

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 foreign 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**.

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.**

State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their 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 §825.300 WH1420 REV 04/23

UNEMPLOYMENT COMPENSATION FRAUD IS A CRIME

Some examples of fraud include:

- Making false statements to obtain unemployment compensation
- Attempting to draw benefits while working
- Continuing to file a claim after returning to work
- Being paid "under the table" while collecting unemployment compensation
- Not being truthful when filing your initial or weekly claims

FRAUD IS  STEALING!

FRAUD PENALTIES ARE SEVERE

- Up to a Class B Felony
- Fines of up to \$500 AND up to 12 months in jail for each fraudulent week claimed
- Mandatory ineligibility for up to a two year period

To report fraud call 800-392-8019

Alabama Department of Labor

Ref.: 29 CFR §825.300 WH1420 REV 04/23

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 employee'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 at 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 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. If they are actually employees, their minimum wage and overtime pay protections and correctly classified independent contractors are two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and certain certified independent contractors are not.
- Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR 1-866-487-9243 www.dol.gov/agencies/whd WH1068 REV 04/23

EMPLOYEE RIGHTS EMPLOYEE POLYGRAPH PROTECTION ACT

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

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

EXEMPTIONS Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities.

The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armed car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers.

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.

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

EXAMINEE RIGHTS Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

ENFORCEMENT The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employers 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.

WHD WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR 1-866-487-9243 www.dol.gov/agencies/whd WH1420 REV 04/23

YOUR JOB INSURANCE

Workers in this establishment are covered by the Alabama Unemployment Compensation Law.

YOU MAY BE ENTITLED TO BENEFITS IF:

- You become totally or partially unemployed under conditions defined by law and you are otherwise eligible and qualified for benefits and
- You are separated from your job through no fault of your own.

However, if you voluntarily leave your employment without good cause connected with your work or if you are discharged for "cause," your benefits may be postponed and reduced or entirely denied.

IMPORTANT: Be sure that your employer is using your correct social security number; if not, your claim may be delayed.

When you become unemployed:

- To file your unemployment claim, call toll free 1-866-234-5382 or file by internet at www.labor.alabama.gov.
- To obtain general information concerning your rights to benefits for either total or partial unemployment, call toll free 1-800-361-4524 or write to the Alabama Department of Labor, 649 Monroe Street, Montgomery, Alabama 36131, or log on to our website at www.labor.alabama.gov.

Alabama Administrative Code 480-4-2-.19 requires that this notice be posted conspicuously.

AMERICAN WORKFORCE NETWORK

STATE OF ALABAMA WORKERS' COMPENSATION INFORMATION

If you are injured on the job, or contract an occupational disease, notify your employer immediately.

Your employer will advise you of the physician to see for authorized medical treatment.

WORKERS' COMP INSURANCE CARRIER _____

TELEPHONE NUMBER _____

ASSISTANCE IS AVAILABLE UNDER THE ALABAMA WORKERS' COMPENSATION LAW INCLUDING MEDIATION SERVICE.

FOR INFORMATION CALL:
1-800-528-5166
Department of Labor
Workers' Compensation Division
649 Monroe Street
Montgomery, AL 36131

CODE OF ALABAMA, 1975, § 25-5-290(d), REQUIRES THAT THIS NOTICE BE POSTED IN ONE OR MORE CONSPICUOUS PLACES IN YOUR BUSINESS.

ALABAMA CHILD LABOR LAWS

Each employer shall obtain and display the proper Child Labor Certificate(s) for each location where minors under the age of 18 are employed. To apply for a certificate(s) go to www.labor.alabama.gov.

