

# 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. Dept. of Labor's Wage and Hour Division (WHD) is the agency that enforces FMLA.

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 own serious medical condition or physical condition that makes you unable to work.
- To care for your spouse, child or parent with a serious medical or physical condition.
- Certain qualifying reasons related to the foreign adoption of a child or parent who is a naturalized citizen.

**How do I request FMLA leave?**  
Generally, request FMLA leave you must:  
 • Follow your employer's normal policies for requesting leave.  
 • Give notice at least 30 days before you need for FMLA leave, or if advance notice is not possible, give notice as soon as possible.

**How do I request FMLA leave?**  
You do not have to share a medical diagnosis but must provide enough information to your employer so they can determine whether leave is necessary for FMLA protection. You must also inform your employer if FMLA leave was previously taken or approved for in writing.

**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.  
 • Your normal work schedule is at least 40 hours per week during the 12 months before your leave.  
 • Your workplace has at least 50 employees within 75 miles of your work location.

**What does FMLA leave cover?**  
The FMLA does not affect any federal or state law prohibiting discrimination or retaliation based on race or color, or collecting bargaining agreement that provides greater family or medical leave rights.

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 not subject to the jurisdiction of the Department of Labor.

**WAGE AND HOUR DIVISION**  
UNITED STATES DEPARTMENT OF LABOR

Call 202-CFR-8625.500

WH1420 REV 04/23

## TIME OFF TO VOTE

**POSTERS ARE OPEN FROM 7:00 AM TO 8:00 PM, EACH DAY**

If you are scheduled to be at work during the time you do not have sufficient time to vote, you are entitled to take time off to vote, without losing pay or other benefits.

You may take as much time as you need to vote, but only at the beginning or end of your shift. You may take as much time as you need to vote, but only at the beginning or end of your shift. You may take as much time as you need to vote, but only at the beginning or end of your shift.

## HEALTHY WORKPLACES HEALTHY FAMILIES ACT: CALIFORNIA PAID SICK LEAVE

**As amended effective 1/1/2024**

**Eligibility:**  
 • An employee who, on or after July 1, 2015, works in California for 30 or more days within a year from the beginning of the employment is entitled to sick leave.  
 • Paid sick leave accrues at the rate of one hour per every 30 hours worked, paid at the employer's regular wage rate. Accrual begins on the first day of employment on July 1, 2015, whichever is later. Accrued paid sick leave shall carry over to the following year of employment and may be carried at 80 hours or 10 days.  
 • An employer can also provide 5 days or 40 hours, whichever is greater, of paid sick leave "up-front" at the beginning of a 12-month period. No accrual or carry-over is required.

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## California Minimum Wage

**Effective January 1, 2025, Minimum Wage: \$16.50 per hour**  
**Effective January 1, 2024, Minimum Wage: \$15.00 per hour**

Every employer, regardless of the number of employees, shall pay to each employee wages not less than the following:

## California Civil Rights Department (CRRD) enforces laws that protect you from illegal discrimination and harassment in employment based on your actual or perceived:

- ANCESTRY
- AGE
- COLOR
- CREED
- GENETIC INFORMATION
- SEX
- SEXUAL ORIENTATION
- RELIGION
- REPRODUCTIVE HEALTH DECISION-MAKING
- SEXUAL HARASSMENT
- SEXUAL ORIENTATION

## THE RIGHTS OF EMPLOYEES WHO ARE TRANSGENDER OR GENDER NONCONFORMING

**CALIFORNIA LAW PROTECTS TRANSGENDER AND GENDER NONCONFORMING PEOPLE FROM DISCRIMINATION, HARASSMENT, AND RETALIATION AT WORK. THESE PROTECTIONS ARE ENFORCED BY THE CIVIL RIGHTS DEPARTMENT (CRRD).**

Things you need to know:  
 • Does California law protect transgender and gender nonconforming employees from discrimination? Yes.  
 • Does California law protect transgender and gender nonconforming employees from harassment? Yes.  
 • Does California law protect transgender and gender nonconforming employees from retaliation? Yes.

## YOUR RIGHTS AND OBLIGATIONS AS A PREGNANT EMPLOYEE

**YOUR OBLIGATIONS AS AN EMPLOYEE**  
 • Give your employer reasonable notice. To receive a reasonable accommodation, you must give your employer advance notice for your request for a reasonable accommodation. If you are unable to give your employer advance notice, you must give your employer notice as soon as you are able to do so.

