Your Employee Rights Under the **Family and Medical Leave Act**

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

Follow your employer's normal policies for requesting leave.

You do not have to share a medical diagnosis but must provide

enough information to your employer so they can determine whether

Your employer may request certification from a health care provided

to verify medical leave and may request certification of a qualifying

bargaining agreement that provides greater family or medical leave

State employees may be subject to certain limitations in pursuit of

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

direct lawsuits regarding leave for their own serious health conditions

Most federal and certain congressional employees are also covered

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective

· 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

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.

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

Eligible employees can take up to 12 workweeks of FMLA leave in a

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

Certain qualifying reasons related to the foreign deployment of

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

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

Am I eligible to take FMLA leave?

- You are an eligible employee if all of the following apply:
- 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

How do I request FMLA leave?

Generally, to request FMLA leave you must:

same reason when requesting additional leave.

Personnel Management or Congress.

- You work for a **covered employer** if **one** of the following applies: Allow you to take job-protected time off work for a qualifying You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and You work for an elementary or public or private secondary school, Allow you to return to the same job, or a virtually identical job with
 - 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

the same pay, benefits and other working conditions, including

If you are eligible for FMLA leave, your employer must

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

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

the leave qualifies for FMLA protection. You must also inform your employer if FMLA leave was previously taken or approved for the 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



WH1420 REV 04/23

SCAN ME

lef.: 29 CFR §825.300

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 rights under the

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 **EXEMPTIONS** certain private individuals engaged in national security-related activities.

> The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers. The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement

> in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.

The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect

EXAMINEE 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 RIGHTS to have test results disclosed to unauthorized persons.

The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT





WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR



TN Department of Labor & Workforce Development

UNEMPLOYMENT INSURANCE POSTER FOR EMPLOYEES

Your employer provides insurance to help protect you when you become unemployed through no fault of your own. Tennessee employers pay the full cost of unemployment insurance for their employees. Nothing is deducted from your pay to cover the cost of this insurance nor does any money come from State of Tennessee funds.

To be eligible for benefits you must

- Be separated from employment through no fault of
- Have qualifying wages in the base period. Be able and available for work.
- Search for work by making a minimum of three
- tangible job contacts and documenting during weekly certification process. You may log in to www.Jobs4tn.gov to search for work online.

Failure to make three weekly work searches will result in a loss of benefits unless you are job attached, a member of a hiring union, or attending training approved by the Commissioner.

If you become unemployed you may file for benefits at www.Jobs4tn.gov.

Before beginning the claim filing process, you should have

- Social Security Number
- Telephone Number
- Name of county of residence Employment data for the last 18 months including
- employer name and address, and Bank routing number and bank account number if you elect to receive benefits by direct deposit; otherwise, you will receive benefits on the Way2Go MasterCard.

You must keep your address current with the **Department of Labor and Workforce Development.**

Go to www.Jobs4tn.gov to apply for unemployment benefits, to file a wage protest, to file an appeal of an agency decision, to view/update information, and to view and update your choice of type of unemployment benefit payment.

You may log in to www.Jobs4tn.gov to register and search for work by using services offered by our Tennessee American Job Centers. The Tennessee Department of Labor and Workforce Development has staff available to help you find a job or pursue training opportunities.

You may go to the Department's website at www.tn.gov/ workforce/jobs-and-education/job-search1/find-localamerican-job-center.html to find the location of the most convenient Tennessee American Job Center

Please post in a conspicuous place.

The TN Department of Labor and Workforce Development is committed to principles of equal opportunity, equal access, and affirmative action. Auxiliary aids and services are available upon request to individuals with disabilities. Tennessee Relay Service is 711.



TENNESSEE LAW PROHIBITS DISCRIMINATION IN EMPLOYMENT

IT IS ILLEGAL TO DISCRIMINATE AGAINST ANY PERSON BECAUSE OF RACE, COLOR, CREED, RELIGION, SEX, AGE, DISABILITY, OR NATIONAL ORIGIN IN RECRUITMENT, TRAINING, HIRING, DISCHARGE, PROMOTION, OR ANY CONDITION, TERM OR PRIVILEGE OF EMPLOYMENT.

