Work at a location where the employer has at least 50 employees

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

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

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

FMLA protection. Sufficient information could include informing an employer

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

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

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

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 if he or she is eligible for FMLA leave and, if eligible, must also

is not eligible, the employer must provide a reason for ineligibility.

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

and if so, how much leave will be designated as FMLA leave.

provides greater family or medical leave rights.

provide a notice of rights and responsibilities under the FMLA. If the employee

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

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

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

or supersede any state or local law or collective bargaining agreement that

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.

EMPLOYER RESPONSIBILITIES

within 75 miles of the employee's worksite

FED

DISABILITY

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

who is an applicant or employee, barring undue hardship.

classification, referral, and other aspects of employment.

to reasonably accommodate an employee's religious practices where the accommodation does not impose undue

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

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,

as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially

& Associates. Inc.®

FEDERAL MINIMUM WAGE \$7.25 PER HOUR

BEGINNING JULY 24, 2009

The law requires employers to display this poster where

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

employees can readily see it.

FED

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.

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.

DEPARTMENT OF LABOR

VA

VA

UNITED STATES OF AMERICA



Tipped Employees

Tips plus wages must now meet Virginia's minimum wage rate

As of May 1, 2021, training

wages may be increased

The complete training wage regulation is available on the Virginia Town

Hall website, https://townhall.virginia.gov/

VA LIS: https://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB7

FLSA: https://www.law.cornell.edu/uscode/text/29/chapter-8

For More Information, please visit

VA definitions: http://law.lis.virginia.gov/vacode/title40.1/chapter3/section40.1-28.9/

VA min wages: http://law.lis.virginia.gov/vacode/title40.1/chapter3/section40.1-28.10/

Keep the person **SAFE**.

✓ Keep airway clear

Do <u>NOT</u> restrain.

✓ Move or guide away from harm

✓ Loosen tight clothes around neck

✓ Put **something small and soft** under the head

Seizure lasts longer than 5 minutes

Person is injured, pregnant, or sick

X Do **NOT** put any objects in their mouth.

Person does not return to their usual state

Applies to employees younger than 20 years of age

Is restricted to the first 90 days of employment



Minimum Wage Increases to

\$11.00 per hour

Effective January 1, 2022

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 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

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

Seizure First Aid

How to help someone having a seizure

STAY with the person until they are awake and alert after the seizure.

✓ Time the seizure ✓ Remain calm ✓ Check for medical ID

Turn the person onto their **SIDE** if they are not awake and aware.

FAIR LABOR STANDARDS ACT **ENFORCEMENT** The Department has authority to recover back wages and an equal amount

EMPLOYEE RIGHTS UNDER THE

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

ADDITIONAL INFORMATION

under the FLSA.

- 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
- 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

Some employees previously exempt may now be covered as eligible

Domestic Service - Services related to the care of an individual in a

Phone: 804-786-2706

 $\hbox{E-mail:}\ \underline{laborlaw@doli.virginia.gov}$

Website: https://www.doli.virginia.gov/

Fax: 804-371-6524

Includes services such as companions, cooks, waiters, butlers,

Contact the Labor Law Division

private home or the maintenance of a private home or its premises

May be on a permanent or temporary basis

maids, valets, and chauffeurs

Babysitters who work more than 10 hours per week

Home care providers



REV. 07/2016

FED

UNITED STATES OF AMERICA

For additional information or to file a complaint:

ENFORCEMENT

www.dol.gov/whd U.S. Department of Labor • Wage and Hour Division • WH1420

REV. 04/2016

THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

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:

- 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 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

- are a past or present member are obligated to serve in the of the uniformed service: 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
- In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

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

any benefit of employment

VA

REASONABLE ACCOMMODATIONS FOR DISABILITY

Protections from Discrimination – Va. Code § 2.2-3905.1 Interactive Process

20-week period in the current or preceding year must provide reasonable limits one or more of her major life activities or who has a record of such impairment. Employers also may not, in response to a request for a reasonable accommodation for disability

require an employee to take leave if another reasonable accommodation can be provided.

