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.

The Department has authority to recover back wages and an equal amount

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

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

child labor provisions. Heightened civil money penalties may be assessed

are determined to be willful or repeated. The law also prohibits retaliating

against or discharging workers who file a complaint or participate in any

Certain occupations and establishments are exempt from the

Special provisions apply to workers in American Samoa, the

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

Certain full-time students, student learners, apprentices, and workers

and overtime pay protections and correctly classified independent

with disabilities may be paid less than the minimum wage under

1-866-487-9243

TTY: 1-877-889-5627

www.dol.gov/whd

special certificates issued by the Department of Labor.

Some state laws provide greater employee protections; employers

Commonwealth of the Northern Mariana Islands, and the

minimum wage, and/or overtime pay provisions.

in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal The birth of a child or placement of a child for adoption or foster care:

employee must comply with the employer's normal paid leave policies.

FMLA, or being involved in any proceeding under or related to the FMLA.

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

Employees (current and former), including managers and temporary employees

Under the EEOC's laws, an employer may not discriminate against you, regardless of your

Sex (including pregnancy and related conditions, sexual orientation, or gender identity)

Genetic information (including employer requests for, or purchase, use, or disclosure of

Retaliation for filing a charge, reasonably opposing discrimination, or participating in a

Failure to provide reasonable accommodation for a disability or a sincerely-held religious

Conduct that might reasonably discourage someone from opposing discrimination, filing

Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict

time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/

Union members and applicants for membership in a union

State and local governments (as employers)

What Types of Employment Discrimination are Illegal?

genetic tests, genetic services, or family medical history)

What Employment Practices can be Challenged as Discriminatory?

Harassment (including unwelcome verbal or physical conduct)

Obtaining or disclosing genetic information of employees

Requesting or disclosing medical information of employees

a charge, or participating in an investigation or proceeding

an inquiry through the EEOC's public portal: https://publicportal.eeoc.gov/Portal/Login.aspx

What can You Do if You Believe Discrimination has Occurred?

work). You can reach the EEOC in any of the following ways:

1-800-669-4000 (toll free)

www.eeoc.gov/field-office)

1-844-234-5122 (ASL video phone)

an EEOC field office (information at

1-800-669-6820 (TTY)

discrimination lawsuit, investigation, or proceeding.

Educational institutions (as employers)

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

Have worked for the employer for at least 12 months;

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

written notice indicating what additional information is required.

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

To care for the employee's spouse, child, or parent who has a qualifying serious health condition;

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**LEAVE ENTITLEMENTS** 

**BENEFITS & PROTECTIONS** 

**ELIGIBILITY REQUIREMENTS** 

leave was previously taken or certified.

**EMPLOYER RESPONSIBILITIES** 

**REQUESTING LEAVE** 

or medical leave rights.

DEPARTMENT OF LABOR

Job applicants

**What Organizations are Covered?** 

Most private employers

Staffing agencies

Color

Religion

National origin

immigration status, on the bases of:

All aspects of employment, including:

Hiring or promotion

Assianment

Job training

Classification

Referral

Discharge, firing, or lay-off

belief, observance or practice

Pay (unequal wages or compensation)

**UNITED STATES OF** 

**AMERICA** 

FED

the servicemember with a serious injury or illness.

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

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

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

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

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the

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

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

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a

Once an employer becomes aware that an employee's need for leave is for a reason that 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 provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a

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

For additional information or to file a complaint:

1-866-4-USWAGE

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

www.dol.gov/whd

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

U.S. Equal Employment Opportunity Commission

**Know Your Rights: Workplace Discrimination is Illegal** 

following bases

Disability

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in

employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help.

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:

For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

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

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

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

Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

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

## **EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT**

**ENFORCEMENT** 

proceeding under the FLSA.

**ADDITIONAL INFORMATION** 

must comply with both

contractors are not.

Commonwealth of Puerto Rico.

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

The law requires employers to display this poster where employees can readily see it.

