

FED

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

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

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

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

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

TIP CREDIT
Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.

NURSING MOTHERS
The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA's overtime requirements for one of the employer 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.

WHD
DEPARTMENT OF LABOR
UNITED STATES DEPARTMENT OF LABOR

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

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

WH1088

REV. 07/2016

FED

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

LEAVE ENTITLEMENTS
Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child leave must be taken within 1 year of the child's birth or placement;
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a 12-month period for the following reasons:

- To care for a covered family member who has a serious or chronic illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

BENEFITS & PROTECTIONS
While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave. Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

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

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

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

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

WHD
DEPARTMENT OF LABOR
UNITED STATES DEPARTMENT OF LABOR

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

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

WH1088

REV. 04/2016

KY

LABOR CABINET

WAGE AND HOUR LAWS

MINIMUM WAGE¹ = \$7.25 per hour
(Effective July 1, 2009)

WAGES

PAYMENT OF WAGES:

Any employee who leaves or is discharged from employment shall be paid in full all wages or salary earned not later than the next normal pay period following the date of dismissal or voluntary leaving or fourteen (14) days following such date of dismissal or voluntary leaving whichever last occurs.

UNLAWFUL FOR EMPLOYER TO WITHHOLD WAGES

No employer shall withhold from any employee's wages any part of the agreed wage rate; unless

- a) the employer is required to do so by local, state, or federal law; or
- b) when a deduction is expressly authorized in writing by the employee to cover insurance premiums, hospital, or medical dues; or
- c) when a deduction is expressly authorized in writing by the employer for other deductions not amounting to a rebate or deduction from the standard wage arrived at by collective bargaining or pursuant to wage agreement or statute; or
- d) Deductions from union dues where such deductions are authorized by joint wage agreements or collective bargaining contracts negotiated between employers and employees or their representatives.

TIME AND ONE HALF FOR WORK DONE ON SEVENTH DAY OF WEEK¹

Any employer who permits any employee to work seven days in any one workweek shall pay the rate of time and a half for the time worked on the seventh day. This shall not apply where an employee is not permitted to work more than forty (40) hours during the workweek.

TIPPED EMPLOYEES

Any employee engaged in an occupation in which more than \$30 dollars per month is customarily and regularly received in tips, the employer may pay a minimum of \$2.13 per hour if the employer's records can establish for each week where credit is taken, when adding the tips received to wages paid, not less than the minimum wage is received by the employee. No employer shall:

- Use all or part of any tips or gratuities received by employees toward the payment of the minimum wage.
- Require an employee to remit to the employer any gratuity, or any portion thereof, except for the purpose of withholding amounts required by federal or state law.
- Require an employee to participate in a tip pool whereby the employee is required to remit to the pool any gratuity, or any portion thereof, for distribution among employees of the employer. Employees may voluntarily enter into an agreement to divide gratuities among themselves. The employer may inform the employees of the existence of a voluntary pool and the customary tipping arrangements of the employees at the establishment. Upon petition by the participants in the voluntary pool, and at the employer's own option and expense, an employer may provide custodial services for the safekeeping of funds placed in the pool if the account is properly identified and segregated from the other business records and open to examination by pool participants.

PERFORMANCE BONDS: Performance Bonds must be kept on file for employers in the construction and mining industries (including the transportation of minerals) who have conducted business within the Commonwealth for less than five (5) consecutive years. For more information, see KRS 337.200.

BREAKS

REST PERIODS: Employees shall require any employee to work without a rest period of at least ten (10) minutes during each four (4) hours worked. This shall be in addition to the regularly scheduled lunch period. No reduction in compensation shall be made for hourly or salaried employees.

LUNCH PERIODS: Employers shall grant their employees a reasonable period for lunch, and such time shall be as close to the middle of the employee's scheduled work shift as possible. In no case shall an employee be required to take a lunch period sooner than three (3) hours after the time work commences, nor more than five (5) hours from the time the shift commences. This section shall not be construed to negate any provision of a collective bargaining agreement or mutual agreement between the employee and employer.

POST THIS ORDER WHERE ALL EMPLOYEES MAY READ

WHD
DEPARTMENT OF LABOR
UNITED STATES DEPARTMENT OF LABOR

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

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

WH1088

REV. 02/2020

FED

YOUR RIGHTS UNDER USERRA

THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

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

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

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

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

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION
If you:

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

- initial employment;
- reemployment;
- retention in employment;
- promotion or
- any benefit of employment

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.

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 the military.

Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

ENFORCEMENT
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 www.dol.gov/vets. An interactive online USERRA Advisor can be viewed at <http://www.dol.gov/eplaws/userra.htm>.

