrimination is the treatment of an individual differently from others because of a protected characteristic.

Protected characteristics include:

- Race.
- Color.
- Religion.
- Sex.
- Age.
- National origin.
- Ancestry.
- Genetic information.
- Disability.
- Sexual orientation.
- Gender identity.
- Pregnancy, childbirth, or related medical conditions.

## Unemployment Insurance

Unemployment Insurance (UI) is a federal program that provides temporary financial assistance to workers who have lost their jobs through no fault of their own.

UI is administered by:

- The federal government.
- The state government.
- The local government.
- The federal government.
- The state government.
- The local government.

## Fast Food Worker's State Minimum Wage

The Fast Food Worker's State Minimum Wage Act requires fast food employers to pay their employees at least the state minimum wage.

Employers must:

- Pay their employees at least the state minimum wage.
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## Emergency Notice

Emergency Notice is a form that must be filed with the appropriate authorities in the event of a major disaster or emergency.

Emergency Notice includes:

- Name.
- Address.
- Phone number.
- Email address.
- Other contact information.
- Other contact information.
- Other contact information.

## State Minimum Wage

Attention Miscellaneous Industry Employees Minimum Wage hourly rates effective 12/31/2023 - 12/31/2024

Employer Size	Minimum Wage	Over Time
Large Employers (11 or more employees)	\$16.00	\$24.00
Small Employers (10 or less employees)	\$15.00	\$22.50

Long Island and Westchester County: Minimum Wage \$16.00, Over Time \$24.00. Remainder of New York State: Minimum Wage \$15.00, Over Time \$22.50.

## Blood Donation Leave

The Labor Law requires employers to provide paid leave to employees for the purpose of donating blood.

Employers must:

- Provide paid leave to employees for the purpose of donating blood.
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## Child Labor

Summary of New York State Child Labor Law, Permitted Working Hours for Minors Under 18 Years of Age

Age of Minor	Hours	Permitted Hours
14-15	8 hours on school days, 8 hours on non-school days	7 AM to 7 PM
16-17	8 hours on school days, 8 hours on non-school days	6 AM to 10 PM
18	8 hours on school days, 8 hours on non-school days	6 AM to 10 PM

## Federal Minimum Wage

The Federal Minimum Wage Act requires employers to pay their employees at least the federal minimum wage.

Employers must:

- Pay their employees at least the federal minimum wage.
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## Pregnant Workers Fairness Act

The Pregnant Workers Fairness Act (PWFA) requires employers to provide reasonable accommodations to pregnant workers.

Employers must:

- Provide reasonable accommodations to pregnant workers.
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## Equal Employment Opportunity

The Equal Employment Opportunity Act prohibits employers from discriminating against employees based on race, color, religion, sex, or age.

Employers must:

- Not discriminate against employees based on race, color, religion, sex, or age.
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## Clean Air Indoor Act

The Clean Air Indoor Act requires employers to maintain indoor air quality in their workplaces.

Employers must:

- Maintain indoor air quality in their workplaces.
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## Correction Law

The Correction Law requires employers to provide reasonable accommodations to employees with disabilities.

Employers must:

- Provide reasonable accommodations to employees with disabilities.
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## Deduction of Wages

The Deduction of Wages Act requires employers to provide reasonable accommodations to employees with disabilities.

Employers must:

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## Fringe Benefits & Hours

The Fringe Benefits & Hours Act requires employers to provide reasonable accommodations to employees with disabilities.

Employers must:

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## Veteran Benefits and Services

The Veteran Benefits and Services Act requires employers to provide reasonable accommodations to employees with disabilities.

Employers must:

- Provide reasonable accommodations to employees with disabilities.
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## No Smoking

The No Smoking Act requires employers to provide reasonable accommodations to employees with disabilities.

Employers must:

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