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

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

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 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

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

You have the right to use FMLA leave in one block of time. When it

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 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

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

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

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

How do I request FMLA leave?

Generally, to request FMLA leave you must:

same reason when requesting additional leave.

Personnel Management or Congress.

If you are eligible for FMLA leave, your **employer** <u>must</u>: 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 the same pay, benefits and other working conditions, including You work for a public agency, such as a local, state or federal shift and location, at the end of your leave government agency. Most federal employees are covered by

> 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

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

determines that you are eligible, your employer must notify you in

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





lef.: 29 CFR §825.300

VERMONT

Employer's Liability and Workers' Compensation

NOTICE TO EMPLOYEES

, has complied with the provisions of Title 21 of the Vermont Statutes, Annotated

(Insurance Carrier)

Workers' compensation benefits for lost time, medical expenses, disability or death

because of a work-related injury are available through the above named company.

An injured employee MUST immediately notify his/her employer of an

The employer MUST file an Employee Claim and Employer's First Report

of injury (Form 1) with the vermont Department of Labor Within 72 hours

of the notice of an injury that requires medical attention or results in time

lost from work. The employer must also provide a copy of the Form 1 to

Notice of Injury and Claim for Compensation (Form 5) with the Vermont

Information concerning injured worker rights and benefits is available on

the department's Workers' Compensation website at http://www.labor.

• If the employer fails to file a First Report, an employee may file a

Department of Labor within six months of the date of injury.

The State of Vermont is an Equal Opportunity/Affirmative Action Employer.

upon request to individuals with disabilities. 711(TTY/Relay Service) or

Applications from women, individuals with disabilities, and people from diverse

cultural backgrounds are encouraged. Auxiliary aids and services are available

Healthcare Whistleblower's Protection Act

You are protected by this law

ONLY if:

You are employed by a hospi-

tal, or nursing home; and

2. You tell your employer about

easonable time for it to be

believe that your employer will (Title)

the problem and allow a

You have good reason to

If you have been fired or

your employer has retaliated

against you due to a violation of

this law, you may:

process, grievance procedure,

or similar process available to

you to maintain or restore any

court of the county where the

retaliation by your employer

1. Use any available internal

8687, by obtaining Workers' Compensation Insurance coverage through:

the injured worker and to the insurance carrier.

vermont.gov or by calling (802) 828-2286

802-828-4203 TDD (Vermont Department of Labor).

whistleblower

There is protection for

Refuse to Commit Illegal Acts*

It is illegal for your employer to

fire you, threaten you, retaliate

against you or treat you

You reported a violation of the

law by your employer to any

You reported a medical error

or improper quality of patient

care by your employer to any

person, entity, or public body;

3. You reported something that

risks someone's health or

You have objected or refused

to participate in any activ-

ity, policy, or practice of your

employer that you reasonably

believe is a violation of a law

of care, or that will endanger

5. You have been involved in an

by the government.

investigation or hearing held

your life: or

or constitutes improper quality

person, entity, or public body;

Healthcare Employees Who Report or

Equal Opportunity is the Law

DEPARTMENT OF LABOR

WH1420 REV 04/23

Vermont's Earned Sick Time Act

HOW IS SICK TIME EARNED? An employee will earn one hour of earned sick time for every 52 hours of actual work, including overtime. An

employee will be entitled to use up to

40 hours in 2019 and subsequent years

HOW CAN SICK TIME BE USED?

An employee can use sick time when the employee or employee's child, parent, grandparent, spouse, or parentin- law is sick or injured. This includes helping a family member obtain health care or travel to an appointment related to his or her long-term care, or to address the effects of domestic violence. sexual assault or stalking. An employee may use earned sick time to care for a family member because the school or

business where the family member is

located is closed for public health or

VERMON DEPARTMENT OF LABOR

FOR MORE INFORMATION, o report suspected violations of the Act, contact the Vermont Department of Labor at 1-802-828-0267

WC-10 (12/05)

Notice of Employee Rights

IS THERE AN EXCEPTION

five or fewer full-time employees January 1st, 2018.

use of earned sick time as it accrues, or may impose a waiting period of up to one year after January 1st, whichever comes later.

Not all employees are subject to the protections of the Act. There are limited exemptions for certain types of employment, as well as for certain seasonal and part time employees. For a complete list, go

TO SICK TIME?

section/21/005/00481

Accommodations for Pregnant Employees In Vermont **Notice of Employee Rights**

WHAT IS THE LAW?