If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation.

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

WHD
DEPARTMENT OF LABOR
UNITED STATES DEPARTMENT OF LABOR

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

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

WH1462

REV. 04/2017

FED

EMPLOYEE RIGHTS

EMPLOYEE POLYGRAPH PROTECTION ACT

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

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

WHD
DEPARTMENT OF LABOR
UNITED STATES DEPARTMENT OF LABOR

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

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

WH1462

REV. 04/2016

KY

LABOR CABINET

CHILD LABOR LAWS

HOURS OF WORK PERMITTED FOR MINORS 14 TO 18 YEARS OF AGE

AGE	MAY NOT WORK BEFORE	MAY NOT WORK AFTER	MAXIMUM HOURS WHEN SCHOOL IS IN SESSION	MAXIMUM HOURS WHEN SCHOOL IS NOT IN SESSION
14 & 15 years	7:00 A.M.	7:00 P.M. (9:00 P.M. June 1 through Labor Day)	Three (3) hours per day on school day Eight (8) hours per day on non-school day Eighteen (18) hours per week	Eight (8) hours per day Forty (40) hours per week
16 & 17 years	6:00 A.M.	10:30 P.M., preceding school day; 1:00 A.M. preceding non-school day	Six (6) hours per day on school day Eight (8) hours per day on non-school day Thirty (30) hours per week	NO RESTRICTIONS
16 & 17 years with parental permission ¹	6:00 A.M.	11:00 P.M., preceding school day; 1:00 A.M. preceding non-school day	Eight (8) hours per day on non-school day Thirty-two (32) or forty (40) hours per week ¹	NO RESTRICTIONS

¹"School in session" means the time established by local school district authorities, pursuant to KRS 160.290.

²Parental or guardian permission must be in writing and shall remain at the employer's place of business.

³A minor may work up to thirty-two and one-half (32.5) hours in any one (1) workweek if a parent or legal guardian gives permission in writing. A minor may work up to forty (40) hours in any one (1) workweek if a parent or legal guardian gives permission in writing and the principal or head of the school the minor attends certifies in writing that the minor has maintained at least a 2.0 grade point average in the most recent grading period. School certification shall be valid for one (1) year unless revoked sooner by the school authority. The parental permission and school certification shall remain at the employer's place of business.

Lunch Break: Minors under 18 years of age shall not be permitted to work more than five (5) hours continuously without an interval of at least thirty (30) minutes for a lunch period. The beginning and ending of the lunch period shall be documented by the employer.

OCCUPATIONS PROHIBITED FOR MINORS UNDER 18 YEARS OF AGE⁴

- Occupations in or about Plants or Establishments Manufacturing or Storing Explosives or Articles Containing Explosive Components.
- Motor-vehicle Driver and outside helper on a motor vehicle.
- Coal Mine Occupations.
- Logging or Sawmill Operations.
- Operation of Power-Driven Woodworking machines.
- Exposure to Radioactive Substances.
- Power-driven hoisting apparatus, including lifts.
- Operation of Power-Driven Metal Forming, punching, and shearing machines.
- Mining other than coal mining.
- Operating power-driven meat processing equipment, including meat slicers and other food slicers, in retail establishments (such as grocery stores, restaurants, canteens and delis), wholesale establishments, and most occupations in meat slaughtering, packing, processing, or rendering.
- Operation of Power-driven bakery machines including vertical dough or batter mixers.
- Power-driven paper products machines including scrap paper bales and cardboard box compactors.
- Manufacturing bricks, tile, and kindred products.
- Power-driven circular saws, band saws, and Guillotine shears.
- Wrecking, demolition, and shrapneling operations.
- Redding operations and all work on or about a roof.
- Excavating Operations.
- In, about or in connection with any establishment where alcoholic liquors are dispensed, bottled, sold for consumption or dispensed unless permitted by the rules and regulations of the Alcohol Beverage Control Board (except they may be employed in places where the sale of alcoholic beverages by the package is merely incidental to the main business actually conducted).
- Pool or Billiard Room.

Limited exemptions for 16 and 17 year old apprentices and student-learners may apply.

For questions, please call (502) 564-3534.

⁴Minors fourteen (14) but not yet sixteen (16) years of age may NOT be employed in manufacturing, mining, or processing occupations, including occupations requiring the performance of any duties in workrooms or workplaces where goods are manufactured, mined, or otherwise processed; occupations which involve the operation or tending of hoisting apparatus or power-driven machinery; operation of motor vehicles or service as helpers on such vehicles; operation of power-driven machinery; public messenger service; occupations in connection with: (1) transportation of persons or property by rail, highway, air, water, pipeline, or other means; (2) warehousing and storage; (3) communications and public utilities; or (4) construction (including demolition and repair).

