

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

Occupational Safety and Health Administration

## All workers have the right to:

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

Employers must:

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Report to OSHA all work-related fatalities within 8 hours, and all inpatient hospitalizations, amputations and losses of an eye within 24 hours.
- 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.

FREE ASSISTANCE to identify and correct hazards is available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.

Contact OSHA. We can help.

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

## Family Medical Leave Act

EMPLOYER RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

**What is FMLA leave?** FMLA leave is a 12-week unpaid leave for eligible employees with a job protected leave for qualifying family and medical reasons. The U.S. Department of Labor and the U.S. District Court of Columbia have issued the following guidance for employers:

- Eligible employees can use up to 12 weeks of FMLA leave in a 12-month period for:
  - The serious medical condition of the employee's spouse, child, or parent.
  - The serious medical condition of the employee's spouse, child, or parent who is unable to care for themselves.
  - The serious medical condition of the employee's spouse, child, or parent who is unable to care for themselves.
  - Certain qualifying reasons related to the birth or placement of a child, or the placement of a child with a foster family.

**Who is eligible for FMLA leave?** An eligible employee is the spouse, child, parent or next of kin of an covered employee with a serious injury or illness. The FMLA leave is available for 12 months. It is not available for:

- Employees who do not work for the employer for at least 12 months before the leave.
- Employees who do not work for the employer for at least 1,250 hours in the 12 months before the leave.
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- Employees who do not work for the employer for at least 1,250 hours in the 12 months before the leave.

**What are the FMLA leave requirements?** An eligible employee is entitled to 12 weeks of FMLA leave in a 12-month period for:

- The serious medical condition of the employee's spouse, child, or parent.
- The serious medical condition of the employee's spouse, child, or parent who is unable to care for themselves.
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**What does your employer need to do?** Your employer must:

- Provide you with a written notice of your FMLA leave rights.
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## State Minimum Wage

Attention Miscellaneous Industry Employees Minimum Wage hourly rates effective 11/20/2024 - 12/30/2024

New York City		Small Employers (10 or less employees)	
Minimum Wage	\$16.00	Minimum Wage	\$15.00
Over time after 40 hours	\$24.00	Over time after 40 hours	\$18.00
Tipped workers	\$4.00	Tipped workers	\$16.00
Over time after 40 hours	\$6.00	Over time after 40 hours	\$22.00

Long Island and Westchester County: Minimum Wage \$16.00, Over time after 40 hours \$24.00. Tipped workers \$4.00, Over time after 40 hours \$6.00.

Remainder of New York State: Minimum Wage \$15.00, Over time after 40 hours \$22.00. Tipped workers \$15.00, Over time after 40 hours \$22.00.

## Federal Minimum Wage

EMPLOYEES UNDER THE FAIR LABOR STANDARDS ACT \$7.25 PER HOUR BEGINNING JULY 24, 2009

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

**OVERVIEW:** At least \$7.25 the regular rate of pay for most workers over 20 in a workplace. Starting July 1, 2009, most salaried workers who earn less than \$684 per week will become eligible for overtime pay under the final rule. And on Jan. 1, 2025, most salaried workers who make less than \$1,152 per week will become eligible for overtime pay under the final rule.

**CHILD LABOR:** An employer must not employ a child under the age of 18 to work in non-farm jobs. Federal hazardous substance laws prohibit children from working with certain hazardous substances. Different rules apply in the agricultural industry.

**ADDITIONAL INFORMATION:** Certain occupational establishments are exempt from the minimum wage, and/or overtime provisions. Information regarding exemptions is available from the Department of Labor.

**TIP:** Employees of tipped employers must receive certain minimum wages and an equal amount in dependent gratuities. Employees must be assessed civil penalties for each violation of the law.

**ADDITIONAL INFORMATION:** Certain occupational establishments are exempt from the minimum wage, and/or overtime provisions. Information regarding exemptions is available from the Department of Labor.

## USERRA

YOUR RIGHTS UNDER THE UNIFORMED SERVICES EMPLOYMENT REACTIVATION ACT

**YOU MAY NEED TO CHECK YOUR WITHOLDING** Since you will file Form 941 with your employer did you...

- Were you discharged? (Gain or lose a dependent? Change name?)
- Many other major changes to...

