FED

FED

#### **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.

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, nonhazardous jobs with certain work hours restrictions. Different rules apply in agricultural 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 employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the

The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA's overtime requirements in order for the employee to express breast milk for her nursing child for one year after the child's birth each time such employee has a need to express breast milk. Employers are also required to provide

UNITED STATES OF AMERICA

FED

WAGE AND HOUR DIVISION

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. 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's 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.

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 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 pay protections and correctly classified 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.

> 1-866-487-9243 TTY: 1-877-889-5627 www.dol.gov/whd

Employers shall keep, for three years, accurate records of hours worked and

The Department of Labor enforces state wage and hour laws. Employers with

www.maine.gov/labor/labor\_laws/minimum\_wage\_faq.html

\*Note: Maine employers may also be covered under the federal Fair Labor

Standards Act. For more information, contact the U.S. Department of Labor Wage

The Maine Department of Labor provides equal opportunity in employment and

programs. Auxiliary aids and services are available to people with disabilities

legislature.maine.gov/statutes/26/title26sec664.html

www.maine.gov/labor/labor\_laws/overtime.html

This poster is available at no charge online at

Maine Department of Labor

BUREAU OF LABOR STANDARDS

Augusta, Maine 04333-0045

TTY USERS CALL MAINE RELAY 711.

Web site: www.maine.gov/labor/bls

Telephone: 207-623-7900

**45 STATE HOUSE STATION** 

**Basic eligibility requirements** 

**Earnings during the base period:** The "base period" is a one-year period that

includes four calendar quarters. To establish a claim, an individual must have

earned two times the annual average weekly wage in Maine in each of two

different calendar quarters, and a total of six times the annual, average, weekly

has your wage information on file. If it is not on file, the Department will take

**Separation:** If you were laid off from your last job due to a lack of work, no

other than lack of work, you will be scheduled for a fact-finding interview. A

Weekly requirements: Weekly eligibility requirements include being able to

work and being available for work, making an active search for work (unless

your work search has been "waived"), not refusing offers of suitable work or

**Aliens:** If you are not a U.S. Citizen, your Social Security Number and/or your

Alien Permit number will be checked with the United States Citizenship and

**Unemployment benefits are taxable:** Unemployment benefits are taxable

**Child support:** If you owe child support that you pay to the Department

Benefits for partial unemployment: An employer shall issue a properly

customarily employed full-time and who is given less than full-time hours during a week due to lack of work, and who is not separated from that employer.

of Health and Human Services (DHHS), up to fifty percent (50%) of your

completed partial unemployment claim form to each employee who is

referral to suitable job opportunities from the CareerCenters.

and have to be reported when you file your income tax forms.

unemployment check may be withheld and sent to DHHS.

determination will then be made regarding your eligibility for benefits.

additional investigation is required. If you separated from your last job for reasons

wage in Maine in the whole base period. In most cases, the Department of Labor

https://www.maine.gov/labor/posters/

For more information, contact:

NOTICE: This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under the Fair Labor Standards Act posting, which indicates the federal minimum

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

DEPARTMENT OF LABOR, BUREAU OF UNEMPLOYMENT COMPENSATION

Maine Employment Security Law

Rules Governing The Administration of the Employment Security Law states every employer shall post and maintain such notices to its

This poster is designed to notify individuals of their rights regarding the filing of claims for unemployment benefits. It does not have the force or effect of law. For more

**Full- and Part-Time Workers** 

wage. Where federal and state rates both apply to an employee, the U.S. Department of Labor dictates that the employee is entitled to the higher minimum wage rate.

legislature.maine.gov/statutes/26/title26sec664.html

questions about the law may call 207-623-7900 or may visit the department's

REV. 07/2016

DEPARTMENT OF LABOR, BUREAU OF LABOR STANDARDS Minimum Wage

Maine Law (Title 26 M.R.S.A. § 42-B) requires every employer to place this poster

Recordkeeping

wages paid to all employees.

**Minimum Wage Guidance** 

and Hour Office at 603-666-7716

in the workplace where workers can easily see it. Labor Laws of the State of Maine provide protection for people who work in Maine. The Maine Department of Labor administers the laws, which all employers must follow. Department representatives inspect workplaces to ensure compliance. Citations and penalties may be issued to employers who do not comply. Minimum Wage is \$12.00 per hour effective January 1, 2020

Under Maine labor laws, any business operating in the state with one employee is automatically covered by state law. This includes all public and private

Minimum Wage

ME

information, call 1-800-593-7660 toll free.

work. Claims cannot be backdated.

dates of employment in the last 18 months.