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

**CHILD LABOR** An employee must be at least 16 years old to work in most non-farm jobs 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

**NURSING MOTHERS** The FLSA requires employers to provide reasonable break time for a nursing

FED

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

DEPARTMENT OF LABOR **UNITED STATES** OF AMERICA

NH

NH

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



## REV. 07/2016

advertised, and held out to the public to be a place where meals are regularly

service is available for customers or where delivery services are available. The

serve food. Tipped employees shall also include employees who deliver meals

prepared or served for which a charge is made and where seating and table

term does not include establishments which do not primarily prepare and

prepared in a restaurant to the customer's home, office, or other location. If

an employee shows to the satisfaction of the commissioner that the actual

amount of wages received at the end of each pay period did not equal the

**RECORDS.** Every employer of employees shall keep a true and accurate

No youth under the age of 16 shall be employed or permitted to work

without first obtaining a New Hampshire Youth Employment Certificate

except for his/her parents, grandparents, guardian, or at work defined as

casual or farm labor. Certificates shall be obtained by an employer within

be kept on file by all employers of youths. An employer shall not employ a

youth 16 or 17 years of age, unless the employer obtains and maintains on

permitting the youth's employment. The parental permission shall be on file

Ken Merrifield

at the establishment's worksite prior to the first day of employment. Written

parental permission is not required for a 16 or 17 year old youth who has

graduated from high school or obtained a general equivalency diploma.

because of labor dispute wages must be paid not later then the next regular

paid in full within seventy-two hours. Willful failure to pay as above subjects

employer to liquidated damages of ten percent of the unpaid wages for each

day except Sunday and legal holidays. In case of dispute over amount due,

employer shall pay amount conceded by him to be due, leaving employee

The acceptance of payment by employee shall not constitute a release to the

balance of a claim and any release required by an employer as a condition of

**REQUIRED PAY** 

employee shall be paid not less than 2 hours pay at their regular rate of pay.

**CIVIL PENALTY** 

Ken Merrifield

There may be a minimum civil penalty of \$100.00 per violation of any section

on the day your work hours are significantly reduced. Your claim is

What should you have available before you file?

Information about where you worked in the past 18 months,

including company names, addresses and approximate dates

Your most recent check stubs, W2's and 1099 forms from the

The amounts of your separation pay, severance, vacation,

holiday, sick, bonus pay and wages in lieu of notice you

Who pays for Unemployment Compensation

Compensation Trust Fund from which benefits are paid.

employees to individuals who do not otherwise have access to such

information, unless such disclosure is in response to a complaint or

charge or in furtherance of an investigation, proceeding, hearing, or

action under RSA 275:41-a including an investigation conducted by

the employer. Nothing in this section shall be construed to limit the

employee refrain from disclosing the amount of his or her wages or

discharge, formally discipline, or otherwise discriminate against an

employee who discloses the amount of his or her wages, salary, or

RSA 275:41 Limitation of Actions. Any action to recover unpaid

wages and liquidated damages based on violation of RSA 275:37,

shall be commenced within 3 years of discovery of the violation.

No action brought under this section shall include any violation

that occurred more than 4 years prior to the commencement of

**Ken Merrifield** 

REV. 06/25/2018

sign a waiver or other document that purports to deny the employee

rights of an employee provided under any other provision of law.

RSA 275:41-b Pay Disclosure. No employer shall require that an

the right to disclose the amount of his or her wages, salary, or

paid benefits, as a condition of employment. No employer shall

Employers pay the tax that is deposited in the Unemployment

effective the calendar week it is opened.

Your social security number

received or expect to receive

vou worked there

last 18 months

On any day an employee reports to work at an employer's request, the

This does not apply to employees of counties or municipalities.

payday or by mail if the employee so requests. Employees discharged must be

file a signed written document from the youth's parent or legal guardian

3 business days of the first day of employment. Copies of certificates shall

the difference to guarantee the applicable minimum wage.

minimum wage for all hours worked, the employer shall pay the employee

record of the hours worked by each, wages paid to each, and classification of

NEW HAMPSHIRE YOUTH EMPLOYMENT LAW

### **DEPARTMENT OF LABOR** Minimum Wage Law

### Revised Statutes Annotated Chapter 279, as amended Unless otherwise provided by statute, no person, firm, or corporation shall establishment in a temporary or permanent building, kept, used, maintained,

\$7.25 PER HOUR EFFECTIVE SEPTEMBER 1, 2008 **Exempt from RSA 279 are:** Employees engaged in Household Labor, Domestic Labor, Farm Labor,

Outside Sales Representatives, Summer Camps for Minors, Newspaper

employ any employee at an hourly rate lower than that set forth in the

ninimum wage law, as amended.

