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

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

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

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 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

DEPARTMENT OF LABOR UNITED STATES OF AMERICA

FED

in addition to tips, through September 29, 2022.

per hour on September 30, 2026.

requirements.

requirements.

SCHOOL ATTENDANCE

HOURS OF WORK, WHEN

HOURS OF WORK, WHEN

SCHOOL IS NOT IN SESSION

summer vacation: winter.

DAYS PER WEEK

CHOOL IS IN SESSION

UNITED STATES DEPARTMENT OF LABOR

Notice to Employees

Minimum Wage in Florida

Effective September 30, 2021, the Florida minimum wage will be \$10.00 per

hour, with a minimum wage of at least \$6.98 per hour for tipped employees,

On November 3, 2020, Florida voters approved a state constitutional amendment to gradually

increase the state's minimum wage each year until reaching \$15.00 per hour on September 30,

An employer may not retaliate against an employee for exercising his or her right to receive the

1. File a complaint about an employer's alleged noncompliance with lawful minimum wage

2. Inform any person about an employer's alleged noncompliance with lawful minimum wage

An employee who has not received the lawful minimum wage after notifying his or her employer

and giving the employer 15 days to resolve any claims for unpaid wages may bring a civil action in

An employer found liable for intentionally violating minimum wage requirements is subject to a

For details, see Section 24, Article X of the State Constitution and Section 448.110, Florida Statutes.

fine of \$1,000 per violation, payable to the state. The Attorney General or other official designated

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

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Child Labor Laws

The State of Florida and the Federal Fair Labor Standards Act (FLSA)

Protecting the Health, Education and Welfare of Minors in the Workplace.

This chart summarizes the child labor laws of the State of Florida and the Federal Fair Labor Standards Act (FLSA)

The stricter provisions must be observed and are denoted by bold lettering. The Federal law in italics.

Florida: Minors participating in farm work, not on their parents or guardian's farm, must comply with the same restrictions as in other work. FLSA: No limitations

LSA: No employment permitted during school hours. May work after school in occupations not declared hazardous in agriculture. See Child Labor Bulletin 102. (Exception: 12 and 13 year-olds may be employed with written parental consen

RESTRICTED OCCUPATIONS The State of Florida has incorporated the 17 Hazardous Occupations (HOs) of the FLSA into the Florida law and Child Labor Rule. For more info on HOs, contact the U.S. Department of Labor, Wage and Hour

PARTIAL WAIVERS The Florida Child Labor law is designed to serve and protect minors and encourage them to remain in school. At times, some minors may feel that the law conflicts with their best interest or their life circumstances;

therefore, they have the right to request an exemption from the law. If a minor is attending the K-12 public school, a waiver may be obtained and granted by the local school district. All other minors may request an application by

contacting the Department of Business and Professional Child Labor Program. Waiver applications are reviewed and granted on a case by case basis. To qualify, applicants must demonstrate that certain requirements of Florida law

PENALTIES Florida: Employment of minors in violation of Florida Child Labor laws may result in fines up to \$2,500 per offense and/or be guilty of a second degree misdemeanor. FLSA: Maximum fines up to \$11,000 per minor/

WORKERS' COMPENSATION Florida: If an injured minor is employed in violation of any provision of the Child Labor laws of Florida, an employer may be subject to up to double the compensation otherwise

Florida Department of Business and Professional Regulation and the United States Department of Labor

"Working Together for Florida's Workforce"

POSTING REQUIREMENTS Florida: All employers of minors must post in a conspicuous place on the property or place of employment, where it may be easily read, a poster notifying minors of the

or on a farm where the minor's parent is also employed; minors under 12 may be employed with written parental consent on farms where employees are exempt from the Federal minimum wage provisions.

Florida & FLSA: Not required, except the FLSA requires the employer to maintain date of birth information for all employees under 19 years old.

