

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 health condition.
- Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is in a military service.

An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness may take up to 26 workweeks of FMLA leave in a single 12-month period to care for the servicemember.

You have the right to use FMLA leave in one block of time. When it is medically necessary or otherwise permitted, you may take FMLA leave intermittently in separate blocks of time, or on a reduced schedule by working less hours each day or week. Read Fact Sheet #2816(a) for more information.

FMLA leave is not paid leave, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave.

Am I eligible to take FMLA leave?

You are an eligible employee if all of the following apply:

- You work for a covered employer.
- You have worked for your employer at least 12 months.
- You have at least 1,250 hours of service for your employer during the 12 months before your leave, and
- Your employer has at least 50 employees within 75 miles of your work location.

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.

The FMLA does not affect any federal or state law prohibiting discrimination or otherwise 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 or Congress.

Ref: 29 CFR §625.500

WH1420 REV 04/23

WYOMING STATE MINIMUM WAGE

\$5.15

Per Hour

A training wage of \$4.25 per hour is allowed for employees under age 20 during the first 90 days of employment.

Ref: WS 27-4-202

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. Youth 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.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243
www.dol.gov/agencies/whd



WH1008 REV 04/23

EMPLOYEE RIGHTS EMPLOYEE POLYGRAPH PROTECTION ACT

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



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243
www.dol.gov/agencies/whd



WH1402 REV 02/22

WORKERS RIGHTS

Attention Employees

YOUR RIGHTS ARE PROTECTED!

The State of Wyoming requires labor law to be displayed in a conspicuous location accessible to all employees.



WYOMING WORKERS' COMPENSATION ACT

Your employer may have qualified with the Workers' Compensation Division for the coverage of injuries arising out of and in the course of employment. While at work in or about the premises occupied, used or controlled by the employer, this coverage is required for extra hazardous industries and occupations. Employers in non-extra hazardous industries may opt for this coverage level, as well.

In the event of a work-related injury

1. Notify your employer how and when you were injured within 72 hours of the incident.
2. Submit a written report of your injury to Wyoming Workers' Compensation within 10 days of the incident. You must complete and sign the "Wyoming Report of Injury" form. If your employer does not have any forms, call (307) 777-7441, or contact your nearest Workforce Center, for information on how or where to obtain an injury report form. This form can also be found on our website at dws.wyo.gov.
3. Submit the form to a local Workers' Compensation office or representative, or mail it to:

Wyoming Workers' Compensation
PO Box 20207
Cheyenne, WY 82002

The filing of an injury report is not a claim for lost wages or any other Workers' Compensation benefit. You must apply for benefits. To obtain the appropriate application form, contact Workers' Compensation. For more detailed information or assistance concerning benefits and procedures, call the Wyoming Workers' Compensation Division at (307) 777-7441 or visit dws.wyo.gov.

Ref: WS 27-14-507

ATTENTION EMPLOYEES AND APPLICANTS

This information must be posted at all times and available for your review. If you have any questions about these postings, please call the Wyoming Department of Workforce Services at (307) 777-8650 or 877-WORK-WYO.

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WYOMING UNEMPLOYMENT INSURANCE

Claims may be filed by unemployed workers by telephone or by the Internet. Unemployment insurance taxes are paid by employers.

You are insured under the law

Department of Workforce Services
Unemployment Insurance Division
PO Box 2760
Casper, WY 82602

Wyoming Claims Center
In-State (307) 473-3789;
Out-of-State (866) 729-7799

Internet Claims
dws.wyo.gov

Unemployment Insurance Information
dws.wyo.gov

Wyoming@Work
(find a job in Wyoming)
wyomingatwork.com

Ref: WS 27-3-401

HEALTH AND SAFETY PROTECTION ON THE JOB

Wyoming Department of Workforce Services Notice to Employers Health and Safety Protection on the Job

The Wyoming Occupational Health and Safety Act provides job health and safety protection for workers employed by general business and industry throughout the state as well as for all employees of the state and its political sub-divisions.