An employee with a pregnancy-related condition has a right to reasonable accommodations in the workplace to perform her job. A pregnancy-related condition is one caused by pregnancy, childbirth, or a medical condition related to pregnancy or childbirth. The law applies to all Vermont

January 1, 2018

VHAT ARE THE EMPLOYER'S OBLIGATIONS?

VERMONT to damages and civil penalties **DEPARTMENT OF LABOR**

loss of employment rights with * A copy of the complete statute 2. Bring an action in the superior http://legislature.vermont.gov/

statutes/chapter/21/005 This poster may be copied.

(Title 21. V.S.A.

Sections 507 - 509)

quires every hospita

and nursing home

to post this notice

To report a violation, unsafe con-

(The employer should fill in this

dition or practice or an illegal act

FOR MORE INFORMATION CALL THE VERMONT DEPARTMENT OF LABOR | 1-802-828-0267 | TTY/Relay Service at 711 | TDD services at 1-800-650-4152

workplaces and all pregnant employees. WHEN DOES IT BECOME **EFFECTIVE?**

When employees request a reasonable accommodation pertaining to pregnancy,

the employer should take time to work with the employee to fulfill the request. Ignoring a request, retaliating against, or firing the employee requesting a reasonable modation could expose the employer DOES AN EMPLOYER HAVE

TO GRANT EVERY An employer may decline a reasonable accommodation if the accommodation

would constitute an undue hardship. An ccommodation creates an undue hardship if it would be significantly difficult, unduly expensive or unworkable to put into place.

WHEN DOES ACCRUAL BEGIN? An employee begins accruing sick leave on January 1st, 2017 or on the first day of employment, whichever

FOR SMALL BUSINESSES? A small business that employs

will not be subject to the Act until WHEN WILL PAID SICK TIME BE AVAILABLE TO USE?

An employer may elect to allow the 2017 or the first day of employment, ARE ALL EMPLOYEES ENTITLED

WHAT ARE THE EMPLOYEE'S

If you feel you need reasonable accommodations to perform your job, you must request the accommodation by communicating with your employer. Examples of pregnancyrelated accommodations include, but are not limited to: More breaks for the bathroom, water

intake, or rest

Access to a chair or stool Time off for prenatal appointments A private, clean space for breast feeding.

Assistance with specific duties, such as manual labor or heavy lifting Time off to recover from medical conditions related to pregnancy or childbirth If you feel you need reasonable accommoda-

tions to perform the essential functions of your job, you must request the accommodations by communicating with your employer. VERMONT

DEPARTMENT OF LABOR www.labor.vermont.gov FOR MORE INFORMATION: STATE OF VERMONT ATTORNEY GENERAL'S OFFICE:

109 State Street, Montpelier, VT 05602 888-745-9195 or 802-828-3657 AGO.CivilRights@vermont.gov You may also contact the **HUMAN RIGHTS COMMISSION** 14-16 Baldwin St., Montpelier, VT 05633 800-416-2010 or 802-828-2480

Employment Protections for Victims of Crime Notice of Employee Rights

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

economic loss to the employer.

lie detector tests.

EXEMPTIONS

EXAMINEE

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,

certain private individuals engaged in national security-related activities.

The Act permits polygraph (a kind of lie detector) tests to be administered

employees of security service firms (armored car, alarm, and guard), and

The Act also permits polygraph testing, subject to restrictions, of certain

employees of private firms who are reasonably suspected of involvement

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

Where polygraph tests are permitted, they are subject to numerous strict

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

assess civil penalties against violators. Employees or job applicants may

to have test results disclosed to unauthorized persons

ENFORCEMENT The Secretary of Labor may bring court actions to restrain violations and

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER

WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

standards concerning the conduct and length of the test. Examinees

the law does not apply to tests given by the Federal Government to

in the private sector, subject to restrictions, to certain prospective

in a workplace incident (theft, embezzlement, etc.) that resulted in

of pharmaceutical manufacturers, distributors and dispensers

Under Vermont law, alleged victims are protected from harassment or other discrimination by employers based on their status as an alleged victim. Employers are also required to provide alleged victims with job-protected, unpaid leave to attend certain legal proceedings

EFFECTIVE AS OF: July 1, 2022 WHO IS AN ALLEGED VICTIM?

relating to a relevant crime.