Minors 14 & 15 – Under 14 years old MAY NOT WORK

Florida & FLSA: May not work during school hours

Florida: May work up to 15 hours per week. Not before 7 a.m. or after 7 p.m. and for

no more than 3 hours a day on school days, when a school day follows. May work up to

FLSA: Daily maximum of 3 hours on school days, 8 hours non-school days; weekly maximum is

18 hours; not before 7 a.m. or after 7 p.m. Note: Application of both state and federal law

allows this age group to work up to 8 hours on Saturday, Sunday and non-school days,

Florida: May work up to 8 hrs. per day and up to 40 hrs. per week; may not work before 7

FLSA: May work up to 8 hrs. per day and up to 40 hrs. per week. Work must be performed

Operating any power-driven machinery other than office machines, including all power mowers and

Operating, setting up, adjusting, or cleaning power-driven meat or vegetable slicers, grinders, food

Working in occupations in Transportation, Warehouse & Storage, Communications, and Construction

Manufacturing, mining, or processing occupations where goods are manufactured, mined,

(some exceptions apply)

Minors 14 and 15 may not work in these occupations

choppers, and cutters, and bakery-type mixers

Cooking (some exceptions apply) & baking

Working in public messenger services

Conducting door-to-door sales of products as employment

Age Restrictions- (from age requirements; hazard restrictions still apply)

A court may authorize an exemption from age and hour restrictions

Minors in the entertainment industry registered with Child Labor Compliance

Handling certain dangerous animals

Pages in the Florida legislature

For information on Federal laws contact:

Workers' Comp Works For You

www.dol.gov/elaws/flsa.htm.

U.S. DEPARTMENT OF LABOR, WAGE & HOUR DIVISION,

LISTED IN THE TELEPHONE DIRECTORY UNDER U.S. GOVERNMENT:

If you are injured on the job:

L Notify your employer immediately to

get the name of an approved physician.

Workers' comp insurance may not pay

2. Notify the doctor and medical staff

that you were injured on the job so that

5 If you have any problems with your

treatment, contact the State of Florida's

PLACE INSURER INFORMATION STICKER HERE

Division of Workers' Compensation at

claim or suffer excessive delays in

injury promptly to your employer.

bills may be properly filed.

1-800-342-1741.

the medical bills if you don't report your

Newspaper delivery (10 years old)

(some exceptions)

a court of law against an employer to recover back wages plus damages and attorney's fees.

3. Inform any person of his or her potential rights under Section 24, Article X of the State

Constitution and to assist him or her in asserting such rights.

by the Legislature may bring a civil action to enforce the minimum wage.

Florida: May NOT work during school hours unless they

Florida: No Limitations. FLSA: No limitations.

:Division. This poster represents a combination of those laws with an ** annotating Florida law "only

Minors under the age of 18 may not work in below occupations

packing, processing, or rendering

Wrecking, demolition or excavation

Working in or around explosives or radioactive substances

Working on any scaffolding, roofs or ladders above 6 feet; roofing

Operating circular saws, band saws, & quillotine shears

Vorking in or around toxic substances, corrosives or pesticide

Minors who have served in the U.S. Armed Forces

payable under Florida Workers' Compensation law

2601 BLAIR STONE ROAD

TALLAHASSEE, FL 32399-2212

www.myfloridalicense.com

Child Labor laws

Minors who are enrolled in high school work program

harvesting, planting, or plowing machinery or any moving machinery

lour Restrictions- (from hour restrictions only; hazard restrictions still apply until 18 yrs.)

Minors who hold waivers from a public school or Child Labor Compliance

need to be waived. Employers must keep a copy of partial waivers of employed minors.

TELEPHONE 850.488.3131; TOLL-FREE 1.800.226.2536

\$25,000 Reward

69L-6.007, F.A.C. Compensation Notice

DFS-F4-1548

evised March 2010

FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION • CHILD LABOR PROGRAM

Norking with compressed gases exceeding 40 p.s.i.