**USERRA** (Uniformed Services Employment Re-Entry Act) is a federal law that provides for the reinstatement of military and naval reservists and other uniformed service members to their civilian jobs. It also provides for the reinstatement of military and naval reservists and other uniformed service members to their civilian jobs.

**REINSTATEMENT RIGHTS:** You have the right to be reinstated to your civilian job if you have had to perform service in the uniformed services or if you have been discharged from active military or naval service. You also have the right to be reinstated to your civilian job if you have had to perform service in the uniformed services or if you have been discharged from active military or naval service.

**RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION:** You have the right to be free from discrimination and retaliation based on your military or naval service. You also have the right to be free from discrimination and retaliation based on your military or naval service.

## Blood Donation Leave

New York State Department of Labor, Division of Labor Standards, Guidelines for Implementation of Employee Blood Donation Leave

Section 202 of the Labor Law mandates that employers provide leave to employees for the purpose of donating blood. As the employer responsible for the administration of this provision of the law, the Department of Labor hereby provides the following guidelines governing such leave.

**Eligible Employees:** An eligible employee is an employee who is at least 17 years of age, is a resident of New York State, and is a member of a blood donor organization. An eligible employee is also an employee who is at least 17 years of age, is a resident of New York State, and is a member of a blood donor organization.

**Employer's Obligations:** An employer must provide an eligible employee with up to one hour of unpaid leave for each donation. An employer must also provide an eligible employee with up to one hour of unpaid leave for each donation.

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## Pregnant Workers Fairness Act (PWFA)

What is PWFA? The Pregnant Workers Fairness Act (PWFA) is a federal law that requires covered employers to provide "reasonable accommodations" to a qualified worker who has known limitations related to pregnancy, childbirth, or related medical conditions. An "undue hardship" is defined as a business's financial difficulties or other substantial business justifications.

**Reasonable accommodations:** are changes to the work environment or the way things are usually done in order to remove work-related barriers.

**What are some reasonable accommodations for pregnant workers?**

- Extra bathroom breaks
- Extra rest breaks
- Ability to transfer full or part time
- Ability to receive from childbirth

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## Polygraph Protection

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

**EXEMPTIONS:** Employers are generally prohibited from relying on or requesting any lie detector test to hire, promote, or discharge, and from discriminating against an employee or prospective employee for refusing to take a test or for failing to take a test.

**PROHIBITIONS:** Employers are prohibited from using lie detector tests for pre-employment screening or during the course of employment.

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## Child Labor

Summary of New York State Child Labor Law, Permitted Working Hours for Minors Under 18 Years of Age

Age of Minor Girls and Boys	Industry or Occupation	Daily Hours	Weekly Hours	Days Per Week	Permitted Hours
Attending School	All occupations except farm work, newspaper carrier and street trades	3 hours on school days	18 hours	6	7 AM to 7 PM
Attending School, Working in session	All occupations except farm work, newspaper carrier and street trades	4 hours on Friday, Saturday, Sunday, and holidays	8 hours	6	6 AM to 10 PM
Not Attending School	All occupations except farm work, newspaper carrier and street trades	4 hours on school days	18 hours	6	6 AM to 10 PM
Farm Work	Hand harvesting of berries, fruits and vegetables	4 hours	18 hours	6	6 AM to 10 PM
Street Trades	Sell newspapers or work as a bookbinder	4 hours on school days	18 hours	6	6 AM to 7 PM

## Equal Employment Opportunity

Know Your Rights: Workplace Discrimination is Illegal

The Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from workplace discrimination. If you believe you were discriminated against at work or are applying for a job, you may file a charge with the EEOC.

**Who is Protected?** Federal laws prohibit discrimination against:

- Race
- Color
- Religion
- Sex (including pregnancy and related conditions, sexual orientation, or gender identity)
- National origin
- Age (40 and over)
- Disability

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## State OSHA

These complaints may also be made to the United States Department of Labor, Occupational Safety and Health Administration office in New York State.

**Discrimination:** Employees may not be fired or discriminated against in any way for filing safety complaints and OSHA complaints. Employees may not be fired or discriminated against in any way for filing safety complaints and OSHA complaints.