permitting the use of leave, reassignment to a vacant position, acquisition or

modification of equipment, assistance with manual labor, job restructuring, a

Reasonable Accommodations Examples of reasonable accommodations include modifying work policies,

VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

Repeated seizures

First time seizure

Difficulty breathing

Seizure occurs in water

This publication was created by the Epilepsy Foundation, a nationwide network organization. This publication is made possible with funding from the Centers for Disease Control and Prevention (CDC) under cooperative grant agreement number 1NU58DP006256-04-00. Its contents are solely the responsibility of the Epilepsy Foundation and do not necessarily represent the views of the CDC. EFA440/PAB0220

✓ **Rescue medicines can be given** if prescribed by a health care professional

Learn More and Register for Training: epilepsy.com/firstaid

In Partnership with

Virginia Department

of Labor and Industry

VA

Call **911**

Do NOT

EPILEPSY

FOUNDATION

24/7 Helpline: 1-800-332-1000

WORKERS' COMPENSATION NOTICE

The employees of this business are covered by the Virginia Workers' Compensation Act. In case of injury by accident or notice of an occupational disease:

THE EMPLOYEE SHOULD:

occupational disease.

THE EMPLOYER SHOULD: At the time of the accident, give the employee the names of at least

Immediately give notice to the employer, in writing, of the injury or occupational disease and the date of accident or notice of the

- the period of disability beyond the seventh day after the accident. In case of fatal injuries, notice must be given by one or more dependents of the deceased or by a person in their behalf.
- communication of the diagnosis of an occupational disease.
- If medical treatment is anticipated for more than two years from the date of the accident and no award has been entered, the employee should file a claim with the Commission within two years from the date of the accident. **NOTE:** The employer's report of accident is not the filing of a claim for the

three physicians from which the employee may select the treating physician.

- Promptly give to the employer and to the Virginia Workers' Report the injury to the Commission through your carrier or directly to Compensation Commission notice of any claim for compensation for Accurately determine the employee's average weekly wage, including
- Questions may be answered by contacting the Commission. A booklet explaining In case of failure to reach an agreement with the employer in regard the Workers' Compensation Act is available without cost from: to compensation under the act, file application with the Commission THE VIRGINIA WORKERS' COMPENSATION COMMISSION for a hearing within two years of the date of accidental injury or first 333 E. Franklin St. 1-877-664-2566
- VA

Form VWC1

Every employer within the operation of the Virginia Workers' Compensation Act MUST POST THIS NOTICE IN A CONSPICUOUS PLACE in his place of business.

RICHMOND, VIRGINIA 23219

www.workcomp.virginia.gov

overtime, meals, uniforms, etc

El EITC es para las personas que trabajan para alguien más o son dueñas

o dirigen un negocio o una granja. Para tener derecho, usted debe tener

Tienen que tener un número de Seguro Social válido para el empleo, emitido

en la fecha de vencimiento de la declaración (incluidas las prórrogas), o antes

Por lo general, tienen que ser ciudadanos de los Estados Unidos o extranjeros

No pueden tener ingresos de inversión, como ingresos de intereses, que

No pueden presentar la declaración como "casado que presenta por

No pueden presentar el Formulario 2555 o el Formulario 2555-EZ

Tienen que tener un hijo calificado o si no tienen un hijo calificado, ustedes

• tener 25 años de edad, pero menos de 65 años de edad al final del

vivir en los Estados Unidos* durante más de la mitad del año, y

no reunir los requisitos como dependientes de otra persona.

Para reclamar el EITC, usted tiene que presentar una declaración del impuesto

federal, aún si no adeuda impuestos y no tiene el requisito de presentar una

declaración. Presente su declaración de impuestos tan pronto como tenga toda la

declaraciones en las que se reclama el EITC no se pueden emitir antes de mediados

de febrero. Esta demora se aplica al reembolso total, no sólo a la parte asociada al

EITC. El EITC proporciona un impulso para ayudar a pagar sus facturas o ahorrar para

Visite www.irs.gov/eitc para obtener información gratuita y

consultar el asistente *EITC* interactivo para ver si califica para el

Visite un sitio de Asistencia Voluntaria al Contribuyente con los

Impuestos sobre los Ingresos (VITA, por sus siglas en inglés). Visite

www.irs.gov/VITA o llame al 1-800-906-9887 para encontrar un

gratuita en línea a través de software de preparación de impuestos,

Utilice Free File en www.irs.gov/FreeFile para la presentación

Los errores pueden demorar la parte del *EITC* de su reembolso, hasta que se corrijan.