The Wyoming Department of Workforce Services, OSHA Division, created by the Act, has primary responsibility for administering the Act, and the Occupational Health and Safety Commission promulgates rules and regulations for workplace health and safety standards as authorized by the Act.

Safety on the job is everybody's responsibility!

Employers

Each employer shall provide a place of employment which is free from recognized hazards that are causing or that are likely to cause death or serious physical harm.

Employees

Each employee shall comply with occupational safety and health standards and all rules, regulations and orders issued pursuant to this Act, which are applicable to their own action and conduct.

Employer Reporting Requirements

Report to OSHA all work-related fatalities within 8 hours, and all inpatient hospitalizations, amputations and losses of an eye within 24 hours.

Inspection

The Act requires that a representative or representatives of the employers and a representative or representatives authorized by the employees shall be given an opportunity to accompany the Compliance Officer before or during the physical inspection of any workplace for the purpose of aiding such inspection.

Where there is no authorized employee representative, the authorized Compliance Officer shall consult with a reasonable number of employees concerning matters of safety and health.

Violation

If upon inspection Wyoming OSHA Division determines that an employer has violated the Act, a citation and notification of penalty will be issued to the employer within 180 days following the occurrence of the violation. Each notice of violation will specify a time period within which the violation must be corrected.

The notice of violation must be prominently posted in a conspicuous place at or near the site of the violation until the violation is corrected, or for three working days, whichever period is longer.

Voluntary Action
Consultative Services is responsible for providing free technical assistance to all employers, associations, and state and local governments working within the boundaries of Wyoming. These services are available upon a written request from employers. These services include but are not limited to courtesy visits (without assessment of penalties), health and safety training and consultative services.

Complaint
Employees or their representatives have the right to file a complaint with Wyoming OSHA requesting an inspection if they believe safety or health conditions exist in their workplace. Wyoming OSHA will withhold complainant names.

The Act provides that employees may not be discharged or discriminated against in any way for filing safety and health complaints or otherwise exercising their rights under the Act. Note: Discrimination cases do not have a set number of days to issue a citation for protected activity.

An employee who believes he or she has been discriminated against through retaliatory action by your employer may file a complaint with Wyoming OSHA Division, Cheyenne, Wyoming 82002 and/or the Regional Office of OSHA, U.S. Department of Labor, at the address listed below this notice within 30 days of the alleged discrimination.

Penalty

Any willful violation resulting in the death of an employee, upon conviction of an employer, is punishable by fines, by imprisonment for not more than six (6) months, or both. Conviction of an employer after a first conviction doubles these maximum penalties.

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.
- 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 for a minimum of 3 days or until all the citations are abated.

Note: Additional information may be obtained from...

Wyoming OSHA
Cheyenne, Wyoming 82002
(307) 777-7786 | dws.wyo.gov

THIS NOTICE SHALL BE CONSPICUOUSLY POSTED IN EACH PLACE OF EMPLOYMENT IN THE STATE OF WYOMING AS REQUIRED BY THE RULES OF PRACTICE AND PROCEDURE.

Under a plan approved by the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA), the State of Wyoming is providing job safety and health protection for workers throughout the state. OSHA will monitor the operation of this plan to assure that continued approval is merited. Any person may make a complaint regarding the state administration of this plan directly to the Regional Office of OSHA, U.S. Department of Labor, Occupational Safety and Health Administration, 1999 Broadway #1690, Denver, CO 80202-5716, Phone: (303) 844-1600.

Revised September 6, 2023

Ref: WS 27-11

Revised September 6, 2023

DISCRIMINATION

Discrimination is Against the Law

The Wyoming Fair Employment Practices Act of 1965, as amended, makes it an unlawful employment practice for an employer to:

- Refuse to hire
 - To discharge
 - Refuse to promote
 - To demote
- Or

To discriminate in matters of compensation or the terms, conditions or privileges of employment against any person otherwise qualified because of:

- Race
- Color
- Sex
- Creed
- Age
- Ancestry
- National Origin
- Disability

Information and materials pertaining to Equal Employment Opportunity may be obtained in writing at the below address. If you feel that you have been discriminated against in matters of employment, contact the below address.

