

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 employers.

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 in a military service member.

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 #28(1)(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.
- 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.

What does my employer need to do?
If you are eligible for FMLA leave, your employer must:

- Allow you to take job-protected time off work for a qualifying reason.
- Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and
- Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave.

Your employer cannot interfere with your FMLA rights or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation.

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your employer must confirm whether you are eligible or not eligible for FMLA leave, and your employer must notify you in writing.

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 WHD complaint process.

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 asserting any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress.

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.

PROHIBITIONS
Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

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 (armed 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.

EXAMINEE RIGHTS
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.

ENFORCEMENT
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 EMPLOYERS AND JOB APPLICANTS CAN READILY SEE IT.

Notice of Hours (CHILD LABOR)

IT SHALL BE A VIOLATION OF LAW for any child under 16 years of age to be employed, permitted or suffered to work in the business establishment before 7 a.m., or after 10 p.m., on days preceding a school day, or for more than eight hours per day, or 40 hours per week when school is not in session.

FURTHER, IT SHALL BE A VIOLATION OF LAW to employ, permit or suffer to work any child under 18 years of age in any vocation which has been declared by Rule or Regulation of the Secretary of Labor to be dangerous or injurious to the life, health, morals or welfare of a minor.

WORK PERMITS SHALL BE REQUIRED when the minor is under 16 years of age and ONLY when such minor is NOT enrolled in or attending any secondary school.

NOTICE OF HOURS (KSA 38-605) that every employer shall keep this notice posted in a conspicuous place near the principal entrance in an establishment where children under 16 years of age are employed, permitted or suffered to work. This notice shall state the maximum number of hours each child may be required or permitted to work, on each day of the week, the hours of commencing and stopping work and the hours allowed for dinner and other meals.

This poster is not required and should not be posted if you are covered under the Federal Child Labor Law. If you are unsure, it is suggested that you contact the U.S. Department of Labor for information. You may contact the following federal office:

Wage and Hour Division
Gateway Tower II
400 State Ave., Suite 1010
Kansas City, KS 66101
(913) 551-5721
Toll Free (866) 487-9243

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 work-related injury or illness, without being retaliated against.
- 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 unsafe or unhealthy conditions. 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.

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.
- Notify OSHA within 8 hours of a workplace 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 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.

This poster is available free from OSHA.

Contact OSHA. We can help.

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

Notice to Workers About UNEMPLOYMENT INSURANCE

Our organization participates in the Kansas Unemployment Insurance Program. Should you become unemployed, you can learn about unemployment benefits and apply online at www.GetKansasBenefits.gov.

If you are unable to apply online, you can apply for benefits by calling the Kansas Unemployment Contact Center.

Kansas Unemployment Contact Center

Kansas City Area(913) 596-3500
Topeka Area.....(785) 575-1460
Wichita Area.....(316) 383-9947
Toll free outside these areas.....(800) 292-6333

Speech and/or hearing disabled
Kansans can access the Kansas Relay Center by calling toll free(800) 766-3777

Claims specialists are available Monday through Friday from 8 a.m. until 4 p.m., except on state holidays.

The Kansas Unemployment Insurance Program is administered by:
KANSAS DEPARTMENT OF LABOR
401 SW Topeka Blvd.
Topeka, KS 66603-3182

Aviso Para el Trabajador Sobre EL SEGURO DE DESEMPLEO

Nuestra organización participa en el programa del Seguro de Desempleo de Kansas. Si acaso llega ser desempleado puede aprender más sobre los beneficios de desempleo y aplicar en www.GetKansasBenefits.gov.

Si no puede aplicar por la Internet, usted puede aplicar por beneficios de desempleo al llamar al Centro de Contacto de Desempleo de Kansas.

Centro de Contacto de Desempleo de Kansas

Área de Kansas City(913) 596-3500
Área de Topeka.....(785) 575-1460
Área de Wichita.....(316) 383-9947
Si vive fuera de las áreas de llamadas (800) 292-6333

Para ayuda con el habla y el audio llame al Kansas Relay Center(800) 766-3777

Disponibilidad de Especialistas de Reclamo lunes - viernes 8 a.m. - 4 p.m. La oficina esta cerrada durante los días festivos reconocidos por el estado de Kansas.

El programa de Seguro de Desempleo de Kansas es administrado por:
KANSAS DEPARTMENT OF LABOR
401 SW Topeka Blvd.
Topeka, KS 66603-3182

STATE AND FEDERAL LABOR LAW

WANTED: FAIR HOUSING

Without regard to race, religion, color, sex, race by association, national origin, ancestry, familial status, disabilities, retaliation in the areas of sales, rentals, financing and other terms and conditions.