Persons under 14 years of age SHALL NOT BE EMPLOYED

	Minors Age 14/15	Minors Age 16/17/18
Employment Certificate (Renewed Annually)	Class I Certificate To employ minors age 14/15	Class II Certificate To employ minors age 16/17
Work Time Restrictions (Minors Under age 19)	During the Months when Public Schools are in Session No more than 3 hours on any school day No more than 8 hours on a non-school day No more than 6 days per week No more than 18 hours per week Not before 7am or after 7pm on Any Day of the Week Not during school hours (8am-3pm)	During the Months when Public Schools are NOT in Session Minors 16-17-18 years old who are enrolled in public or private school, may NOT work after 10pm or before 6am on an night preceding a school day.
Breaks	A documented 30 minute break is required for any 14 or 15 year old who is employed for more than 5 hours continuously.	No breaks are required for employees 16 and older.
Occupations	See AL §25-9-33 to 35 for a detailed list of prohibited occupations	See AL §25-9-33 for a detailed list of prohibited occupations
Record Keeping	Each employer must keep on premises an Employee Information Form (available at www.labor.alabama.gov), Proof of Age, and Time Records showing the number of hours worked each day, starting and ending times, and break times for each employee 18 years of age and younger.	Each employer must keep on premises an Employee Information Form (available at www.labor.alabama.gov), Proof of Age, and Time Records showing the number of hours worked each day, starting and ending times, and break times for each employee 18 years of age and younger.
Alcoholic Beverages	Employees must be: 21 to serve alcoholic beverages for consumption on premises (18 if license is RVP certified). 16 and older may be employed in such establishments as busboys, janitors, dishwashers, cooks, hostesses, or waiters. 14 and 15 year old minors SHALL NOT work in any establishment that serves alcohol for consumption on premises. (Note: Members of the immediate family of the owner or operator who are 14 or 15 years of age may be employed in such establishments provided they do not serve, sell, dispense, or handle alcohol.)	

*Children of parents who own their own business are NOT exempt from Alabama Child Labor Law

FOR MORE INFORMATION CONTACT:
The Alabama Department of Labor
Child Labor Enforcement
649 Monroe Street
Montgomery, AL 36131
(334) 956-7390 www.labor.alabama.gov
child_labor@labor.alabama.gov

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STATE AND FEDERAL LABOR LAW

Temporarily Laid Off?

If you are working and earning less than your usual weekly gross earnings for full-time employment, you may ask your employer to file a claim for partial benefits. Under current administrative rules, employers are allowed to file partial claims up to three consecutive weeks.

YOUR EMPLOYER HAS ELECTED TO FILE PARTIAL CLAIMS BY COMPUTER FOR YOUR CONVENIENCE

Use of this computerized partial claim system helps the Department of Labor speed up the payment process for filing an unemployment compensation claim.

To prevent delays please notify your employer of the following:

- name change
- address change
- gross earnings from another employer

Employers filing automated partial claims are not required to submit a claim on individuals' whose earnings for a given week are equal to or exceed \$275, which is currently the maximum weekly benefit amount in Alabama.

Department of Labor
649 Monroe Street
Montgomery, Alabama 36130

EMPLOYERS: Please post in a conspicuous place.
Etc. copies are available upon request.

Ref.: Ala. Admin. Code § 480-4-2

Life's a little easier with eITC

earned income tax credit

Earned Income Tax Credit is for people who work for someone else or own or run a business. To qualify, you must have low to mid income. If you qualify, you must file a federal tax return to get EITC even if you owe no tax and are not required to file. With EITC (sometimes called EIC), you could pay less federal tax, pay no tax, or receive money back. The amount of EITC changes based on:

- if you are single or married and
- if you have no children or the number of children living with you.

All people eligible for EITC have seven things in common:

- Have earned income
- Have a valid Social Security number
- Do not file as married filing separately
- Generally are not a nonresident alien
- Are not a qualifying child of another person
- Are not filing Form 2555 or Form 2555-EZ
- Have limited investment income

Four most common EITC filing errors:

- Claiming a child who does not meet the qualifying tests for age, relationship and residency
- Filing as single or head of household when married
- Under or over reporting income or expenses
- Social Security number and last name mismatches

Errors can delay the EITC part of your refund until it's fixed. If the IRS audits your return and finds the EITC claim incorrect, you must pay back the amount of EITC you received in error plus interest and penalties. You may also have to file Form 8862 for future claims. And, if the IRS finds your incorrect claim was intentional or fraudulent, we may ban you from claiming EITC for 2 or 10 years.

Are you paying someone to do your taxes?
Be sure to choose one who uses a PTIN, preparer tax identification number and signs your tax returns. See irs.gov for more information on how to choose a tax return preparer.

