

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.

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

CHILD LABOR
An employee must be at least 16 years old to work in most non-farm jobs at least 19 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hour restrictions. Different rules apply in agricultural employment.

TIP CREDIT
Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour. Any tip credit against their minimum wage obligation. If an employer'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 difference.

NURSING MOTHERS
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 this employee has a need to express breast milk. Employers are not required to provide space, 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.

DEPARTMENT OF LABOR
UNITED STATES OF AMERICA

WHD

WAGE AND HOUR DIVISION
U.S. DEPARTMENT OF LABOR

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

WHT088

REV. 07/2016

RI

Department of Labor and Training (DLT)

Attention Employees - MINIMUM WAGE - Rhode Island

Effective OCTOBER 1, 2020 - THIS LAW PROVIDES **HOURLY MINIMUM WAGE FOR ALL EMPLOYEES**

EXCEPT: Full-time students under 19 years of age working in a non-profit, religious, educational, liberal or community services organization.

Minors 14 and 15 years of age working not more than 24 hours in a week

Employees receiving gratuities (as of Jan. 1, 2017):

Overtime Pay - At least 1½ times the regular rate of pay for all hours worked over 40 in any one workweek. The law contains exemptions from minimum wage and overtime pay requirements for certain occupations or establishments. Learners and handicapped workers may be paid less than the applicable minimum but only under certificates issued at the discretion of the DLT Director.

Mandatory Nurse Overtime - a hospital may not require certain nurses and certified nurse assistants to work overtime except in an unforeseeable emergency.

Minimum Shift Hours - Employees requested or permitted to report for duty at the beginning of a work shift must be provided with 3 hours work or 3 hours wages. Retail establishment

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NOTICE: This law 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 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.

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

RI

Department of Labor and Training (DLT)

You Are Protected under Provisions of the RI EMPLOYMENT SECURITY ACT and the TEMPORARY DISABILITY INSURANCE ACT

UNEMPLOYMENT INSURANCE BENEFITS

If you become totally/partially unemployed:

- File your claim for benefits with the DLT the same week you are unemployed or working reduced hours.
- File your claim online at www.dlt.ri.gov/ua or by telephone at (401) 243-9100. Visit www.dlt.ri.gov/ua for hours of operation. For more information, visit www.dlt.ri.gov/ua or call (401) 243-9100.
- Monday is a high-volume telephone day; you may prefer to file your claim later in the week. You will need your Social Security number and name, address and telephone numbers of your employers for the last two years. If you are not a U.S. citizen, your alien registration number is required.
- To collect unemployment benefits, the law requires that you must:
 - Be unemployed through no fault of your own.
 - Have earned minimum qualifying wages while you were working.
 - Be physically able to work, available for work, and actively seeking work, and
 - Register for work with DLT.

TEMPORARY DISABILITY INSURANCE BENEFITS
Eligible for TDI Benefits - If you have become ill or injured and meet all the requirements, you may be entitled to receive benefits:

- You are unemployed due to illness, surgery, or injury for a minimum of seven consecutive days or more, and
- You are under the care of an approved Qualified Health Care Provider and
- You have a timely exam: an in-office physical exam the week within the calendar week in which the first day of unemployment due to sickness occurs or within the calendar week prior or subsequent thereto.
- You earned enough qualifying wages during the base period to be monetarily eligible.

Eligible for Temporary Caregiver Insurance Benefits - If you are caring for a seriously ill child, spouse, parent, parent-in-law, grandparent, domestic partner or you are bonding with a newborn child, adopted child or foster child within the first 12 months of parenting, you may be eligible to receive benefits if you meet the following requirements:

- You are unemployed because you are caring for a seriously ill family member or bonding with a child and

DEPARTMENT OF LABOR AND TRAINING
COMMISSION FOR HUMAN RIGHTS

Sexual Harassment is Against the Law

Sexual harassment is a form of discrimination that occurs when an individual makes unwelcome sexual advances, requests for sexual favors and/or other verbal or physical conduct of a sexual nature against his or her wishes.

The harasser can be:

- a supervisor
- a co-worker
- a agent of the employer
- a non-employee
- a supervisor in another area
- the same sex as the victim

Sexual harassment occurs when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment. Sexual harassment is a violation of state and federal laws. The prohibition against sexual harassment does not only apply to employers. It also applies to labor organizations, employment agencies and to individuals who aid and abet an unlawful employment practice.