Si el IRS audita su declaración y encuentra un error en su reclamación del EITC, usted

tiene que devolver la cantidad del *EITC* que recibió por error más multas e intereses.

reclamaciones. Y si el IRS encuentra que su reclamación incorrecta fue debido a

descuido imprudente o intencional de las reglas y regulaciones o fraude, podemos

prohibirle reclamar el *EITC* por 2 años o 10 años, dependiendo de la causa de su

REV. 09/2019

Sólo imagine lo que podría hacer con el EITC.

crédito v estimar la cantidad de su EITC.

¿Desea ayuda con el EITC?

información que necesita sobre cuánto ganó. No obstante, los reembolsos de las

(relacionado con los ingresos ganados en el extranjero)

No pueden ser un hijo calificado de otra persona

ingresos bajos a medios y cumplir con las siguientes reglas.

Para calificar, usted y su cónyuge (si presentan una declaración conjunta):

Tienen que tener ingresos de trabajo

residentes todo el año

separado"

los tiempos difíciles.

Department of the Treasury Internal Revenue Service www.irs.gov

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Department of the Treasury, Internal Revenue Service

eitc Life's a little easier with earned income tax credit

business or a farm. To qualify, you must have low to mid income and meet the following rules.

EITC is for people who work for someone else or own or run a

To qualify, you and your spouse (if filing a joint return): Must have earned income

- Must have a Social Security number that is valid for employment issued on or before the due date of the return (including extensions) Cannot have investment income, such as interest income, over a certain
- Generally must be a U.S. citizen or resident alien all year May not file as married filing separately
- May not be a qualifying child of another person May not file Form 2555 or 2555-EZ (related to foreign earned income)
- Must have a qualifying child or if you do not have a qualifying child, you
- be at least age 25 but under age 65 at the end of the year, • live in the United States* for more than half the year, and • not qualify as a dependent of another person.
- To claim the EITC, you have to file a federal tax return even if you owe no tax and are not required to file. File your tax return as soon as you have all the information you need about how much you earned. However, refunds for returns claiming the EITC can't be issued before mid-February. This delay applies to the entire refund, not just the portion associated with the EITC.

EITC provides a boost to help pay your bills or save for a rainy day. Just imagine what you could do with EITC.

Do you want help with the EITC?

- Go to www.irs.gov/eitc for free information and to check out the interactive EITC Assistant to see if you qualify for the credit and estimate the amount of your EITC. Visit a Volunteer Income Tax Assistance (VITA) site for free
- tax help and preparation. Go to www.irs.gov/VITA or call 1-800-906-9887 to find a site. Use FreeFile at www.irs.gov/FreeFile for free online filing through commercially available tax preparation software.
- Errors can delay the EITC part of your refund until corrected. If the IRS audits
- your return and finds an error in your claim of the EITC, you must pay back the amount of the EITC you received in error plus interest and penalties. You may also have to file Form 8862 for future claims. And, if the IRS finds your incorrect Es posible que también tenga que presentar el Formulario 8862 para las futuras claim was due to reckless or intentional disregard of rules and regulations or fraud, we may ban you from claiming the EITC for 2 years or 10 years, depending on the reason for the error. * U.S. military personnel on extended active duty outside the United States are
- * El personal militar de los EE.UU. en servicio activo prolongado fuera de los Estados considered to live in the United States while on active duty. Unidos se considera que vive en los Estados Unidos mientras está en servicio activo. Publication 962 (EN-SP) Catalog Number 34506V

FED

EMPLOYEE RIGHTS UNDER THE

FAMILY AND MEDICAL LEAVE ACT

- THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION **LEAVE ENTITLEMENTS** Have at least 1,250 hours of service in the 12 months before taking leave;* and 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); Generally, employees must give 30-days' advance notice of the need for FMLA
 - 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
- **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 iob or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions
- 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;

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

- WHD

1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627

YOUR RIGHTS UNDER USERRA

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to

- **HEALTH INSURANCE PROTECTION** If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in you ensure that your employer receives advance written or verbal
 - 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.

the military.