This is the fastest, easiest way to file

To file by phone: 1-800-593-7660

TTY Users Call Maine Relay 711.

listed below.

ME

How to file a claim for unemployment benefits

To file online: www.maine.gov/reemployme

All new and reactivated claims for unemployment benefits are filed either online,

telephone or by mail. Do not delay in filing your claim once you are out of

When filing, you will need to know your Social Security Number. Also, you should

have the names and addresses of all employers for whom you worked, and your

All individuals filing for Unemployment Insurance benefits are

required by law to be registered with the Maine JobLink. Visit

We provide **language interpreter services** in approximately 140

commonly spoken languages. Arrangements will be made to have an

interpreter assist you when you call the Unemployment Claims Center.

**To claim by mail:** In some cases, your employer will give you a claim

form. Mail your initial claim form to the Unemployment Claims Center

**Maine Department of Labor** 

**Bureau of Unemployment Compensation** 

97 State House Station, Augusta, ME 04333-0097

The Maine Department of Labor provides equal opportunity in employment and programs

This poster is available online at no charge and may be copied: <a href="https://www.maine.gov/labor/posters/">https://www.maine.gov/labor/posters/</a>

Auxiliary aids and services are available to people with disabilities upon request.

www.mainecareercenter.gov to access Maine JobLink.

employers regardless of profit or size. Effective January 1, 2020, the minimum wage in Maine is \$12 per hour. Municipal Minimum Wage Ordinances Employers with employees who work in Bangor and/or Portland or any other municipality that passes a local minimum wage ordinance, may be subject to

**Service Employee** A service employee is someone who regularly receives more than \$30 a month in tips. As of January 1, 2020, employers must pay a direct wage of at least \$6 per hour to service employees. If the employee's direct wage combined with earned tips do not average, on a weekly basis, the state required minimum wage, the

additional regulations and should check with municipal officials.

**Overtime** Unless specifically exempted, employees must receive overtime pay for hours worked in excess of 40 in a workweek at a rate not less than time and one-half their regular rates of pay. Employers have the right to allow or deny overtime. but if overtime is worked, it must be paid in accordance with state requirements.

Compensatory or "comp" time cannot be used by private-sector employers, although private-sector employers can allow employees to flex their time within the workweek (but not the pay period if the pay period is longer than a seven day cycle in the workweek). **Exemptions from Overtime** Maine statutes incorporate by reference the salary requirements under the Fair Labor Standards Act (FLSA). The new minimum salary requirement will be \$692.31 per week as of January 1, 2020. Salary is only one factor in determining

whether a worker is exempt from overtime under federal or state law. The duties of each worker must be considered as part of this analysis. Failure to adhere to both requirements—meeting the duties test and the weekly salary threshold will result in violations of both federal or state law or of one jurisdiction or the other depending on the discrepancies in the laws. **Statements to Employees** 

Every employer shall give to each employee with the payment of wages a statement clearly showing the date of the pay period, hours worked, total earnings and itemized deductions.

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

national security-related activities. The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and quard), and of pharmaceutical manufacturers, distributors and

WAGE AND HOUR DIVISION

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.

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. apply to tests given by the Federal Government to certain private individuals engaged in

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

penalties against violators. Employees or job applicants may also bring their own court THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

Have at least 1,250 hours of service in the 12 months before taking leave;\* and

\*Special "hours of service" requirements apply to airline flight crew employees.

Employees do not have to share a medical diagnosis, but must provide enough

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it

is not possible to give 30-days' notice, an employee must notify the employer as soon as

information to the employer so it can determine if the leave qualifies for FMLA protection

Sufficient information could include informing an employer that the employee is or will

be unable to perform his or her job functions, that a family member cannot perform daily

activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was

Employers can require a certification or periodic recertification supporting the need for

leave. If the employer determines that the certification is incomplete, it must provide a

Once an employer becomes aware that an employee's need for leave is for a reason that

for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities

under the FMLA. If the employee is not eligible, the employer must provide a reason for

Employers must notify its employees if leave will be designated as FMLA leave, and if so,

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour

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

any state or local law or collective bargaining agreement that provides greater family or  $\,$ 

(veterans who served during a war or in a campaign

or expedition for which a campaign badge has been

authorized), and Armed Forces service medal veterans

(veterans who, while on active duty, participated in a

Retaliation is prohibited against a person who files a

complaint of discrimination, participates in an OFCCP

Any person who believes a contractor has violated its

the authorities above should contact immediately:

Programs (OFCCP), U.S. Department of Labor, 200

Constitution Avenue, N.W., Washington, D.C. 20210.

