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

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

- You work for a **covered employer** if **one** of the following applies:
- 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 Title II of the FMLA, administered by the Office of Personnel

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

If you are eligible for FMLA leave, your **employer** <u>must</u>:

Allow you to take job-protected time off work for a qualifying

After becoming aware that your need for leave is for a reason that Generally, to request FMLA leave you must: may qualify under the FMLA, your employer must confirm whether you are eligible or not eligible for FMLA leave. If your employer Follow your employer's normal policies for requesting leave. 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

Where can I find more information?

Call 1-866-487-9243 or visit dol.gov/fmla to learn more.

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

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

assess civil penalties against violators. Employees or job applicants may

results disclosed to unauthorized persons.

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER

WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

STATE OF NEW HAMPSHIRE

DEPARTMENT OF LABOR

NOTICE OF VETERANS' BENEFITS AND SERVICES

Employees may access information about veterans' benefits and services through the following:

NH Division of Veterans Services: https://www.dmavs.nh.gov/veterans-services - Telephone: (603) 624-9230

NH Strong as Granite - www.dhhs.nh.gov/programs-services/health-care/behavioral-health/strong-granite

US Substance Abuse and Mental Health Services Administration – www.samhsa.gov – 1-877-726-4727

NH Recovery Friendly Workplace Initiative – www.recoveryfriendlyworkplace.com – (603) 271-2121

NH Department of Employment Security – www.nhes.nh.gov/services/job-seekers/veterans – (603) 224-3311

Contact your town/city tax assessor's office for information about veterans' property tax credit benefits.

US Department of Labor Veterans Employment and Training Service – www.dol.gov/agencies/vets - 1-866-237-0275

New Hampshire Department of Military Affairs and Veterans' Services

US Department of Veterans Affairs ("VA") – www.va.gov – 1-800-827-1000

National Alliance on Mental Illness ("NAMI") – www.nami.org – 1-800-950-6264

VA Veteran Readiness and Employment ("VR&E")- www.benefits.va.gov/vocrehab

Obtaining a Veteran's Indicator on Driver's License or Non-driver ID Card

NH Department of Employment Security – www.nhes.nh.gov – (603) 224-3311

NH Department of Safety, Division of Motor Vehicles – www.dmv.nh.gov – (603) 227-4000

Whole Health Care Services - to include Oral Health Care Options for qualified NH Veterans

VA Manchester Health Care System - https://www.va.gov/manchester-health-care/ - (603) 624-4366

NH Veterans Freedom to Smile - www.dmavs.nh.gov/community-based-military-programs/veterans-freedom-

THIS NOTICE MUST BE POSTED IN A LOCATION ACCESSIBLE TO ALL EMPLOYEES

Main Website: www.dmavs.nh.gov – Telephone: (603) 225-1200

Substance Abuse and Mental Health Treatment Resources

Educational, Workforce, and Training Resources

Unemployment Insurance Benefits

smile-initiative-oral-health-care-options

603 Legal Aid – www.603legalaid.org – (603) 224-3333

New Hampshire Legal Assistance – www.nhla.org – 1-800-562-3174

NH Bar Association Lawyer Referral Service – www.nhbar.org – (603) 229-0002

Legal Services Resources

Veterans' Crisis Line

Dial 988 then Press 1

INSPECTION DIVISION

95 PLEASANT ST.

CONCORD, NH 03301

(603) 271-6294

also bring their own court actions.

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

PROHIBITIONS

EXEMPTIONS

How do I request FMLA leave?

· 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

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 same reason when requesting additional leave.

Your employer may request certification from a health care provided to verify medical leave and may request certification of a qualifying

discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave State employees may be subject to certain limitations in pursuit of

direct lawsuits regarding leave for their own serious health conditions

Most federal and certain congressional employees are also covered

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.

EXAMINEE

ENFORCEMENT

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

Personnel Management or Congress.

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

Federal, State and local governments are not affected by the law. Also, the

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

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

employees of private firms who are reasonably suspected of involvement in

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

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

Color

National Origin

Religion

Marital Status

Pregnancy

hysical Disability

lental Disability

New Hampshire Commission

For Human Rights

Concord, NH 03301

For information call:

603.271.2767

nh.gov/hrc

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

for refusing to take a test or for exercising other rights under the Act.

private individuals engaged in national security-related activities.

pharmaceutical manufacturers, distributors and dispensers.