Physical, emotional, or financial injury or As a direct result of the commission of As a direct result of the commission or attempted commission of an act of delinquency;

The family member of an alleged victim who is a minor, found to be incompetent, alleged to have suffered physical or emotional injury as a result; or was killed as a result of the

Employees who are alleged victims have the right to take unpaid leave to Criminal proceedings where the employee is an alleged victim and has a legal right or obligation to appear at the proceeding; Relief from abuse hearings and neglect or exploitation hearings when the employee is a plaintiff; or Hearings concerning an order against stalking or sexual assault While on alleged victim leave, employees may use any accrued sick leave, vacation leave, or any other paid leave. Employee benefits while on leave and have the right to

EMPLOYEE RIGHTS

VERMONT FOR MORE INFORMATION: VFRMONT ATTORNEY GENERAL CIVIL RIGHTS UNIT

109 State St., Montpelier, VT 05062 888-745-9195 OR 802-828-3657

HUMAN RIGHTS COMMISSION

return to their same job or a compa position upon return.

14-16 Baldwin St., Montpelier, VT 0506 800-416-2010 OR 802-828-2480

POSTING OF SAFETY RECORDS NOTICE TO EMPLOYEES Under Vermont law (21 V.S.A. §691a) all Vermont employers must advise their employees of where they may review the employer's record of workplace safety, including workplace injury and illness. The employer's data

shall be available for review by any employee and by the Commissioner of Labor, but this information shall The employer's data is available at

VERMONT

For more information, contact the Vermont Department of Labor at (802) 828-2286

(Rev. 09/14)



UNEMPLOYMENT INSURANCE

If you have become unemployed, or your work hours have been reduced, you may be eligible for

UNEMPLOYMENT BENEFITS

Vermont Department of Labor 1-877-214-3330

> TTY/Relay Service at 711 TDD services at 1-800-650-4152

If you are forced to leave your job as a result of domestic violence, sexual violence, or stalking, you may be eligible for benefits under the Domestic and Sexual Violence Survivor's Transitional Employment Program. When speaking with a representative at the toll-free number listed above, please ask to speak

For free professional help in finding a job, an internship, or job training opportunities, visit a Department of Labor Career Resource Center near you.

with the Domestic Violence Program Manager.

To find your local Center, visit: labor.vermont.gov or call 888-807-7072

VERMONT uxiliary aides and services are available upon request for

ndividuals with disabilities. Interpretive services are also **DEPARTMENT OF LABOR** vailable for persons with limited English proficiency.



protect you from discrimination in empl If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help.

What Types of Employment Discrimination are Illegal?

Race, Color, Religion, Sex, Sexual ference, coercion, or threats related

Executive Order 11246, as amended, prohibits ased on race, color, religion, sex, sexual What Employment Practices can be Challenged as Discriminatory? Asking About, Disclosing, or

disclosing, or discussing their com compensation of other applicants or employees Disability Section 503 of the Rehabilitation Act of 1973,

National Origin

Retaliation is prohibited against a person who

If you are deaf, hard of hearing, or have a

n OFCCP's "Contact Us" webpage at PROGRAMS OR ACTIVITIES ASSISTANCE Race, Color, National Origin, Sex

under such programs. Title IX of the

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE

INFORMATION

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

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 Comi 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



NOTICE -MINIMUM WAGE

FOR VERMONT EMPLOYERS AND WORKERS

MINIMUM WAGE RATE

OVERTIME PAY At least 1½ 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 mawork 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

o express breast milk. Employers must provide a place, other than a bathroom, that is shielded

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.

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

the minimum hourly wage, the employer must make up the difference

\$13.67 per hour Effective 01/01/2024 Effective 01/01/2023 \$13.18 per hour Effective 01/01/2022 \$12.55 per hour

BASIC WAGE RATE (TIPPED EMPLOYEES)

Effective 01/01/2022 \$6.28 per hour

MAXIMUM TIP CREDIT ALLOWED

Effective 01/01/2024

Effective 01/01/2023

Effective 01/01/2024 \$6.83 per hour Effective 01/01/2023 \$6.59 per hour Effective 01/01/2022 \$6.28 per hour

ADDITIONAL INFORMATION

Service or Tipped Employees: "A service or tipped employee" means an employee of a hotel, motel, touristplace, or restaurant who customarily and regularly receives more than \$120.00 a month in tips for direct and personal customer service.