1-800-397-6251 (toll-free) or (202) 693-1337 (TTY).

OFCCP-Public@dol.gov, or by calling an OFCCP regional or

district office, listed in most telephone directories under

**Programs or Activities Receiving Federal** 

Financial Assistance

In addition to the protections of Title VII of the Civil Rights

Act of 1964, as amended, Title VI of the Civil Rights Act of

1964, as amended, prohibits discrimination on the basis

of race, color or national origin in programs or activities

discrimination is covered by Title VI if the primary objective

receiving Federal financial assistance. Employment

of the financial assistance is provision of employment.

or where employment discrimination causes or may

cause discrimination in providing services under such

programs. Title IX of the Education Amendments of 1972

prohibits employment discrimination on the basis of sex in

Section 504 of the Rehabilitation Act of 1973, as amended,

disability in any program or activity which receives Federal

prohibits employment discrimination on the basis of

financial assistance. Discrimination is prohibited in all

educational programs or activities which receive Federal

The Office of Federal Contract Compliance

OFCCP may also be contacted by e-mail at

U.S. Government, Department of Labor.

RACE, COLOR, NATIONAL ORIGIN, SEX

nondiscrimination or affirmative action obligations under

proceeding, or otherwise opposes discrimination under

RETALIATION

U.S. military operation for which an Armed Forces service

may qualify under the FMLA, the employer must notify the employee if he or she is eligible

Work at a location where the employer has at least 50 employees within 75 miles

1-866-487-9243 TTY: 1-877-889-5627 WWW.DOL.GOV/WHD

Have worked for the employer for at least 12 months;

possible and, generally, follow the employer's usual procedures.

written notice indicating what additional information is required.

of the employee's worksite.

**REQUESTING LEAVE** 

previously taken or certified.

**EMPLOYER RESPONSIBILITIES** 

how much leave will be designated as FMLA leave.

Division, or may bring a private lawsuit against an employer.

REV. 07/2016

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION **LEAVE ENTITLEMENTS** Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons: The birth of a child or placement of a child for adoption or foster care;

To bond with a child (leave must be taken within 1 year of the child's birth or To care for the employee's spouse, child, or parent who has a qualifying serious For the employee's own qualifying serious health condition that makes the

employee unable to perform the employee's job; For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent. An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the

servicemember with a serious injury or illness. An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule. Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies. **BENEFITS & PROTECTIONS** 

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave. Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

DEPARTMENT OF LABOR

UNITED STATES OF AMERICA

**ELIGIBILITY REQUIREMENTS** 

For additional information or to file a complaint 1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627 www.dol.gov/whd U.S. Department of Labor • Wage and Hour Division • WH1420

REV. 04/2016

FED

REV. 11/2019

**Equal Employment Opportunity is THE LAW** or release from active duty), other protected veterans

**Private Employers, State and Local Governments, Educational Institutions Employment Agencies and Labor Organizations** 

Applicants to and employees of most private employers, state and local governments, educational institutions. employment agencies and labor organizations are protected under Federal law from discrimination on the

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the

accommodation does not impose undue hardship. Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue

The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment.

Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members: the manifestation of diseases or

disorders in family members (family medical history); and

requests for or receipt of genetic services by applicants, employees, or their family members.

All of these Federal laws prohibit covered entities

from retaliating against a person who files a charge of

discrimination, participates in a discrimination proceeding,

or otherwise opposes an unlawful employment practice. WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is

The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at www.eeoc.gov or in most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at www.eeoc.gov.

**Employers Holding Federal Contracts or** Subcontracts Applicants to and employees of companies with a Federal government contract or subcontract are protected under

Federal law from discrimination on the following bases: RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment. **INDIVIDUALS WITH DISABILITIES** 

Section 503 of the Rehabilitation Act of 1973, as amended,

protects qualified individuals from discrimination on the

basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals

DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE **MEDAL VETERANS** Act of 1974, as amended, 38 U.S.C. 4212, prohibits job

discrimination and requires affirmative action to employ

and advance in employment disabled veterans, recently

DEPARTMENT OF LABOR, BUREAU OF LABOR STANDARDS

separated veterans (within three years of discharge

aspects of employment against persons with disabilities who, with or without reasonable accommodation, can with disabilities at all levels of employment, including the 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

No more than 3 hours on a school day, including Friday.

Work Hours 16 and 17 year olds (enrolled in school)

Cannot work before 5 a.m. on a non-school day.

Cannot work after 10:15 p.m. the night before a school day.