EMPLOYMENT DISCRIMINATION

IS AGAINST THE LAW

IN NEW HAMPSHIRE

Based on:

Sex

Gender Identity

Sexual Orientation

The FMLA does not affect any federal or state law prohibiting



WH1420 REV 04/23

NOTICE REQUIREMENTS

Section Lab 803.03 Notification and Records, of the New

"Every employer shall provide his/her employees with a written or posted detailed description of employment practices and policies as they pertain to paid vacations, holidays, sick leave, bonuses, severance pay, personal days, payment of the employee's expenses, pension and all other fringe benefits per RSA 275:49."

Written Information Regarding Fringe Benefits Are Located At:

Location(s)

Supervisor(s)

Ref.: State of New Hampshire RSA 803.03

In order to be in complete compliance with the State of New Hampshire, employers are required to post the Workers' Compensation notice. This can *ONLY* be obtained by calling your workers' compensation carrier.

FOR FRINGE BENEFITS

STATE OF NEW HAMPSHIRE DEPARTMENT OF LABOR

THE WHISTLEBLOWERS' PROTECTION ACT - RSA 275-E

• If the employee, in good faith, reports or causes to be reported an alleged violation of any law or rule adopted under the laws of this state, a political subdivision of this state, or the United States;

• OR, the employee objects to or refuses to participate in any activity that the employee, in good faith,

OR, the employee refuses to execute a directive which the employee, in good faith, believes violates any

law or rule adopted under the laws of this state, a political subdivision of this state or the United States;

• OR, the employee participates in an investigation, hearing, or inquiry conducted by any governmental

adopted under the laws of this state, a political subdivision of this state, or the United States.

entity or any court action which concerns allegations that the employer has violated any law or rule

RIGHTS AND REMEDIES - RSA 275-E:4

He/she may request a hearing with the New Hampshire Department of Labor, which can result in a judgment to

ADDITIONAL RIGHTS AND REMEDIES FOR PUBLIC EMPLOYEES ONLY - RSA 275-E:8 and 9

Public employees can issue complaints to the New Hampshire Department of Labor, who has the authority to

operations involving the procurement of any supplies, services, or construction by governmental entities within

investigate complaints or information concerning the possible existence of any activity constituting fraud,

waste, or abuse in the expenditure of any public funds, whether state or local, or relating to programs and

The identity of the person who filed the complaint shall not be disclosed without his or her written consent,

No governmental entity shall take any retaliatory action against a public employee who, in good faith, files a

complaint under this section and the public employee shall be afforded all protections under RSA 275-E:2.

No governmental entity shall threaten, discipline, demote, fire, transfer, reassign, or discriminate against a

public employee who files a complaint with the department of labor under RSA 275-E:8 or otherwise discloses

or threatens to disclose activities or information that the employee reasonably believes violates RSA 275-E:2,

represents a gross mismanagement or waste of public funds, property, or manpower, or evidences an abuse of

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Danielle N. Albert

Ken Merrifield

unless such disclosure is to a law enforcement agency that is conducting a criminal investigation.

After the employee has made a reasonable effort to maintain or restore his/her rights through any grievance

An employer shall not discharge, threaten, or discriminate against any public or private employee

believes is a violation of the law or rule

procedure or similar process available with the employer

authority or a danger to the public health and safety.

INSPECTION DIVISION

(603) 271-1492 & 271-3176

95 PLEASANT ST. CONCORD, NH 03301

And has filed the written complaint with the New Hampshire Department of Labor.

order reinstatement, payment of fringe benefits, seniority rights, and injunctive relief.

Hampshire Code of Administrative Rules provides as follows:

Attention **New Hampshire Employers**

Re: Workers' Compensation poster

STATE EEDERAL LABOR LAW

Department of Labor

"Employee" means and includes every person who may be permitted, required, or directed by any employer, in consideration of direct or indirect gain or profit, to engage in any employment, but shall not include any person exempted from the definition of employee as stated in RSA 281-A:2, VI(b)(2), (3), or (4), or RSA 281-A:2, VII(b), or a person providing services as part of a residential placement for individuals with developmental,

(b) The person has control and discretion over the means and manner of performance of the work, in that the result of the work, rather than the means or manner by which the work is performed, is the primary element bargained for by the employer.

dictated by the employer. However, this shall not prohibit the employer from reaching an agreement with the person as to completion schedule, range of work hours, and maximum number of work hours to be provided by the person, and in the case of entertainment, the time such entertainment is to be presented.

(d) The person hires and pays the person's assistants, if any, and to the extent such assistants are employees, supervises the details of the assistants' work.