Basic Wage Rate: The basic wage rate is the minimum required employer contribution towards the minimum wage for service or tipped employees. If an employee does not receive sufficient tips in the work week to at least achieve the minimum wage for all hours worked that week, the employer must make up the difference.

> 63 Pearl Street, Burlington, Vermont 05401 Labor.WageHour@vermont.gov Phone: (802) 951-4083 | Fax: (802) 865-7655

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Labor.Vermont.gov/Rights-and-Wages

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NOTICE SEXUAL HARASSMENT IS ILLEGAL

\$6.84 per hour

\$6.59 per hour

Under Vermont Law, sexual harassment is illegal and is prohibited by the Vermont Fair **Employment practices act** (VFEPA) (Title 21, Chapter 5, Subchapter 6 of the Vermont Statutes) and **Title VII of the Civil Rights Act of 1964** (42 United State Code Section 2000e Vermont law protects all workers not just employees. Effective July 1, 2018, Vermont's

protections against sexual harassment extend to all individuals engaged "to perform work

"employer," "employee," and "employment" below should be understood to apply to work

or services," even if they are not "employees" under state or federal law. References to

agreements beyond the traditional employer-employee relationship. "Sexual Harassment" is a form of sex discrimination and means unwelcome sexual advances, requests for sexual favors, and other verbal, physical, written, auditory, or visual

conduct of a sexual nature when (A) Submission to that conduct is made either explicitly or implicitly a term or condition of work, or

(B) Submission to, or rejection of, such conduct by an individual is used as a component of the basis for work related decisions affecting that individual, or (C) The conduct has the purpose or effect of substantially interfering with the individual's work performance or creating an intimidating, hostile, or offensive

It is unlawful to retaliate against an individual performing work or services for filing a complaint of sexual harassment or for cooperating in an investigation of sexual harassment.

Sexual harassment does not need to be severe or pervasive to be unlawful.

Employers <u>must</u> ensure a workplace free of sexual harassment for all individuals

performing work or services. Every supervisor is responsible for promptly responding to or reporting any complaint or suspected acts of sexual harassment. Examples of sexual harassment include: Unwelcome sexual advances • Suggestive or lewd remarks • Unwanted hugs,

touches, kisses • Requests for sexual favors • Pornographic posters, cartoons, or drawings • Unwelcome sexual jokes and banter.

for the victim • Civil penalties of up to \$10,000 per violation • Criminal penalties. Employees or individuals engaged to perform work or services who believe that they have

Consequences for committing sexual harassment may include:

Disciplinary action from a verbal warning to dismissal • Damages and other relief

been sexually harassed or retaliated against for complaining of sexual harassment are encouraged to report the situation as soon as possible to one or more of the following. (a) His or her supervisor:

(c) The person who is designated to receive such complaints and reports:

Address and Telephone Number

(the head of this organization);

The above-named individuals can also provide copies of this employer's written sexual

The employer will promptly investigate and respond to all reports and knowledge of You may also contact the State of Vermont Attorney General's Office, 109 State Street,

Montpelier, VT 05609-1001 888-745-9195 (Toll Free VT) or 802-828-3657; ago.civilrights@ vermont.gov. If you work for an employer with at least 15 employees, you may also contact the **Equal Employment Opportunity Commission**, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203 (617-565-3196). You may also contact the Human Rights Commission, 14-16 Baldwin Street, Montpelier, VT 05633-6301 800-416-2010 (Toll Free VT) or 802-828-2480; human.rights@vermont.gov if you work for a Vermont State

Effective July 1, 2023

CHILD LABOR POSTER NON AGRICULTURAL EMPLOYMENT: substances, power-driven hoisting apparatus, power-

Children Age 14 and 15 MAY NOT work in any of the hazardous occupations above and may not work

in communications or public utilities jobs, construction or repair jobs, driving a motor vehicle or helping a driver, manufacturing and mining occupations, powerdriven machinery or hoisting apparatus other than typical office machines, processing occupations, public messenger jobs, transporting of persons or property, workrooms where products are manufactured, mined or processed, or warehousing and storage.