Can work up to midnight when there is no school the next day

• No more than 10 hours in any one day (weekend, holiday, vacation, or

No more than 10 hours on any holiday, vacation, or workshop day.

The Maine Department of Labor provides equal opportunity in employment and

programs. Auxiliary aids and services are available to people with disabilities upon

• No more than 24 hours in a week, except may work 50 hours any week that

approved school calendar is less than three days or during the first and last

Cannot work before 7 a.m. on a school day.

No more than 6 days in a row.

No more than 50 hours in a week.

week of school calendar

https://www.maine.gov/labor/posters

For more information, contact:

Maine Department of Labor

BUREAU OF LABOR STANDARDS

**45 STATE HOUSE STATION** 

• No more than 6 hours on a school day.

On last day of school week, may work up to 8 hours.

This poster is available online at no charge and may be copied:

When School Is Not in Session

workshop).

When School Is in Session

• Not more than 18 hours in a week that school is in session one or more days.

INDIVIDUALS WITH DISABILITIES

agency providing such assistance. EEOC 9/02 and OFCCP 8/08 Versions Useable With 11/09 EEOC-P/E-1

REV. 11/2009

REV. 11/2019

**REV. 10/2012** 

FED

YOUR RIGHTS UNDER USERRA THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

USERRA protects the job rights of individuals who voluntarily or involuntarily leave In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including employment positions to undertake military service or certain types of service in the testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the HEALTH INSURANCE PROTECTION

> employer-based health plan coverage for you and your dependents for up to 24 months while in the military. Even if you don't elect to continue coverage during your military service, you have the right to be reinstated

in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

For assistance in filing a complaint, or for any other information on USERRA, contact VETS at

be viewed at http://www.dol.gov/elaws/userra.htm. If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation.

You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: http://www.dol.gov/vets/programs/userra/poster.htm. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.

U.S. Department of Labor • 1-866-487-2365 U.S. Department of Justice Office of Special Counsel Employer Support of the Guard and Reserve • 1-800-336-4590

REV. 04/2017

FOR DATES OF INJURY ON AND AFTER JANUARY 1, 2020



You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed

you have five years or less of cumulative service in the uniformed services while with that particular

you return to work or apply for reemployment in a timely manner after conclusion of service; and

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had

you have not been separated from service with a disqualifying discharge or under other than honorable

promotion; or

anv benefit of employmen

are obligated to serve in the uniformed service;

you ensure that your employer receives advance written or verbal notice of your service;

not been absent due to military service or, in some cases, a comparable job.

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

are a past or present member of the uniformed

have applied for membership in the uniformed

then an employer may not deny you:

retention in employment;

initial employment;

reemployment:

because of this status.

# **WORKERS**' COMPENSATION

**WORKERS COMPENSATION BOARD REGIONAL OFFICES** 

**AUGUSTA** 442 Civic Center Drive, Suite 225 156 State House Station Augusta, ME 04333-0156 207-287-2308 1-800-400-6854

> LEWISTON 36 Mollison Way Lewiston. ME 04240-5811 207-753-7700 1-800-400-6857

**BANGOR** 106 Hogan Road, Suite 1 Bangor, ME 04401 207-941-4550 1-800-400-6856

**PORTLAND** 1037 Forest Avenue, Suite 11 Portland, ME 04103 207-822-0840

1-800-400-6858 **CARIBOU** 43 Hatch Drive, Suite 110 Caribou, ME 04736-2347 207-498-6428

1-800-400-6855

Visit our website at: www.maine.gov/wcb Statewide TTY: 711

When calling for assistance, please say the name

be called for you. Please stay on the line.

Tenemos intérpretes a su disposición

favor manténgase en la línea.

Temos intérpretes à sua disposição

chamado. Por favor, aguarde na linha.

Des interprètes sont à votre disposition

Abbiamo intèrpreti disponibili

of your language in English and an interpreter will

Si necesita que le atiendan en español por favor diga

"Spanish" y le conectaremos con un intérprete. Por

Se precisar de atendimento em Português, por favor

diga "Portuguese" e um intérprete será prontamente

Se avete bisogno di assistenza in Italiano, Vi preghiamo

di dire "Italian" e un intèrprete sará messo a Vostra

disposizione. Vi preghiamo di rimanere in linea.

Lorsque vous appelez pour demander de l'aide,

prononcez le mot "French" et nous mettrons un

fallacieusement leurs salariés comme étant des contractants privés aux fins d'échapper a l'assurance compensatrice-employé, aux

PREVENEZ VOTRE EMPLOYEUR IMMEDI-

ATEMENT. Passé un délai de 60 jours, vous

risquez de perdre vos droits à l'indemnisation.

