

Your Employee Rights Under the Family and Medical Leave Act

What is FMLA leave?

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with job-protected leave for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employers.

Eligible employees can take up to **12 workweeks** of FMLA leave in a 12-month period for:

- The birth, adoption or foster placement of a child with you.
- Your serious mental or physical health condition that makes you unable to work.
- To care for your spouse, child or parent with a serious mental or physical medical condition.
- Certain qualifying reasons related to the foreign deployment of your spouse, child or parent in a military service member's family.

Airline flight crew employees have different "hours of service" requirements.

You work for a **covered employer** if one of the following applies:

- You work for a private employer that had at least 50 employees during at least 50 workweeks in the current or previous calendar year.
- You work for an elementary or public or private secondary school.
- You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management.

How do I request FMLA leave?

Generally, to request FMLA leave you must:

- Follow your employer's normal policies for requesting leave.
- Give notice at least 30 days before your need for FMLA leave, or if advance notice is not possible, give notice as soon as possible.

You **do not have to share a medical diagnosis** but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You **must also inform your employer if FMLA leave was previously taken** or approved for the same reason when requesting additional leave.

Your employer may request certification from a health care provider to verify medical leave and may request certification of a qualifying exigency.

FMLA does not affect any federal or state law prohibiting discrimination or disparate any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management and Congress.

Ref.: 29 CFR §825.300

What does my employer need to do?

If you are eligible for FMLA leave, your employer must:

- Allow you to take job-protected time off work for a qualifying reason.
- Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave.
- Allow you to return to the same job, or a virtually identical job with the same pay, benefits and work conditions, including shift and location, at the end of your leave.

Your employer **cannot interfere** with your FMLA rights or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation.

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your employer must confirm whether you are eligible or not eligible for FMLA leave. If your employer determines that you are eligible, your employer must notify you in writing.

Where can I find more information?

Call 1-866-487-9243 or visit dol.gov/fmla to learn more.

If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. **Scan the QR code to learn about our WHD complaint process.**



Your Rights Under The Iowa Minimum Wage Law

Hourly Minimum Wage

\$7.25

The minimum wage applies to most hourly wage earners employed in Iowa. Most small retail and service establishments grossing less than \$300,000 annually are not required to pay the minimum wage. The majority of supervisory and administrative employees paid a salary are not covered by the law. Employers may pay an initial employment rate of \$6.35 for the first 90 calendar days of employment.

TIP CREDIT – The employer's share for tipped employees who customarily and regularly receive more than \$30 per month in tips must be at least \$4.35 an hour.

Enforcement

The Iowa Department of Inspections, Appeals, and Licensing Wage and Child Labor Unit may bring action against employers who violate the state's minimum wage law. Courts may order payment of back wages. No employer can discriminate against or discharge an employee for filing a complaint or participating in a proceeding under this law.

Contact Information:

Iowa Department of Inspections, Appeals, and Licensing
Investigations Division I Wage and Child Labor Unit
6200 Park Ave., Suite 100 I Des Moines, IA 50321
Phone: 515.631.8901 | Fax: 515.242.6507
dial.iowa.gov

Federal Minimum Wage and Overtime Pay

Applications of the minimum wage rates under federal law differ from those under Iowa law. Iowa employers must comply with the more stringent applicable law. Overtime is covered by the federal Fair Labor Standards Act. Questions concerning federal law should be directed to:

U. S. Department of Labor
Wage & Hour Division
210 Walnut St.
Des Moines, IA 50309
Phone: 515.284.4625
dol.gov

The law requires displaying this poster where it can easily be seen by all employees.

Equal Opportunity Employer/Program: Auxiliary aids and services are available upon request to individuals with disabilities. For deaf and hard of hearing, use Relay 711.

Iowa Admin. Code 875-216.3 (9/11)

Revised 3.13.25

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE

\$7.25

PER HOUR
BEGINNING JULY 24, 2009

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

OVERTIME PAY

At least 1 1/2 times the regular rate of pay for all hours worked over 40 in a workweek.