(e) The person holds himself or herself out to be in business for himself or herself or is registered with the state

(f) The person is responsible for satisfactory completion of work and may be held contractually responsible for failure to complete the work.

95 PLEASANT ST. Commissioner **Deputy Commissioner** CONCORD, NH 03301 (603) 271-1492 & 271-3176

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Rev. 02-01-18 Ref.: State of New Hampshire RSA 279:27

Ken Merrifield

DEPARTMENT OF LABOR

EQUAL PAY RSA 275:37

It is illegal in New Hampshire under both state and federal law to pay employees different wages for the same work based solely on sex. If you think that your employer has violated this provision, please contact the New Hampshire Department of Labor, 95 Pleasant St, Concord, NH 03301

> Fax: (603) 271-2668 Email: InspectionDiv@dol.nh.gov You may file a wage claim by downloading the form at:

http://www.nh.gov/labor/documents/wage-claim.pdf The full text of RSA 275:37 Equal Pay can be found at this link

RSA 275:38-a Non-Retaliation Provision. No employer shall discharge or in any other manner discriminate against any employee because they invoke their rights under this statute, including filing charges or complaints, or causing any investigation, proceeding, hearing, or action under or related to this subdivision, or has testified or is planning to testify or has assisted or participated in any manner in any such investigation, proceeding, hearing, or action or has inquired about, discussed, or disclosed his or her wages or those of

This section shall not apply to any employee who has access to the wage information of other employees as a part of such employee's essential job functions who discloses the wages of such other employees to individuals who do not otherwise have access to such information, unless such disclosure is in response to a complaint or charge or in furtherance of an investigation, proceeding, hearing, or action under RSA 275:41-a including an investigation conducted by the employer. Nothing in this section shall be construed to limit the rights of an employee provided under any other provision of law.

RSA 275:41-b Pay Disclosure. No employer shall require that an employee refrain from disclosing the amount of his or her wages or sign a waiver or other document that purports to deny the employee the right to disclose the amount of his or her wages, salary, or paid benefits, as a condition of employment. No employer shall discharge, formally discipline, or otherwise discriminate against an employee who discloses the amount

of his or her wages, salary, or paid benefits. RSA 275:41 Limitation of Actions. Any action to recover unpaid wages and liquidated damages based on violation of RSA 275:37, shall be commenced within 3 years of discovery of the violation. No action brought under this section shall include any violation that occurred more than 4 years prior to the commencement of

Effective Date: January 1, 2015

INSPECTION DIVISION CONCORD, NH 03301 (603) 271-1492 & 271-3176

Ken Merrifield

Rev 06/25/18

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 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





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entitlement to some benefits!

Ref.: State of New Hampshire RSA 277-A:5

CONCORD, NH 03301

95 PLEASANT ST.

CHILD LABOR

STATE OF NEW HAMPSHIRE DEPARTMENT OF LABOR **WORKER'S RIGHT TO KNOW ACT** Revised Statutes Annotated Chapter 277-A, as amended

EMPLOYEES

YOU HAVE A RIGHT TO KNOW ABOUT TOXIC SUBSTANCES USED IN THIS WORKPLACE

The New Hampshire "Right to Know" law (RSA 277-A) guarantees that:

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

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

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.

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

- You be notified by a posting of the long and short-term health hazards of all toxic substances that you may come into contact with.
- You be trained by your employer in the safe use and handling of these toxic materials

• You have the right to request complete information, in the form of a Material Safety Data Sheet, from your employer on any toxic substance you may have contact with. Your employer must respond to this request within five working days.

To learn more about the toxic materials used in this workplace, and to obtain Material Safety Data Sheets, contact the employer representative listed below.

(EMPLOYER REPRESENTATIVE'S NAME)

Danielle N. Albert **Deputy Commissioner**

Ken Merrifield Commissioner

Rev. 02-01-18

UNEMPLOYMENT NOTICE YOU ARE REQUIRED BY LAW TO POST THIS IN A If you become partially or totally unemployed

File a claim in person at the office nearest you and register for work.

Example: If your last day of work was a Friday and you worked a full week, visit the office nearest you the following week. Office Hours: 8am - 4:30pm Monday - Friday Failure to apply as explained below may result in a loss in your

You must file your initial claim within 3 business days of becoming unemployed or no later than the last calendar day of the first week for which you wish to file for benefits. For filing purposes you are considered to be unemployed on the last day you actually work or on the day your work hours are significantly

Filing in person

What should you have available before you file? Your social security number

reduced. Your claim is effective the calendar week it is opened.