- **ENFORCEMENT**
 - The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of
 - 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 https://www.dol.gov/agencies/vets/. An interactive online USERRA Advisor can be viewed at https://webapps.dol.gov/elaws/vets/userra. 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.
 - 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: https://www.dol.gov/agencies/vets/programs/userra/poster 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.

an employer for violations of USERRA.

You may also bypass the VETS process and bring a civil action against

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

REV. 05/2022

VIRGINIA HUMAN RIGHTS ACT

Effective July 1, 2021, employers with more than five employees for a accommodations for otherwise qualified persons with disabilities if necessary to assist such person in performing a particular job, unless the accommodation would impose an undue hardship on the employer. "Person with a disability" means any person who has a physical or mental impairment that substantially

- take adverse actions against an employee; deny employment or promotions; or

modified work schedule, and light duty assignments

the requested accommodation is reasonable and, if not, discuss alternative reasonable accommodations that may be provided. Complaints

Any person who believes they were discriminated against on this basis may file a complaint with the Office of Civil Rights. Office of the Attorney General Office of Civil Rights 202 North 9th Street Richmond, Virginia 23219

When an employee requests an accommodation, employers must engage

in a timely, good faith interactive process with the employee to determine if

www.ag.virginia.gov

civilrights@oag.state.va.us

P: (804) 225-2292; F: (804) 225-3294

VA

Virginia Human Rights Act Code of Virginia – Title 2.2, Chapter 39

It is the policy of the Commonwealth of Virginia to: Safeguard all individuals within the Commonwealth from unlawful discrimination because of race, color, religion, national origin, sex, sexual orientation, gender identity, marital status, pregnancy, childbirth or related medical conditions, age, military status, or disability in employment, places of public accommodation, including educational institutions, in real estate transactions; preserve the public safety, health and general welfare; and further the interests, rights and privileges of individuals within the Commonwealth; and protect citizens of the Commonwealth against unfounded charges of unlawful

Unlawful Discriminatory Practice Defined Conduct that violates any Virginia or federal statute or regulation governing discrimination is an unlawful discriminatory practice under

Complaints may be filed with: **OFFICE OF THE ATTORNEY GENERAL** OFFICE OF CIVIL RIGHTS 202 North 9th Street RICHMOND, VIRGINIA 23219 www.ag.virginia.gov CivilRights@oag.state.va.us P: (804) 225-2292; F: (804) 225-3294

the Virginia Human Rights Act.

VA

Virginia Employment Commission NOTICE TO WORKERS

Every day many unemployed workers tell us that unemployment insurance is due them "because they have paid for it." This is not true in Virginia. There are no deductions from your paycheck for unemployment insurance. Employers' taxes are deposited in a trust fund from which unemployment insurance benefits are paid. Do not confuse unemployment insurance with Old Age and Survivors Insurance to which both you and your employer contribute.

YOU MAY APPLY FOR UNEMPLOYMENT INSURANCE BENEFITS IF:

- have met all of the eligibility requirements. To speed payment of benefits, you
- You are totally unemployed, or You are working at reduced wages and hours, IF TOTALLY UNEMPLOYED, ON A TEMPORARY LAYOFF, OR IF WORKING REDUCED HOURS:
- The first week you are unemployed, register for work, and file a claim for benefits. You can file your claim online at www.vec.virginia.gov or by calling our Customer Contact Center at 1-866-832-2363. If you are totally unemployed you must register for work online at <u>www.vawc.virginia.gov</u> TO BE ELIGIBLE FOR BENEFITS, THE LAW REQUIRES THAT YOU:

Have earned sufficient wages from employers who are subject to the

Virginia Unemployment Compensation Act or any other State within Must be unemployed through no fault of your own.

