

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 employees. 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 a military servicemember

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 #288(c) 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, with 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.

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, and
- Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working 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**.

- About your FMLA rights and responsibilities, and
- How much of your requested leave, if any, will be FMLA-protected leave.

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.**

Ref.: 29 CFR §825.300

WH1420 REV 04/23



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR



SCAN ME

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

Ref.: 29 CFR §801.6

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.

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 Right's 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)

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?

- 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 testing, 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 (unusual 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
 - Health insurance
 - Classification
 - Referral
 - Obtaining or disclosing genetic information
- Requesting or disclosing medical information of employees
- Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or 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/cspn.aspx>

Call 1-800-469-4000 (toll free) 1-800-469-4000 (TTY) 1-844-234-5122 (ASL, video phone)

Visit an EEOC field office information at www.eeoc.gov/fieldoffice

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 nondiscrimination 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.

Asking About, Disclosing, or Discussing Pay

Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees.

Disability

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. 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, having undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

Protected Veteran Status

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 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 (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.

Retaliation

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by

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
295 Constitution Avenue, N.W.
Washington, D.C. 20301
1-800-367-8221 (toll-free)

If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at <https://helpdesk.ofccp.dol.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.dol.gov/agencies/eofcc/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, The VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

Individuals with Disabilities

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 essential functions of the job.

If you believe you have been discriminated against in a program or activity which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance. (Revised 6/27/2023)

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 I 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 (9/10)

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 1½ 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 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 difference.

PUMP AT WORK

The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for their 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

Ref.: 29 CFR §516.4

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



WH1085 REV 04/23

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 www.workforce.iowa.gov and click on the Apply for Unemployment Benefits link.

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 www.workforce.iowa.gov.

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



IowaWORKS Centers are located in 17 cities.

For the location of the IowaWORKS Center nearest you, call: 866-239-0843 or visit www.workforce.iowa.gov.

IOWAWORKS CENTER LOCATIONS

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



Ref.: Iowa Code §96.11(2)

Iowa Workforce Development

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.

LAW REQUIRES DISPLAYING THIS POSTER WHERE IT CAN EASILY BE SEEN BY ALL EMPLOYEES.

78-80.10 (10/23)

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.
- You can 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 comply with all occupational safety and health standards issued under the OSH Act that apply to your own actions and conduct on the job.

EMPLOYERS:

- 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 §675.3.1

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