# **EMPLOYMENT** LAWS

FED

### **FEDERAL**

protects applicants and employees from discrimination based on

benefits, job training, classification, referral, and other aspects of

employment. GINA also restricts employers' acquisition of genetic

information and strictly limits disclosure of genetic information.

of diseases or disorders in family members (family medical

history); and requests for or receipt of genetic services by

applicants, employees, or their family members.

**RETALIATION** 

employment practice.

discrimination is suspected:

Genetic information includes information about genetic tests of

applicants, employees, or their family members; the manifestation

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

WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS

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

The U.S. Equal Employment Opportunity Commission (EEOC),

for individuals with hearing impairments). EEOC field office

charge filing, is available at www.eeoc.gov.

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

you ultimately need to, you should contact EEOC promptly when

1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number

genetic information in hiring, promotion, discharge, pay, fringe

FED

**PROHIBITIONS** 

test or for exercising other rights under the Act.

engaged in national security-related activities.

distributors and dispensers.

DEPARTMENT OF LABOR

FED

UNITED STATES OF AMERICA

## WASHINGTON

FED

over 40 in a workweek.

#### 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

**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

**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

restrictions. Different rules apply in agricultural employment.

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 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

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT from coworkers and the public, which may be used by the employee to express breast milk. **ENFORCEMENT** 

> The Department has authority to recover back wages and an equal amount 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 under the FLSA. ADDITIONAL INFORMATION

Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions. Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico. Some state laws provide greater employee protections;

employers must comply with both. Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified

independent contractors are not. Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

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

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



**REV. 07/2016** 

**DEPARTMENT OF LABOR & INDUSTRIES** 

2020 minimum wage:

\$13.50 per hour

**Announcement** 

Washington's minimum wage will be \$13.50 per hour beginning Jan. 1, 2020. Workers who are 14 or 15 years old may be paid 85% of the adult minimum wage, or \$11.48 per hour.

For more information about Washington's minimum wage law, see the required workplace poster Your Rights as a Worker or visit www.Lni.wa.gov/Workers-Rights.

REV. 12/2019

**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.

WA

#### **DEPARTMENT OF LABOR & INDUSTRIES Your Rights as a Worker** It's the law!

Employers must post this notice where employees can read it.

Wage and Overtime Laws Workers must be paid the Washington minimum wage



 Most workers who are 16 years of age or older must be paid at least the minimum wage for all hours worked.

Workers who are 14 or 15 may

be paid 85% of the minimum Tips cannot be counted as part of the minimum wage.

Overtime pay is due when working more than 40 hours

Most workers must be paid one and one-half times their regular rate of pay for all hours worked over 40 in a fixed seven-day workweek. Agricultural workers are generally exempt from

**Workers Need Meal and Rest Breaks** 

Most workers are entitled to a 30-minute unpaid meal period if working more than five hours in a day. If you must remain on duty during your meal period, you must be paid for the 30 minutes. Agricultural workers are entitled to a second 30-minute unpaid meal period if they work more than 11 hours in a day.

Teen Corner — Information for Workers Ages 14–17

Most workers are entitled to a 10-minute paid rest break for each four hours worked and must not work more than three

hours without a break Agricultural workers must have a 10-minute paid rest break within each four-hour period of work.

Pay Requirements **Regular Payday** 

Workers must be paid at least once a month on a regularly scheduled payday. Your employer must give you a pay statement showing the number of hours worked, rate of pay, number of piece work units (if piece work), gross pay, the pay period and all deductions taken. For more information regarding authorized deductions, go

to www.Lni.wa.gov/WorkplaceRights and click on "Pay

Employees must have worked for an employer at least

www.Lni.wa.gov/WorkplaceRights/LeaveBenefits.

Eligible employees can enforce their right to protected

www.dol.gov/whd/fmla or 1-866-487-9243.

Act (FMLA) by contacting the U.S. Department of Labor at:

or 1-800-233-3247.

1,250 hours in the previous 12 months to be eligible. For

more information regarding qualifications and benefits, see

Pregnancy disability leave is covered under the Washington

State Law Against Discrimination (WLAD) and enforced by the

family and medical leave under the Family and Medical Leave

Leave for victims of domestic violence, sexual assault or

Victims and their family members are allowed to take reasonable

leave from work for legal or law enforcement assistance, medical

treatment, counseling, relocation, meetings with their crime victim

advocate, or to protect their safety. Employers are also required to

provide reasonable safety accommodations to victims. For more

information, see www.Lni.wa.gov/DomesticViolenceLeave.