PROOF OF AGE REQUIRED FOR MINORS 14 BUT NOT YET 18 YEARS OF AGE
Driver's License, Birth Certificate, Government Document with Date of Birth

"No individual in the United States shall, on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any program or activity under the jurisdiction of the Kentucky Labor Cabinet."

Kentucky Labor Cabinet
Division of Wages and Hours
Mayo-Underwood Building
500 Metro Street, 3rd Floor
Frankfort, Kentucky 40601
Phone: (502) 564-3534
www.labor.ky.gov

WHD
DEPARTMENT OF LABOR
UNITED STATES DEPARTMENT OF LABOR

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

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

WH1088

REV. 02/2020

KY

LABOR CABINET

WAGE AND HOUR LAWS

MINIMUM WAGE¹ = \$7.25 per hour
(Effective July 1, 2009)

WAGES

PAYMENT OF WAGES:

Any employee who leaves or is discharged from employment shall be paid in full all wages or salary earned not later than the next normal pay period following the date of dismissal or voluntary leaving or fourteen (14) days following such date of dismissal or voluntary leaving whichever last occurs.

UNLAWFUL FOR EMPLOYER TO WITHHOLD WAGES

No employer shall withhold from any employee's wages any part of the agreed wage rate; unless

- a) the employer is required to do so by local, state, or federal law; or
- b) when a deduction is expressly authorized in writing by the employee to cover insurance premiums, hospital, or medical dues; or
- c) when a deduction is expressly authorized in writing by the employer for other deductions not amounting to a rebate or deduction from the standard wage arrived at by collective bargaining or pursuant to wage agreement or statute; or
- d) Deductions from union dues where such deductions are authorized by joint wage agreements or collective bargaining contracts negotiated between employers and employees or their representatives.

TIME AND ONE HALF FOR WORK DONE ON SEVENTH DAY OF WEEK¹

Any employer who permits any employee to work seven days in any one workweek shall pay the rate of time and a half for the time worked on the seventh day. This shall not apply where an employee is not permitted to work more than forty (40) hours during the workweek.

TIPPED EMPLOYEES

Any employee engaged in an occupation in which more than \$30 dollars per month is customarily and regularly received in tips, the employer may pay a minimum of \$2.13 per hour if the employer's records can establish for each week where credit is taken, when adding the tips received to wages paid, not less than the minimum wage is received by the employee. No employer shall:

- Use all or part of any tips or gratuities received by employees toward the payment of the minimum wage.
- Require an employee to remit to the employer any gratuity, or any portion thereof, except for the purpose of withholding amounts required by federal or state law.
- Require an employee to participate in a tip pool whereby the employee is required to remit to the pool any gratuity, or any portion thereof, for distribution among employees of the employer. Employees may voluntarily enter into an agreement to divide gratuities among themselves. The employer may inform the employees of the existence of a voluntary pool and the customary tipping arrangements of the employees at the establishment. Upon petition by the participants in the voluntary pool, and at the employer's own option and expense, an employer may provide custodial services for the safekeeping of funds placed in the pool if the account is properly identified and segregated from the other business records and open to examination by pool participants.

PERFORMANCE BONDS: Performance Bonds must be kept on file for employers in the construction and mining industries (including the transportation of minerals) who have conducted business within the Commonwealth for less than five (5) consecutive years. For more information, see KRS 337.200.

BREAKS

REST PERIODS: Employees shall require any employee to work without a rest period of at least ten (10) minutes during each four (4) hours worked. This shall be in addition to the regularly scheduled lunch period. No reduction in compensation shall be made for hourly or salaried employees.

LUNCH PERIODS: Employers shall grant their employees a reasonable period for lunch, and such time shall be as close to the middle of the employee's scheduled work shift as possible. In no case shall an employee be required to take a lunch period sooner than three (3) hours after the time work commences, nor more than five (5) hours from the time the shift commences. This section shall not be construed to negate any provision of a collective bargaining agreement or mutual agreement between the employee and employer.

POST THIS ORDER WHERE ALL EMPLOYEES MAY READ

WHD
DEPARTMENT OF LABOR
UNITED STATES DEPARTMENT OF LABOR

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

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

WH1088

REV. 02/2020

FED

EMPLOYEE RIGHTS

EMPLOYEE POLYGRAPH PROTECTION ACT

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

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

WHD
DEPARTMENT OF LABOR
UNITED STATES DEPARTMENT OF LABOR

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

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

WH1462

REV. 07/2016

KY

Workers' Compensation Notice

Employees of this business are covered by the Kentucky Workers' Compensation Act (KRS Chapter 342). Conspicuous posting of this Notice is required by law.