1-866-487-9243
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RI

Commission for Human Rights

Sexual Harassment is Against the Law

Report incidents of harassment to:

NAME: _____

ADDRESS: _____

PHONE: _____

E-MAIL: _____

If you believe you are or have been the victim of sexual harassment, contact:

RHODE ISLAND COMMISSION FOR HUMAN RIGHTS
180 WESTMINSTER STREET, THIRD FLOOR
PROVIDENCE, RI 02903
401-222-2661
TDD: 401-222-2664
Fax: 401-222-2616
www.richr.ri.gov

DEPARTMENT OF LABOR AND TRAINING
COMMISSION FOR HUMAN RIGHTS

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REV. 07/2016

RI

CHAPTER 28-50

The Rhode Island Whistleblowers' Protection Act

§ 28-50-1 Short title. - This chapter may be cited as the "Rhode Island Whistleblowers' Protection Act."

§ 28-50-2 Definitions. - As used in this chapter:

- "Employee" means a person employed by any employer, and shall include, but not be limited to, at will employees, contract employees and independent contractors.
- "Employer" means any person, partnership, association, sole proprietorship, corporation or other business entity, including any department, agency, commission, committee, board, council, bureau, or authority or any subdivision thereof in state or municipal government. One shall employ another if services are performed for wages or under any contract of hire, written or oral, express or implied.
- "Person" means an individual, sole proprietorship, partnership, corporation, association, or any other legal entity.
- "Public body" means all of the following:
 - A state officer, employee, agency, department, division, bureau, board, commission, council, authority, or other body in the executive branch of state government.
 - An agency, board, commission, council, member, or employee of the legislative branch of state government.
 - A county, city, town, or regional governing body, a council, school district, or a board, department, commission, agency, or member or employee of the entity.
 - Any other body which is created by state or local authority or which is primarily funded by or through state or local authority, or any member or employee of that body.
 - A law enforcement agency or any member or employee of a law enforcement agency.
 - The judiciary and any member or employee of the judiciary.
 - Any federal agency.
- "Supervisor" means any individual to whom an employer has given the authority to direct and control the work performance of the affected employee or any individual who has the authority to take corrective action regarding the violation of a law, rule or regulation about which the employee complains.
- "§ 28-50-3 Protection." - An employer shall not discharge, threaten, or otherwise discriminate against an employee regarding the employee's compensation, terms, conditions, location, or privileges of employment.
- "§ 28-50-4 Protection." - An employer acting on behalf of the employee, reports or fails to report to a public body, verbally or in writing, a violation which the employee knows or reasonably believes has occurred or is about to occur, of a law or regulation or rule promulgated under the law of this state, a political subdivision of this state, or the United States.

States, unless the employee knows or has reason to know that the report is false, or

- Because an employee is requested by a public body to participate in an investigation, hearing, or inquiry held by that public body, or a court action, or
- Because an employee refuses to violate or assist in violating federal, state or local law, rule or regulation, or
- Because the employee reports verbally or in writing to the employer or to the employer's supervisor a violation, which the employee knows or reasonably believes has occurred or is about to occur, of a law or regulation or rule promulgated under the laws of this state, a political subdivision of this state, or the United States, unless the employee knows or has reason to know that the report is false. Provided, that if the report is verbally made, the employee must establish by clear and convincing evidence that the report was made.

§ 28-50-4 Relief and damages. - (a) A person who alleges a violation of this act may bring a civil action for appropriate injunctive relief, or actual damages, or both within three (3) years after the occurrence of the alleged violation of this chapter.

(b) An action commenced pursuant to subsection (a) of this section may be brought in the superior court for the county where the alleged violation occurred, the county where the complainant resides, or the county where the person against whom the civil action is filed resides or has his principal place of business.

(c) As used in subsection (a) of this section, "damages" means damages for injury or loss caused by each violation of this chapter.

(d) [Deleted by PL 2012, ch. 306, § 5 and PL 2012, ch. 344, § 5.]

§ 28-50-5 Reinstatement. - A court, in rendering a judgment in an action brought under this act, shall order, as the court considers appropriate, reinstatement of the employee, the payment of back wages, full reinstatement of fringe benefits and seniority rights, actual damages, or any combination of these remedies. A court may also award the complainant all or a portion of the costs of litigation, including attorney's fees if the court determines that the award is appropriate.

§ 28-50-6 Collective bargaining. - This chapter shall not be construed to diminish or interfere with the rights of a person under any collective bargaining agreement.

§ 28-50-7 Exemption. - This chapter shall not be construed to require an employer to compensate an employee for participation in an investigation, hearing or inquiry held by a public body in accordance with § 28-50-3.

§ 28-50-8 Notices posted. - An employer shall post notices and use other appropriate means to keep his or her employees informed of their protections and obligations under this chapter.

§ 28-50-9 Severability. - If any provision of this chapter or its application to any person or circumstances is held invalid or unconstitutional, the invalidity or unconstitutionality shall not affect other provisions or applications of this act which can be severed without the invalid or unconstitutional provision or application, and to this end the provisions of this chapter are declared to be severable.