Children Age 14 and 15 MAY work outside school hours in various non-manufacturing, non-mining, nonhazardous jobs under the following conditions:

No more than 3 hours on a school day or 18 hours in a school week; 8 hours on a non-school day or 40 hours in a non-school week. Also, work may not begin before 7 a.m. or end after 7 p.m., except from June 1 through Labor Day, when evening hours are extended to 9 p.m. Different rules apply in agricultural employment.

Examples of permitted jobs include office, grocery store, retail store, restaurant, movie theater, baseball park, amusement park, or gasoline service station. Children Age 16 - 18 An employee must be at least 16 years old to work

old may work in any occupation declared hazardous by the Secretary of the USDOL or the Commissioner of the Vermont Department of Labor. The following labor rules for additional information):

occupations have been declared hazardous (see child **Hazardous Occupations** Manufacturing and storing of explosives, driving a

motor vehicle and being an outside helper on a motor

vehicle; coal mining, logging and sawmilling, power-

driven woodworking machines, exposure to radioactive

machines, power-driven paper-product machines, manufacturing brick, tile, and related products, powerdriven circular saws, band saws, and guillotine shears, wrecking, demolition, and shipbreaking operations, roofing operations, or excavation operations. There are some exemptions for apprentice/student-learner programs in some of these hazardous occupations. A person must be at least 18 to work in any of the

Once a person turns 16 years old, he or she can do

permission or if a parent is working on the same farm

during which an employee works at least one hour. If

the farm is "small," workers under 12 years of age can

only be employed with a parent's permission and only

driven metal-forming, punching, and shearing

machines, mining, other than coal mining, meat

packing or processing (including the use of power-

driven meat slicing machines), power-driven bakery

hazardous non-farm jobs listed above. **AGRICULTURAL EMPLOYMENT:**

any job in agriculture.

in non-hazardous iobs

A youth 14 or 15 years old can work in agriculture, on any farm, but only in non-hazardous jobs. A youth 12 or 13 years of age can only work in agriculture on a farm if a parent has given written

as his or her child, and only in non-hazardous jobs. If the youth is younger than 12, he or she can only in most non-farm jobs. No person less than 18 years work in agriculture on a farm if the farm is not required to pay the Federal minimum wage. Under the FLSA, "small" farms are exempt from the minimum wage requirements. "Small" farm means any farm that did not use more than 500 "man-days" of agricultural labor in any calendar quarter (3-month period) during the preceding calendar year. "Man-day" means any day

Hazardous agricultural occupations include: · Operating a tractor of over 20 PTO (Power-Take-Off) horsepower, or connecting or disconnecting implements or parts to such a tractor. Operating or helping to operate Corn picker, cotton picker, grain combine, hay mower, forage harvester,

hay baler, potato digger, or mobile pea viner, Feed

grinder, crop dryer, forage blower, auger conveyor,

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DEPARTMENT OF LABOR

or the unloading mechanism of a non-gravity-type self-unloading wagon or trailer; or, Power post-hole digger, power post driver, or nonwalking-type rotary tiller, Trencher or earthmoving equipment; Fork lift; Potato combine; or Power-driven circular, band or Working on a farm in a yard, pen, or stall occupied

by Bull, boar, or stud horse for breeding, or Sow with suckling pigs, or cow with newborn calf with umbilical Loading, unloading, felling, bucking, or skidding timber with a butt (large end) diameter of more than

· Working from a ladder or scaffold at a height of over

20 feet. • Driving a bus, truck, or automobile when transporting passengers, or riding on a tractor as a passenger or

Equal Opportunity is the Law The State of Vermont is an Equal Opportunity/Affirmative Action Employer. Applications from women, individuals with disabilities, and people from diverse cultural backgrounds are encouraged. Auxiliary aids and services are available upon request to individuals with disabilities. 711(TTY/Relav Service) or 802-828-4203 TDD (Vermont

WH-4 (9/07)

Safety and Health Protection on the Job

The Vermont Occupational Safety and Health Code (Title 21 V.S.A. Chapter 3, Sub-Chapters 4 and 5, and the rules adopted (thereunder) provides job safety and health protection for workers.

• You have the right to notify your employer or VOSHA about workplace hazards. You may ask VOSHA to keep your name confidential

You have the right to request a VOSHA inspection if you believe that there are unsafe and unhealthful

The purpose of the law is to assure safe and healthful working conditions

conditions in your workplace. You or your representative may participate in the inspection.