Address: _____

Workers Compensation Carrier (or third party administrator): _____

Policy #: _____ effective _____ to _____

Address: _____

Telephone: _____, Contact Person _____

EMPLOYEES: IF INJURED - NOTIFY your supervisor IMMEDIATELY when possible. FAILURE to notify your supervisor could result in denial of benefits. OBTAIN MEDICAL CARE. Your employer must pay for ALL NECESSARY MEDICAL CARE to treat a workplace injury. The employee may select the physician and medical facility to render care. If the employee is enrolled in an approved Managed Care Plan employee selection of physicians is LIMITED to the Approved Provider Network, except in certain emergencies. FOR INJURIES REQUIRING CONTINUING CARE the EMPLOYER MUST DESIGNATE A TREATING PHYSICIAN, a form to do so will be furnished by your employer or its insurance carrier.

This employee is ☐ participating in a Managed Care Plan for medical care.

The name of the Managed Care Plan is _____, its representative is _____, phone number _____.

DISABILITY BENEFITS to replace wages lost due to a workplace injury are payable under the Workers' Compensation Act after seven (7) day of disability. A CLAIM MUST BE FILED with the Department of Workers' Claim WITHIN TWO YEARS of the date of injury, or last payment of temporary total disability benefits.

NEED ASSISTANCE? Contact your employer's claim representative. If your questions about workers' compensation rights are not promptly answered call the KENTUCKY DEPARTMENT OF WORKERS' CLAIMS at 1-800-534-8601 to speak to an Ombudsman or Workers' Compensation Specialist. EMPLOYER SUPERVISORS - NOTIFY MANAGEMENT IMMEDIATELY OF ALL INJURIES SO THAT TIMELY REPORT CAN BE MADE AS REQUIRED BY LAW.

POST THIS ORDER WHERE ALL EMPLOYEES MAY READ

WHD
DEPARTMENT OF LABOR
UNITED STATES DEPARTMENT OF LABOR

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

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

WH1088

REV. 04/09/2009

KY

LABOR CABINET

WAGE DISCRIMINATION Because of Sex

DEFINITIONS

(KRS 337.420 to 337.433 and KRS 337.990 (11))

EMPLOYEE
Any individual employed by any employer, including but not limited to individuals employed by the State or any of its political subdivisions, instrumentalities, or instrumentalities of political subdivisions.

EMPLOYER
A person who has two or more employees within the State in each of twenty or more calendar weeks the current or preceding calendar year and an agent of such a person.

WAGE RATE
All compensation for employment, including payment in kind and amounts paid by employers for employee benefits, as defined by the Commissioner in regulations issued under KRS 337.425.

PROHIBITION OF THE PAYMENT OF WAGES BASED ON SEX:
The employer is prohibited from discriminating between employees of opposite sexes in the same establishment by paying different wage rates for comparable work on jobs which have comparable requirements. This prohibition covers any employee in any occupation in Kentucky. Any employer in violation shall not reduce the wages of any employee in order to comply with KRS 337.420 - 337.433. No employer can discharge or discriminate against any employee for the reason that the employee sought to invoke or assist in the enforcement of KRS 337.423.

EXEMPTIONS FROM COVERAGE:
A differential paid through an established pension system or merit increase system is permitted by KRS 337.423 if it does not discriminate on the basis of sex.

ENFORCEMENT OF LAW AND POWER TO INSPECT:
The Commissioner or his authorized agent has the power to enter the employer's premises to inspect records, compare character of work and operations of employees, question employees, and to obtain any information necessary to administer and enforce KRS 337.420 - 337.433. The Commissioner or his authorized representative may examine witnesses under oath, and require by subpoena the attendance and testimony of witnesses and the production of any documentary evidence relating to the subject matter of any investigation undertaken pursuant to KRS 337.423. If a person fails to obey a subpoena, the Circuit Court of the Judicial District wherein the hearing is being held may issue an order requiring the subpoena to be obeyed. Failure to obey the court order may be punished as contempt of that court.

STATUTE OF LIMITATIONS:
Court action may be commenced no later than six months after the cause of action occurs.

POSTING OF LAW:
All employers shall post this abstract in a conspicuous place in the workplace or at the premises wherein any employee is employed.

PENALTIES:
Any person who discharges or in any other manner discriminates against an employee because such employee has:

- (a) made any complaint (b) testified or is about to testify in any such proceedings, shall be assessed a civil penalty of not less than \$100 nor more than \$1,000.