Au-delà de deux ans, votre déclaration n'est plus

recevable. Pour aider les victimes d'un accident

Aviso a los Trabajadores:

indemnités de chômage, ou aux autres charges et

retenues dues par employeur. Pour plus de

détails sur la législation relative a l'utilisation

des services privés, visitez le site internet de

Worker Misclassification Task Force (Unité

anti-fraude en matière de classification des

Si vous n'êtes pas sûr de vos droits, veuillez

salariés): www.maine.gov/labor/misclass.

La ley del estado de Maine requiere que su empresario proporcione el seguro de compensaciones para el trabajador a todos los trabajadores. El seguro de compensaciones para el trabajador proporciona beneficios a los trabajadores acciden-

En caso de sufrir accidente o daño laboral, NOTIFÍQUELO INMEDIATAMENTE A SU EMPRESARIO. Podría perder el derecho a recibir compensación a menos que su empresario sea notificado de este accidente o daño en el plazo de 60 días. Así mismo esta reclamación debe hacer referencia a unaccidente o daño que no haya ocurrido hace más de dos años. Los defensores del trabajador están disponibles para proporcionar ayuda a los trabajadores accidentados en el Consejo de Administración de Compensaciones para el Trabajador (Workers' Compensation Board).

El hecho de no clasificar a los empleados como contratistas independientes, con el propósito de evitar el seguro por compensación al trabajador, cobertura para desempleados, ú otros impuestos pagados y retenidos por el empleador; está en contra de la ley del empleador. Para mayor información acerca de las leyes pertenecientes a la contratación de contratistas independientes, visite el Worker Misclassification Task Force en la página web de www.maine.gov/labor/

En caso de tener cualquier pregunta sobre sus derechos, favor de dirigirse a una de las oficinas regionales de compensaciones para el trabajador.

> "Khi gọi điện thoại để được giúp đỡ, xin quý vị hãy nói "VIETNAMESE" để chúng tôi cho thông dịch viên giúp quý vị. Xin quý vị chờ trên đường dây.

عند إتصالكم للمساعدة أو لطلب خدمة معيّنة نرجو منكم أن تذكروا (أ-رَ-ب-ك ٠)ونحن سنقدَم لكم مترجما شفهيا . ابقوا على الخط من

افراد مترجم در دسترس می باشند. را که بدان صحبت می کنید به انگلیسی ذکر کنید تا راجع به امري به ما تلفن مي كنيد، لطفأ نام زباني قطع نكنيد. هنگاميكه براي درخواست كمك يا شما تماس گرفته شود. لطفاً روي خط منتظر بمانيد.

> Turjunaanno waa la helayaa Marka aad caawinaad inoogu soo yeeraneysid, fadhlan luqaddaada af Ingiriisi inoogu sheeg turjubaan ayaa

lguugu yeeri doonaaye. Taleefoonkana ha dhigin.

basis of disability in admission to, access to, or operation of its programs, services or activities This poster is available in alternative format. For further assistance, contact the Maine Workers' Compensation Board, ADA Coordinator, telephone: (888) 801-9087 or TTY: 711.

# ME

Rev. 11/2019

DEPARTMENT OF LABOR, BUREAU OF LABOR STANDARDS

Regulation of Employment Maine Law (Title 26 M.R.S.A. § 42-B) requires every employer to place this poster in the workplace where workers can easily see it.

Labor Laws of the State of Maine provide protection for people who work in Maine. The Maine Department of Labor administers the laws, which all employers must follow. Department representatives inspect workplaces to ensure compliance. Citations and penalties may be issued to employers who do not comply. This poster describes some important parts of the laws. A copy of the actual laws or formal interpretations may be obtained from the Department of Labor, Bureau of Labor Standards, by

Employees must be paid in full at least every 16 days. Employees must be notified of any decrease in wages or salary at least one day prior to the change. Employees who leave a job must be paid in full on the next payday or within two weeks,

whichever is earlier. Any vacation pay earned is due at the same time. Severance Pav Businesses that have 100 or more employees at a single location may have to provide severance pay to employees if that business location closes or has a mass layoff.

Employers cannot require that an employee pay for losses such as broken merchandise. bad checks, or bills not paid by customers, nor for special uniforms and certain tools of the **Rest Breaks** Most employees must be offered a 30-minute paid or unpaid rest break after 6 hours of

Nursing mothers must be provided with unpaid break time or be permitted to use their paid break or meal time to express milk. The employer must make reasonable efforts to provide a clean room or location, other than a bathroom, where the milk can be expressed.

