

LABOR

Since 1953

LAWS

FEDERAL

Equal Employment Opportunity is THE LAW

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

otherwise opposes an unlawful employment practice.

WHAT TO DO IF YOU BELIEVE DISCRIMINATION

discrimination, participates in a discrimination proceeding, of

MARYLAND

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

the employee's worksite.

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

notice indicating what additional information is required.

EMPLOYER RESPONSIBILITIES

much leave will be designated as FMLA leave.

may bring a private lawsuit against an employer.

REQUESTING LEAVE

or certified.

ENFORCEMENT

Have at least 1.250 hours of service in the 12 months before taking leave:* and

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

Employees do not have to share 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

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

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

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

gualify under the FMLA, the employer must notify the employee if he or she is eligible for

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

Employees may file a complaint with the U.S. Department of Labor, Wage <mark>and H</mark>our <mark>Divis</mark>ion, or

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

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

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

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

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

ENFORCEMENT

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 11/2 times the regular rate of pay for all hours worked over 40 in a workweek

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CHILD LABOR An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment.

TIP CREDIT Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by

their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an 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 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 such employee has a need to express breast milk. Employers are also required to provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

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 with both Some employers incorrectly classify workers as "independent contractors" when they are actually employees

under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not.

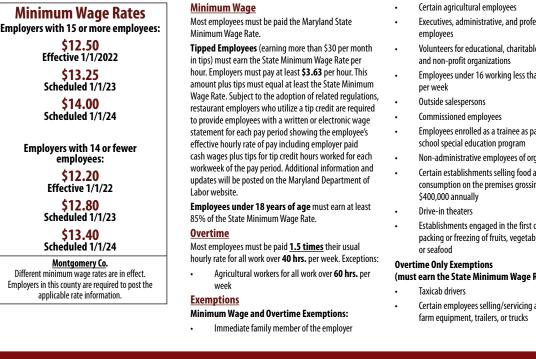
- Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.
 - WAGE AND HOUP 1-866-487-9243 DIVISION **1**5 (5 TTY: 1-877-889-5627 UNITED STATES www.dol.gov/whd DEPARTMENT OF LABOR WH1088

DISABILITY

REV. 07/2016



Minimum Wage and Overtime Law



Department of Labor, Division of Labor and Industry

DEPARTMEN

UNITED STATES

OF AMERICA

OF LABOR

(Labor and Employment Article, Title 3, Subtitle 4, Annotated Code of Maryland)



Private Employers, State and Local The Department has authority to recover back wages and an equal amount in liquidated damages in instances of Governments, Educational Institutions, minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employment Agencies and Labor Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime nav provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor Applicants to and employees of most private employers, provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or state and local governments, educational institutions, serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be employment agencies and labor organizations are protected under Federal law from discrimination on the following

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

FED

HAS OCCURRED There are strict time limits for filing charges of employmen 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 suspected: The U.S. Equal Employment Opportunity Commi 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

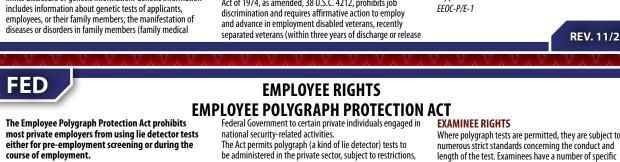
RETALIATION

at www.eeoc.go **Employers Holding Federal Contracts or** Subcontracts Applicants to and employees of companies with a Federa nment 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 gualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe

responsibility, under similar working conditions, in the same

Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level. 2008 protects applicants and employees from discrimination DISABLED, RECENTLY SEPARATED, OTHER discharge, pay, fringe benefits, job training, classification, PROTECTED, AND ARMED FORCES SERVICE MEDAL referral, and other aspects of employment. GINA also restricts VETERANS employers' acquisition of genetic information and strictly The Vietnam Fra Veterans' Readiustment Assistance limits disclosure of genetic information. Genetic informatio Act of 1974, as amended, 38 U.S.C. 4212, prohibits job



to certain prospective employees of security service firms rights, including the right to a written notice before testing (armored car, alarm, and guard), and of pharmaceutical Employers are generally prohibited from requiring or the right to refuse or discontinue a test, and the right not to manufacturers, distributors and dispensers. have test results disclosed to unauthorized person requesting any employee or job applicant to take a lie The Act also permits polygraph testing, subject to ENFORCEMENT The Secretary of Labor may bring court actions to restrain

restrictions, of certain employees of private firms who are discriminating against an employee or prospective employ reasonably suspected of involvement in a workplace incident for refusing to take a test or for exercising other rights under (theft, embezzlement, etc.) that resulted in economic loss to the employer. The law does not preempt any provision of any State or local Federal, State and local governments are not affected by law or any collective bargaining agreement which is more the law Also the law does not apply to tests given by the restrictive with respect to lie detector tests

