

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, and
- Certain qualifying reasons related to the eventual deployment of your spouse, child or parent who is a military 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 #2816(j) 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. If your employer determines that you are eligible, your employer must notify you in writing:

- About your FMLA rights and responsibilities, and
- How much of your requested leave, if any, will be FMLA-protected leave.

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.**

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.**

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.

Ref: 29 CFR §625.500

WHD1420 REV 04/23

Unemployment Insurance for Employees IMPORTANT

This employer is registered with the Mississippi Department of Employment Security, and the employees are covered by Unemployment Insurance. This insurance is carried to protect you in case you become unemployed through no fault of your own.

Nothing is deducted from your pay to cover its cost.

MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY

An equal opportunity employer and program. MDES has disability jobs and services available upon request to those with disabilities. Those needing TTY assistance may call 800-585-2233.

Funded by the U.S. Department of Labor through the Mississippi Department of Employment Security.

Employer: Please Post in a Conspicuous Place Extra Copies on Request

NOTICE TO EMPLOYEES
Availability of Unemployment Compensation

Unemployment Insurance (UI) benefits are available to workers who are unemployed and who meet the requirements of UI eligibility laws for the state of Mississippi.

You may file a UI claim with the Mississippi Department of Employment Security (MDES) in the first week that employment stops or work hours are reduced.

TO FILE AN UNEMPLOYMENT CLAIM:

- Visit our website at MDES.MS.GOV
- Call MDES at 1-888-844-3577 from 7:00 am to 10:00 pm seven days a week. Call wait time may be longer during peak hours and seasons
- Email questions to BenefitPay@mdes.ms.gov

THE FOLLOWING INFORMATION WILL BE NEEDED TO COMPLETE YOUR CLAIM BY PHONE:

- Full legal name;
- Social Security Number;
- Driver's License Number or State Issued Identification number;
- Alien Registration Number or Visa Number if you are not a U.S. citizen;
- Names and addresses of employers you worked for in the last eighteen (18) months
- The dates you worked and the reason you are no longer working for each employer

If you experience issues or need more information about filing a UI claim, you can quickly find the answers to most questions on our website under **FREQUENTLY ASKED QUESTIONS**.

To file a UI claim online visit: MDES.MS.GOV

To file a UI claim by phone call: 1-888-844-3577

Ref: MS Code § 71-5-15

MDES Communications 03/10/22

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.

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

CHILD LABOR 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 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 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 certifications issued by the Department of Labor.

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

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

WH108 REV 04/23

MISSISSIPPI WORKERS' COMPENSATION NOTICE OF COVERAGE

I. Please take notice that your Employer is in compliance with the requirements of the Mississippi Workers' Compensation Law, and [select one]

has been approved by the Mississippi Workers' Compensation Commission to act as a self-insurer,

or

maintains workers' compensation insurance coverage with the following:

(Name of insurance carrier or self-insurance group)

(address & telephone number)

II. Individual workers' compensation claims will be submitted to and processed by:

(Name of third party claims administrator or claims office)

(address & phone number)

III. This workers' compensation coverage is effective for the following period:

to

IV. All job related injuries or illnesses should be reported as soon as possible to your immediate supervisor, or to the person listed below:

(Name of employer contact person)

(Title & Department/Division)

V. Please be advised that any person who willfully makes any false or misleading statement or representation for the purpose of obtaining or wrongfully withholding any benefit or payment under the Mississippi Workers' Compensation Law may be charged with violation of Miss. Code Ann. §71-3-69 (Rev. 2000) and upon conviction be subjected to the penalties therein provided.