An employee who has worked for the last 12 months at a workplace with 15 or more employees can have leave for up to 10 paid or unpaid weeks in 2 years for: Birth or adoption of a child or domestic partner's child; Serious illness of the employee or immediate family member, including domestic

Organ donation Death or serious health condition of the employee's spouse, domestic partner, parent or child if it occurs while the spouse, domestic partner, parent or child is Serious illness or death of a sibling who shares joint living and financial

This poster describes some important parts of the law. A copy of the actual law or formal

nterpretations may be obtained from the Department of Labor, Bureau of Labor Standards

It is illegal for your boss to fire you, threaten you, retaliate against you

You have refused to do something that will endanger your life or someone else's

You have been involved in an investigation or hearing held by the government.

You tell your boss about the problem and allow a reasonable time for it to be

You have good reason to believe that your boss will not correct the problem.

report a violation, unsafe condition or practice or an illegal act in

You are a healthcare worker and you reported a medical error;

You reported something that risks someone's health or safety;

life and you have asked your employer to correct it; or

by calling 207-623-7900. (The laws are also on the Bureau's web site.)

or treat you differently because:

You reported a violation of the law:

You are protected by this law ONLY if:

(This information should be filled in by the employer)

your workplace, contact:

arrangements with the worker

ME

calling 207-623-7900. (The laws are also on the Bureau's web site.) Leave for Victims of Violence, Assault, Sexual Assault or Stalking Must be allowed upon request if an employee (or a child, parent or spouse of an employee) is a victim of violence, assault, sexual assault or stalking or any act that would

> Obtain necessary services to remedy crisis. Leave to Care for Family If the employer's policy provides for paid time off, the employee must be allowed to use up to 40 hours in a 12-month period to care for an immediate family member who is ill.

Prepare for and attend court proceedings; or

Receive medical treatment; or

Most employers may not require employees to work more than 80 hours of overtime in any consecutive 2-week period. A nurse who has worked 12 consecutive hours may not be disciplined for refusing to work additional hours and must be allowed at least 10 hours off after working 12 hours. (There are exceptions to this law.) Employees may be eligible for federal and state earned income tax credits. Employees may

support an order for protection under Title 19-A M.R.S.A., c. 101 and the employee needs

apply for the tax credits on the employee's income tax return. **Note:** Maine employers may also be covered under the Federal Fair Labor Standards Act. For more information, contact the U.S. Department of Labor Wage and Hour Office at

For more information or to file a complaint under this law, contact:

The following agencies may provide useful information on workplace

The Maine Department of Labor provides equal opportunity in employment and

This poster is available online at no charge and may be copied:

programs. Auxiliary aids and services are available to people with disabilities upon

MAINE DEPARTMENT OF LABOR

BUREAU OF LABOR STANDARDS

Augusta, Maine 04333-0045

TTY USERS CALL MAINE RELAY 711.

Web site: www.maine.gov/labor/bls

REV. 11/2019

45 STATE HOUSE STATION

Tel: 207-623-7900

THE MAINE HUMAN RIGHTS COMMISSION

TTY USERS CALL MAINE RELAY 711

51 STATE HOUSE STATION

AUGUSTA, MAINE 04333

Tel: 207-624-6290

safety and labor laws:

P.O. Box 554

www.dol.gov

U.S. DEPARTMENT OF LABOR

Portland, Maine 04112

U.S. DEPARTMENT OF LABOR/OSHA

Tel: 207-780-3344

**40 W**ESTERN AVENUE

Tel: 207-626-9160

https://www.maine.gov/labor/posters/

WAGE AND HOUR DIVISION

For more information, contact: MAINE DEPARTMENT OF LARGE BUREAU OF LABOR STANDARDS 45 STATE HOUSE STATION AUGUSTA, MAINE 04333-0045 LOCATED AT: 45 COMMERCE DRIVE TELEPHONE: 207-623-7900 TTY USERS CALL MAINE RELAY 711. Web site: www.maine.gov/labor/bls

(Federal family medical leave is different, call 603-666-7716 for more information.) Email: bls.mdol@maine.gov At-Will Employment - Under Maine law, an at-will employee may be terminated for any reason not specifically prohibited by law. In most instances, you are an at-will employee unless you are covered by a collective bargaining agreement or other contract that limits

termination. If you have questions about at-will employment, contact your human resources department or the Bureau of Labor Standards. The Maine Department of Labor provides equal opportunity in employment and programs. Auxiliary aids and services are available to people with disabilities upon request. This poster is available online at no charge and may be copied: <a href="https://www.maine.gov/labor/posters/">https://www.maine.gov/labor/posters/</a>

> DEPARTMENT OF LABOR, BUREAU OF LABOR STANDARDS **Whistleblower's Protection Act**

Maine Law (Title 26 M.R.S.A. § 839) requires every employer to place this poster

in the workplace where workers can easily see it.