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

1-866-487-9243

TTY: 1-877-889-5627

www.dol.gov/whd

a campaign badge has been authorized), and Armed Forces service medal veterans (veterans who, while on active duty participated in a U.S. military operation for which an Armer ces service medal was awarded) RETALIATION Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these deral laws. Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the

authorities above should contact immediately: The Office of Federal Contract Compliance Programs (OFCCP), ission (EEOC) 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 may also be contacted by e-mail at OFCCP-Public@dol.gov, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor.

from active duty), other protected veterans (veterans who

served during a war or in a campaign or expedition for which

Programs or Activities Receiving Federal Financial Assistance

RACE, COLOR, NATIONAL ORIGIN, SEX In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination i covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employr discrimination causes or may cause discrimination in iding services under such programs. Title IX of the Education Amendments of 1972 prohibits employr discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

INDIVIDUALS WITH DISABILITIES Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federa financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job. If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance

EEOC 9/02 and OFCCP 8/08 Versions Useable With 11/09



violations and assess civil penalties against violators.

WH1462

Employees or job applicants may also bring their own court

REV. 07/2016

To care for the employee's spouse, child, or parent who has a qualifying serious health For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job

protected leave in a 12-month period for the following reasons:

For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent. gible 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

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-

To bond with a child (leave must be taken within 1 year of the child's birth or

The birth of a child or placement of a child for adoption or foster care

servicemember with a serious injury or illness. In 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.

service; and

uniformed service:

uniformed service; or

then an employer may not deny you

initial employment;

retention in employment;

reemployment;

are a past or present member of the

have applied for membership in the

comparable iob.

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LEAVE ENTITLEMENTS

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 FMI A 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 conditions. An employer may not interfere with an individual's FMLA rights or retaliate against someon 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;



generally without any waiting periods or exclusions (e.g., pre-existing condition you have five years or less of cumulative service in the uniformed services while with exclusions) except for service-connected illnesses or injuries. that particular employe ENFORCEMENT you return to work or apply for reemployment in a timely manner after conclusion of The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations. you have not been separated from service with a disgualifying discharge or under other For assistance in filing a complaint, or for any other information on USERRA, contact VETS at **1-866-4-USA-DOL** or visit its website at than honorable conditions. If you are eligible to be reemployed, you must be restored to the job and benefits you ttp://www.dol.gov/vets. An interactive online USERRA Advisor can be viewed at would have attained if you had not been absent due to military service or, in some cases, a p://www.dol.gov/elaws/userra.htm. If you file a complaint with VETS and VETS is unable to resolve it, you may request that **RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION**

U.S. Department of Labor • 1-866-487-2365 U.S. Department of Justice Office of Special Counsel

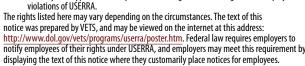
Employer Support of the Guard and Reserve • 1-800-336-4590

uniformed service:

any benefit of employment

promotion; o

your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation are obligated to serve in the You may also bypass the VETS process and bring a civil action against an employer fo iolations of USERRA. The rights listed here may vary depending on the circumstances. The text of this



REV. 04/2017

REV. 02/2022

Department of Labor, Division of Labor and Industry

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

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, o 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 employme Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise gualified individual with a disability who is an applicant or employee, barring undue hardship.

Organizations

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.

SEX (WAGES)

equal work, in jobs that require equal skill, effort, and

based on genetic information in hiring, promotion,

detector test, and from discharging, disciplining, or

GENETICS

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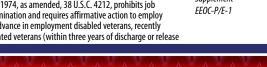
course of employment

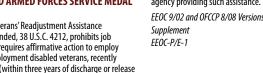
PROHIBITIONS

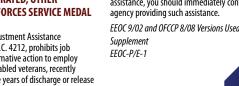
EXEMPTIONS

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, benefits, job training, classification, referral, and other as amended prohibits sex discrimination in the navment aspects of employment. Disability discrimination includes not making reasonable accommodation to the known of wages to women and men performing substantially

physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employed barring undue hardship. Section 503 also requires that Title II of the Genetic Information Nondiscrimination Act of