CHILD LABOR

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

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 employer's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.

PUMP AT WORK

The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for her nursing child for one year after the child's birth each time the employee needs to express breast milk. Employers must 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.

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. Certain narrow exemptions also apply to the pump at work requirements.
- 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.



EMPLOYEE RIGHTS EMPLOYEE POLYGRAPH PROTECTION ACT

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

PROHIBITIONS Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

EXEMPTIONS Federal, state and local governments are not affected by the law. Also, the law does not apply to tests given by the federal government to certain private individuals engaged in national security-related activities.

The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers.

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.

The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.

EXAMINEE RIGHTS Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

ENFORCEMENT The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions.

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



Iowa Civil Rights Act

January 2012

WHAT DOES EQUAL EMPLOYMENT OPPORTUNITY MEAN?

It guarantees the right of all persons to apply and be considered for job opportunities on the basis of the person's ability to do the job. While employed, you should not be treated unfairly because of any of the protected characteristics.

WHAT DOES THE LAW COVER?

Chapter 216 of the Code of Iowa, as amended (The Iowa Civil Rights Act), prohibits discrimination in employment because of a person's: race, age (18 and older), creed, national origin, color, sex, sexual orientation, pregnancy, disability, religion.

TO WHOM DOES THE LAW APPLY?

- Persons who apply for employment with, or employees of, private employers, state and local governments, and public and private educational institutions with four or more employees.
- Employment agencies, labor unions, contractors, and sub-contractors, and apprenticeship programs.

WHAT OTHER RESOURCES ARE AVAILABLE TO HELP WITH A DISCRIMINATION PROBLEM?

You may also contact the local human rights, civil rights or human relations agency in your area, or the U.S. Equal Employment Opportunity Commission (EEOC), a federal agency. The EEOC District Office is located at: 310 West Wisconsin Ave., Suite 800, Milwaukee, WI 53203-2292, 414-297-1111.

EEOC enforces Title VII of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, religion, sex or national origin; the Age Discrimination in Employment Act (ADEA) which protects persons age 40 or older; and the Americans with Disabilities Act (ADA).

WHAT ACTION WILL AN AGENCY TAKE?

The agency's professional staff will provide you with information on your rights and will assist you in taking the necessary steps to get your complaint legally filed. The staff will then take appropriate action in handling the complaint. There is no charge to file a complaint.

WHAT SHOULD I DO IF I BELIEVE I HAVE BEEN DISCRIMINATED AGAINST?

You should immediately contact: Iowa Office of Civil Rights, 6200 Park Avenue, Suite 100, Des Moines, IA 50321, 515-281-4121, 800-457-4416, Fax 515-242-5840, Email: icrc@iowa.gov.

You may contact the Iowa Office of Civil Rights by telephone, mail, or email for information or assistance in filing a complaint. The Iowa Office of Civil Rights' office hours are 8:00 a.m. to 4:30 p.m., Monday through Friday. You may leave a message at 515-281-4121 after hours for a return call. Your complaint must be filed within 300 days of the discriminatory act.

"Our liberties we prize and our right we will maintain."

(7/25)

EMERGENCY NUMBERS CALL 911

POLICE: _____

AMBULANCE: _____

PHYSICIAN: _____

HOSPITAL: _____

FIRE DEPARTMENT: _____

POISON CONTROL: _____

OSHA: _____

PAY DAY NOTICE

PAY DAY IS ON:

- MONDAY FRIDAY
 TUESDAY SATURDAY
 WEDNESDAY SUNDAY
 THURSDAY

PAY SCHEDULE IS:

- WEEKLY SEMI MONTHLY
 BIWEEKLY MONTHLY

PAYCHECKS ARE ISSUED ON THE:

_____ AND _____ OF THE MONTH

AT: _____

TIME: _____

Equal Opportunity Employer/Program: Auxiliary aids and services are available upon request to individuals with disabilities. For deaf and hard of hearing, use Relay 711.