Information about where you worked in the past 18 months, including company names, addresses and approximate dates you worked there Your most recent check stubs, W2's and 1099 forms from the last 18 months The amounts of your separation pay, severance, vacation, holiday, sick,

bonus pay and wages in lieu of notice you received or expect to receive

Filing over the Internet File on-line and register for work at www.nh.gov/nhe

Example: If your last day of work was a Friday and you worked a full week, do not open your claim on-line that week. Open your claim the following Sunday - Saturday (before

Who pays for Unemployment Compensation Taxes? • Employers pay the tax that is deposited in the Unemployment Compensation Trust Fund from which benefits are paid.

Eligibility for Unemployment Compensation is determined on an individual basis and based on the law. You have to open a claim and then file a claim each week to know if you are eligible. NEW HAMPSHIRE EMPLOYMENT SECURITY OFFICES

Conway Portsmouth Claremon Manchester Salem Keene Laconia NHES is a proud member of America's Workforce Network and NH WORKS

NHES is an Equal Opportunity Employer and complies with the Americans with Disabilities Act. Auxiliary aids and services are available upon request to individuals with disabilities. TTY/TDD Access: Relay NH 1-800-735-2964

for continuing education of employers and employees on the subject of workplace safety. The

committee shall perform all duties required in rules adopted pursuant to this section. For any

public school district, administrative unit, or chartered public school, the joint loss management

committee shall also address protocols for employees to follow in relation to workplace violence,

including training. The department of labor shall adopt rules, pursuant to RSA 541-A, relative

to safety programs, joint loss management committees, and employee safety in public schools. IV. Employers subject to the requirements of paragraph III, other than employers

participating in the safety incentive program under RSA 281-A:64-a, shall be placed on a list

for early and periodic workplace inspections by the department's safety inspectors in accordance

with rules adopted by the commissioner. Such employers shall comply with the directives of the

V. Notwithstanding paragraphs III and IV, an employer of 15 or more employees may

satisfy the requirements of those paragraphs if such employer implements an equivalent loss

New Hampshire TITLE XXIII LABOR

CHAPTER 281-A WORKERS' COMPENSATION

281-A:64 Safety Provisions; Administrative Penalty. work programs that allow and encourage injured employees to return to work, and programs

I. Every employer shall provide employees with safe employment. Safe employment ncludes but is not limited to furnishing personal protective equipment, safety appliances and safeguards; ensuring that such equipment, appliances, and safeguards are used regularly; and adopting work methods and procedures which will protect the life, health, and safety of the employees. For the purposes of this section, "employer" shall include railroads, even if the employees of such railroads receive compensation for work injuries under federal law rather than II. All employers with 15 or more employees shall prepare, with the assistance of the

After a written safety program has been filed, the program shall be reviewed and updated by the employer at least every 2 years. Employer programs shall, in addition to the specific rules and regulations regarding worker safety, include the process of warnings, job suspension, and job termination for violations of the safety rules and regulations set forth in the program. Where the employer is a public school district, administrative unit, or chartered public school, the safety program shall contain a plan for responding to violent acts committed by students against employees, volunteers, and visitors.

commissioner, a current written safety program and file this program with the commissioner

III. Every employer of 15 or more employees shall establish and administer a joint loss management committee composed of equal numbers of employer and employee representative Employee representatives shall be selected by the employees. If workers are represented by a union, the union shall select the employee representatives. The joint loss management committee shall meet regularly to develop and carry out workplace safety programs, alternative

management and safety program approved by the commissioner. VIII. The commissioner may assess an administrative penalty of up to \$250 a day on any employer not in compliance with the written safety program required under paragraph II of

department resulting from such inspections

this section, the joint loss management committee required under paragraph III of this section, or the directives of the department under paragraph IV of this section. Each violation shall be subject to a separate administrative penalty. All penalties collected under this paragraph shall be deposited in the department of labor restricted fund established pursuant to RSA 273:1-b.

Source. 1990, 254:36. 1994, 3:19. 1997, 343:9, 10, eff. Jan. 1, 1998. 2010, 134:1, eff. July 14, 2010. 2012, 144:1, 2, 4, I, eff. Jan. 1, 2013. 2019, 134:20, eff. June 25, 2019; 346:142, eff. July 1, 2019. 2020, 38:11, eff. Sept. 27, 2020.