Carriers, Non-Professional Ski Patrol and Golf Caddies

**OVERTIME PAY.** Those employees covered by RSA 279, with the following exceptions, shall in addition to their regular compensation, be paid at the rate of time and one-half for all time worked in excess of 40 hours in any one Any employee employed by an amusement, seasonal, or recreational

during the preceding calendar year, its average receipts for any 6 months of such year were not more than 33 1/3 percent of its average receipts for the other 6 months of such year. Any employee of employers covered under the provisions of the Federal Fair Labor Standards Act.

Tipped employees of a restaurant, hotel, motel, inn or cabin, who customarily

it does not operate for more than 7 months in any calendar

and regularly receive more than \$30 a month in tips directly from the customers will receive a base rate from the employer of not less than 45 percent of the applicable minimum wage. Restaurant shall include an INSPECTION DIVISION

P.O. BOX 2076 CONCORD, NH 03302-2076 (603) 271-1492 & 271-3176

THIS NOTICE MUST BE POSTED IN A CONSPICUOUS PLACE

Rudolph W. Ogden, III

remedies of law for balance.

of the New Hampshire Labor Laws.

Rudolph W. Ogden, III

Deputy Commissioner



SATURDAY

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 minimum wage rate.

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

### DEPARTMENT OF LABOR **Protective Legislation Law**

Wages In this Establishment Will Be Paid On: **SUNDAY MONDAY TUESDAY** WEDNESDAY

**PAYMENT OF WAGES.** All wages due an employee must be paid **on a weekly** accruing to the benefit of the employee, per regulation promulgated by the or biweekly basis. The Labor Commissioner may, upon written petitio showing good and sufficient reason, permit payment of wages less frequently, **EMPLOYEES SEPARATED.** When an employee quits, resigns, or is suspended except it shall be at least once each calendar month. **NOTICE TO EMPLOYEE.** Employer must notify employee in writing when

hiring of the rate of pay, or any changes prior to change; make available in writing, or by posted notice, employment practices and policies on vacation pay, sick leave and other fringe benefits; furnish employee statement of deductions each payday. **LUNCH OR EATING PERIOD.** An employer may not require an employee to

work more than five consecutive hours without granting him a one half-hour lunch or eating period, except if it is feasible for the employee to eat during the performance of his/her work, and the employer permits him/her to do so. payment shall be null and void and in violation of the law. **ACCESS TO PERSONNEL FILE.** Every employer shall provide a reasonable opportunity for an employee who so requests to inspect such employee's personnel file and upon request provide such employee with a copy of all or

WITHHOLDING WAGES. Employer may not withhold or divert any portion of an employee's wages unless required or empowered by state or federal law; or unless by written authorization by the employee for a lawful purpose

> INSPECTION DIVISION P.O. BOX 2076 CONCORD, NH 03302-2076

THIS NOTICE MUST BE POSTED IN A CONSPICUOUS PLACE

NOTICE: This state requires an employer to display a Workers' Compensation posting furnished by the employer's insurance carrier or a state agency. Employers should contact their insurance carrier or the appropriate state agency to obtain a copy of this state's Workers' Compensation posting or notice of compliance/certificate of insurance. Employees should refer to the Workers' Compensation posting or notice of compliance/certificate of insurance furnished by the state or the employer's insurance carrier for information about Workers' Compensation. THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT FULFILL THIS STATE'S WORKERS' COMPENSATION POSTING REQUIREMENT.