Iowa Admin. Code 875-216.3 (9/11)

Revised 6/27/2023

UNEMPLOYMENT INSURANCE

If you become unemployed, you may be eligible for unemployment insurance benefits. If you are still employed but working fewer hours than your regular full-time work week and are earning less than your regular full-time wages, you may be entitled to partial benefits. Unemployment insurance benefits are made possible by taxes paid by this employer. No deductions are made from your paycheck for unemployment insurance.

The same week you become unemployed, you may file a new unemployment insurance claim online or in-person.



ONLINE

Go to iowaworks.gov and select Sign in/ Register to begin applying for unemployment insurance.

You should file an initial claim the same week you are unemployed or working reduced hours. Your unemployment insurance claim DOES NOT begin on the date your job ended or your hours were reduced. Your claim is effective the Sunday of the week you apply.



IN-PERSON

If you do not have access to a computer, visit the nearest IowaWORKS Center.

Delay in filing an unemployment insurance claim can result in the loss of all or part of the benefits you may be entitled to receive.



INFORMATION

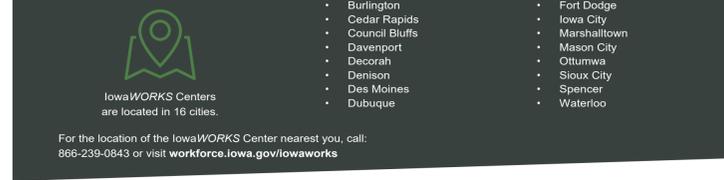
For complete information about your unemployment insurance rights and responsibilities, review the Unemployment Handbook at workforce.iowa.gov.

To register for work and learn more about available work in your area, go to iowaworks.gov or visit your nearest IowaWORKS Center.

Equal Opportunity Employer/Program: Auxiliary aids and services are available upon request to individuals with disabilities. For deaf and hard of hearing, use Relay 711.

Ref.: Iowa Code §96.11(2)

70-8010 (10/23)



IowaWORKS Center Locations:

- Burlington
- Cedar Rapids
- Council Bluffs
- Davenport
- Decorah
- Denison
- Des Moines
- Dubuque
- Fort Dodge
- Iowa City
- Marshalltown
- Mason City
- Ottumwa
- Sioux City
- Spencer
- Waterloo

Job Safety and Health: It's the law!



EMPLOYEES:

- You have the right to notify your employer or OSHA about workplace hazards. You may ask OSHA to keep your name confidential.
- You have the right to request an OSHA inspection if you believe that there are unsafe and unhealthful conditions in your workplace. You or your representative may participate in that inspection.

EMPLOYERS:

- You may file a complaint with OSHA within 30 days of retaliation or discrimination by your employer for making safety and health complaints or for exercising your rights under the OSH Act.
- You have a right to see OSHA citations issued to your employer. Your employer must post the citations at or near the place of the alleged violation for at least 3 working days.
- Your employer must correct workplace hazards by the date indicated on the citation and must certify that these hazards have been reduced or eliminated.
- You have the right to copies of your medical records or records of your exposure to toxic and harmful substances or conditions.
- Your employer must post this notice in your workplace.
- You must furnish your employees a place of employment free from recognized hazards.
- You must comply with the occupational safety and health standards issued under the OSH Act.
- Iowa OSHA consultation can help you identify and correct hazards without citation or penalty.

To report a workplace fatality, hospitalization, amputation, or the loss of an eye, visit iowaosha.gov or call 877.242.6742.

For assistance and information contact:
Iowa Department of Inspections, Appeals, and Licensing, OSHA
6200 Park Ave., Suite 100 | Des Moines, IA 50321
Phone: 515.350.7842
osha@dia.iowa.gov | iowaosha.gov

To file a complaint about the OSHA program, contact:
OSHA Regional Office
2300 Main Street, Suite 1010
Kansas City, MO 64108-2447
Phone: 816.283.8745

Ref.: Iowa Admin. Code 875.3.1

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