File a claim with the Virginia Employment Commission

Continue to report as instructed by the Virginia Employment You cannot be paid unemployment benefits until you have filed your claim and

Must be able and available to work and making an active search for

should file your claim as soon as you become unemployed or your hours are reduced. If you have any questions about your rights and responsibilities under the Virginia Unemployment Compensation Act, visit our website, or call our Customer Contact Center at 1-866-832-2363. THE LAW REQUIRES EMPLOYERS TO POST THIS NOTICE IN A PLACE VISIBLE TO ALL WORKERS.

- An Equal Opportunity Employer/Program Auxiliary services are available upon to individuals with disabilities. Please call 804-584-9841 or 866-373-6915 for Language Access/Assistance.
 - This notice is available in Spanish Direct requests to: **Employer Accounts Unit** PO Box 26441 Richmond, VA 23261-6441

VA

VA

accommodation for pregnancy:

low-income, working individuals and families? Could you be eligible?

Did you know Virginia has an income tax credit for

VIRGINIA HUMAN RIGHTS ACT

REASONABLE ACCOMMODATIONS FOR PREGNANCY

FIND OUT IF YOU OUALIFY for the Commonwealth of Virginia income tax credit today! Visit the Low Income Individuals Credit page on the Virginia Tax site: www.tax.virginia.gov/low-income-individuals-credit

Two ways to increase your income: The Federal Earned Income Tax Credit

- The Virginia Credit for Low Income Individuals Call the Virginia Department of Taxation at: (804) 367-8031, PAY-VTAX at: (804) 339-1307 or visit: www.tax.virginia.gov
- Protections from Discrimination Va. Code § 2.2-3909 Effective July 1, 2020, employers with five or more employees for a 20-week period in the current or preceding year must provide reasonable accommodations for pregnancy, childbirth or related medical conditions, including lactation, unless the accommodation would impose an undue

hardship. Employers also may not, in response to a request for a reasonable

take adverse actions against an employee; deny employment or promotions; or require an employee to take leave if another reasonable accommodation can be provided. **Reasonable Accommodations**

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

Examples of reasonable accommodations include more frequent or longer

- bathroom breaks, breaks to express breast milk, access to a private location other than a bathroom for the expression of breast milk, acquisition or modification of equipment or access to or modification of employee seating, a temporary transfer to a less strenuous or hazardous position, assistance with manual labor, job restructuring, a modified work schedule, light duty assignments, and leave to recover from childbirth.
- in a timely, good faith interactive process with the employee to determine if the requested accommodation is reasonable and, if not, discuss alternative reasonable accommodations that may be provided. Complaints Any person who believes they were discriminated against on this basis may file a complaint with the Office of Civil Rights or seek relief by filing a civil action

Interactive Process

When an employee requests an accommodation, employers must engage

- in state court. OFFICE OF THE ATTORNEY GENERAL OFFICE OF CIVIL RIGHTS 202 North 9th Street
 - RICHMOND, VIRGINIA 23219 www.ag.virginia.gov CivilRights@oag.state.va.us P: (804) 225-2292; F: (804) 225-3294

JUL2022

Equal Employment Opportunity is THE LAW

Private Employers, State and Local Governments, Educational Institutions,

Applicants to and employees of most private employers, state and local governments, educational institutions,

Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing 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

All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of

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

The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, ${\sf EEOC, including\ information\ about\ charge\ filing, is\ available\ at\ www.eeoc.gov.}$ equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same

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**

basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other proceeding, or otherwise opposes discrimination under these Federal laws. 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 authorities above should contact immediately: advance in employment qualified individuals with disabilities at all levels of employment, including the executive

DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job

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 is covered by Title VI if the primary objective

discrimination and requires affirmative action to employ and advance in employment disabled veterans, recently

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 educational programs or activities which receive Federal financial EEOC 9/02 and OFCCP 8/08 Versions Useable With 11/09 Supplement

FED 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

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 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 (armored 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.