DEPARTMENT OF LABOR AND TRAINING
COMMISSION FOR HUMAN RIGHTS

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Sexual harassment is a form of discrimination that occurs when an individual makes unwelcome sexual advances, requests for sexual favors and/or other verbal or physical conduct of a sexual nature against his or her wishes.

The harasser can be:

- a supervisor
- a co-worker
- a agent of the employer
- a non-employee
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REV. 07/2016

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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 placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- 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. Benefits, and other employment terms and conditions, must also be maintained.

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.

ELIGIBILITY REQUIREMENTS

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

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;" and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

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

REQUESTING LEAVE

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

Employees do not have to have a medical diagnosis, but must provide enough 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 previously taken or certified.

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 written notice indicating what additional information is required.

EMPLOYER RESPONSIBILITIES

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee of his or her eligibility 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 ineligibility.

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

ENFORCEMENT

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

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 medical leave rights.

DEPARTMENT OF LABOR
UNITED STATES OF AMERICA

WHD

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

RI

Department of Labor and Training (DLT)

RHODE ISLAND PARENTAL AND FAMILY MEDICAL LEAVE ACT

Employers with 50 or more employees must grant an unpaid leave of absence upon the request of an eligible employee, for 13 consecutive weeks in any two calendar years, under certain conditions.

Employees are Eligible to apply for leave if they work full-time, an average of 30 hours or more per week and have been employed continuously for at least 12 months.

Purpose of Leave - Under the Act, the leave must be for one or more of the following reasons:

- Birth of a child of an employee.
- Placement of a child 16 years of age or less with an employee in connection with the adoption of such child by the employee.
- "Serious illness" of the employee or the employee's parent, spouse, child, mother-in-law or father-in-law. Serious illness is defined to mean a disabling physical or mental illness, injury, impairment or condition that involves in-patient care in a hospital, nursing home, hospice or out-patient care requiring continuing treatment or supervision by a health care provider.

Requests for Leave - To be entitled to the leave, the employee must give at least 30 days notice of the intended date upon which the requested leave is to begin and end, unless prevented by medical emergency from doing so. Employees may be requested to provide written certification from the physician of the person who is the reason for the leave request, which certification shall specify the probable duration of the requested leave.

Child Involvement Leave - An employee who has been employed for 12 consecutive months is entitled to 10 hours of leave during any 12-month period to attend school conferences or other school-related activities for a child of whom the employee is the parent, foster parent, or guardian. A notice of 24 hours prior to the leave must be given to the employer by the employee.

The leave is not required to be paid; however, an employee may substitute any accrued paid vacation leave or other appropriate paid leave.

Return from Leave - Employees who are granted leave under the Act are entitled to be restored to the position held when the leave commenced, or to a position with equivalent seniority, status, and compensation.

Prohibited Acts - It is unlawful for any employer to interfere with, restrain or deny employees the rights provided under the Act. Any discrimination or disciplinary action taken against an employee for exercising these rights under the Act, or for opposing any practice made unlawful by the Act, is also prohibited.

Enforcement - Alleged violations of the Act may be complained of (1) in a civil action brought by an employee, (2) by a complaint filed with the DLT Director. Civil penalties are provided for violations of the Act or any order issued by the Director of Labor and Training.

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U.S. Department of Labor - Wage and Hour Division - WH1420

REV. 04/2016

RI

Department of Labor and Training (DLT)

HEALTHY AND SAFE FAMILIES AND WORKPLACES ACT

Pursuant to RI General Law §28-57, you are entitled to sick and safe leave to address your own health and safety needs as well as those of your family. This leave may or may not be paid depending on the size of your employer and other factors as detailed in the law.

Visit www.dlt.ri.gov/wrs or call (401) 462-WAGE (9243) for more information.

DEPARTMENT OF LABOR AND TRAINING
COMMISSION FOR HUMAN RIGHTS

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WHT088

REV. 07/2016

RI

Department of Labor and Training (DLT)

BAN-THE-BOX

Pursuant to RI General Law §28-6.14-1, it is unlawful for an employer to include on a job application any questions regarding whether an applicant has ever been arrested, charged with or convicted of any crime. Limited exceptions exist for law enforcement agencies and related positions. Employers in violation of this law may be fined between \$100-\$500 per offense. Visit www.dlt.ri.gov/lr or call (401) 462-WAGE (9243) for more information.