Spouses or registered domestic partners of military personnel

deployment during times of military conflict may take a total of 15

Leave for military spouses during deployment

who receive notice to deploy or who are on leave from

Your employer may not fire or retaliate against you for

exercising your rights under, or filing a complaint alleging

violations of, the Minimum Wage Act which includes paid sick

days unpaid leave per deployment.

leave or any of the protected leave laws.

If you are under 18, see "Teen Corner" below.

**Equal Pay Opportunity Act** 

Under this law, your employer is prohibited from providing unequal pay or career advancement opportunities based on gender. You also have the right to disclose, compare, or discuss your wages or the wages of other employees. Your employer cannot take any adverse action against you for discussing wages, filing a complaint, or exercising other protected rights under the Equal Pay Opportunity Act. For more information or to file a complaint, see: www.Lni.wa.gov/EqualPay.

The minimum age for work is generally 14, with different rules for ages 14–15 and for ages 16–17.

Employers must have a minor work permit to employ teens. This requirement applies to family members except on family farms. Teens do not need a work permit Teens are required to have authorization forms signed before they begin working. For summer employment, parents must sign

the Parent Authorization for Summer Work form. If you work during the school year, a parent and a school official must sign the Parent/School Authorization form.

Many jobs are not allowed for anyone under 18 because they are not safe.

Work hours are limited for teens, with more restrictions on work hours during school weeks. Meal and rest breaks for teens

In agricultural work, teens of any age get a meal period of 30 minutes if working more than five hours, and a 10-minute paid break for each four hours worked.

In all other industries, teens who are 16 or 17 must have a 30-minute meal period if working more than five hours, and a 10-minute paid break for each four hours worked. They must have the rest break at least every three hours. Teens who are 14 or 15 must have a 30-minute meal period no later than the end of the fourth hour, and a 10-minute paid break for every two hours worked.

To find out more about teens in the workplace: Online www.Lni.wa.gov/TeenWorkers Call toll-free: 1-866-219-7321. Email a question to TeenSafety@Lni.wa.gov

**Leave Laws** Paid sick leave (effective January 1, 2018)

Most workers earn a minimum of one hour of paid sick leave for every 40 hours worked. This leave may be used beginning on the 90th calendar day of employment. Employers must provide

and available hours of this leave at least once per month. This

information may be provided on your regular pay statement or as a separate notification. Workers must be allowed to carry over a minimum of 40 hours of any unused paid sick leave to the following year. For details on authorized use, accrual details, and eligibility, see www.Lni.wa.gov/SickLeave.

Washington Family Care Act: Use of paid leave to care for sick family

Employees are entitled to use their choice of any employer provided paid leave (sick, vacation, certain short-term disability plans, or other paid time off) to care for

A child with a health condition requiring treatment or supervision: A spouse, parent, parent-in-law, or grandparent with a serious health condition or an emergency health condition;

Children 18 years and older with disabilities that make them

Washington Family Leave Act: This act provides additional leave for pregnancy and childbirth. It covers employers with 50 or more employees.

**Paid Family and Medical Leave** 

Administered by Washington's Employment Security Department Starting in 2020, Washington will offer paid family and medical leave benefits to workers. This insurance program will be funded

by premiums paid by both employees and many employers. Workers will be allowed to take up to 12 weeks, as needed, when they

welcome a new child into their family, are struck by a serious illness or injury, need to take care of an ill or ailing relative, and for certain military connected events. As directed by the Legislature, premium assessment started on January 1, 2019 and benefits can be taken starting January 1, 2020. For more information, see: paidleave.wa.gov. **About required workplace posters** 

Contact L&I

Need more information? Questions about filing a worker rights complaint?

Online: www.Lni.wa.gov/WorkplaceRights Call: 1-866-219-7321, toll-free

Visit: www.Lni.wa.gov/Offices

Email: ESgeneral@Lni.wa.gov

Race

Creed

Go to www.Lni.wa.gov/RequiredPosters to learn more about workplace posters from L&I and other government agencies.