STATE OF NEW HAMPSHIRE **DEPARTMENT OF LABOR NEW HAMPSHIRE MINIMUM WAGE LAW**

Unless otherwise provided by statute, no person, firm, or corporation shall employ any employee at an hourly rate lower than that set forth in the federal minimum wage law, as amended.

\$7.25 PER HOUR EFFECTIVE SEPTEMBER 1, 2008 imployees engaged in Household Labor, Domestic Labor, Farm Labor, Outside Sales Representatives, Summer

Camps for Minors, Newspaper Carriers, Non-Professional Ski Patrol and Golf Caddies. **OVERTIME PAY.** Those employees covered by RSA 279, with the following exceptions, shall in addition to their regular compensation, be paid at the rate of time and one-half for all time worked in excess of 40 hours in any

(a) Any employee employed by an amusement, seasonal, or recreational establishment if: (1) it does not operate for more than 7 months in any calendar year; or

not more than 33 1/3 percent of its average receipts for the other 6 months of such year. Any employee of employers covered under the provisions of the Federal Fair Labor Standards Act. Tipped employees of a restaurant, hotel, motel, inn or cabin, who customarily and regularly receive more than \$30 a month in tips directly from the customers will receive a base rate from the employer of not less than 45 percent of the applicable minimum wage. Restaurant shall include an establishment in a temporary or permanent building, kept, used, maintained, advertised, and held out to the public to be a place where meals are regularly prepared or

(2) during the preceding calendar year, its average receipts for any 6 months of such year were

served for which a charge is made and where seating and table service is available for customers or where delivery services are available. The term does not include establishments which do not primarily prepare and serve food. Ref.: State of New Hampshire RSA 279:27

Revised Statutes Annotated Chapter 279, as amended

Tipped employees shall also include employees who deliver meals prepared in a restaurant to the customer's home, office, or other location. If an employee shows to the satisfaction of the commissioner that the actual amount of wages received at the end of each pay period did not equal the minimum wage for all hours worked, the employer

shall pay the employee the difference to guarantee the applicable minimum wage. **RECORDS.** Every employer of employees shall keep a true and accurate record of the hours worked by each, wages paid to each, and classification of employment when necessary.

NEW HAMPSHIRE YOUTH EMPLOYMENT LAW

No youth under the age of 16 shall be employed or permitted to work without first obtaining a New Hampshire Youth Employment Certificate except for his/her parents, grandparents, guardian, or at work defined as casual or

farm labor. Certificates shall be obtained by an employer within 3 business days of the first day of employment. Copies of certificates shall be kept on file by all employers of youths. An employer shall not employ a youth 16 or 1 years of age, unless the employer obtains and maintains on file a signed written document from the youth's parent or legal guardian permitting the youth's employment. The parental permission shall be on file at the establishment worksite prior to the first day of employment. Written parental permission is not required for a 16 or 17 year old

INSPECTION DIVISION 95 PLEASANT ST.

youth who has graduated from high school or obtained a general equivalency diploma. Danielle N. Albert **Deputy Commissions**

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Rev. 02-01-18

Ken Merrifield

STATE OF NEW HAMPSHIRE DEPARTMENT OF LABOR PROTECTIVE LEGISLATION LAW

Wages In This Establishment Will Be Paid On:

SUNDAY MONDAY TUESDAY WEDNESDAY THURSDAY FRIDAY SATURDAY

95 PLEASANT ST.

THIS NOTICE MUST BE POSTED IN A CONSPICUOUS PLACE

(603) 271-1492 & 271-3176

PAYMENT OF WAGES. All wages due to an employee must be paid on a weekly or biweekly basis. EMPLOYEES SEPARATED. When an employee quits, resigns, or is suspended because of labor dispute The Labor Commissioner may, upon written petition showing good and sufficient reason, permit wages must be paid not later than the next regular payday or by mail if the employee so requests. payment of wages less frequently, except it shall be at least once each calendar month. NOTICE TO EMPLOYEE. Employer must notify employee in writing when hiring of the rate of pay,

or any changes prior to change; make available in writing, or by posted notice, employment practices and policies on vacation pay, sick leave and other fringe benefits; furnish employee statement of deductions LUNCH OR EATING PERIOD. An employer may not require an employee to work more than five

Obtaining or disclosing genetic information

info@eeoc.gov

OR SUBCONTRACTS

What can You Do if You Believe Discrimination has Occurred?