Minor Fact Sheet

Department of Labor

&	(Labor and Employment Article, Section 3-206, Annotated Code of Maryland)			
	APPLYING FOR A WORK PERMIT Applications for work permits are accepted online at: www.dllr.state.md.us/childworkpermit. Steps: • Minor or Parent/Guardian completes required information online and prints work permit • <u>TO BE VALID</u> : The Minor, the Minor's Parent/Guardian, and the Employer must sign the permit	NOTE TO EMPLOYERS • A minor under the age of 14 is not permitted to work and may not be employed. • Minors 14 through 17 years of age may only work with a work permit. • The work permit must be in the employer's possession before the minor is permitted to work. • Employers must keep the work permit on file for three years.	FOR MORE INFORMATION CONTACT: MARYLAND DEPARTMENT OF LABOR DIVISION OF INDUSTRY - EMPLOYMENT STANDARDS SERVICE 10946 GOLDEN WEST DRIVE, SUITE 160 - HUNT VALLEY, MD 21031 TELEPHONE NUMBER: (410) 767-2357 - FAX NUMBER: (410) 333-7303 E-MAIL: didliemploymentstandards-dllr@maryland.gov OCCUPATIONS FORBIDDEN TO ALL MINORS: Certain occupations are declared to be hazardous by the U.S. Secretary of and have been adopted by reference by the Commissioner of Labor and Industry for the State of Maryland. All minor forbidden to be employed at these occupations with certain exceptions including but not limited to Youth Apprentico • Occupations in or about plants or establishments	employee begins employment with the employer, whichever is later. An employee accrues earned sick and safe leave at a rate of at least one hours for every 30 hours the employee works; however, an employee is not entitled to earn more than 40 hours of earned sick and safe leave in a year or an employee is not entitled to earn more than 64 hours of earned sick and safe leave in a year or an employee is not entitled to earn more than 64 hours of earned sick and safe leave in a year or an employee is not entitled to earn more than 64 hours of earned sick and safe leave in a year or an employee is not entitled to earn more than 64 hours of earned sick and safe leave in a year or an employee is not entitled to earn more than 64 hours of earned sick and safe leave in a year or an employee is not entitled to earn more than 64 hours of earned sick and safe leave in a year arcrue more than 64 hours of earned sick and safe leave in a year or family member includes a spouse, child, parent, grandparent,
	Permissible Hours of Employment All Minors: May not be employed or permitted to work more than five hours continuously without a non-working period of at least ½ hour. Minors 14 – 15: * Non-school hours; * *3 hours on any day when school is in session; 8 hours on any day when school is not in session; • 8 hours in a school week; • 40 hours in any week when school is not in session; • *May only work between the hours of 7:00am and 7:00pm. • *May work until 9:00pm from June 1 until Labor Day. • The hours worked by a minor enrolled in a bona fide work-study or student-learner program when school is nor the section of	 Non-Employment Activities Activities not considered employment if performed outside of the prescribed school day and the activity does not involve mining, manufacturing or hazardous occupations. The activities include: Farm work performed on a farm. Domestic work performed in or about a home. Work performed in a business owned or operated by a parent or one standing in the place of a parent. Work performed by non-paid volunteers, in a charitable or non-profit organization, employed with the written consent of a parent or one standing in the place of a parent. Caddying on a golf course. Employment as an instructor on an instructional sailboat. Manufacturing of evergreen wreaths in or about a home. Delivery of newspapers to the consumer. 	 Occupations in or boduc plants of establishments manufacturing or storing explosives or articles containing explosive components. Occupations of motor-vehicle driver and outside helper. Coal-mine occupations. Logging occupations and occupations in the operation of any sawmill, lathe mill, shingle mill, or cooperage-stock mill. Occupations involved in the operation of power-driven woodworking machines. Occupations involved in the operation of power-driven woodworking machines. Occupations involved in the operation of power-driven hoisting apparatus. Occupations involved in the operation of power-driven metal forming, punching, and shearing machines. In addition to the hazardous occupations are forbidden to all minors: 	Image: State and the state