## NH

following week

YOU ARE REQUIRED BY LAW TO POST THIS IN A CONSPICUOUS PLACE New Hampshire Employment Security

www.nhes.nh.gov "We're working to keep New Hampshire working"

### **Unemployment Notice** considered to be unemployed on the last day you actually work or

If you become partially or totally unemployed: Filing over the Internet Filing in person File a claim in person at File on-line and register for the office nearest you and work at www.nh.gov/nhes register for work. **Example:** If your last day of Example: If your last day of work was a Friday and you work was a Friday and you worked a full week, do not worked a full week, visit open your claim on-line that week. Open your claim the the office nearest you the

Office Hours: 8am - 4:30pm (before midnight). Monday - Friday

following Sunday - Saturday

Failure to apply as explained below may result in a

loss in your entitlement to some benefits!

unemployed or no later than the last calendar day of the first week for which you wish to file for benefits. For filing purposes you are

## You must file your initial claim within 3 business days of becoming

Eligibility for Unemployment Compensation is determined on an individual basis and based on the law. You have to open a claim and then file a claim each week to know if you are eligible

Berlin Concord Claremont Conway Laconia Littleton Manchester Portsmouth Salem Somersworth NHES is a proud member of America's Workforce Network and NH WORKS

NH EMPLOYMENT SECURITY OFFICES

NHES is an Equal Opportunity Employer and complies with the Americans with Disabilities Act. Auxiliary aids and services are available upon request to individuals with disabilities. TTY/TDD Access: Relay NH 1-800-735-2964

**DES 218 REV. 01/2012** 

**DEPARTMENT OF LABOR** 

## NH

NH

## **Equal Pay** essential job functions who discloses the wages of such other

It is illegal in New Hampshire under both state and federal law to pay employees different wages for the same work based solely on sex. If you think that your employer has violated this provision, please contact the New Hampshire Department of Labor, 95 Pleasant St, Concord, NH 03301 Phone: (603) 271-1492, 271-6294, or 271-3176

Fax: (603) 271-2668 Email: InspectionDiv@labor.state.nh.us You may file a wage claim by downloading the form at:

http://www.nh.gov/labor/documents/wage-claim.pdf The full text of RSA 275:37 Equal Pay can be found at this link: http://www.gencourt.state.nh.us/rsa/html/XXIII/275/275-37.htm **RSA 275:38-a Non-Retaliation Provision.** No employer shall discharge or in any other manner discriminate against any employee because they invoke their rights under this statute, including filing charges or complaints, or causing any investigation, proceeding, hearing, or action under or related to this subdivision, or has testified or is planning to testify or has assisted or participated in any manner in any such investigation, proceeding, hearing, or action or has

inquired about, discussed, or disclosed his or her wages or those of This section shall not apply to any employee who has access to the wage information of other employees as a part of such employee's

If you do not have Internet access, please go immediately

to your nearest NH Employment Security office.

because of vacation or holiday pay, please open a claim and file.

Claremont

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Unemployment Compensation, but if you are unsure about eligibility

Vacation and holiday pay count as wages in reference to

File as directed on the Internet application

Berlin

Littleton

INSPECTION DIVISION PO Box 2076 CONCORD NH 03302-2076 TELEPHONE - (603) 271-1492 & 271-3176

THIS NOTICE MUST BE POSTED IN A CONSPICUOUS PLACE

such action.

Effective Date: January 1, 2015

Rudolph W. Ogden, III

Deputy Commissioner

**New Hampshire Employment Security** www.nhes.nh.gov "We're working to keep New Hampshire working"

PLEASE HELP YOUR EMPLOYEES BY VOLUNTARILY

POSTING THIS IN A CONSPICUOUS PLACE

## Is Your Company Having a Vacation Shutdown?

After your last day of work open a claim on the Failure to apply immediately may result in a loss Internet at in your entitlement to some benefits! www.nhes.nh.gov

What should you have available before you file? Your social security number Know where you worked in the past 18 months, including names of companies, addresses and approximate dates you worked there. Have your check stubs, W2s, and 1099 forms available for easy

Keene

### You have to open a claim and then file a claim each week as directed to know if you are eligible! Eligibility for Unemployment Compensation is determined on an individual basis and based on the law.