Wyoming Department of Workforce Services Fair Employment Program
Labor Standards
1510 E. Pershing Blvd., Room 150,
Cheyenne, WY 82002
(307) 777-7261

Ref: WS 27-3-401

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: _____

Know Your Rights: Workplace Discrimination is Illegal

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help.

Who is Protected?
• Employees (current and former), including managers and temporary employees
• Job applicants
• Union members and applicants for membership in a union

What Organizations are Covered?
• Most private employers
• State and local governments (as employers)
• Educational institutions (as employers)
• Unions
• Staffing agencies

What Types of Employment Discrimination are Illegal?
Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the basis of:
• Race
• Color
• Religion
• National origin
• Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity)
• Age (40 and older)
• Disability
• Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)
• Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding

What Employment Practices can be Challenged as Discriminatory?
All aspects of employment, including:
• Discharge, firing, or lay-off
• Harassment (including unwelcome verbal or physical conduct)
• Hiring or promotion

• Assignment
• Pay (unlawful wages or compensation)
• Failure to provide reasonable accommodation for a disability, pregnancy, childbirth, or related medical condition, or a sincerely-held religious belief, observance or practice
• Benefits
• Job training
• Classification
• Retaliation
• Obtaining or disclosing genetic information of employees
• Requesting or disclosing medical information of employees
• Conduct that might reasonably discourage someone from opposing discrimination (filing a charge, participating in an investigation or proceeding)
• Conduct that coerces, intimidates, threatens, or interferes with someone exercising their rights, or someone assisting or encouraging someone else to exercise rights, regarding disability discrimination (including accommodation) or pregnancy accommodation

What can You Do If You Believe Discrimination has Occurred?
Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:
Submit an inquiry through the EEOC's public portal: https://publicportal.eeoc.gov/portal/sign_in.aspx
Call 1-800-688-4000 (toll free) or 1-800-688-6020 (TTY)
1-844-234-5122 (ASL video phone)
Visit an EEOC field office (information at www.eeoc.gov)

E-Mail info@eeoc.gov

Additional information about the EEOC, including information about filing a charge of discrimination, is available at www.eeoc.gov.

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS
The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the EEOC's laws and affirmative action commitments of companies doing business with the Federal Government. If you are applying for a job with, or are an employee of, a

company with a Federal contract or subcontract, you are protected under Federal law from discrimination on the following bases:
Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin
Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.
Age
Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on age.
Disability
Section 504 of the Rehabilitation Act of 1973, as amended, prohibits qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, criteria, and other related aspects of employment by Federal contractors. Disability discrimination includes not making reasonable accommodations in the home or workplace, barring undue hardship to an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to an otherwise qualified individual with a disability who is an applicant or employee, and barring undue hardship to an otherwise qualified individual with a disability who is an applicant or employee, including the executive level.

Protected Veteran Status
The Vietnam Era Veterans' Readjustment Assistance Act of 1974 (VEVRAA), 38 U.S.C. § 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans, active duty spouses or family members, and honorably discharged or discharged reservists of the United States Armed Forces service member veterans.

Federal contractors under these Federal laws.
Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities should contact immediately:
The Office of Federal Contract Compliance Programs (OFCCP)
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, D.C. 20310
1-800-367-0233 (toll-free)
If you are deaf, hard of hearing, or have a speech disability, please dial 711 to access telecommunications relay services. OFCCP may also be contacted by submitting a question online at OFCCP's Help Desk at <https://helpdesk.ofccp.dhs.gov/> or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at <https://www.dhs.gov/agencies/ofccp/contact>.

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE
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 or provision of employment, or the activity in which the assistance is used, is to provide employment or training under such programs. Title VI of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.
Individuals with Disabilities
Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in programs or activities which receive Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.
If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance. (Revised 6/27/2023)

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