	 When School's hormany in session may not be counted towards the permissible hours of work prescribed above. *This is based upon a more restrictive Federal law. Minors 16 – 17: May spend no more than 12 hours in a combination of school hours and work hours each day. Must be allowed at least eight consecutive hours of non-work, non-school time in each 24-hour period Exceptions: Exceptions: Exceptions to hours and occupations may be granted by the Commissioner of Labor and Industry. Applications for exceptions should be addressed to the 	 counted towards the permissible hours of work performed as a counselor, assistant counselor, or instructor in a youth camp certified under the Maryland Youth Camp Act. Hazardous work performed by non-paid volunteers of a volunteer fire department or company or volunteer rescue squad who have completed or are taking a course of study relating to firefighting or rescue and who are 16 years of age or older. Hazardous work performed by non-paid volunteers of a volunteer rescue squad who have completed or are taking a course of study relating to firefighting or rescue and who are 16 years of age or older. 	 Blast furnaces. Docks or wharves, other than marinas where pleasure boats are sold or served. Pilots, firemen, or engineers on any vessel or boat engaged in commerce. Railroads. Erection and repair of electrical wires. Any distillery where alcoholic beverages are manufactured, bottled, wrapped or packed. A minor may not be employed to transfer monetary funds in any amount between 8 p.m. and 8 p.m. unless that minor is the child of the owner or operator or the funds have been re in payment of goods or services. 	or the ath matter received and replace two-thirds (2/3) of your salary (limited to the maximum set by law).
	Applications for exceptions should be addressed to the Commissioner giving specific details. Special permits may be issued to minors of any age to be employed as a model, performer, or entertainer. The applications and permits are available only from the Baltimore office of the Division of Labor and Industry (address below) or online at: www.labor.maryland.gov/labor/wages/empm.shtml	Federal Restrictions Restrictions under the child labor provisions of the Federal Fair Labor Standards Act may be greater than State Standards. In all cases, the higher or more restrictive standard prevails. Information on Federal Standards is available from the Baltimore office of the U.S. Department of Labor, Wage and Hour Division (410) 962-6211.	in payment of goods or services delivered by the minor. AREAS OF EMPLOYMENT RESTRICTED FOR MINORS 14 AND 15 YEARS OF AGE (1) Manufacturing, mechanical or processing occupations including occupations in workrooms, workplaces or stor areas where goods are manufactured or processed. (2) Operation, cleaning or adjusting of any power-driven machinery other than office machines. (3) Occupations in, about, or in connection with (except office or sales work not performed on site): • scaffolding • acids • dyes • noisting apparatus • foisting apparatus • gases • gases • in payment of goods or services delivered by the minor. • Manufacturing, mechanical or processing occupations including occupations in workrooms, workplaces or stor • boats engaged • lumberyard • boats engaged • navigation or commerce • dyes • public messaging • occupations causing • brickyard • gases • injurious quantities • disting apparatus • gases	 In a su empleador o supervisor at once. You cannot receive full benefits unless your employer or supervisor at once. You cannot receive full benefits unless your employer or supervisor at once. You cannot receive full benefits unless your employer or supervisor de inmediator knows you are injured. It doctor who treats you that you were hurt on the job. Tell the doctor who treats you that you were hurt on the job. Complete an Employee's Claim Form C-1 (available by phone or on the Commission's website) and
	MD	s and an ts and and and and an	nes ches ches ches ches ches ches ches ch	Note: Withholding information or giving false information about any work-related activity consultando la página del Internet para el Workers' Compensation o solicitándo uno por