 You have a right to see VOSHA 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

safety and health complaints or for exercising your rights under the Vermont Occupational Safety and

You can file a complaint with VOSHA within 30 days of discrimination by your employer for making

 You have the right to copies of your medical records or records of your exposure to toxic and harmful substances or conditions.

that these hazards have been reduced or eliminated.

Boston, MA, 02203, Telephone (617) 565-9860.

83745

012024

 Your employer must post this notice in your workplace. • The Statute provides that employees may not be discharged or discriminated against in any way for filing safety or health complaints or otherwise exercising their rights under the Code.

• The Statute also provides that employees who are discriminated against may bring a private action

in Superior Court for appropriate relief including reinstatement, triple wages, damages, costs and reasonable attorney's fees. The Occupational Safety and Health Act of 1970 (OSH Act), P.L. 91-596, assures safe and healthful working conditions for working men and women throughout the Nation. To obtain more information on

OSHA federal programs, call 1-800-321-OSHA or visit OSHA's website at www.osha.gov.

Labor, has the primary responsibility for administering the OSH Act in Vermont. To file a complaint, report an emergency, or seek VOSHA advice or assistance call 1-800-287-2765. Under a plan approved October 1, 1973, by the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA), the State of Vermont is providing job safety and health protection for workers throughout the State. OSHA will monitor the operation of this plan to assure that continued approval is merited. Any person may make a complaint regarding Vermont's administration of this plan directly

to the Occupational Safety and Health Administration, John F. Kennedy Federal Building, Room E-340,

The Vermont Occupational Safety and Health Administration (VOSHA), in the Vermont Department of

ASSISTANCE AND INFORMATION: The plan provides that employers and employees may request free voluntary compliance consultative or training assistance, which is provided by non-enforcement Project WorkSAFE personnel.

> 1-800-287-2765 www.labor.vermont.gov

You have a right to a safe and healthy workplace.

IT'S THE LAW!



health standards, may be obtained by contacting: **Project WorkSAFE** Department of Labor 5 Green Mountain Drive P. O. Box 488 Montpelier, Vermont 05601-0488 Telephone (888) SAFE-YES Toll-free at 1-888-723-3937

Further information, including copies

of the Code and of specific safety and

Know Your Rights: Workplace Discrimination is Illegal The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that Discrimination has Occurred? The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C.

vork). You can reach the EEOC in any of the

1-800-669-4000 (toll free)

info@eeoc.gov

Additional information about the EEOC, including information about

filing a charge of discrimination, is available at www.eeoc.gov.

The Department of Labor's Office of Federal

applicants
n members and applicants for membership What Organizations are Covered?

Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of: Age (40 and older) discrimination lawsuit, investigation, or

Discharge, firing, or lay-off or physical conduct) Hiring or promotion

1-844-234-5122 (ASL video phone) obligations under OFCCP's authorities should contact immediately:

Parental Leave, Family Leave,

and Short-Term Family Leave Vermont's Parental Leave Law covers employers with 10 or more workers who work an average of 30 hours per week over the course of a year.

year is entitled to leave under these laws. During any 12 month period, the worker is entitled to up to 12 weeks of unpaid leave Parental Leave: during the pregnancy and/or after childbirth; or, within a year following the initial placement of a child 16 years of age or younger with the worker for the purpose of adoption Family Leave: for the serious illness of the worker, worker's child, stepchild, ward, foster child, party to a civil union, parent, spouse, or parent of the worker's spouse;

Vermont's Family Leave Law, which includes Short-Term Family Leave, covers employers

A worker who has worked for a covered employer for an average of 30 hours a week for a

and, in addition to the leave provided in 21 V.S.A. Sec. 472, a worker is entitled to **short-term** family leave of up to 4 hours in any 30 day period (but not more than 24 hours in any 12 month period) of unpaid leave Short-Term Family Leave: to participate in preschool or school activities directly related to the academic advancement of the worker's child, stepchild, foster child or ward who lives with the worker; to attend or to accompany the worker's child, stepchild,

foster child or ward who lives with the worker or the worker's parent, spouse or parent-

in-law to routine medical or dental appointments: to accompany the worker's parent

spouse, or parent-in-law to other appointments for professional services related to

their care and well-being; to respond to a medical emergency involving the employee's child, stepchild, foster child or ward who lives with the worker or the employee's parent. The worker must give reasonable written notice of intent to take family or parental leave, including the anticipated dates the leave will start and end. The employer may not require notice more than 6 weeks prior to birth or adoption. If serious illness is claimed, the employer may require certification from a physician. For short-term family leave, a worker must give notice as early as possible, at least seven days before the leave is to be taken unless waiting seven days could have a significant adverse impact on the employee's family member. A worker may choose to use sick leave, or vacation leave, or any other accrued paid

leave time during the leave, up to six weeks. The employer may not require the worker to do

so. Use of paid leave does not extend the overall leave time to which the worker is entitled.