Protection of Employees Who Report or Refuse to Commit Illegal Acts

**REV. 03/2020** 

ME

ME

DEPARTMENT OF LABOR, BUREAU OF LABOR STANDARDS **Video Display Terminals** 

DEPARTMENT / AGENCY CONTACT

The Maine Video Display Terminal (VDT) Law gives certain rights to people who use computers for work. Video Display Terminals MRSA Title 26 §251. Bureau. "Bureau" means the Department of Labor, Bureau of Labor Standards.

Employ. "Employ" means to employ or permit to work. Employee. "Employee" means any person engaged to work on a steady or regular basis as an operator by an employer located or doing business in the State. Employer. "Employer" means any person, partnership, firm, association or corporation, public or private that uses 2 or more terminals at one location.

Terminal. "Terminal" means any electronic video screen data presentation machine, commonly called video display terminals. For full text of the statute visit MRSA Title 26 §251, 252. If you have questions about working safely at the computer, speak to your supervisor or contact the

Operator, "Operator" means any employee whose primary task is to operate a

terminal for more than four consecutive hours, exclusive of breaks, on a daily

Maine Department of Labor Bureau of Labor Standards Tel: 1-877-SAFE-345 (1-877-723-3345) TTY users call Maine Relay 711. Web site: www.maine.gov/labor/bls Email: bls.mdol@maine.gov

Education and training MRSA Title §252.

provided in this section. both orally and in writing, except that an employer that uses fewer than 5

The program must include, at a minimum: Notification of the rights and duties created under this subchapter by posting in a prominent location in the workplace a copy of this An explanation or description of the proper use of terminals and the protective measures that the operator may take to avoid or minimize

Instruction related to the importance of maintaining proper posture equipment used by the operator. education and training programs, occupational safety literature that provides

appropriate, current and pertinent data on terminal use. Training schedule. Employers shall provide operators with this education and training program within 30 days of employment and annually thereafter. he Maine Department of Labor provides equal opportunity in employment and programs. Auxiliary aids and services are available to people with disabilities upon request.

REV. 11/2019

"К вашим услугам имеются переводчики" "Когда Вы обращаетесь за помощью по телефону пожалуйста скажите, что Вы говорите по-русски (произнесите "РАШН"), и мы обеспечим Вас

переводчиком. После этого, пожалуйста, оставай

おっしゃり、通訳がでるまでそのままでお待ちく interprète à votre disposition. Prière de rester en ligne.

通訳サービスをご利用いただけます 通訳を必要とされる場合は「ジャパニーズ」と

한국어 통역을 이용하실 수 있습니다. 도움이 필요하여 전화를 거실 때 영어로 코리언 (KOREAN)이라고 말씀하시면 통 역자를 연결해 드릴 것입니다. 전화를 끊지 마시고 기다리십시오

مترجمون شفهيون متيشرون لخدمتكم

"Có Thông Dịch Viên"

بایک مترجم برای

To the employer: This notice must be posted in a conspicuous place upon your premises accessible to employees. 39-A MRSA §406. The State of Maine does not discriminate on the



# **Job Safety and Health** IT'S THE LAW!

## All workers have the right to:

retaliated against.

 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.

 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.

This poster is available free from OSHA.

Contact OSHA. We can help.

Provide employees a workplace free from

**Employers must:** 

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

recognized hazards. It is illegal to retaliate

against an employee for using any of their

rights under the law, including raising a health

 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.



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



J. J. Keller & Associates, Inc. JJKeller.com/employmentlaw 800-327-6868

compliance!

To update your employment law posters contact

• If you leave your job to perform military service, you have the right to elect to continue your existing

MAINE

The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate

1-866-4-USA-DOL or visit its website at http://www.dol.gov/vets. An interactive online USERRA Advisor can

workers' compensation insurance for its employees. Workers'compensation insurance provides benefits to employees who are injured at work. If you are injured at work, NOTIFY YOUR EMPLOYER AT ONCE. You may lose your right to receive benefits unless your employer is contacter l'un des bureaux régionaux. notified within 60 days of your injury. Your claim is also subject to a two year statute of

workers.