If you feel that you have been discriminated against, contact the Tennessee Human Rights Commission.

LA LEY DE TENNESSEE PROHIBE LA DISCRIMINACIÓN EN EL EMPLEO

ES EN CONTRA DE LA LEY DISCRIMINAR EN CONTRA DE CUALQUIER PERSONA DEBIDO EN BASE A LA RAZA, COLOR, CREDO, RELIGIÓN, SEXO, EDAD, INCAPACIDAD U ORÍGEN EN EL SELECCIÓN, ENTRENAMIENTO, EMPLEO, AL DESPEDIR, PROMOVER O CUALQUIER CONDICIÓN, TÉRMINO O PRIVILEGIO DE EMPLEO.

Si usted cree que ha sido víctima de discriminación, comuníquese con la Comisión de Derechos Humanos de Tennessee. CONTACT US/PARA MAS INFORMACIÓN:

> TENNESSEE HUMAN **RIGHTS COMMISSION**



WILLIAM R. SNODGRASS TENNESSEE TOWER 312 Rosa L. Parks Avenue 23RD FLOOR Nashville, Tennessee 37243-1102

PHONE: (615) 741-5825 OR 1-800-251-3589 ESPAÑOL: 1-866-856-1252 WWW.TN.GOV/HUMANRIGHTS

Tennessee Human Rights Commission, Authorization no. 316148

Last Revised July 2014

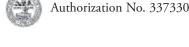
You Have a Right to a Safe and Healthful Workplace.

IT'S THE LAW!

- You have the right to notify your employer or TOSHA about workplace hazards. You may ask TOSHA to keep your name confidential.
- You have the right to request a TOSHA inspection if you believe that there are unsafe and unhealthful conditions in your workplace. You or your representative may participate in the inspection.
- You can file a complaint with TOSHA within 30 days of discrimination by your employer for making safety and health complaints or for exercising your rights under the TOSHA Act or the Tennessee Hazardous Chemical Right-to-Know Act.
- You have a right to see TOSHA citations issued to your employer. Your employer must post the citations at or near the place of the alleged violation.
- Your employer must correct workplace hazards by the date indicated on the citation and must certify that these hazards have been reduced or eliminated.
- You have rights under the Tennessee Right to Know Law concerning hazardous chemicals in your work area. Your employer must provide training about health effects, protective measures, safe handling procedures, as well as information on interpreting labels and safety data sheets (SDS). You must be provided access to the safety data sheets and the workplace chemical list.
- You have the right to copies of your medical records or records of your exposure to toxic and harmful substances or conditions.
- Your employer must post this notice in your workplace.



The Tennessee Occupational Safety and Health Act of 1972, T.C.A. §§50-3-101 et seq., assures safe and healthful working conditions for working men and women throughout the state. The Department of Labor and Workforce Development, Division of Occupational Safety and Health (TOSHA) has the primary responsibility for administering the TOSHA Act. The rights listed here may vary depending on the particular circumstances. To file a complaint, report an emergency or seek TOSHA advice, assistance or information, call 800-249-8510 or your nearest TOSHA office. • Chattanooga (423) 634-6424 • Jackson (731) 423-5640 • Kingsport (423) 224-2042 • Knoxville (865) 594-6180 • Memphis (901) 543-7259 • Nashville (615) 741-2793. To file a complaint online or obtain information on Federal OSHA and other state programs, visit OSHA's website at www.osha.gov. For additional information on TOSHA visit http://tn.gov/workforce/section/tosha.