MD

§3-301 (3) take any adverse employment action against an (a) In this subtitle the following words have the employee for meanings indicated. (i) inquiring about the employee's wages or another (b)(1) "Employer" means employee's wages; (ii) disclosing the employee's own wages; (i) a person engaged in a business, industry, profession, trade, or other enterprise in the State; (iii) discussing another employee's wages if those (ii) the State and its units; wages have been disclosed voluntarily; (iv) asking the employer to provide a reason for the (iii) a county and its units; and (iv) a municipal government in the State. employee's wages; or (v) aiding or encouraging another employee's (2) "Employer" includes a person who acts directly or indirectly in the interest of another employer with exercise of rights under this section. (b)(1) Subject to paragraph (2) of this subsection, an an employee (c) "Gender identity" has the meaning stated in § employer may, in a written policy provided to each mployee, establish reasonable workday limitations of 20-101 of the State Government Article. (d)(1) "Wage" means all compensation for employment the time, place, and manner for inquiries about or the (2) "Wage" includes board, lodging, or other discussion or disclosure of employee wages. advantage provided to an employee for the (2) A limitation established under paragraph (1) of convenience of the employer. this subsection shall be consistent with standards \$3-302. adopted by the Commissioner and all other State This subtitle applies to an employer of both men and and federal laws. women in a lawful enterprise. (3) Subject to subsection (d) of this section, 63-303. limitations established under paragraph (1) of this subsection may include prohibiting an employee In addition to any powers set forth elsewhere, the from discussing or disclosing the wages of another Commissioner ma (1) use informal methods of conference, conciliation employee without that employee's prior permission. and persuasion to eliminate pay practices that are (c) Except as provided in subsection (d) of this section, unlawful under this subtitle: and the failure of an employee to adhere to a reasonable (2) supervise the payment of a wage owing to an limitation included in a written policy under subsection employee under this subtitle. (b) of this section shall be an affirmative defense to a claim made against an employer by the employee **83-304** (a) In this section, "providing less favorable employment under this section if the adverse employment action (1) assigning or directing the employee into a less the reasonable limitation and not for an inquiry, a favorable career track, if career tracks are offered, discussion, or a disclosure of wages in accordance with or position the limitation. (2) failing to provide information about promotions (d)(1) A prohibition established in accordance with or advancement in the full range of career tracks subsection (b)(3) of this section against the discussion offered by the employer; or or disclosure of the wages of another employee without (3) limiting or depriving an employee of that employee's prior permission may not apply to employment opportunities that would otherwise be instances in which an employee who has access to the wage information of other employees as a part of the available to the employee but for the employee's sex employee's essential job functions if the discussion or gender identity (b)(1) An employer may not discriminate between or disclosure is in response to a complaint or charge or in furtherance of an investigation, a proceeding, a mployees in any occupation by: (i) paying a wage to employees of one sex or hearing, or an action under this subtitle, including a gender identity at a rate less than the rate paid to investigation conducted by the employer. employees of another sex or gender identity if both (2) if an employee who has access to wage employees work in the same establishment and information as part of the essential functions of perform work of comparable character or work on the employee's job discloses the employee's own the same operation, in the same business, or of the wages or wage information about another employe obtained outside the performance of the essential same type; or (ii) providing less favorable employment functions of the employee's job, the employee shall opportunities based on sex or gender identity. be entitled to all the protections afforded under this (2) For purposes of paragraph (1)(i) of this subtitle subsection, an employee shall be deemed to work (e) Nothing in this section shall be construed to: at the same establishment as another employee (1) require an employee to disclose the employee's if the employees work for the same employer at workplaces located in the same county of the State (2) diminish employees' rights to negotiate the terms and conditions of employment under federal (c) Except as provided in subsection (d) of this section subsection (b) of this section does not prohibit a State, or local law; variation in a wage that is based on: (3) limit the rights of an employee provided under (1) a seniority system that does not discriminate on any other provision of law or collective bargaining the basis of sex or gender identity (2) a merit increase system that does not (4) create an obligation on any employer or discriminate on the basis of sex or gender identity; employee to disclose wages; (5) permit an employee, without the written consent (3) jobs that require different abilities or skills; (4) jobs that require the regular performance of of an employer, to disclose proprietary information, different duties or services trade secret information, or information that is (5) work that is performed on different shifts or at otherwise subject to a legal privilege or protected different times of day; by law; or (6) a system that measures performance based on a (6) permit an employee to disclose wage information quality or quantity or production; or to a competitor of the employer. §3–304.2. (7) a bona fide factor other than sex or gender identity, including education, training, or experience (A) On request, an employer shall provide to an in which the factor: pplicant for employment the wage range for the (i) is not based on or derived from a gender-based position for which the applicant applied. differential in compensation; B)(1) An employer may not (ii) is job related with respect to the position and (I) Retaliate against or refuse to interview, hire, or consistent with a business necessity; and employ an applicant for employment because the (iii) accounts for the entire differential. applicant (d) This section does not preclude an employee fron 1. Did not provide wage history; or demonstrating that an employer's reliance on an 2. Requested the wage range in accordance with exception listed in subsection (c) of this section is a this section for the position for which the applicant pretext for discrimination on the basis of sex or gende applied; and (II) Except a provided in paragraph (2) of this (e) An employer who is paying a wage in violation of subsection this subtitle may not reduce another wage to comply 1. Rely on the wage history of an applicant for with this subtitle employment in screening or considering the §3-304.1. applicant for employment or in determining the (a) An employer may not: wages for the applicant; or (1) prohibit an employee from: 2. Seek the wage history for an applicant for (i) inquiring about, discussing, or disclosing the employment orally, in writing, or through an wages of the employee or another employee; or employee or an agent or from a current or former (ii) requesting that the employer provide a reason (2) After an employer makes an initial offer of for why the employee's wages are a condition of mployment with an offer of compensation to an (2) require an employee to sign a waiver or any othe applicant for employment, an employer may: (I) Subject to paragraph (3) of this subsection, document that purports to deny the employee the right to disclose or discuss the employee's wages; or rely on the wage history voluntarily provided by MD **TO EMPLOYEES** YOUR EMPLOYER IS SUBJECT TO the Maryland Unemployment Insurance Law and pays taxes under this law. No deduction is made from your wages for this purpose. IF YOU ARE LAID OFF or otherwise become unemployed, immediately file a claim by callling the telephone number for the area in which you reside or you may file a claim on the internet at the web site address indicated below IF YOU ARE ELIGIBLE, you may be entitled to unemployment insurance benefits for as many as 26 weeks. IF YOU ARE WORKING LESS THAN FULL TIME, you may be eligible for partial benefits. If your regular hours of work have been reduced, promptly file a claim as instructed above, to determine your benefit rights. IF YOU HAVE BEEN FILING FOR BENEFITS AND RETURN TO WORK, you must report your gross wages before