Visit the NH Employment Security Resource Center in an Employment Security office near you for free resources, tools, and information, or visit our Website at: www.nhes.nh.gov

NH EMPLOYMENT SECURITY OFFICES

Conway

Portsmouth

NHES is a proud member of America's Workforce Network and NH WORKS. NHES is an Equal Opportunity Employer and complies with the Americans with Disabilities Act. Auxiliary aids and services are available upon request to individuals with disabilities. TTY Access: Relay NH 1-800 735 2964 DES 218B

Concord

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

Laconia

Somersworth

**REV. 01/2012** 

FED

### **EMPLOYEE RIGHTS EMPLOYEE POLYGRAPH PROTECTION ACT**

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

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 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 Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer. The law does not preempt any provision of any State or local law or any collective bargaining

agreement which is more restrictive with respect to lie detector tests. **EXAMINEE RIGHTS** Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a

written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons. **ENFORCEMENT** The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against

APPLICANTS CAN READILY SEE IT. WAGE AND DEPARTMENT **HOUR DIVISION** OF LABOR **UNITED STATES** 

**UNITED STATES DFPARTMENT** 

violators. Employees or job applicants may also bring their own court actions

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB

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

**FEDERAL** 

REV. 07/2016

# YOUR RIGHTS UNDER USERRA

THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the

National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

REEMPLOYMENT RIGHTS You have the right to be reemployed in your civilian job if you leave that job to perform service in the you ensure that your employer receives advance written or verbal notice of your service; you have five years or less of cumulative service in the uniformed services while with that particular 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

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

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION are obligated to serve in the uniformed are a past or present member of the uniformed service; service;

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

have applied for membership in the uniformed service: or then an employer may not deny you initial employment reemployment;

FED

promotion: or any benefit of employment

retention in employment because of this status. n addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, ncluding testifying or making a statement in connection with a proceeding under USERRA, even if that erson has no service connectior **HEALTH INSURANCE PROTECTION** 

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 **ENFORCEMENT** 

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 the

The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations. 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 <a href="https://www.dol.gov/agencies/vets/">https://www.dol.gov/agencies/vets/</a>. 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

erred to the Department of Justice or the Office of Special Counsel, as applicable, for representation You may also bypass the VETS process and bring a civil action against an employer for violations of 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:

ns/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.

> U.S. Department of Labor • 1-866-487-2365 U.S. Department of Justice Office of Special Counsel Employer Support of the Guard and Reserve • 1-800-336-4590 REV. 05/2022

NH

**PO BOX 2076** 

NH

Race

Color

NH

Based on:

National Origin

**CONCORD, NH 03301** 

For information call:

RSA 275-E

discriminate against any public or private employee

If the employee, in good faith, reports or

causes to be reported an alleged violation of

state, a political subdivision of this state, or

OR, the employee objects to or refuses to

OR, the employee refuses to execute a

under the laws of this state, a political

OR, the employee participates in an

participate in any activity that the employee,

directive which the employee, in good faith,

subdivision of this state or the United States;

investigation, hearing, or inquiry conducted

by any governmental entity or any court

the employer has violated any law or rule

action which concerns allegations that

adopted under the laws of this state, a

political subdivision of this state, or the

**RIGHTS AND REMEDIES** 

RSA 275-E:4

grievance procedure or similar process available with

After the employee has made a reasonable effort

to maintain or restore his/her rights through any

And has filed the written complaint with the New

lampshire Department of Labor, which can result

He/she may request a hearing with the New

TELEPHONE - (603) 271-1492 & 271-3176

'Employee" means and includes every person who may be permitted, required, or directed by any

employer, in consideration of direct or indirect gain

or profit, to engage in any employment, but shall not

employee as stated in RSA 281-A:2, VI(b)(2), (3), or (4),

or RSA 281-A:2, VII(b), or a person providing services

as part of a residential placement for individuals with

developmental, acquired, or emotional disabilities,

or any person who meets all of the following criteria:

has agreed in writing to carry out the

this chapter.