Human trafficking is against the law For victim assistance, call the National Human Trafficking Resource Center at 1-888-373-7888, or the Washington State Office of Crime

Victims Advocacy at 1-800-822-1067. Upon request, foreign language support and formats for persons with disabilities are available. Call 1-800-547-8367. TDD users, call

360-902-5797. L&I is an equal opportunity employer. PUBLICATION F700-074-909

REV. 04/2019

#### WA **State Law Prohibits Discrimination in Employment**

**Protected Classes** 

Sexual Orientation or

Honorably discharged

Veteran or Military

Retaliation for filing

complaint with the

a whistleblower

state auditor

practice

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status

Gender Identity Color Use of a service animal **National Origin** by a person with a disability

Disability—Sensory, Mental or Physical HIV, AIDS, and Hepatitis C

Age (40 yrs old and Marital status

Retaliation for filing a nursing home abuse complaint Pregnancy or maternity Retaliation for opposing an unfair

#### PROHIBITED UNFAIR EMPLOYMENT **PRACTICES**

FOR EXAMPLE, AN EMPLOYER CANNOT:

Discriminate in compensation or other terms or

AN EMPLOYER OF EIGHT (8) OR MORE EMPLOYEES MAY NOT

DISCRIMINATE ON THE BASIS OF A PROTECTED CLASS: Refuse to hire you or discharge you from employment

conditions of employment

Print, circulate, or use any discriminatory statement, advertisement, publication, or job application form

> Make any discriminatory inquiries in connection with prospective employment.

LABOR UNIONS MAY NOT DISCRIMINATE ON THE BASIS OF A PROTECTED CLASS. FOR EXAMPLE, A LABOR UNION CANNOT:

Deny membership or membership rights and privileges Expel from membership Fail to represent a person in the collective bargaining

EMPLOYMENT AGENCIES MAY NOT DISCRIMINATE ON THE

BASIS OF A PROTECTED CLASS. FOR EXAMPLE, AN EMPLOYMENT AGENCY MAY NOT: Discriminate in classification or referrals for employment

Print or circulate any discriminatory statement, advertisement, or publication Use discriminatory employment application forms, or make discriminatory inquiries in connection with prospective employment.

If you have been discriminated against, please call or go to: 1-800-233-3247 or www.hum.wa.gov

WASHINGTON STATE HUMAN RIGHTS COMMISSION

REV. 04/2015

**Equal Employment Opportunity is THE LAW** 

Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies

and labor organizations are protected under Federal law from discrimination on the following bases: RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN Title II of the Genetic Information Nondiscrimination Act of 2008

Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship.

Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship.

The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment.

**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.

Section 503 of the Rehabilitation Act of 1973, as amended,

INDIVIDUALS WITH DISABILITIES

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 and advance in employment qualified individuals with disabilities at all

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

levels of employment, including the executive level.

**DISABLED, RECENTLY SEPARATED, OTHER** 

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 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 assistance.

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

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

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@dol.go or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of

Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in

Discrimination is prohibited in all aspects of employment

any program or activity which receives Federal financial assistance.

against persons with disabilities who, with or without reasonable

should immediately contact the Federal agency providing such

**INDIVIDUALS WITH DISABILITIES** 

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

REV. 11/2009

WA

Paid time off. Peace of mind.

Your rights

WA

WA

WA

Paid Family and Medical Leave provides paid time off when a serious health condition prevents you from working, when you need to care for a family member or a new child, or for certain military-related events. It's here for you when you need it most, so you can focus **How it works** 

Nearly every Washington worker—whether you work full time or part time in a small to large business—is eligible for up to 12 weeks of Paid Family and Medical Leave. You need to work 820 hours in Washington, or about 16 hours per week, over the course of about a year. You can get up to 16 weeks if you

**Programs or Activities Receiving Federal Financial Assistance** 

have family and medical events in the same year, or up to 18 weeks in some cases. Leave doesn't have to be taken all at once. You can use these weeks within your "claim year," which starts when you apply and then runs for the next 52 weeks. When that claim year expires you can then be eligible for leave again. You apply for leave with the Employment Security Department and will get partial wage replacement, up to 90 percent of your typical pay, capped at \$1,000 per week.