**RELATIONS OF EMPLOYERS WITH FIVE OR MORE EMPLOYEES**  
 • Reasonable accommodations may include: pregnancy, disability, or related conditions that last no longer than 12 months.  
 • Transfer to a less strenuous or hazardous position if it is available or if it is a medical necessity because of your pregnancy.  
 • Temporary transfer to a less strenuous or hazardous position if it is available or if it is a medical necessity because of your pregnancy.  
 • Time off to attend to your pregnancy, childbirth, or related conditions.  
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## EMERGENCY NUMBERS

**AMBULANCE: 911**  
**FIRE-RESCUE: 911**  
**HOSPITAL: 911**  
**PHYSICIAN: 911**  
**ALTERNATE: 911**  
**POLICE: 911**  
**CAL/OSHA: 911**

Posting is required by Title 8 Section 1512 (e), California Code of Regulations

## CALIFORNIA LAW PROHIBITS WORKPLACE DISCRIMINATION & HARASSMENT

**THE FAIR EMPLOYMENT AND HOUSING ACT PROTECTS YOUR CIVIL RIGHTS AT WORK.**

**HARASSMENT**  
 1. The prohibited harassment of employees, applicants, and job candidates includes: sexual harassment, harassment on the basis of race, ethnicity, ancestry, national origin, sex, marital status, pregnancy, childbirth, or related medical conditions, and harassment on the basis of age, disability, or genetic information.

## CALIFORNIA LAW PROHIBITS WORKPLACE DISCRIMINATION & HARASSMENT

**REMEDIES/FILING A COMPLAINT**  
 1. The remedies available to individuals who have been discriminated against or harassed include: back pay, front pay, reinstatement, reasonable accommodations, and other equitable relief.

## FAMILY CARE & MEDICAL LEAVE & PREGNANT DISABILITY LEAVE

**Under California law, an employee may have the right to take job-protected leave to care for their own serious health condition or a family member with a serious health condition, or to bond with a new child.**

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## PAY DAY NOTICE

**PAYCHECKS FOR EMPLOYEES WILL BE ISSUED ON THE FOLLOWING DAY OF THE WEEK:**

- MONDAY
- TUESDAY
- WEDNESDAY
- THURSDAY
- FRIDAY
- SATURDAY
- SUNDAY

**PAY SCHEDULE IS AS FOLLOWS:**

- WEEKLY
- BIWEEKLY
- SEMI-MONTHLY
- MONTHLY

## CALIFORNIA CIVIL RIGHTS DEPARTMENT (CRRD) ENFORCES LAWS THAT PROTECT YOU FROM ILLEGAL DISCRIMINATION AND HARASSMENT IN EMPLOYMENT BASED ON YOUR ACTUAL OR PERCEIVED:

**ANCESTRY**  
**AGE**  
**COLOR**  
**CREED**  
**GENETIC INFORMATION**  
**SEX**  
**SEXUAL ORIENTATION**  
**RELIGION**  
**REPRODUCTIVE HEALTH DECISION-MAKING**  
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## WHISTLEBLOWERS ARE PROTECTED

It is the public policy of the State of California to encourage employees to notify an appropriate government or law enforcement agency, person with authority over the employee, or another employee with authority to investigate, discover, or correct the violation or noncompliance, and to provide information to and testify before a public body conducting an investigation, hearing or inquiry, when they have reason to believe their employer is violating a state or federal statute, or violating or not complying with a local, state or federal rule or regulation.

**Who is protected?**  
 Pursuant to California Labor Code Section 1102.5, employees are the protected class of individuals. "Employee" means any person employed by an employer, private or public, including, but not limited to, individuals employed by the state or any subdivision thereof, any county, city, city and county, including any charter city or county, and any school district, community college district, municipal or public corporation, political subdivision, or the University of California.

## STATE AND FEDERAL LABOR LAW

**STATE AND FEDERAL LABOR LAW**

## EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

**FEDERAL MINIMUM WAGE \$7.25 PER HOUR**  
 BEGINNING JULY 24, 2009

**OVERTIME PAY** At least 1 1/2 times the regular rate of pay for all hours worked over 8 in a workweek.

**CHILD LABOR** An employee must be at least 16 years old to work in non-hazardous jobs and at least 18 years old in non-hazardous jobs declared hazardous by the Secretary of Labor.

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## SAFETY AND HEALTH PROTECTION ON THE JOB

**WHAT AN EMPLOYER MUST DO:**  
 • Provide a safe and healthful workplaces that are safe and healthful. In other words, as an employer, you must follow state laws governing job safety and health. Failure to do so can result in a threat to the life or health of workers, or substantial monetary penalties.