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## Correction Law

NEW YORK CORRECTION LAW ARTICLE 23-L, LICENSURE AND EMPLOYMENT OF PERSONS PREVIOUSLY CONVICTED OF ONE OR MORE CRIMINAL OFFENSES

Section 23-L of the Correction Law provides for the licensure and employment of persons previously convicted of one or more criminal offenses. The law is designed to provide a fair and equitable process for the licensure and employment of persons previously convicted of one or more criminal offenses.

**Eligible Persons:** A person who has been previously convicted of one or more criminal offenses and who is seeking licensure or employment.

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## Workers' Compensation

IF YOU ARE INJURED ON THE JOB, YOU MAY BE ELIGIBLE FOR THESE BENEFITS

**GETTING A MEDICAL OPINION:** If you are injured on the job, you may be eligible for workers' compensation benefits. You may be eligible for workers' compensation benefits.

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## Whistleblower Protections

WE ARE YOUR DOL

The Whistleblower Protections Act provides for the protection of employees who report violations of the law. The law is designed to provide a fair and equitable process for the protection of employees who report violations of the law.

**Eligible Persons:** An employee who reports a violation of the law.

**Eligible Persons:** An employee who reports a violation of the law.

## Time Off to Vote

ATTENTION ALL EMPLOYEES TIME ALLOWED EMPLOYEES TO VOTE ON ELECTION DAY

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## Right to Express Breast Milk

RELATIONSHIP AND PROTECTION OF BREAST MILK

The Right to Express Breast Milk Act provides for the protection of employees who express breast milk. The law is designed to provide a fair and equitable process for the protection of employees who express breast milk.

**Eligible Persons:** An employee who expresses breast milk.

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## Deduction of Wages

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## Paid Family Leave

STATEMENT OF RIGHTS

IF YOU ARE ELIGIBLE TO TAKE PAID FAMILY LEAVE, YOU WILL BE ENTITLED TO PAID FAMILY LEAVE BENEFITS

**Eligibility:** You are eligible for paid family leave if you have worked for your employer for at least 12 months and if you have worked for your employer for at least 1,250 hours in the 12 months before the leave.

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## Discrimination

ALL PLACE OF BUSINESS INCLUDING FINANCIAL PRODUCTS, PURCHASE, MAINTENANCE AND REPAIR OF HOUSING

The Discrimination Act provides for the protection of employees who report violations of the law. The law is designed to provide a fair and equitable process for the protection of employees who report violations of the law.

**Eligible Persons:** An employee who reports a violation of the law.

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## Veteran Benefits and Services

NEW YORK STATE DEPARTMENT OF LABOR VETERANS SERVICES

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## Pregnancy and Employment Rights

PROHIBITION ON DISCRIMINATION

The Pregnancy and Employment Rights Act provides for the protection of employees who report violations of the law. The law is designed to provide a fair and equitable process for the protection of employees who report violations of the law.

**Eligible Persons:** An employee who reports a violation of the law.

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## Sexual Harassment

RELATIONSHIP AND PROTECTION OF BREAST MILK

The Sexual Harassment Act provides for the protection of employees who report violations of the law. The law is designed to provide a fair and equitable process for the protection of employees who report violations of the law.

**Eligible Persons:** An employee who reports a violation of the law.

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## Clean Air Indoor Act

NEW YORK STATE DEPARTMENT OF LABOR CLEAN AIR INDOOR ACT

The Clean Air Indoor Act provides for the protection of employees who report violations of the law. The law is designed to provide a fair and equitable process for the protection of employees who report violations of the law.

**Eligible Persons:** An employee who reports a violation of the law.

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## Emergency Notice

AMBUULANCE FIRE-RESCUE HOSPITAL ALTERNATE POLICE HAZARDOUS MATERIAL

The Emergency Notice Act provides for the protection of employees who report violations of the law. The law is designed to provide a fair and equitable process for the protection of employees who report violations of the law.

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## Unemployment Insurance

EMPLOYER LEGAL NOTICE TO EMPLOYEES

The Unemployment Insurance Act provides for the protection of employees who report violations of the law. The law is designed to provide a fair and equitable process for the protection of employees who report violations of the law.

**Eligible Persons:** An employee who reports a violation of the law.

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## Right to Know

YOU HAVE A RIGHT TO KNOW

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