If you meet the requirements, you have the right to take paid time off using Paid Family and Medical

If you qualify for Paid Family and Medical Leave, your employer cannot prevent you from taking it. Your employer also cannot require you to use other types of leave, such as sick or vacation days, before or after taking Paid Family and Medical Leave. The program is funded by premiums shared between workers and many employers. The premium is 0.4% of your wage. You may pay about 2/3 of that total, and your employer (if they have 50 or more employees) pays the rest. A calculator to estimate premiums is available on our

To file a complaint against your employer about Paid Family and Medical Leave, email or call our Customer Care Team at paidleave@esd.wa.gov or (833) 717-2273. You may also contact the Office of the Paid Family and Medical Leave Ombuds. The Ombuds is appointed by the governor and serves as a neutral, independent third party to help workers and employers in their dealings with the Department. The Office of the Ombuds investigates, reports on and helps settle complaints about service deficiencies and concerns with the Paid Family and Medical Leave program. Learn more at

Learn more and apply at paidleave.wa.gov

Washington **Paid Family & Medical Leave**  **Employment** Security Department **WASHINGTON STATE** 

**DEPARTMENT OF LABOR & INDUSTRIES** 

It's the law! Employers must post this notice where employees can read it. optometrists; ophthalmologists; physician assistants; and Every worker is entitled to workers' compensation benefits. You

**Notice to Employees** 

www.paidleaveombuds.wa.gov or call the Ombuds' office at 844-395-6697.

cannot be penalized or discriminated against for filing a claim. For more information, call toll-free 1-800-547-8367.

If a job injury occurs

Your employer is insured through the Department of Labor & Industries' workers' compensation program. If you are injured on the job or develop an occupational disease, you are entitled to workers' compensation benefits. **Benefits include:** 

Medical care. Medical expenses resulting from your workplace injury or disease are covered by the workers' compensation **Disability income.** If your work-related medical condition prevents you from working, you may be eligible for benefits to

partially replace your wages. Vocational assistance. Under certain conditions, you may be eligible for help in returning to work. Partial disability benefits. You may be eligible for a monetary award to compensate for the loss of body functions.

**Death benefits for survivors.** If a worker dies, the surviving spouse or registered domestic partner and/or dependents may receive a pension. What you should do **Report your injury.** If you are injured, no matter how minor the

chiropractic, naturopathic and podiatric physicians; dentists;

**Pensions.** Injuries that permanently keep you from returning to

work may qualify you for a disability pension.

injury seems, contact the person listed on this poster. Get medical care. The first time you see a doctor, you may choose any health-care provider who is qualified to treat your injury. For ongoing care, you must be treated by a doctor in the L&I medical network. (Find network providers at www.Lni.wa.gov/FindADoc.) Qualified health-care providers include: medical, osteopathic,

advanced registered nurse practitioners. Tell your health-care provider and your employer about

your work-related injury or condition. The first step in filing a workers' compensation (industrial insurance) claim is to fill out a Report of Accident (ROA). You can do this online with FileFast (www.Lni.wa.gov/FileFast), by phone at 1-877-561-FILE, or on paper in your doctor's office. Filing online or by phone speeds the claim and reduces hassle.

**File your claim as soon as possible.** For an on-the-job injury, you must file a claim and the Department of Labor & Industries (L&I) must receive it within one year after the day the injury occurred. For an occupational disease, you must file a claim and L&I must receive it within two years following the date you are advised by a health-care provider in writing that your condition is work related.

Report your injury to:

(YOUR EMPLOYER FILLS IN THIS SPACE.) **Helpful phone numbers:** 

**About required workplace posters** Go to www.Lni.wa.gov/RequiredPosters to learn more about workplace posters from L&I and other government agencies.

On the Web: www.Lni.wa.gov Upon request, foreign language support and formats for persons with disabilities are available. Call 1-800-547-8367. TDD users, call 360-902-5797. L&I is an equal opportunity employer. PUBLICATION F242-191-909

**REV. 12/2012** 

**Everyone deserves a healthy relationship** 

You may be eligible for UNEMPLOYMENT BENEFITS

if you lose your job

No one ever deserves to be mistreated. Abuse is a pattern of behavior that one person uses to gain power and control over another. These behaviors can include isolation, emotional abuse, monitoring, controlling finances, or physical and

Everyone should be free to make their own choices in relationships. If you are experiencing harm or need advice, call the National Domestic Violence Hotline. You can reach their advocates 24/7/365 to get the support you deserve. No names, no fees, and no judgement. Just help. 800-799-SAFE (7233) or 800-787-3224 (TTY).

Visit **www.esd.wa.gov** to apply and click "Sign in or create an

Names and addresses of everyone you worked for in the last

Dates you started and stopped working for each employer.

Your alien registration number if you are not a U.S. citizen.

Your SF8 and SF50 (if you worked for the Federal

Your Washington State ID or License, if applicable.

The fastest way to apply is online at <u>esd.wa.gov</u>

If you don't have a home computer, you can access one at a

If you can't apply online, try contacting us over the

Call 800-318-6022. Persons with hearing or speaking impairments

can call Washington Relay Service 711. We are available to help

you Monday through Friday 8 a.m. to 4 p.m., except on state

holidays. You may experience long wait times.