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

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

EMPLOYERS HOLDING FEDERAL CONTRACTS

consecutive hours without granting him a one-half hour lunch or eating period, except if it is feasible for the employee to eat during the performance of his/her work, and the employer permits him/her to do so. ACCESS TO PERSONNEL FILE. Every employer shall provide a reasonable opportunity for an employee who so requests to inspect such employee's personnel file and upon request provide such

employee with a copy of all or part of the file. WITHHOLDING WAGES. Employer may not withhold or divert any portion of an employee's wages unless required or empowered by state or federal law; or unless by written authorization by the employee for a lawful purpose accruing to the benefit of the employee, per regulation promulgated by

Ref.: State of New Hampshire RSA Ch.275

Employees (current and former), including managers and temporary employees Job applicants

Who is Protected?

What Organizations are Covered?

Discharge, firing, or lay-off

Employees discharged must be paid in full within seventy-two hours. Willful failure to pay as above subjects employer to liquidated damages of ten percent of the unpaid wages for each day except Sunday and legal holidays. In case of dispute over amount due, employer shall pay amount conceded by him to be due, leaving employee remedies of law for balance. The acceptance of payment by employee shall not constitute a release to the balance of a claim and any release required by an employer as a condition of payment shall be null and void and in violation of the

On any day an employee reports to work at an employer's request, the employee shall be paid not less than 2 hours pay at their regular rate of pay. This does not apply to employees of counties or municipalities.

CIVIL PENALTY There may be a minimum civil penalty of \$100.00 per violation of any section of the New Hampshire

INSPECTION DIVISION CONCORD, NH 03301

Deputy Commissioner

Danielle N. Albert Ken Merrifield

Rev. 02-01-18

PROGRAMS OR ACTIVITIES RECEIVING

FEDERAL FINANCIAL ASSISTANCE

Race, Color, National Origin, Sex

Know Your Rights: Workplace Discrimination is Illegal

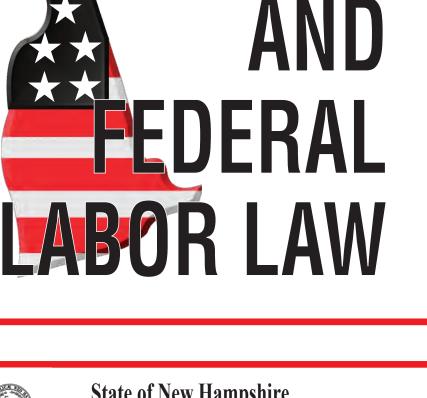
Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-

xecutive Order 11246, as amended, protects applicants and employees of ontractors from discrimination based on inquiring about, disclosing, or disc leir compensation or the compensation of other applicants or employees. 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 where employment discrimination excess a research professional consideration. in play, fining benefits, about similaring, classification, referral, and other aspects of employments benefits, play, fining benefits, p

individuals with disabilities at all levels of employment, including the executive lev The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38

Asking About, Disclosing, or Discussing Pay

Individuals with Disabilities





Job Safety and Health IT'S THE LAW!

All workers have the right to:

retaliated against.

using your rights.

your employer.

83729

092024

 A safe workplace. Raise a safety or health concern with your employer or OSHA, or report a workrelated injury or illness, without being

Receive information and training on

job hazards, including all hazardous

substances in your workplace.

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

Request a confidential OSHA inspection

of your workplace if you believe there are

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

See any OSHA citations issued to

Request copies of your medical

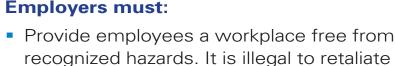
records, tests that measure hazards

in the workplace, and the workplace

This poster is available free from OSHA.

injury and illness log.

Contact OSHA. We can help.



- 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.
- amputation, or loss of an eye. Provide required training to all workers in a language and vocabulary they can
- workplace.

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.



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

 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,

- understand.
- Prominently display this poster in the Post OSHA citations at or near the



Ken Merrifield

Rev. 09-17-2024

State of New Hampshire

Criteria to Establish an Employee or Independent Contractor

acquired, or emotional disabilities, or any person who meets all of the following criteria: (a) The person possesses or has applied for a federal employer identification number or social security number, or in the alternative, has agreed in writing to carry out the responsibilities imposed on employers under this

(c) The person has control over the time when the work is performed, and the time of performance is not

as a business and the person has continuing or recurring business liabilities or obligations.

(g) The person is not required to work exclusively for the employer.

Danielle N. Albert

INSPECTION DIVISION

STATE OF NEW HAMPSHIRE

Phone: (603) 271-1492, 271-6294, or 271-3176

Danielle N. Albert





TO REORDER CALL: 1-800-817-7678