INSPECTION DIVISION

CONCORD NH 03302-2076

(603) 271-1492 & 271-3176

P O BOX 2076

The person possesses or has applied for a

federal employer identification number or

social security number, or in the alternative,

responsibilities imposed on employers under

The person has control and discretion over

the means and manner of performance of

than the means or manner by which the

bargained for by the employer

work is performed, is the primary element

The person has control over the time when

the work is performed, and the time of

the work, in that the result of the work, rather

include any person exempted from the definition of

Hampshire Department of Labor.

INSPECTION DIVISION

CONCORD NH 03302-2076

PO Box 2076

NH

believes violates any law or rule adopted

in good faith, believes is a violation of the law

any law or rule adopted under the laws of this

An employer shall not discharge, threaten, or

the United States:

603.271.2767

nh.gov/hrc

DEPARTMENT OF LABOR

Worker's Right to Know Act Revised Statutes Annotated Chapter 277-A, as amended

**EMPLOYEES** YOU HAVE A RIGHT TO KNOW ABOUT TOXIC SUBSTANCES USED IN THIS WORKPLACE

The New Hampshire "Right to Know" law (RSA 277-A) guarantees that: You be notified by a posting of the long and short-term health hazards of all toxic substances that you may come into contact with. You be trained by your employer in the safe use and handling of these toxic materials.

You have the right to request complete information, in the form of a Material Safety

employer must respond to this request within five working days. To learn more about the toxic materials used in this workplace, and to obtain Material Safety Data Sheets, contact the employer representative listed below.

**Employment Discrimination is Against** 

the Law in New Hampshire

Gender Identity

Marital Status

**New Hampshire Commission For Human Rights** 

Sexual Orientation

**DEPARTMENT OF LABOR** 

The Whistleblowers' Protection Act

Data Sheet, from your employer on any toxic substance you may have contact with. Your

(EMPLOYER REPRESENTATIVE'S NAME)

**NH DEPARTMENT OF LABOR CONCORD NH 03302-2076** 

Rudolph W. Ogden, III **Deputy Commissioner** 

Religion

in a judgment to order reinstatement, payment of

fringe benefits, seniority rights, and injunctive relief.

**ADDITIONAL RIGHTS AND REMEDIES** 

FOR PUBLIC EMPLOYEES ONLY

RSA 275-E:8 and 9

Public employees can issue complaints to the

New Hampshire Department of Labor, who

has the authority to investigate complaints or

information concerning the possible existence of

any activity constituting fraud, waste, or abuse in the expenditure of any public funds, whether state

or local, or relating to programs and operations

involving the procurement of any supplies, services,

or construction by governmental entities within the

The identity of the person who filed the complaint

enforcement agency that is conducting a criminal

No governmental entity shall take any retaliatory

files a complaint under this section and the public

employee shall be afforded all protections under

No governmental entity shall threaten, discipline,

demote, fire, transfer, reassign, or discriminate

or information that the employee reasonably

a danger to the public health and safety

Rudolph W. Ogden, III

THIS NOTICE MUST BE POSTED IN A CONSPICUOUS PLACE

**DEPARTMENT OF LABOR** 

Criteria to Establish an Employee or

**Independent Contractor** 

Rudolph W. Ogden, III

Deputy Commissione

THIS NOTICE MUST BE POSTED IN A CONSPICUOUS PLACE

against a public employee who files a complaint

believes violates RSA 275-E:2, represents a gross

mismanagement or waste of public funds, property,

or manpower, or evidences an abuse of authority or

Ken Merrifield

performance is not dictated by the employer.