**WHAT AN EMPLOYER MUST NEVER DO:**  
 • Never permit an employee to do work that violates Cal/OSHA workplace safety and health regulations.  
 • Never assign an employee to be exposed to harmful substances without providing adequate protection.  
 • Never allow an untrained employee to perform hazardous work.

## 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 discriminating, disciplining, or retaliating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

## STATE OF CALIFORNIA - DEPARTMENT OF INDUSTRIAL RELATIONS

**Division of Workers' Compensation**

**Notice to Employees-Injuries Caused By Work**

**1. You may be entitled to workers' compensation benefits if you are injured or become ill because of your work.**  
**2. Your workers' compensation costs will be paid for your recovery.**  
**3. Medical Provider Network:** Your employer may be using an MPN, which is a group of health care providers designated to provide treatment to workers injured on the job. If you have pre-designated a personal physician or medical group prior to your work-related injury, you may request treatment from your pre-designated doctor. If you are treating with a non-MPN doctor for an existing injury, you may be required to change to a doctor within the MPN. For more information, see the MPN contact information below.

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## DIVISION OF OCCUPATIONAL SAFETY AND HEALTH (CAL/OSHA)

**HEADQUARTERS: 1515 Clay Street, Ste. 1901, Oakland, CA 94612 • Telephone (510) 288-7000**

**Cal/OSHA Consultation Services**

**District Offices**

City	Address	Phone
American Canyon	3419 Broadway St., Ste. 118, American Canyon 94503	(707) 663-3700
Foster City	1718 Mainway Ave., Ste. 443, Foster City 94024	(650) 588-8400
Fresno	1005 East Hillside Blvd., Ste. 110, Foster City 94404	(650) 573-3812
Hayward	15755 Hesperian Blvd., Ste. 207, Hayward 94541	(510) 787-2280
Fresno	2550 Mariposa St., Suite 400, Fresno 93721	(559) 445-5302
Long Beach	1500 Hughes Way, Suite C-201, Long Beach 90810	(424) 490-2830
Los Angeles	12500 Wilshire Blvd., Ste. 200, Los Angeles 90025	(213) 376-7451
Modesto	4206 Technology Dr., Ste. 3, Modesto 95366	(209) 545-7310
Modesto	9000 Royal Oaks Dr., Ste. 105, Modesto 95208	(209) 539-0988
Oakland	1515 Clay St., Ste. 1303, Box 41, Oakland 94612	(510) 822-2916
Redding	381 Hemlock Dr., Redding 96001	(530) 224-4743
Redding	1750 Howe Ave., Ste. 432, Sacramento 95825	(916) 283-2800
San Bernardino	464 West Fourth St., Ste. 332, San Bernardino 92401	(909) 383-4321
San Bernardino	2575 Melrose Dr., Ste. 207, San Diego 92106	(619) 767-2280
San Francisco	455 Golden Gate Ave., Rm. 9515, San Francisco 94102	(415) 557-0100
Santa Ana	2 MacArthur Blvd., Ste. 2700, Santa Ana 92707	(714) 558-4451
Santa Ana	6150 Van Nuys Blvd., Ste. 453, Van Nuys 91411	(818) 301-5403

## Know Your Rights: Workplace Discrimination is Illegal

**The U.S. Equal Employment Opportunity Commission (EEOC) enforces federal laws that prohibit workplace discrimination.**

**What You Can Do If You Believe Discrimination Has Occurred?**  
 • You can file a charge with the EEOC.  
 • You can sue in federal court.  
 • You can file a charge with the EEOC and sue in federal court.

## Notice to Employees

Your employer is registered with and reporting wages to the Employment Development Department (EDD) as required by law. Wages are used for the following benefit programs, which are available to you.

**Unemployment Insurance** Funded entirely by employer's taxes  
 Provides partial wage replacement when you are unemployed or your hours are reduced due to no fault of your own. You must meet all eligibility requirements to receive unemployment benefits.

**Disability Insurance** Funded entirely by employees' contributions  
 Provides partial wage replacement when you are unable to work because of a non-work-related illness, injury, pregnancy, or disability. You must meet all eligibility requirements to receive disability benefits.

**Paid Family Leave** Funded entirely by employees' contributions  
 Provides partial wage replacement when you need to take time off work to:  
 • Care for a seriously ill family member.  
 • Bond with a new child.  
 • Participate in a qualifying event because of a family member's military deployment to a foreign country.

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