FOR FURTHER INFORMATION CONTACT:
KENTUCKY LABOR CABINET
Division of Wages and Hours
Mayo-Underwood Building
500 Metro Street, 3rd Floor
Frankfort, Kentucky 40601
Phone: (502) 564-3534
www.labor.ky.gov

POST THIS ORDER WHERE ALL EMPLOYEES MAY READ

WHD
DEPARTMENT OF LABOR
UNITED STATES DEPARTMENT OF LABOR

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

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

WH1088

REV. 02/2020

FED

Equal Employment Opportunity is THE LAW

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

RETALIATION
All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice.

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

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

Individuals 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 equal opportunity in all aspects of employment.

INDIVIDUALS WITH DISABILITIES
Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship. Section 503 also requires that Federal contractors take affirmative action to employ disabled individuals in all aspects of employment, including the accessible level.

RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS
The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended (38 U.S.C. 4212), prohibits job discrimination and requires affirmative action to employ and advance in employment disabled veterans, recently

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 winners (veterans who, while on active duty, participated in a U.S. military operation for which an Armed Forces service medal was awarded).

RETALIATION
Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these Federal laws.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP), 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@do.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
In addition to the provisions of Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color, religion, sex or activities receiving federal financial assistance. Employment discrimination is covered by Title VII if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services to the public. 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 financial assistance, you should immediately contact the Federal agency providing such assistance.

EEOC 902 and OFCCP 808 Versions Useful With 11/09 Supplemental EEOC-11-E

REV. 11/2009

KY

Information about Unemployment Insurance Benefits

EMPLOYERS ARE SUBJECT TO KENTUCKY UNEMPLOYMENT INSURANCE LAWS

YOU MAY BE ELIGIBLE FOR UNEMPLOYMENT BENEFITS IF YOU LOSE YOUR JOB, ARE LAID OFF OR YOUR HOURS ARE REDUCED.

TO QUALIFY FOR BENEFITS, YOU MUST

- Be unemployed through no fault of your own;
- Be able and available to work and making a reasonable effort to obtain new work; and
- Register for work when you file your claim.

You must also meet monetary eligibility requirements based on your earnings in the "base period," the first four of the five completed calendar quarters preceding your claim. These earnings also determine the amount of benefits you may be entitled to draw. Generally, if you have worked for more than a year and earned at least \$150 during your base period, you may meet the monetary requirements for a claim.

IF YOU LOSE YOUR JOB OR ARE LAID OFF:

1. File your claim within the first week after you become unemployed, by filing on the Internet at www.getky.gov, or by telephone at 802-875-0442 Monday through Friday, 7:30am-5:30pm ET (this is not a toll-free number).
2. After filing your claim, file continuing claims bi-weekly while you are unemployed, through the web site or by toll-free telephone at 877-369-5964 or 877-361-KYU1.

IF YOUR HOURS ARE REDUCED
You may be eligible for partial benefits if you are still employed by your regular employer but are working less than your normal full-time hours due to lack of available work. Benefits are not paid in the case of reduction in hours due to total disability, vacation or personal reasons.

WORKERS' COMPENSATION RECIPIENTS
If you missed at least two consecutive days of earnings due to injury in any quarter during your base period, and were eligible for Workers' Compensation (whether or not you drew it), you may be able to use wages earned before your injury to qualify for unemployment benefits. To qualify, you must file your claim within the first four weeks that you are unemployed following the period covered by Workers' Compensation. Contact your nearest Unemployment Insurance office for more information.

CONTRIBUTIONS TO THE UNEMPLOYMENT BENEFIT FUND ARE PAID BY EMPLOYERS.
NO DEDUCTIONS ARE MADE FROM EMPLOYEE WAGES FOR THAT PURPOSE.

DO NOT COMMIT FRAUD—
If you make a false statement in claiming benefits, you can be disqualified for up to 52 weeks.

You could face other penalties as well including felony charges, fines and possible imprisonment.

Also, all benefits fraudulently received must be repaid to the Division of Unemployment Insurance.
Interest will accrue and there may be a lien filing fee as well as a lien release fee.

EDUCATION AND WORKFORCE DEVELOPMENT CABINET
DEPARTMENT FOR WORKFORCE INVESTMENT
OFFICE OF EMPLOYMENT AND TRAINING
DIVISION OF UNEMPLOYMENT INSURANCE
275 EAST MAIN STREET
FRANKFORT, KY 40621

POS-UI-51

REV. 11/2012

KY

LABOR CABINET

WAGE DISCRIMINATION Because of Sex

DEFINITIONS

(KRS 3