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

§ 40.1-28.7:8. Covenants not to compete prohibited as to low-wage

"Covenant not to compete" means a covenant or agreement, including a provision of a contract of employment,

"Low-wage employee" means an employee whose average weekly earnings, calculated by dividing the employee."

earnings during the period of 52 weeks immediately preceding the date of termination of employment by 52, or

if an employee worked fewer than 52 weeks, by the number of weeks that the employee was actually paid during

or without pay, at a trade or occupation in order to gain work or educational experience. "Low-wage employee" also

includes an individual who has independently contracted with another person to perform services independent of an

employment relationship and who is compensated for such services by such person at an hourly rate that is less than

 $the \ median \ hourly \ wage \ for \ the \ Commonwealth \ for \ all \ occupations \ as \ reported, for \ the \ preceding \ year, by \ the \ Bureau$

of Labor Statistics of the U.S. Department of Labor. For the purposes of this section, "low-wage employee" shall

B. No employer shall enter into, enforce, or threaten to enforce a covenant not to compete with any low-wage

C. Nothing in this section shall serve to limit the creation or application of nondisclosure agreements intended to

prohibit the taking, misappropriating, threating to misappropriate, or sharing of certain information, including trade

not include any employee whose earnings are derived, in whole or in predominant part, from sales commissions,

the 52-week period, are less than the average weekly wage of the Commonwealth as determined pursuant to

DEPARTMENT OF LABOR

employees; civil penalty.

not initiate contact with or solicit the customer or client.

incentives, or bonuses paid to the employee by the employer.

secrets, as defined in § 59.1-336, and proprietary or confidential information.

A. As used in this section:

VA

1-866-487-9243

TTY: 1-877-889-5627 www.dol.gov/whd WH1462 **REV. 07/2016**

to compete was signed, (ii) the date the low-wage employee learns of the covenant not to compete, (iii) the date the employment relationship is terminated, or (iv) the date the employer takes any step to enforce the covenant

civil action pursuant to this section. E. Any employer that violates the provisions of subsection B as determined by the Commissioner shall be subject to a civil penalty of \$10,000 for each violation. Civil penalties owed under this subsection shall be paid to the Commissioner for deposit in the general fund. subsection B of § 65.2-500. "Low-wage employee" includes interns, students, apprentices, or trainees employed, with F. If the court finds a violation of the provisions of this section, the plaintiff shall be entitled to recover reasonable

costs, including costs and reasonable fees for expert witnesses, and attorney fees from the former employer or other

D. A low-wage employee may bring a civil action in a court of competent jurisdiction against any former employer

section. An action under this section shall be brought within two years of the latter of (i) the date the covenant not

or other person that attempts to enforce a covenant not to compete against such employee in violation of this

violation, shall be subject to a civil penalty not to exceed \$250 for a second violation, and shall be subject to a civil penalty not to exceed \$1,000 for a third and each subsequent violation as determined by the Commissioner. Civil penalties owed under this subsection shall be paid to the Commissioner for deposit in the general fund. The Commissioner shall prescribe procedures for the payment of proposed assessments of penalties that are not contested by employers. Such procedures shall include provisions for an employer to consent to abatement of the

alleged violation and to pay a proposed penalty or a negotiated sum in lieu of such penalty without admission of any civil liability arising from such alleged violation. 2020, cc. 948, 949, § 40.1-28.7:7.

Department of Labor and Industry

THE VIRGINIA OCCUPATIONAL SAFETY AND HEALTH (VOSH) LAW. BY AUTHORITY OF TITLE 40.1 OF THE LABOR LAWS OF VIRGINIA, PROVIDES JOB SAFETY AND HEALTH PROTECTION FOR WORKERS. THE PURPOSE OF THE LAW IS TO ASSURE SAFE AND HEALTHFUL WORKING CONDITIONS THROUGHOUT THE STATE. THE VIRGINIA SAFETY AND HEALTH CODES BOARD PROMULGATES AND ADOPTS JOB SAFETY AND HEALTH STANDARDS, AND EMPLOYERS AND EMPLOYEES ARE REQUIRED TO COMPLY WITH THESE STANDARDS. THESE STANDARDS MAY BE FOUND AT THE FOLLOWING WEB ADDRESS: http://www.doli.virginia.gov/doli_regulations/doli_regulations.html. YOU MAY ALSO CONTACT THE DEPARTMENT OF LABOR AND INDUSTRY OFFICES LISTED BELOW TO RECEIVE PRINTED COPIES OF THE