2001 M.W.C.C. Notice of Coverage Form

Ref: Miss. Code Ann. §71-3-81

STATE AND FEDERAL LABOR LAW

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 Employees 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 (or lie or 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 that, employment, 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 EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

WHD1420 REV 04/23

Mississippi Workers' Compensation Commission

1428 Lakeland Drive / Post Office Box 5300
Jackson, Mississippi 39296-5300
(601) 987-4200
<http://www.mwcc.state.ms.us>

Liles Williams, Chairman
John R. Junkin, Commissioner
Debra H. Gibbs, Commissioner

Roy C. Minor, Executive Director

NOTICE CONCERNING CHANGES TO THE WORKERS' COMPENSATION LAW, EFFECTIVE JULY 1, 2012

Pursuant to Senate Bill 2576, which was passed during the 2012 Regular Session of the Mississippi Legislature, the Mississippi Workers' Compensation Commission is required to promulgate a written statement specifying the changes being made to the Workers' Compensation Law by this Bill. This statement is to be made available to every employer in this State subject to the Workers' Compensation Law. This written statement is available at the Commission's website: <http://www.mwcc.state.ms.us/>, and the Commission will attempt to reach as many employers as possible by mailing written copies of this statement.

As provided in Senate Bill 2576, within ten (10) days of receipt of this written statement from the Commission, "every employer shall post the Commission's statement in a conspicuous place or places in and about his place or places of business and adjacent to the Notice of Coverage as required by Section 71-3-81." These changes shall take effect and be in force from and after July 1, 2012, and shall apply to injuries occurring on or after July 1, 2012.

A copy of this statement is being mailed to all known employers and/or their insurers. All insurers and third party administrators are asked to please notify their insureds of these requirements immediately upon receipt of this statement.

Job Safety and Health IT'S THE LAW!

U.S. Department of Labor
Occupational Safety and Health Administration

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.

Contact OSHA. We can help.

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

STATE AND FEDERAL LABOR LAW

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 Employees 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 (or lie or 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 that, employment, 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 EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

WHD1420 REV 04/23

EMPLOYERS

Upon receipt of this summary, post in a conspicuous place or places in and about your places of business and adjacent to the Notice of Coverage as required by Section 71-3-81.

INSURERS

Upon receipt of this summary, immediately provide a copy to each of your Mississippi insureds so that the posting requirements for employers can be timely satisfied.

Ref.: 2012 MS SB 2576 Section 10.

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: _____

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

- Race
- Color
- Religion
- 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 results)
- Retaliation for filing a charge, reasonably opposing discrimination, or participating in an EEOC lawsuit, investigation, or proceeding

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

What Employment Practices can be Challenged as Discriminatory?

All aspects of employment, including:

- Discharge, firing, or layoff
- Harassment (including unwelcome verbal or physical conduct)
- Hiring or promotion
- Assignment (including wages or compensation)
- Failure to provide reasonable accommodation for a disability (physical, mental, or related medical condition), or a sincerely-held religious belief, observance, or practice
- Benefits
- Job training
- Classification
- Retention
- Outlining or disclosing genetic information or employment
- Requesting or disclosing medical information of employees
- Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or proceeding
- Conduct that interferes with someone's exercise of their rights, or someone assisting or cooperating with someone exercising their rights, regarding discrimination (including accommodation) 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 online charge through the EEOC's public portal: www.eeoc.gov/portal.aspx

Call 1-800-688-4200 (toll free) 1-844-688-4200 (TDD) 1-800-254-5122 (ASL video phone)

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

E-Mail info@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 Department of Labor's affirmative action requirements 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,

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 pay. The law prohibits employers from asking about pay or disclosing pay information to other applicants or employees.

Disability

Section 503 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability 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 only those limitations that can be reasonably accommodated. Federal contractors have affirmative action to ensure and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

Protected Veteran Status

The Veterans Era Veterans' Readjustment Assistance Act of 1974, as amended, prohibits employment discrimination on the basis of disability by Federal contractors based on pay. The law prohibits employers from asking about pay or disclosing pay information to other applicants or employees.

Retaliation

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an EEOC 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. 20301
1-800-367-0231 (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 question online to OFCCP's Help Desk at <https://helpdesk.ofccp.gov> 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.ofccp.dol.gov/employees/ofccp/contact>

PROGRAMS ON ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Race, Color, National Origin, Sex

In addition to the prohibitions of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance or provision of employment, or where employment discrimination causes or may cause discrimination in providing services under that program. Title VI of the Education Amendments of 1972 prohibits employment discrimination on the basis of race 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 by Federal contractors who receive 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. (Revised 6/27/2023)