FEDERAL LABOR LAW

EMERGENCY NUMBERS CALL 911

POLICE:

AMBULANCE:

HOSPITAL:

FIRE DEPARTMENT:

POISON CONTROL:

PAY DAY NOTICE

PAY DAY IS ON:

PHYSICIAN:

OSHA:

□ MONDAY ☐ FRIDAY **□** TUESDAY **□** SATURDAY

☐ THURSDAY

PAY SCHEDULE IS: □ WEEKLY □ SEMI MONTHLY

PAYCHECKS ARE ISSUED ON THE:

□ WEDNESDAY □ SUNDAY

□ BIWEEKLY ■ MONTHLY

OF THE MONTH AND

EMPLOYEE RIGHTS

UNDER THE FAIR LABOR STANDARDS ACT

The law requires employers to display this poster where employees can readily see it.

FEDERAL MINIMUM WAGE

INFORMATION

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 violation 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.

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 Comm

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 Certain full-time students, student learners, apprentices, and workers with disabilities may be





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

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

ENFORCEMENT The Department has authority to recover back wages and an equal amount in liquidated damages

performed under similar working conditions (T.C.A. §50-2-202).

Minors 14 and 15 years of age may not be employed

4. More than 18 hours a week during school weeks;

6. More than 40 hours a week during non-school weeks.

5. More than 8 hours a day on non-school days;

(T.C.A. §50-5-104):

1. During school hours;

2. Between 7:00 pm and 7:00 am;

3. More than 3 hours a day on a school day;

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

Employers of "tipped employees" who meet certain conditions may claim a partial wage credit

of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an

based on tips received by their employees. Employers must pay tipped employees a cash wage

employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equa

breast milk for their nursing child for one year after the child's birth each time the employee needs

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

from view and free from intrusion from coworkers and the public, which may be used by the

certain work hours restrictions. Different rules apply in agricultural employment

TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT WAGE REGULATIONS ACT

It is unlawful for any employer to employ, permit or suffer to work any person without first informing the employee of the amount of wages to be paid (T.C.A. §50-2-101). All wages or compensation of employees in private employment shall be due and payable not less frequently than once per month. Notice of regular paydays shall be posted by each employer in at least two conspicuous places.

(T.C.A. \$50-2-103). **REGULAR PAYDAY POSTED AS FOLLOWS:**

Each employee must have a 30-minute unpaid rest break or meal period if scheduled to work 6 hours consecutively, except in workplace environments that by the nature of business provide for ample opportunity to rest or take an appropriate break. Such break shall not be scheduled during or before the first hour of scheduled work activity (T.C.A. §50-2-103). No employer shall discriminate between employees in the same establishment on the basis of sex by paying any employee salary

CHILD LABOR ACT

or wage rates less than he pays to any employee of the opposite sex for comparable skill, effort, and responsibility, and which are

Minors 16 and 17 years of age may not be employed

Thursday nights.

16. Roofing operations;

17. Excavation operations;

and welfare of minors.

(T.C.A. §50-5-105): 1. During those hours when the minor is required to attend

2. Between the hours of 10:00 pm and 6:00 am, Sunday through Thursday evenings preceding a school day, except with parental or guardian consent. Then, the minor may work until midnight no more than 3 of the Sunday through

15. Wrecking, demolition and ship-breaking operations;

18. In any place of employment where the average monthly

gross receipts from the sale of intoxicating beverages exceed

twenty-five percent (25%) of the total gross receipts of

where a minor will be permitted to take orders for or

the place of employment, or in any place of employment

serve intoxicating beverages regardless of the amount of

intoxicating beverages sold in the place of employment;

20. Posing or modeling alone or with others while engaged

photograph, negative, slide or motion picture;

in sexual conduct for the purpose of preparing a film,

21. Any occupation which the commissioner shall by regulation

declare to be hazardous or injurious to the life, health, safety

19. Occupations involved in youth peddling;

BREAK OR MEAL PERIOD (T.C.A. §50-5-115) A minor must have a 30-minute unpaid break or meal period if scheduled to work 6 hours consecutively. Such break shall not be scheduled during or before the first hour of scheduled work activity.