It is against the law for employers to misclassify employees as independent contractors for the purposes of avoiding workers' compensation insurance, unemployment coverage, or other employer paid taxes and withholdings. For more information on laws pertaining to the hiring of independent contractors, visit the Worker Misclassification Task Force website at www.maine.gov/labor/misclass. If you have any questions about your rights, please contact one of the regional offices.

**Notice to Employees:** 

State law requires your employer to provide

limitations. Worker advocates are available at the

Workers' Compensation Board to help injured

A l'intention des Employes: D'après les lois de l'Etat du Maine, votre employeur est tenu de souscrire à une assurance indemnisant ses employés victimes d'un accident Si vous êtes victime d'un accident du travail,

du travail, le Workers'Compensation Board met des conseillers juridiques à leur disposition. La loi interdit aux employeurs de classifier

> Tłumacze dostępni na życzenie. Aby uzyskać pomoc tłumacze, proszę powiedzieć po angielsku "Polish" i czekać na linii.

打電話請求幫助時,請用英語說"挾音呢斯" (CHINESE)- 我們將爲您提供口譯人員。請不

**Child Labor Laws** Maine Law (Title 26, M.R.S.A. § 42-B) requires every employer to place this poster in the workplace where workers can easily see it.

in both agricultural and nonagricultural jobs. The Maine Department of Labor administers the laws, which all employers must follow. Department representatives inspect workplaces to ensure compliance. Citations and penalties may be issued to employers who This poster describes some important parts of the laws. A copy of the actual laws and formal interpretations may be obtained from the Department of Labor, Bureau of Labor Standards, by calling (207) 623-7900. (The laws are also on the Bureau website.) **14 and 15 year olds** may work in most businesses, except in occupations declared

hazardous and jeopardize their health, well-being or educational opportunities. 16 and

**17 year olds** may work in most businesses, however not in hazardous jobs. These

provisions also provide limited exemptions. Contact the Bureau of Labor Standards for **Work Permits** All minors under 16 years of age need work permits in order to work. • Superintendent of schools certify academic standing. · Minor allowed only one permit during the school year but two during summer

• Minor cannot work until permit is approved by Bureau of Labor Standards. • Employer keeps Bureau-approved permit on file. All employers must keep accurate payroll records for workers under 18. Records must show what time the minor began work, total hours worked, and what time the minor finished

**Note:** Maine employers may also be covered under the Federal Fair Labor Standards Act. For more information, contact the U.S. Department of Labor Wage and Hour Office at 603-666-7716 or http://youth.dol.gov/. Work Hours 14 and 15 year olds

Not more than 40 hours in a week (school must be out entire week).

SEXUAL HARASSMENT ON THE JOB IS ILLEGAL

RETALIATION FOR COMPLAINING ABOUT SEXUAL HARASSMENT

UNWELCOME SEXUAL ADVANCES

SUGGESTIVE OR LEWD REMARKS

REQUESTS FOR SEXUAL FAVORS

OR CONTACT YOUR PERSONNEL DEPARTMENT:

UNWANTED HUGS, TOUCHES, KISSES

 No more than six days in a row. Cannot work before 7 a.m. · Not after 7 p.m. during school year. Cannot work after 9 p.m. during summer vacation. When School Is Not in Session

Augusta, Maine 04333-0045 Tel: 207-623-7900 or 207-623-7930 TTY USERS CALL MAINE RELAY 711 • No more than 8 hours in any one day (weekend, holiday, vacation or workshop). WEBSITE: www.maine.gov/labor/bls EMAIL: bls.mdol@maine.gov

THE MAINE HUMAN RIGHTS ACT PROHIBITS SEX DISCRIMINATION

MAINE HUMAN RIGHTS COMMISSION

IF YOU FEEL YOU HAVE BEEN DISCRIMINATED AGAINST, CONTACT:

51 STATE HOUSE STATION, AUGUSTA, MAINE 04333-0051

PHONE (207) 624-6290 FAX (207) 624-8729 **TTY: MAINE RELAY 711** www.maine.gov/mhr

Maine Law (Title 26 M.R.S.A. § 42-B) requires every employer to place this poster in the workplace where workers can easily see it.

Every employer shall establish an education and training program for all operators as Requirements. An employer's education and training program must be provided terminals at one location may provide the education and training program in

> symptoms or conditions that may result from extended or improper use. during terminal operation and a description of methods to achieve and maintain this posture, including the use of any adjustable work station

This poster is available online at no charge and may be copied: https://www.maine.gov/labor/posters

This poster is in compliance with federal and state posting requirements.



## Copyright 2020 J. J. Keller & Associates, Inc. • Neenah, WI • Printed in the USA