Employers Each employer shall furnish to each of his employees employment and a place of employment

free from recognized hazards that are causing or are likely to cause death or serious harm to his

employees, and shall comply with occupational safety and health standards issued under the law. **Employees**

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

Inspection The Law requires that a representative of the employer and a representative authorized by the employees be given an opportunity to accompany the VOSH inspector for the purpose of aiding

Where there is no authorized employee representative, the VOSH inspector must consult with a

reasonable number of employees concerning safety and health conditions in the workplace.

violations will be issued to the employer. Each citation will specify a time period within which the The VOSH citation must be prominently displayed at or near the place of alleged violation for three days or until the violation is corrected, whichever is later, to warn employees of dangers that may

Citation

Proposed Penalty

The Law provides for mandatory penalties against private sector employers of up to \$13,434 for each serious violation and for optional penalties of up to \$13,434 for each other-than-serious violation. Penalties of up to \$13,434 per day may be proposed for failure to correct violations within the proposed time period. Also, any employer who willfully or repeatedly violates the Law may be assessed penalties of up to \$134,333 for each such violation.

Criminal penalties are also provided for in the Law. Any willful violation resulting in the death of an employee is punishable, upon conviction, by a fine of not more than \$70,000 or by

imprisonment for not more than six months, or by both. Subsequent conviction of an employer after a first conviction doubles these maximum penalties.

FAX (804) 371-6524 http://www.doli.virginia.gov

Headquarters Northern Virginia/Manassas MAIN STREET CENTRE 9400 Innovation Drive, Suite 120, 600 East Main Street, Suite 207,

TWO ways to verify poster compliance!

QR CODE Scan with phone camera:

Go to: JJKeller.com/LLPverify

Enter this code: 62930-072022

Manassas, VA 20110. (703) 392-0900 Tidewater/Norfolk

Abingdon **The Johnson Center** 468 East Main Street, Suite 114, ABINGDON, VA 24210

Southwest/Roanoke Lynchburg 3704 OLD FOREST ROAD BRAMMER VILLAGE 3013 PETERS CREEK ROAD SUITE B ROANOKE, VA 24019 Lynchburg, VA 24501 (540) 562-3580 (434) 385-0806 Verona P.O. Box 772 201 LEE HIGHWAY

C. Ray Davenport Commissioner

VERONA, VA 24482

(540) 248-9280

FED-VA-ENG

62930

REV. 08/2021

Employment Agencies and Labor Organizations

employment agencies and labor organizations are protected under Federal law from discrimination on the following bases:

RETALIATION

discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice.

your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC

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

separated veterans (within three years of discharge or release from active duty), other protected veterans (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 U.S. military operation for which an Armed Forces service medal was awarded).

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals from discrimination on the 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 nondiscrimination or affirmative action obligations under the

The Office of Federal Contract Compliance 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 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.

Programs or Activities Receiving Federal Financial Assistance

 $Section \, 504 \, of \, the \, Rehabilitation \, Act \, of \, 1973, as \, amended, prohibits \, employment \, discrimination \, on \, the \, basis \, of \, an expectation \, and \, better \, an expectation \, and \, better \, and \, bet$ disability in any program or activity which receives Federal 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.

REV. 11/2009

EMPLOYEE RIGHTS EMPLOYEE POLYGRAPH PROTECTION ACT The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are

Code of Virginia

reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.

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 actions.

Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and

the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

length of the test. Examinees have a number of specific rights, including the right to a written notice before testing,

not to compete. The court shall have jurisdiction to void any covenant not to compete with a low-wage employee between an employer and employee that restrains, prohibits, or otherwise restricts an individual's ability, following and to order all appropriate relief, including enjoining the conduct of any person or employer, ordering payment the termination of the individual's employment, to compete with his former employer. A "covenant not to compete" of liquidated damages, and awarding lost compensation, damages, and reasonable attorney fees and costs. No shall not restrict an employee from providing a service to a customer or client of the employer if the employee does employer may discharge, threaten, or otherwise discriminate or retaliate against a low-wage employee for bringing a

> G. Every employer shall post a copy of this section or a summary approved by the Department in the same location where other employee notices required by state or federal law are posted. An employer that fails to post a copy of this section or an approved summary of this section shall be issued by the Department a written warning for the first

Job Safety and Health Protection

VIRGINIA UNIOUE STANDARDS AND OBTAIN THE NAMES OF PUBLISHERS OF THE FEDERAL IDENTICAL STANDARDS.