Working with electrical apparatus or wiring

Note: Hazardous occupations still apply for minors

Operating power-driven meat processing machines to include meat and vegetable slicers; slaughtering, meat

Operating power-driven bakery; metal-forming, punching, and shearing machines; woodworking, paper

Operating or assisting to operate tractors over 20 PTO horsepower, forklifts, earthmoving equipment, any

Minors who have either graduated from an accredited high school, or hold a high school equivalency diploma •

Florida: May work up to 30 hours per week. Not before 6:30 a.m. or later than 11

p.m. and for no more than 8 hours a day when school is scheduled the following

day. On days when school does not follow, there are no hour restrictions.

Florida: No more than 6 consecutive days in any one week. FLSA: No limitations

vage. 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.

minimum wage. Rights protected by the State Constitution include the right to:

2026. On September 30, 2021, Florida's minimum wage will increase to \$10.00 per hour. Each year,

thereafter, Florida's Minimum Wage will increase by \$1.00 until the Minimum Wage reaches \$15.00

minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of

LABOR

LAWS

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 Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions

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 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

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

Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than

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

REV. 07/2016

FED

DEPARTMENT OF LABOR

UNITED STATES OF AMERICA

employee, barring undue hardship.

FED

during the course of employment.

Equal Employment

Opportunity is THE LAW Private Employers, State and Local Governments, Educational Institutions,

WAGE AND HOUR DIVISION

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

Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or

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 individua

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

FED

discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers.

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

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 gualified individual with a disability who is an applicant of

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,

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.

Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe 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. Genetic information includes information about genetic tests of applicants, employees or their family members: the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

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

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

most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC,

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

including information about charge filing, is available at www.eeoc.gov. **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:

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, 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 mployment qualified individuals with disabilities at all levels of employment, including the executive level. DISABLED, 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 veterans (veterans who, while on active duty, participated in a U.S. military operation for which an Armed Forces service 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.gov, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S.

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 the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities financial assistance is provision of employment, or where employment discrimination causes or may cause discriminati 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

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

If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

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

REV. 11/2009

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

YOUR RIGHTS UNDER USERRA

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

FED

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

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

are a past or present member of the uniformed • are obligated to serve in the uniformed service; have applied for membership in the uniformed

then an employer may not deny you:

initial employment; reemployment;

retention in employment;

because of this status. In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service

· any benefit of employment

If you leave your job to perform military service, you have the right to elect to continue your existing employerbased 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.

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 https://www.dol.gov/agencies/vets/. An interactive online USERRA Advisor can be viewed

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: https://www.dol.gov/agencies/vets/programs/userra/poster Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this

requirement by displaying the text of this notice where they customarily place notices for employees.

as Unemployment Compensation Program.

FL

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

To Employees: **Your Employer** is registered with the Florida Department of Revenue as an employer who is liable under the Florida Reemployment Assistance Law. This means that **You**, as employees, are covered by the Reemployment Assistance Program, formerly known

Reemployment assistance taxes finance the benefits paid to eligible unemployed workers. Those taxes are paid by your employer and, by law, cannot be deducted from employee's wages.

DEPARTMENT OF REVENUE

You may be eligible to receive reemployment assistance benefits if you meet the

1. You must be totally or partially unemployed through no fault of your own.

2. You must apply for benefits at https://connect.myflorida.com

3. You must register for work at **www.employflorida.com**. 4. You must have a history of sufficient employment and wages. 5. You must be **Able** to work and **Available** for work.

You may file a claim for partial unemployment for any week you work less than full time due to lack of work if your wages during that week are less than your weekly

You must report all earnings while claiming benefits. Failure to do so is a third-degree felony with a maximum penalty of 5 years imprisonment and a \$5,000 fine.