Equal Pay for Equal Work (Labor and Employment Article Title 3, Subtitle 3) the applicant for employment to support a wage offer higher than the initial wage offered by the employer: or (II) Seek to confirm the wage history voluntarily provided by the applicant for employment to support a wage offer higher than the initial wage offered by the employe (3) An employer may rely on wage history under paragraph (2) of this subsection only if the higher wage does not create an unlawful pay differential based on protected characteristics under §3-304 of this subtitle. (C) This section may not be construed to prohibit an this subtitle; or applicant for employment from sharing wage history with an employer voluntarily. §3-305 (a)(1) Each employer shall keep each record that the Commissioner requires on: (i) wages of employees; Commissione (ii) job classifications of employees; and (iii) other conditions of employment. (2) An employer shall keep the records required under this subsection for the period of time that the Commissioner requires. (b) On the basis of the records required under this of this subtitle. section, an employer shall make each report that the Commissioner requires. §3-306. (a) On request of an employer, the Commissioner shall this section provide without charge a copy of this subtitle to the each place of employment a copy of this subtitle (c) The Commissioner, in consultation with the exceeding \$300. Maryland Commission on Civil Rights, shall develop educational materials and make training available to of §304.2. assist employers in adopting training, policies, and procedures that comply with the requirements of this §3-306.1. (a) Whenever the Commissioner determines that this subtitle has been violated, the Commissioner shall: (1) try to resolve any issue involved in the violation informally by mediation; or (2) ask the Attorney General to bring an action or behalf of the applicant or employee (b) The Attorney General may bring an action under this section in the county where the violation alleged occurred for injunctive relief, damages, or other relief. §3-307. (a)(1) If an employer knew or reasonably should have known that the employer's action violates § 3-304 of this subtitle, an affected employee may bring an action against the employer for injunctive relief and to recover the difference between the wages paid to employee of one sex or gender identity and the wages paid to employees of another sex or gender identity who do the same type work and an additional equal amount as liquidated damages. (2) If an employer knew or reasonably should have known that the employer's action violates § 3-304.1 of this subtitle, an affected employee may bring an action against the employer for injunctive relief and to recover actual damages and an additional equal amount as liquidated damages. (3) An employee may bring an action on behalf of the employee and other employees similarly this subtitle. affected. (b) On the written request of an employee who is entitled to bring an action under this section, the Commissioner may (1) take an assignment of the claim in trust for the contact (2) ask the Attorney General to bring an action in accordance with this section on behalf of the employee; and (3) consolidate 2 or more claims against an employe (c) An action under this section shall be filed within 3 years after the employee receives from the employer the wages paid on the termination of employment under § 3-505(a) of this title. (d) The agreement of an employee to work for less than the wage to which the employee is entitled under this subtitle is not a defense to an action under this section (e) If a court determines that an employee is entitled to judgment in an action under this section, the court shall allow against the employer reasonable counsel fees and other costs of the action, as well as prejudgment interest in accordance with the Maryland Rules. §3-308. (a) An employer may not (1) willfully violate any provision of this subtitle; (2) hinder, delay, or otherwise interfere with the Commissioner or an authorized representative of the Commissioner in the enforcement of this subtitle; (3) refuse entry to the Commissioner or an authorized representative of the Commissioner i

SOLICITUD DE BENFEICIOS

DEL DESEMPLEO PARA

LA POBLACIÓN DE HABI F

HISPANA

301-313-8000

ore, Maryland 2120

DLLR/DUI 328

alified and will be subject to criminal prosecution

TTY-1-800-735-2258

Speech to Speech: 1-800-785-5630

Para Relevos en

Maryland presione 711 ó 1-800-877-1264 (U.S.)

TO FILE A CLAIM VIA THE INTERNET:

www.mdunemployment.com

IMPORTANT NOTICE

Unemployment insurance is intended for persons who are unemployed through no fault of their own and who are ready, willing and able to work. Persons who receive benefits through false statements or fail to report ALL earnings will be

The Civil Rights Act of 1964 states that no person shall be discriminated against on the basis of race, color, religion, age,

sex, or national origin. If you feel you have been discriminated against in the unemployment insurance process because of any of these factors, you may file a complaint with the Office of Fair Practices, 1100 North Eutaw Street, Room 613,

MARYLAND DEPARTMENT OF LABOR - DIVISION OF UNEMPLOYMENT INSURANCE

THIS CARD MUST BE POSTED IN A CONSPICUOUS PLACE

Maryland Department of Labor - Employment Article, Title 8, Sec. 8-603

TTY: 1-800-735-2258

Speech to Speech:

1-800-785-5630

Para Relevos en Maryland

presione 1-800-877-1264 (U.S.)