If upon inspection VOSH believes an employer has violated the Law, a citation alleging such alleged violation must be corrected.

Public Sector employers, all departments, agencies, institutions or other political subdivisions of the Commonwealth, are subject to the penalty provisions of 16VAC 25-60-260.

RICHMOND, VIRGINIA 23219. **VOICE (804) 371-2327**

Main Street Centre

600 East Main Street, Suite 207

RICHMOND, VIRGINIA 23219. (804) 371-2327 Central Virginia/Richmond

NORTH RUN BUSINESS PARK

1570 East Parham Road

RICHMOND, VA 23228

(804) 371-3104

ONLINE

6363 CENTER DRIVE **BUILDING 6, SUITE 101** Norfolk, VA 23502 (757) 455-0891

VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

VIRGINIA SAFETY AND HEALTH CODES BOARD

person who attempts to enforce a covenant not to compete against such plaintiff.

Employees or their representatives have the right to file a complaint with the nearest VOSH office requesting an inspection if they believe unsafe or unhealthy conditions exist in their workplace.

VOSH will withhold, on request, names of employees filing complaints. Complaints may be made

Discrimination

It is illegal to retaliate against an employee for using any of their right under the law, including

raising a safety or health concern with the employer or VOSH, or reporting a work-related injury

the Law, may file a complaint with the Commissioner of the Virginia Department of Labor and

CASPA

An employee who believes they have been discriminated against for exercising their rights under

at the Department of Labor and Industry addresses shown below.

Industry within 60 days of the alleged discrimination.

Administrator of OSHA (address below) concerning the Administration of the State Safety and State Coverage The VOSH program shall apply to all public and private sector businesses in the State except for

Federal agencies, businesses under the Atomic Energy Act, railroad rolling stock and tracks, certain

Voluntary Activity

Voluntary efforts by the employer to assure its workplace is in compliance with the Law are

encouraged. Voluntary Safety and Health Consultation and Training Programs exist to assist

employers. These services may be obtained by contacting the Virginia Department of Labor and

Recordkeeping

Employers now have a new system for tracking workplace injuries and illnesses. OSHA's new

recordkeeping log (Form 300) is simpler to understand and use. Using a question and answer

Complaints About State Plan Administration: Any person may complain to the Regional

Federal enclaves, and businesses covered by the Federal Maritime jurisdiction.

format, the revised recordkeeping rule provides guidance for recording occupational injuries and illnesses and explains how to classify specific cases. Smaller employers (10 or fewer employees) are exempt from most requirements. To see if your industry is partially exempt, visit the OSHA

Accident Reporting

THE CURTIS CENTER, STE 740 WEST

170 South Independence Mall West

PHILADELPHIA, PA 19106-3309

All fatalities must be reported to VOSH within eight (8) hours. All injuries or illnesses that result

in an in-patient hospitalization, amputation or loss of an eye must be reported to VOSH within

twenty-four (24) hours. Failure to report may result in significant monetary penalties. **VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY** U.S. DEPARTMENT OF LABOR **OSHA R**EGIONAL ADMINISTRATOR

Website at www.osha.gov/recordkeeping/pub3169text.html.

(215) 861-4900 OCCUPATIONAL SAFETY AND HEALTH OFFICE LOCATIONS

Industry addresses

(276) 676-5465

EMPLOYERS: THIS POSTER MUST BE DISPLAYED IN A PROMINENT PLACE IN THE ESTABLISHMENT TO WHICH YOUR EMPLOYEES NORMALLY REPORT TO WORK.

To update your labor law posters contact J. J. Keller & Associates, Inc.

JJKeller.com/laborlaw

800-327-6868

65890F

INDIVIDUALS WITH DISABILITIES