KANSAS HUMAN RIGHTS COMMISSION AREA OFFICES:

MAIN OFFICE TOPEKA:
900 S.W. JACKSON
SUITE 568-SOUTH
TOPEKA, KANSAS 66612-1258
Voice (785) 296-3206
Fax (785) 296-0589
TTY (785) 296-0245
Toll-Free (888) 793-6874
E-mail khrc@ks.gov

DODGE CITY OFFICE:
MILITARY PLAZA OFFICES
SUITE 220
DODGE CITY, KS 67801-4945
Voice (620) 371-5681
Fax (620) 371-5682

WICHITA OFFICE:
300 W. DOUGLAS
SUITE 220
WICHITA, KS 67202
Voice (316) 337-6270
Fax (316) 337-7376

EMERGENCY NUMBERS CALL 911

POLICE: _____
AMBULANCE: _____
PHYSICIAN: _____
HOSPITAL: _____
FIRE DEPARTMENT: _____
POISON CONTROL: _____
OSHA: _____

PAY DAY NOTICE

PAY DAY IS ON:

MONDAY FRIDAY
 TUESDAY SATURDAY
 WEDNESDAY SUNDAY
 THURSDAY

PAY SCHEDULE IS:

WEEKLY SEMI-MONTHLY
 BIWEEKLY MONTHLY

PAYCHECKS ARE ISSUED ON THE: _____ AND _____ OF THE MONTH

AT: _____
TIME: _____

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

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 1 1/2 times the regular rate of pay for all hours worked over 40 in a workweek.

OVERTIME PAY
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.

CHILD LABOR

TIP CREDIT
Employees 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 employer'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.

PUMP AT WORK
The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for her nursing child for one year after the child's birth each time the employee needs to express breast milk. Employers must provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

ENFORCEMENT
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 FLSA.

ADDITIONAL INFORMATION

- 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. 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.

Kansas Law Provides Equal opportunity in employment without regard to race, religion, color, sex, disability, national origin, ancestry, or age. Genetic testing and screening is also prohibited. Sex includes LGBTQ+, all derivatives of sex, and pregnancy. Age is 40 or more years.

La Ley del Estado de Kansas Dispone Oportunidades Iguales con respecto a raza, religión, color, sexo, impedimento físico, ascendencia, o edad. Prueba genética y cribado es también prohibido. Sexo incluye LGBTQ+, todos los derivados de sexo, y embarazo. Edad es 40 o más años.

If you have suffered discrimination in recruitment, hiring, placement, promotion, transfer, training, compensation, layoff, or termination contact...

KANSAS HUMAN RIGHTS COMMISSION AREA OFFICES:

MAIN OFFICE TOPEKA:
900 S.W. JACKSON
SUITE 568-SOUTH
TOPEKA, KANSAS 66612-1258
Voice (785) 296-3206
Fax (785) 296-0589
TTY (785) 296-0245
Toll-Free (888) 793-6874
E-mail khrc@ks.gov

DODGE CITY OFFICE:
MILITARY PLAZA OFFICES
SUITE 220
DODGE CITY, KS 67801-4945
Voice (620) 371-5681
Fax (620) 371-5682

WICHITA OFFICE:
300 W. DOUGLAS
SUITE 220
WICHITA, KS 67202
Voice (316) 337-6270
Fax (316) 337-7376

Si ha sufrido discriminación en reclutamiento, colocación, nombramiento, promoción, transferencia, enseñanza, compensación, rebaja de empleo, o terminación de empleo contacte a las...

OFICINAS DE KANSAS HUMAN RIGHTS COMMISSION:

MAIN OFFICE TOPEKA:
900 S.W. JACKSON
SUITE 568-SOUTH
TOPEKA, KANSAS 66612-1258
Voice (785) 296-3206
Fax (785) 296-0589
TTY (785) 296-0245
Toll-Free (888) 793-6874
E-mail khrc@ks.gov

DODGE CITY OFFICE:
MILITARY PLAZA OFFICES
SUITE 220
DODGE CITY, KS 67801-4945
Voice (620) 371-5681
Fax (620) 371-5682

WICHITA OFFICE:
300 W. DOUGLAS
SUITE 220
WICHITA, KS 67202
Voice (316) 337-6270
Fax (316) 337-7376

Workers Compensation Rights and Responsibilities

Your employer is subject to the Kansas Workers Compensation Law which provides compensation for job-related injuries.

This notice applies to dates of accidents on or after April 25, 2013.

Este aviso aplica a las fechas de los accidentes a partir de Abril 25, 2013.

WHAT TO DO IF AN INJURY OCCURS ON THE JOB

NOTIFY YOUR EMPLOYER IMMEDIATELY. Per K.S.A. 44-520, a claim may be denied if an employee fails to notify their employer within the earliest of the following dates: (A) 20 calendar days from the date of accident or the date of injury by repetitive trauma; (B) if the employee is working for the employer against whom benefits are being sought and such employee seeks medical treatment for any injury by accident or repetitive trauma, 20 calendar days from the date such medical treatment is sought; or (C) if the employee no longer works for the employer against whom benefits are being sought, 10 calendar days after the employee's last day of actual work for the employer.