a place of employment that the Commissioner is authorized under this subtitle to inspect; or (4) discharge or otherwise discriminate against an employee or applicant for employment because the employee or applicant for employment (i) makes a complaint to the employer, the Commissioner, or another person; (ii) brings an action under this subtitle or a proceeding that relates to the subject of this subtitle or causes the action or proceeding to be brought; or (iii) has testified or will testify in an action under this subtitle or a proceeding that relates to the subject of 5) Violate §3–304.2 of this subtitle (b) An employee or an applicant for employment may (1) make a groundless or malicious complaint to the Commissioner or an authorized representative of the (2) in bad faith, bring an action under this subtitle (3) in bad faith, bring a proceeding that relates to the subject of this subtitle; or (4) in bad faith, testify in an action under this subtitle or a proceeding that relates to the subject

(c) The Commissioner may bring an action for injunctive relief and damages against a person who violates subsection (a)(1), (4) or subsection (b)(1), (3), or (4) of (d)(1) Except as provided in paragraph (2) of this subsection, an employer who violates any provision (3) of this s misdemeanor and on conviction is subject to a fine not (2) (i) This paragraph does not apply to a violation (ii) If an employer is found to have violated this subtitle two or more times within a 3-year period, the Commissioner or a court may require the employer to pay a civil penalty equal to 10% of the amount of damages owed by the employer (iii) Each civil penalty assessed under this paragraph shall be paid to the General Fund of the State to offset the cost of enforcing this subtitle. (E)(1) If the Commissioner determines that an employer has violated §3-304.2 of this subtitle, the (I) shall issue an order compelling compliance; and (II) may, in the Commissioner's discretion 1. for a first violation, issue a letter to the employer compelling compliance; 2. for a second violation, assess a civil penalty of up to \$300 for each applicant for employment for whom the employer is not in compliance; or 3. for each subsequent violation, assess a civil penalty of up to \$600 for each applicant for employment for whom the employer is not in compliance if the violation occurred within 3 years after a previous determination that a violation had occurred. (2) In determining the amount of the penalty, if sessed, the Commissioner shall consider (I) the gravity of the violation' (II) the size of the employer's business; (III) the employer's good faith; and (IV) the employer's history of violations under (3) If the Commissioner assesses a penalty under paragraph (1)(II) of this subsection, the penalty shall be subject to the notice and hearing requirements of Title 10. Subtitle 2 of the State Government Article. For additional information or to file a complaint, please FOR MORE INFORMATION CONTACT: DEPARTMENT OF LABOR **DIVISION OF LABOR AND INDUSTRY EMPLOYMENT STANDARDS SERVICE** 10946 GOLDEN WEST DRIVE, SUITE 160 - HUNT VALLEY, MD 21031 PHONE: 410-767-2357 REV. 02/2022 INSIDE THE STATE OF MARYLAND **OUTSIDE THE STATE O** (DENTRO DEL ESTADO DE MARYLAND (FUERA DEL ESTADO D MARYLAND) Maryland Relay Dial 711 MARYLAND)

or return to work could prevent you from receiving benefits and may subject you

to fines, imprisonment or both.

Employer/Empleador

MD

Race

Origin

Religior

Business Address/Dirección

City/State/Zip Ciudad/Estado/Código Postal

Federal Employer ID (FEIN) Indentificación Federal Del Empleado

Telephone Number/Número Telefónico _____

Insurance Company Name

Insurance Company Telephone Telefónico de la Compañía de Seguro MD WCC Form C-24 05/2017

> **TO BE POSTED** HEALTH INSURANCE COVERAGE

You and other members of your family may be eligible **IMPORTANT:** under Maryland law to continue to be covered by your ble for paying the entire cost of the

trabajar por más de tres días, el seguro de trabajadores que tienen las compañías pudiera cubrir las facturas médicas y otros gastos relacionados. También le comp ensarían 2/3 de sus ingresos (Hasta un monto máximo estipulado por la ley).

3. Llenar el formulario Employee's Claim Form C-1 (disponible consultando la página del Internet para el Workers' Compensation o solicitándo uno por teléfono). Diligenciarlo para que las oficinas del Workers' Compensation lo reciban lo antes posible.

Aviso: El suministrar información falsa u ocultar información sobre cualquier actividad relacionada con su trabajo o relacionada con su regreso al trabajo, pudiera afectar los beneficios que recibiera o pudiera acarrearle multas, encarcelamiento o ambas.

Maryland Workers' Compensation Commission 10 East Baltimore Street, Baltimore, Maryland 21202-1641 (410) 864-5100 / Outside Baltimore (800) 492-0479

Webpage - http://www.wcc.state.md.us / TTY Users - 711 in Maryland or (800) 735-2258 This notice must be printed on 8.5 "X 14" gold or yellow paper, display complete employer information and be posted in a conspicuous location at each work site or location in accordance with COMAR 14.09.01.02 and 14.09.01.10.