To apply for unemployment, you will need

Your Social Security number.

Reasons you left each job.

WorkSource center or your local library.

DD214 member 4 or higher).

Government in the last 18 months).

www.thehotline.org

You can also find a program in your area that can help. Find out more about what kind of help is available at wscadv.org/get-help-now. **Employment Security Department** 

WASHINGTON STATE Workplace posters available at esd.wa.gov The Employment Security Department is an equal opportunity

employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Language assistance services for limited English proficient individuals are available free of charge. Washington Relay Service: 711 EMS 10427 . CC 7540-032-981 . UI-biz-poster-EN

REV. 07/2019

You must look for work each week that you claim benefits Visit WorkSource to find all the FREE resources you need to find a job. These include workshops, computers, copiers, phones, fax machines, Internet access, and job listings. Log onto

WorkSourceWA.com to find the nearest office.

qualify for partial unemployment benefits If you have been unemployed due to a work-related injury or non-work-related illness or injury and are now able to work again, you may be eligible for Temporary Total Disability (TTD) unemployment benefits.

For more information, please refer to the Handbook for

If your work hours have been reduced to part-time, you may

Unemployed Workers at ESD.WA.GOV If you were in the military within the last 18 months, we will also **Employment Security Department** ask you to fax or mail us a copy of your discharge papers (Form **WASHINGTON STATE** Employers are legally required to post this notice in a place convenient for employees to read (see RCW 50.20.140). The Employment Security Department is an equal opportunity

> available free of charge. Washington Relay Service: 711 **ESD.WA.GOV** EMS 9874 . CC 7540-032-407 . UI-biz-poster-EN

assistance services for limited English proficient individuals are

employer/program. Auxiliary aids and services are available

upon request to individuals with disabilities. Language

**REV. 10/2017** 

JJKeller.com/employmentlaw 800-327-6868

**EMPLOYEE RIGHTS EMPLOYEE POLYGRAPH PROTECTION ACT** 

WAGE AND HOUR DIVISION

The Employee Polygraph Protection Act prohibits most private employers from The Act also permits polygraph testing, subject to restrictions, of certain employees using lie detector tests either for pre-employment screening or during the 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. Employers are generally prohibited from requiring or requesting any employee

**EXAMINEE RIGHTS** discriminating against an employee or prospective employee for refusing to take a Where polygraph tests are permitted, they are subject to numerous strict standards Federal, State and local governments are not affected by the law. Also, the law does

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

**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

If it is not possible to give 30-days' notice, an employee must notify the employer 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

employee is or will be unable to perform his or her job functions, that a family

protection. Sufficient information could include informing an employer that the

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

Employers can require a certification or periodic recertification supporting the need

for leave. If the employer determines that the certification is incomplete, it must

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

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

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

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

provide a written notice indicating what additional information is required.

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

for a reason for which FMLA leave was previously taken or certified.

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

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

REV. 07/2016

REV. 04/2016

REV. 04/2017

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 Work at a location where the employer has at least 50 employees within 75 unpaid, job-protected leave in a 12-month period for the following reasons: miles of the employee's worksite. The birth of a child or placement of a child for adoption or foster care; \*Special "hours of service" requirements apply to airline flight crew employees. To bond with a child (leave must be taken within 1 year of the child's birth or **REQUESTING LEAVE** Generally, employees must give 30-days' advance notice of the need for FMLA leave.

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

or job applicant to take a lie detector test, and from discharging, disciplining, or

not apply to tests given by the Federal Government to certain private individuals

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,

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

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

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

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

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;

USERRA protects the job rights of individuals who voluntarily or

also prohibits employers from discriminating against past and present

members of the uniformed services, and applicants to the uniformed

You have the right to be reemployed in your civilian job if you leave that job to

you have five years or less of cumulative service in the uniformed services while

you return to work or apply for reemployment in a timely manner after

you have not been separated from service with a disqualifying discharge or

If you are eligible to be reemployed, you must be restored to the job and benefits you

are obligated to serve in the

uniformed service:

promotion; or

would have attained if you had not been absent due to military service or, in some

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

DEPARTMENT OF LABOR

FED

UNITED STATES OF AMERICA

**REEMPLOYMENT RIGHTS** 

perform service in the uniformed service and:

with that particular employer:

under other than honorable conditions.

are a past or present member of the •

have applied for membership in the •

conclusion of service; and

cases, a comparable job.

uniformed service:

uniformed service; or

initial employment;

reemployment;

because of this status.

then an employer may not deny you:

retention in employment;

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

THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

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

greater family or medical leave rights.