Notice may be given orally or in writing. Where notice is provided orally, if the employer has designated an individual or department to whom notice must be given and such designation has been communicated in writing to the employee, notice to any other individual or department shall be insufficient under this section. If the employer has not designated an individual or department to whom notice must be given, notice must be provided to a supervisor or manager at the employee's principal location of work.

Where notice is provided in writing, notice must be sent to a supervisor or manager at the employee's principal location of work.

The notice, whether provided orally or in writing, shall include the time, date, place, person injured and particulars of such injury. It must be apparent from the content of the notice that the employee is claiming benefits under the workers compensation act and has suffered a work-related injury.

BENEFITS. Benefits are paid by the employer's insurance carrier or self insurance program. Benefits include medical treatment, partial wage replacement for lost time and incapacity permanent. If the employer does not provide the treatment and has the right to designate the treating physician. If the employee seeks treatment from a doctor not authorized by the employer, the employer or its insurance carrier is only liable up to \$500.00 dollars for the unauthorized medical treatment.

WHERE TO GET HELP WITH YOUR CLAIM (DÓNDE CONSEGUIR AYUDA CON SU RECLAMO):

Employer's Insurance Carrier (Compañía Aseguradora del Empleador) _____ Telephone (Teléfono de la Aseguradora) _____

Address (Dirección de la Aseguradora) _____

For questions about Workers Compensation Law, contact (Para preguntas acerca de la Ley de Compensación del Trabajador):

KANSAS DEPARTMENT OF LABOR
Division of Workers Compensation/Ombudsman
401 SW Topeka Blvd., Suite 2, Topeka, KS 66603-3105
Website: <https://www.dol.ks.gov/wc>
Email: KDOL_wc@ks.gov
Phone: (800) 332-0353 or (785) 296-4000

Persons with impaired hearing or speech utilizing a telecommunications device may access the above numbers(s) by using the Kansas Relay Center at (800) 766-3777.

www.dol.ks.gov **KANSAS DEPARTMENT OF LABOR** **K-WC 40-A (1-22)**

Know Your Rights: Workplace Discrimination is Illegal

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help.

Who is Protected?

- Employees (current and former), including managers and temporary employees.
- Job applicants.
- Union members and applicants for membership in a union.

What Organizations are Covered?

- Most private employers.
- State and local governments (as employers).
- Educational institutions (as employers).
- Unions.
- Staffing agencies.

What Types of Employment Discrimination are Illegal?

Under the EEOC laws, an employer may not discriminate against you, regardless of your immigration status, on the basis of:

- Race
- Color
- National origin
- Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity)
- Age (40 and older)
- Disability
- Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, reports, or family medical history)
- Retaliation for filing a charge, reasonably opposing discrimination, or participating in an EEOC investigation, or proceeding
- Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation

What can You Do if You Believe Discrimination has Occurred?

Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:

Submit an inquiry through the EEOC's public portal: <https://publicportal.eeoc.gov/PortalLogin.aspx>

Call 1-800-649-4000 (toll free) 1-800-649-6020 (TDD)

Call 1-844-234-5122 (AFL video phone)

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

E-Mail into@eeoc.gov

Additional information about the EEOC, including information about filing a charge of discrimination, is available at www.eeoc.gov.

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action commitments of companies doing business with the Federal Government. If you are applying for a job with, or are an employee of, a

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

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

Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

Asking About, Disclosing, or Discussing Pay

Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees.

Disability

Section 503 of the Rehabilitation Act of 1973, as amended, prohibits qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, training, or other matters. It also prohibits discrimination on the basis of disability in the provision of Federal contracts or subcontracts.

Protected Veteran Status

The Vietnam Era Veterans' Readjustment Assistance Act (VEVRAA) prohibits discrimination by Federal contractors based on membership in certain categories of protected veterans, or Armed Forces service medal bearers.

Retaliation

Retaliation is prohibited against a person who files a complaint or discrimination charge with the EEOC, or otherwise opposes discrimination.

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
(800)-367-0321 (toll-free)

If you are deaf, hard of hearing, or have a speech disability, please dial 711 to access telecommunications relay services. OFCCP may also be contacted by submitting a complaint online to OFCCP's Help Desk at <https://www.dhs.gov/ofccp> 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.dhs.gov/ofccp/contact>.

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Race, Color, National Origin, Sex

Under the provisions of Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color, or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VII 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. The Dept. of 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. Employment discrimination is covered by Title VII 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. The Dept. of Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

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. (Revised 6/27/2023)