Safety and health protection on the job

Maryland Occupational Safety and Health Act - Private Sector

YOU ARE ENTITLED TO BENEFITS IF: You are unemployed through no fault of your ow You have sufficient earnings in your Base Period You have registered for work and filed a claim for benefits with a Maryland Department of Labor claim center listed below You are able to work, available for work, and actively seeking work. To ensure prompt handling of your claim, it is necessary to have your Social Security number available. If you claim dependents under sixteen (16) years of age, you must know the Social Security number of each dependent when you file. If you do not know the Social Security numbers, you will be provided with instructions on how to provide a copy of the dependents' birth certificates or other forms of proof of dependence

IF YOU ARE TOTALLY OR PARTIALLY UNEMPLOYED CALL:

deductions during the week you return to work regardless of whether or not you have been paid

NOTE

Phone Number To File A Claim	Area Served	
301-313-8000 1-877-293-4125 (toll free)	Calvert Charles Montgomery	Prince Georges St. Mary's
301-723-2000	Allegany	Garrett



Proposed

Penalty:

The Maryland Occupational Safety and Health Act of 1973 provides job safety and health protection for workers through the promotion of safe and healthful working conditions throughout the State. Requirements of the Act include the following:

Each employer shall furnish to each of his or her employees employment and a place of employment free from recognized hazards that are **Employers:** causing or are likely to cause death or serious harm to employees; and shall comply with occupational safety and health standards issued under the Act.

Each employee shall comply with all occupational safety and health standards, rules, regulations and orders issued under the Act that apply **Employees:** to his or her own actions and conduct on the job.

> The Commissioner of Labor and Industry has the primary responsibility for administering the Act and issuing occupational safety and health standards. MOSH Safety and Health Inspectors conduct jobsite inspections to ensure compliance with the Act.

The Act requires that a representative authorized by the employees be given an opportunity to accompany the MOSH Inspector for the **Inspection:** purpose of aiding the inspection.

> Where there is no authorized employee representative, the MOSH Inspector shall consult with a reasonable number of employees concerning safety and health conditions in the workplace.

Employees or their representatives have the right to file a complaint with the Commissioner requesting an inspection if they believe unsafe **Complaint:** or unhealthful conditions exist in their workplace. The Commissioner will withhold names of employees complaining on request. The Act provides that employees may not be discharged or discriminated against in any way for filing safety and health complaints or otherwise exercising their rights under the Act.

> An employee who believes he or she has been discriminated against may file a complaint with the Commissioner and/or the Federal Occupational Safety and Health Administration Regional Office within 30 days of the alleged discrimination.

If upon an inspection the Commissioner believes an employer has violated the Act, a citation alleging such violations shall be issued to the Citation: employer. Each citation shall specify a time period within which the alleged violation must be corrected.

> The MOSH citation must be prominently displayed at or near the place of alleged violation for three days, or until it is corrected, whichever is later, to warn employees of dangers that may exist there.

The Act provides for mandatory civil penalties against employers of up to \$7,000 for each serious violation and for optional penalties of up to \$7,000 for each nonserious violation. Civil penalties of up to \$7,000 per day may be proposed for failure to correct violations within the proposed time period. Also, any employer who willfully or repeatedly violates the Act may be assessed civil penalties of up to \$70,000 for each such violation.

Criminal penalties are also provided for in the Act. Any willful violation resulting in death of an employee, upon conviction, is punishable by a fine of not more that \$10,000 or by imprisonment for not more than six months, or by both. Conviction of an employer after a first conviction doubles these maximum penalties.

While providing penalties for violation, the Act also encourages efforts by labor and management to reduce injuries and illnesses arising out Voluntary of employment. The Commissioner of Labor and Industry encourages employers and employees to reduce workplace hazards voluntarily and **Activity:** to develop and improve safety and health programs in all workplaces and industries.

> Such cooperative action would initially focus on the identification and elimination of hazards that could cause death, injury, or illness to employees and supervisors. There are many public and private organizations that can provide information and assistance in this effort, if requested.

ADDITIONAL INFORMATION AND COPIES OF THE ACT, SPECIFIC MARYLAND OCCUPATIONAL SAFETY AND HEALTH STANDARDS AND OTHER APPLICABLE REGULATIONS MAY BE OBTAINED FROM

Mosh Training and Education 10946 GOLDEN WEST DRIVE, SUITE 160 HUNT VALLEY, MARYLAND 21031 PHONE: 410-527-2091