**EMPLOYER RESPONSIBILITIES** 

provide a reason for ineligibility.

**ENFORCEMENT** 

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

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

YOUR RIGHTS UNDER USERRA

In addition, an employer may not retaliate against anyone assisting in the

enforcement of USERRA rights, including testifying or making a statement in involuntarily leave employment positions to undertake military service or connection with a proceeding under USERRA, even if that person has no service certain types of service in the National Disaster Medical System. USERRA **HEALTH INSURANCE PROTECTION** 

**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 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 you ensure that your employer receives advance written or verbal notice of your reemployed, generally without any waiting periods or exclusions (e.g., preexisting condition exclusions) except for service-connected illnesses or injuries.

> 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 http://www.dol.gov/vets. An interactive online USERRA Advisor can be viewed at http://www.dol.gov/elaws/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 may meet this requirement by displaying the text of this notice where they customarily place notices for employees any benefit of employment

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

DEPARTMENT OF LABOR & INDUSTRIES, DIVISION OF OCCUPATIONAL SAFETY AND HEALTH

**Job Safety and Health Law** It's the law! Employers must post this notice where employees can read it.

(Chapter 49.17 RCW) All workers have the right to a safe and healthy workplace. **Employees** — Your employer must protect you from hazards you encounter on the job, tell you about them and provide training.

You have the right to: Notify your employer or L&I about workplace hazards. You may ask L&I to keep your name confidential.

Request an L&I inspection of the place you work if you believe unsafe or unhealthy conditions exist. You or your employee representative may participate in an inspection, without loss of wages or benefits. Get copies of your medical records, including records of exposures to toxic and harmful substances or conditions.

because you filed a safety complaint, participated in an inspection or other safety-related activity. Appeal a violation correction date if you believe the time allowed on the citation is not reasonable. The law requires you to follow workplace safety and health rules that apply to your own actions and conduct on the job. **Employers** — You have a legal obligation to protect employees on the job.

File a complaint with L&I within 30 days if you believe your employer fired you, or retaliated or discriminated against you

Employers must provide workplaces free from recognized hazards that could cause employees serious harm or death. Comply with all workplace safety and health rules that apply to your business, including developing and implementing a written accident prevention plan (also called an APP or safety program).

Prior to job assignments, train employees how to prevent hazardous exposures and provide required personal protective

equipment at no cost. Allow an employee representative to participate in an L&I safety/health inspection, without loss of wages or benefits. The L&I inspector may talk confidentially with a number of employees.

Firing or discriminating against any employee for filing a complaint or participating in an inspection, investigation, or opening or closing conference is illegal. Employers must report all deaths, in-patient hospitalizations, amputations or loss of an eye. Report any work-related death or in-patient hospitalization to L&I's Division of Occupational Safety and Health (DOSH) within 8

If you are cited for safety and/or health violations, you must prominently display the citation at or near the place of the

Report any work-related non-hospitalized amputation or loss of an eye to DOSH within 24 hours. For any work-related death, in-patient hospitalization, amputation or loss of an eye, you must report the following information to

On-site consultations to help employers identify and fix hazards, and risk management help to lower your workers'

Employer contact person and phone number. Name of business.

Number of employees and their names. Brief description of what happened

Date and time of the incident.

Where to report:

compensation costs.

**TWO** ways to

verify poster

compliance!

SCAN

JJKeller.com/LLPverify

Enter: 44220-012020

Any local L&I office or 1-800-423-7233, press 1 (available 24/7)

Training and resources to promote safe workplaces.

Address and location where the work-related incident occurred.

This poster is available free from L&I at www.Lni.wa.gov/RequiredPosters. Free assistance from the Division of Occupational Safety and Health (DOSH)

Post this notice to inform your employees of their rights and responsibilities.

violation for a minimum of three days. You cannot remove it until you correct the violation.



www.Lni.wa.gov/Safety 1-800-423-7233

**Division of Occupational Safety and Health** 

360-902-5797. L&I is an equal opportunity employer. PUBLICATION F416-081-909 REV. 09/2015



To update your employment law posters contact

Upon request, foreign language support and formats for persons with disabilities are available. Call 1-800-547-8367. TDD users, call

44220

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