DEPARTMENT OF LABOR AND TRAINING
COMMISSION FOR HUMAN RIGHTS

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WHT088

REV. 07/2016

RI

Department of Labor and Training (DLT)

RHODE ISLAND RIGHT-TO-KNOW

Ignoring This Poster Can Be Hazardous To Your Health

Under the RI Right-To-Know Law, your employer must tell you about the dangers of any hazardous substances in your workplace. You have a right to know:

- the common name or trade names of the substance, including the chemical name;
- the level at which exposure to the substance is hazardous, if known;
- the effects and symptoms of exposure at hazardous levels;
- the potential for flammability, explosion, and reactivity of the substance;
- appropriate emergency treatment;
- proper procedures for the safe use of and exposure to the substance;

The Right-To-Know Law was created to protect you. Visit <http://www.dlt.ri.gov/ocussafe> or call (401) 462-8570, option #4 for more information.

"Because not knowing about the hazardous substances you work with is the greatest hazard of all!"

DLT-47 The RI Right-To-Know Law

DEPARTMENT OF LABOR AND TRAINING
COMMISSION FOR HUMAN RIGHTS

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REV. 07/2016

RI

NOTICE OF RIGHT TO BE FREE FROM DISCRIMINATION BECAUSE OF PREGNANCY, CHILD BIRTH AND RELATED CONDITIONS

State law protects employees and applicants from discrimination based on pregnancy, childbirth and related conditions. Federal law provides similar protections.

Employees and applicants have the right under state law to request a reasonable accommodation for conditions related to pregnancy, childbirth and related conditions such as the need to express breast milk for a nursing child. This workplace may not:

- refuse to grant you the reasonable accommodation unless it would create an undue hardship on the employer;
- require you to take a leave if another reasonable accommodation can be granted; or
- deny you employment opportunities based on a refusal to provide a reasonable accommodation.

If you want to request a reasonable accommodation, or if you have been discriminated against based on pregnancy, childbirth or related condition, please contact one of the following staff members:

RICH R

DEPARTMENT OF LABOR AND TRAINING
COMMISSION FOR HUMAN RIGHTS

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Commission for Human Rights

Discrimination is Illegal

State and Federal laws prohibit harassment and discrimination in hiring, terms and conditions, promotion, discharge, salary, benefits, and other aspects of employment based on race, color, religion, ancestral origin, sex, sexual orientation, gender identity or expression, physical or mental disability or age (over 40).

*State only

State law also prohibits employers from asking applicants about arrest records, and makes it unlawful to ask about convictions until after a first interview (with certain exceptions).

You have the right to a workplace free of harassment and discrimination.

Report incidents of harassment and discrimination to the Commission for Human Rights and the company representative named below:

NAME: _____

LOCATION: _____

PHONE: _____

EMAIL: _____

RHODE ISLAND COMMISSION FOR HUMAN RIGHTS
180 WESTMINSTER STREET
PROVIDENCE, RI 02903
401-222-2661
TDD: 401-222-2664
www.richr.ri.gov

WE ARE AN EQUAL OPPORTUNITY EMPLOYER

DEPARTMENT OF LABOR AND TRAINING
COMMISSION FOR HUMAN RIGHTS

Discrimination is Illegal

State and Federal laws prohibit harassment and discrimination in hiring, terms and conditions, promotion, discharge, salary, benefits, and other aspects of employment based on race, color, religion, ancestral origin, sex, sexual orientation, gender identity or expression, physical or mental disability or age (over 40).

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EMAIL: _____

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180 WESTMINSTER STREET
PROVIDENCE, RI 02903
401-222-2661
TDD: 401-222-2664
www.richr.ri.gov

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FED

Equal Employment Opportunity is THE LAW

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 following bases:

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.

DISABILITY

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 hardship.

AGE

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, promotion, classification, referral, and other aspects of employment.

SEX (WAGES)

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.

GENETICS

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);

DEPARTMENT OF LABOR
UNITED STATES OF AMERICA

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WHT088

REV. 11/2009

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 employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

REEMPLOYMENT RIGHTS

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

- you ensure that your employer receives advance written or verbal notice of your service;
- you have five years or less of cumulative service in the uniformed services while with that particular employer;
- you return to work or apply for reemployment in a timely manner after a conclusion of service; and
- you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

If you:

- are a past or present member of the uniformed service;
- have applied for membership in the uniformed service; or
- then an employer may not deny you:
 - initial employment;
 - reemployment;
 - retention in employment;

because of this status.

are obligated to serve in the uniformed service;

DEPARTMENT OF LABOR
UNITED STATES OF AMERICA

WHD

WAGE AND HOUR DIVISION
U.S. DEPARTMENT OF LABOR

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EMPLOYEE RIGHTS

EMPLOYEE POLYGRAPH PROTECTION ACT

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

PROHIBITIONS

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

EXEMPTIONS

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

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

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

DEPARTMENT OF LABOR
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Job Safety and Health

IT'S THE LAW!

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