Going for tax help or return preparation? Go prepared with:

- Valid driver's license or other photo id card for you and your spouse if filing a joint return
- Social security cards or a Social Security number (SSN) verification letter for all persons listed on the return
- Birth dates for all persons listed on return
- All income statements: Forms W-2 and 1099, Social Security, unemployment, and other statements, such as pensions, stocks, interest and any documents showing taxes withheld. If self-employed or you own or run a business, bring records of all your income
- All records of expenses, such as tuition, mortgage interest, or real estate taxes. If self-employed or you own or run a business, bring records of all your expenses.
- Copies of last year's state and federal tax returns, if you have them
- Bank routing numbers and account numbers to direct deposit any refund
- Dependent child care information: name and address of who you paid and either the caretaker's SSN or other tax identification number
- Both spouses to sign forms to e-file your joint tax return

Your preparer, whether paid or volunteer, needs to ask many questions to file your return correctly.

Publication-4194 (Rev. 10-2014) Catalog Number 59737M Department of the Treasury Internal Revenue Service www.irs.gov

OSHA Occupational Safety and Health IT'S THE LAW!

All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

Employers must:

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations.

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.

This poster is available free from OSHA.

Contact OSHA. We can help.

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

EMERGENCY NUMBERS CALL 911

POLICE: _____

AMBULANCE: _____

PHYSICIAN: _____

HOSPITAL: _____

FIRE DEPARTMENT: _____

POISON CONTROL: _____

OSHA: _____

PAY DAY IS ON:

<input type="checkbox"/> MONDAY	<input type="checkbox"/> FRIDAY
<input type="checkbox"/> TUESDAY	<input type="checkbox"/> SATURDAY
<input type="checkbox"/> WEDNESDAY	<input type="checkbox"/> SUNDAY
<input type="checkbox"/> THURSDAY	

PAY SCHEDULE IS:

<input type="checkbox"/> WEEKLY	<input type="checkbox"/> SEMI MONTHLY
<input type="checkbox"/> BIWEEKLY	<input type="checkbox"/> MONTHLY
<input type="checkbox"/>	<input type="checkbox"/>

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

AT: _____

TIME: _____

Department of Labor
649 Monroe Street
Montgomery, Alabama 36130

EMPLOYERS: Please post in a conspicuous place.
Etc. copies are available upon request.

Ref.: Ala. Admin. Code § 480-4-2

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 job

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, genetic services, or family medical history)
- Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding
- Discharge, or other results related to exercising rights regarding disability discrimination or pregnancy accommodation

What Employment Practices can be Challenged as Discriminatory?

- Discharge, firing, or lay-off
- Harrassment (including unwelcome verbal or physical conduct)
- Hiring or promotion

Assignment

- Pay (unusual wages or compensation)
- Failure to provide reasonable accommodation for a disability (pregnancy, childbirth, or related medical condition, or a sincerely-held religious belief, observance, or practice)
- Benefits
- Job training
- Classification
- Retaliation
- Obtaining or disclosing genetic information of employees
- 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 might reasonably discourage someone with someone exercising their rights, or someone assisting or encouraging someone else to exercise their rights, regarding disability 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 where you live/work). You can reach the EEOC in any of the following ways:

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

Call 1-800-688-6000 (toll free) 1-800-688-6000 (TDD) 1-844-234-5122 (AL 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 non-discrimination and affirmative action commitments of companies doing business with the Federal Government. If you are applying for a job with, or are an employee of, a

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

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

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

Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on race, color or national origin in programs or activities under OFCCP's "Contract Law" website at <https://www.dol.gov/agencies/eofccp/contract>

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Race, Color, National Origin, Sex

In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, the Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VII if the primary objective of the financial assistance or provision of employment is to assist in the education, training, or advancement of individuals with disabilities at all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

Protected Veteran Status

The Veterans Era Veterans' Readjustment Assistance Act of 1973, as amended, prohibits employment discrimination on the basis of disability by Federal contractors, and requires employment, disabled veterans, recently separated veterans, active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.

Retaliation

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by

any person who believes a contractor has violated its non-discrimination 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
1-800-367-0323 (toll-free)

If you are deaf, hard of hearing, or have a speech disability, please dial 711-1 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. In most telephone conferences under U.S. Government, Department of Labor and on OFCCP's "Contract Law" website at <https://www.dol.gov/agencies/eofccp/contract>

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)