However, this shall not prohibit the employer

person as to completion schedule, range of

work hours, and maximum number of work

hours to be provided by the person, and in

the case of entertainment, the time such

The person hires and pays the person's

assistants, if any, and to the extent such

assistants are employees, supervises the

The person holds himself or herself out to

registered with the state as a business and

be in business for himself or herself or is

the person has continuing or recurring

The person is responsible for satisfactory

completion of work and may be held

contractually responsible for failure to

The person is not required to work exclusively

Ken Merrifield

REV. 02/01/2018

OCT2022

business liabilities or obligations.

complete the work.

entertainment is to be presented.

details of the assistants' work.

from reaching an agreement with the

REV. 02/01/2018

with the department of labor under RSA 275-E:8 or

otherwise discloses or threatens to disclose activities

action against a public employee who, in good faith,

shall not be disclosed without his or her written

consent, unless such disclosure is to a law

Pregnancy

**Physical Disability** 

**Mental Disability** 

**Ken Merrifield** 

Additional information about the EEOC, including information about filing a charge of discrimination, is available at www.eeoc.gov REV. 02/01/2018

info@eeoc.gov

**OR SUBCONTRACTS** The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action commitments of companies doing business with the





**EMPLOYERS HOLDING FEDERAL CONTRACTS** 

Federal Government. If you are applying for a job with, or are an employee of, a company with a



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 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 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 contract or subcontract, you are protected under Federal law from discrimination on the

Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors

Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin

based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and

Executive Order 11246, as amended, protects applicants and employees of Federal contractors

from discrimination based on inquiring about, disclosing, or discussing their compensation or

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with

classification, referral, and other aspects of employment by Federal contractors. Disability

disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training,

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 to the employer. Section 503 also requires that Federal contractors take

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

prohibits employment discrimination against, and requires affirmative action to recruit, employ

and advance in employment, disabled veterans, recently separated veterans (i.e., within three

years of discharge or release from active duty), active duty wartime or campaign badge veterans,

Retaliation is prohibited against a person who files a complaint of discrimination, participates in

an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors under these

Any person who believes a contractor has violated its nondiscrimination or affirmative action

If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access

telecommunications relay services. OFCCP may also be contacted by submitting a question

online to OFCCP's Help Desk at https://ofccphelpdesk.dol.gov/s/, or by calling an OFCCP regional

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL

FINANCIAL ASSISTANCE

In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of

or national origin in programs or activities receiving Federal financial assistance. Employment

discrimination is covered by Title VI if the primary objective of the financial assistance is provision

the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color

or district office, listed in most telephone directories under U.S. Government, Department of

Labor and on OFCCP's "Contact Us" webpage at https://www.dol.gov/agencies/ofccp/contact.

obligations under OFCCP's authorities should contact immediately:

affirmative action to employ and advance in employment qualified individuals with disabilities at

requires affirmative action to ensure equality of opportunity in all aspects of employment.

**Asking About, Disclosing, or Discussing Pay** 

the compensation of other applicants or employees

all levels of employment, including the executive level.

**Protected Veteran Status** 

or Armed Forces service medal veterans.

The Office of Federal Contract Compliance

Race, Color, National Origin, Sex

Programs (OFCCP)

U.S. Department of Labor

Washington, D.C. 20210

1-800-397-6251 (toll-free)

200 Constitution Avenue, N.W.

Federal financial assistance, you should immediately contact the Federal agency providing such

REV. 10/20/2022

REV. 04/2016



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

## All workers have the right to:

- A safe workplace. Raise a safety or health concern with your employer or OSHA, or report a workrelated injury or illness, without being
- retaliated against. Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative) participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer. Request copies of your medical records, tests that measure hazards in the workplace, and

the workplace injury and illness log.

This poster is available free from OSHA.

Contact OSHA. We can help.

- **Employers must:**  Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related
- inpatient hospitalization, amputation, or loss

Provide required training to all workers in a

Comply with all applicable OSHA standards.

 Prominently display this poster in the workplace. Post OSHA citations at or near the place of the alleged violations.

language and vocabulary they can understand.

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.



**TWO** ways to verify poster compliance! QR CODE Scan with phone camera: Go to: JJKeller.com/LLPverify **ONLINE** Enter this code: 62864-102022 To update your labor law posters contact J. J. Keller & Associates, Inc. JJKeller.com/laborlaw 800-327-6868



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