This law provides that an employer who regularly employs **ten or**

more people (at least 10 of whom work more than 15 hours a week),

has an obligation to rehire a worker who has suffered a work related

injury **provided** that the following conditions are met:

1. The worker recovers from the injury within two (2) years of

interest in reinstatement and his or her current mailing

3. The worker had an expectation of continuing work had the

4. The worker is physically capable of performing either his or

her prior job, if available, or an alternative suitable position.

2. The worker keeps the employer informed of his or her

the onset of disability; and

injury not occurred; and

address: and

The employer must continue to provide all worker benefits unchanged during the leave

VERMONT

Department of Labor).

period, but may require the worker to contribute to the cost at the existing rate of worker contribution. Upon return from leave, a worker must be offered the job held previously or a comparable with 15 or more workers who work an average of 30 hours per week over the course of a one at equal pay, benefits, seniority, and other terms and conditions.

Exceptions: A worker is not entitled to leave under the Parental and Family Leave Act if the

Layoff: during the period of leave the employee's job would have been terminated

or the worker would have been laid off for reasons unrelated to the leave; or **Unique Services:** the worker performed unique services and hiring a permanent replacement during the leave, after giving the worker notice of intent to do so, was the employer's only available alternative to prevent substantial and grievous This law sets a minimum standard for parental and family leave rights. It does not

prevent an employer from offering a more generous leave policy and does not reduce

an employer's obligation under a collective bargaining agreement or existing program that provides greater leave rights than the law requires. **EMPLOYEES ARE PROTECTED FROM RETALIATION OF ANY KIND IN CONNECTION**

WITH THE ENFORCEMENT OF THIS LAW. A worker aggrieved by a violation of this law may:

employer can prove by clear and convincing evidence that:

 bring a private lawsuit for injunctive relief, economic damages including prospective lost wages for a period not to exceed one year, attorney fees and court costs: (if you are not a state worker) lodge a complaint with the Office of the Attorney General at 828-3657, or (if you are a state worker) lodge a complaint with the Vermont Human Rights Commission at 828-2480. These agencies may investigate your complaint and bring action in court to enforce this law.

To obtain copies of this poster, call the Vermont Department of Labor at 828-0267 or visit our website at: http://www.labor.vermont.gov/ Equal Opportunity is the Law

The State of Vermont is an Equal Opportunity/Affirmative Action Employer. Applications from women

individuals with disabilities, and people from diverse cultural backgrounds are encouraged. Auxiliary aids and

services are available upon request to individuals with disabilities. 711(TTY/Relay Service) or 802-828-4203

—— NOTICE —— **Worker's Compensation Reinstatement Rights**

VERMONT LAW REQUIRES POSTING OF THIS NOTICE 21 VSA §643b Reinstatement; seniority and benefits protected Reinstatement must be with all benefits earned up to the date of injury, including

during the period of actual disability.

Please note that the right to reinstatement applies only to the first **available** suitable job. Thus, the employer is not obligated either to create an "extra" position for a returning worker or to layoff a current employee in order to comply with this law. Should you have questions regarding the above, please contact the Vermont Department of Labor, Workers' Compensation and Safety Division at 802-828-2286 or our website: www.labor.vermont.gov.

both seniority and accrued leave time. Obviously, such benefits need not accrue

FOR FURTHER INFORMATION CONTACT: Vermont Department of Labor P. O. Box 488 Montpelier, Vermont 05601-0488 Email: LABOR.WCComp@vermont.gov

www.labor.vermont.gov

Telephone: (802) 828-2286 TDD: (800) 650-4152 Fax: (802) 828-2195 **VERMONT**

WC-9 (06/17)





TO REORDER CALL: 1-800-817-7678

WH-14 (03/14)

DEPARTMENT OF LABOR