Discharges related to misconduct connected with work may result in disqualification with a penalty period **AND** remain in effect until a set amount of wages have been earned with new employment. Voluntarily quitting a job without good cause attributable to the employer may

result in disqualification until a set amount of wages have been earned with new If you have any questions regarding reemployment assistance benefits, contact the Department of Economic Opportunity, Reemployment Assistance Program at: DEPARTMENT OF ECONOMIC OPPORTUNITY DIVISION OF WORKFORCE SERVICES

WWW.FLORIDAJOBS.ORG This notice must be posted in accordance with Section 443.151(1) Florida Statutes, of the Florida Reemployment Assistance Program

REEMPLOYMENT ASSISTANCE PROGRAM 1-800-204-2418

RT-83 REV. 07/2019

SEP2021

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

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 **ENFORCEMENT**

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

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

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



www.dol.gov/whd



REV. 07/2016

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

- 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;

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:

- 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
- 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

- 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**
- 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;* and Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.
- Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could

include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified. Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what

additional information is required. **EMPLOYER RESPONSIBILITIES** 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 reason for ineligibility.

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. **ENFORCEMENT** 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.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical

DEPARTMENT OF LABOR

FLORIDA LAW

PROHIBITS

DISCRIMINATION

BASED ON:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN,

DISABILITY, AGE, PREGNANCY OR MARITAL STATUS.

WHAT IS COVERED UNDER THE LAW:

• EMPLOYMENT

PUBLIC ACCOMMODATIONS

•RETALIATION AFTER FILING A CLAIM

STATE EMPLOYEE WHISTLE-BLOWER RETALIATION

If you feel that you have been discriminated against

visit our web site or call us!

FLORIDA COMMISSION ON

HUMAN RELATIONS

4075 Esplanade Way, Suite 110

Tallahassee, Florida 32399

http://FCHR.state.fl.us

Phone: (850) 488-7082

Voice Messaging 1-800-342-8170

UNITED STATES OF AMERICA

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

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

DISCRIMINACIÓN **BASADA EN:** RAZA, COLOR, RELIGIÓN, SEXO, ORIGEN NACIONAL, INCAPACIDAD, EDAD, EMBARAZO, O ESTADO CIVIL.

LA LEY DE LA FLORIDA

PROHIBE

• EMPLEO • LUGARES DE ACOMODO PÚBLICO ACCIÓN VENGATIVE DESPUES DE PRESENTAR UNA OUEJA ACCIÓN VENGATIVA EN CONTRA DE PRESENTAR UNA QUEJA BAJO LALEY DE "SOPLAÓN" (WHISTLE-BLOWER)

LA COMISIÓN DE RELACIONES

4075 Esplanade Way, Suite 110 Tallahassee, Florida 32399 http://FCHR.state.fl.us

Teléfono: (850) 488-7082 Correo de Voz: 1-800-342-8170

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 work-
- retaliated against. Receive information and training on job
- 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
- 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 retaliated against for using your rights.
- See any OSHA citations issued to your employer.

the workplace injury and illness log.

This poster is available free from OSHA.

Contact OSHA. We can help.

LO QUE ESTÁ CUBIERTO BAJO LA LEY:

¡Si usted siente que ha sido discriminado, visite nuestra página web o llámenos!

HUMANAS DE LA FLORIDA

- related injury or illness, without being
- hazards, including all hazardous substances in your workplace.
- OSHA on your behalf.
- (by phone, online or by mail) if you have been
- Request copies of your medical records, tests that measure hazards in the workplace, and

Job Safety and Health

Employers must:

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. Comply with all applicable OSHA standards.

Notify OSHA within 8 hours of a workplace

fatality or within 24 hours of any work-related

Provide employees a workplace free from

recognized hazards. It is illegal to retaliate

- inpatient hospitalization, amputation, or loss
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace. Post OSHA citations at or near the place of the alleged violations.

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



1-800-321-OSHA (6742) • TTY 1-877-889-5627 • www.osha.gov



To update your labor law posters contact J. J. Keller & Associates, Inc. JJKeller.com/laborlaw 800-327-6868 65738F FED-FL-ENG

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