OCCUPATIONS PROHIBITED FOR MINORS UNDER THE AGE OF 18 (T.C.A. §50-5-106)

- In or about plants or establishments manufacturing or storing explosives or articles containing explosive components;
- 2. Motor vehicle driving occupations; 3. Coal mine occupations;
- 4. Logging and sawmill operations;
- Operation of power-driven woodworking machines; 6. Exposure to radioactive substances and ionizing radiations;
- 7. Operation of elevator and other power-driven hoisting 8. Operation of power-driven metal forming, punching and
- shearing machines; 9. Mining elements other than coal;
- 10. Slaughtering, meat packing, processing or rendering; 11. Operation of power-driven bakery machines;
- 12. Operation of power-driven paper products machines; 13. Manufacture of brick, tile and kindred products;

14. Operation of circular saws, band saws and guillotine shears;

DUTIES OF EMPLOYERS (T.C.A. §50-5-111)

Employers of minors shall: 1. Maintain a separate file record for each minor employed which shall be kept at the minor's place of employment and shall include the following:

a. Employment application; b. Copy of minor's birth certificate, drivers's license, state issued ID or passport, as evidence of age by statute;

c. Accurate daily time record for all minors subject to the provisions of this Act; d. Any records qualifying a minor for exemption under T.C.A. §50-5-107 (8)-(13).

2. Allow the department to inspect all premises where minors are or could be employed and the contents of the individual file 3. Post in a conspicuous place on the business premises a printed notice of the provisions of the Child Labor Act furnished by the

4. Furnish the department with records relative to the employment of minors; 5. If a minor is 16 or 17 years of age and is home schooled, the file must include documentation from the Director of the LEA, the home school, or church-related school that confirms the minor's enrollment and authorization to work (T.C.A. §50-5-105).

For information on state laws contact the Tennessee Department of Labor and Workforce Development Labor Standards Unit Toll Free (844) 224-5818 **REGULATIONS** www.tn.gov/workforce

The TN Department of Labor and Workforce Development is committed to principals of equal opportunity, equal access, and affirmative action. Auxiliary aids and services are available upon request to individuals with disabilities. Callers with hearing impairments may use TTY/TDD 711.

Tennessee Department of Labor & Workforce Development; Authorization #337477

TENNESSEE WORKERS' COMPENSATION INSURANCE **POSTING NOTICE**

How to Report Work-Related Injuries

What should be done if injured at work?

Employee

1. Immediately **report the injury** to the employer representative named below.

Ref.: Tennessee Code, Sec. 50-5-111 (3)

2. **Select a treating physician** from a panel provided by your employer.

The Tennessee Bureau of

Workers' Compensation is

available to help both

employees and employers.

Ref.: Tennessee Code, Sec. 50-6-407

Discharge, firing, or lay-off

3. If you have questions or problems, contact the employer representative or the Bureau of Workers' Compensation.

Employer

- 1. Complete your company's internal "Workplace Injury form" and **notify your** workers' compensation insurance **company** immediately, even if you have
- concerns about the validity of the claim. 2. **Offer a panel of physicians** to the employee via Form C-42 available on the Bureau's website. In cases of emergency, call an ambulance and provide this form as soon as the injured employee has stabilized.

Printed **name and title** of the employer representative to be notified in the event of a work-related injury

Printed name of an alternative employer representative to be notified in the event of a work-related injury

Telephone number of employer representative to notify in event of a work-related injury

Address of employer representative to notify in event of a work-related injury



220 French Landing Dr. 1-B Nashville, TN 37243-2667 800-332-2667 615-532-4812 TTD: 800-332-2257

tn.gov/workerscomp

Workers' Compensation law requires this notice to be posted in a conspicuous place at the work site at all times. (REV. 4/18) Authorization No. 337545 RDA 10183

W Know Your Rights: **Workplace Discrimination is Illegal**



What can You Do if You Believe Discrimination has Occurred?

Visit an EEOC field office (information at www.eeoc.gov/field-office) **EMPLOYERS HOLDING FEDERAL CONTRACTS** OR SUBCONTRACTS

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

Asking About, Disclosing, or Discussing Pay

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended. Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or 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

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(REV. 3/16)