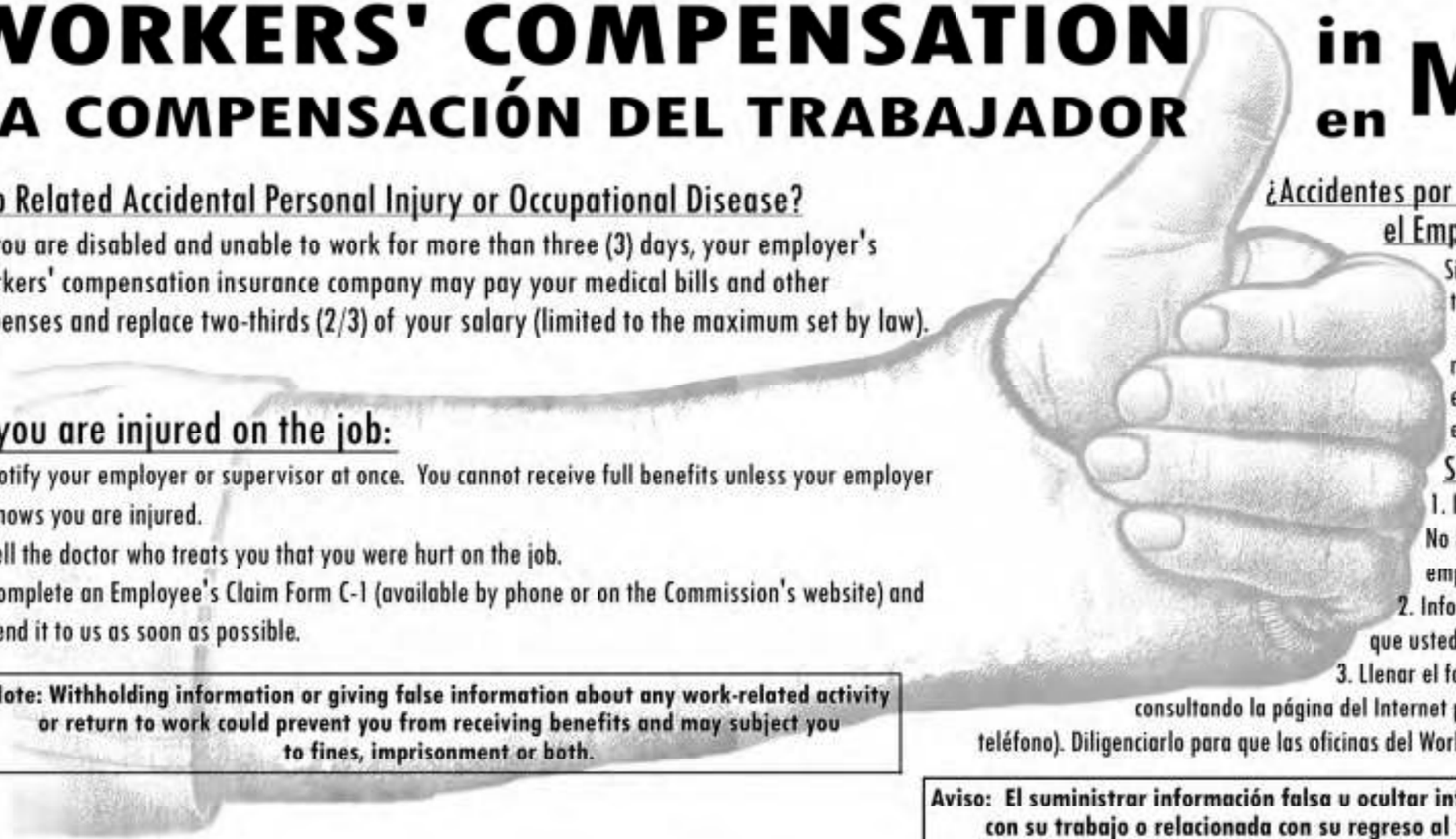
WORKERS' COMPENSATION in Maryland
LA COMPENSACIÓN DEL TRABAJADOR en



Job Related Accidental Personal Injury or Occupational Disease?

If you are disabled and unable to work for more than three (3) days, your employer's workers' compensation insurance company may pay your medical bills and other expenses and replace two-thirds (2/3) of your salary (limited to the maximum set by law).

If you are injured on the job:

1. Notify your employer or supervisor at once. You cannot receive full benefits unless your employer knows you are injured.
2. Tell the doctor who treats you that you were hurt on the job.
3. Complete an Employee's Claim Form C-1 (available by phone or on the Commission's website) and send it to us as soon as possible.

Note: Withholding information or giving false information about any work-related activity or return to work could prevent you from receiving benefits and may subject you to fines, imprisonment or both.

¿Accidentes por lesión/daño corporal relacionados con el Empleo o Enfermedad Profesional?

Si usted se encuentra incapacitado o inhabilitado para trabajar por más de tres días, el seguro de trabajadores que tienen las compañías pudiera cubrir las facturas médicas y otros gastos relacionados. También le compensarían 2/3 de sus ingresos (Hasta un monto máximo estipulado por la ley).

Si usted sufre una lesión en el trabajo, debe:

1. Informarle a su empleador o supervisor de inmediato. No podría recibir todos sus beneficios a menos que su empleador fuere notificado que sufrió una lesión.
2. Informarle al médico quien le administre tratamiento que usted se lesionó en su trabajo.
3. Llenar el formulario Employee's Claim Form C-1 (disponible consultando la página del Internet para el Workers' Compensation o solicitándo uno por teléfono). Diligenciarlo para que las oficinas del Workers' Compensation lo reciban lo antes posible.

Aviso: El suministrar información falsa u ocultar información sobre cualquier actividad relacionada con su trabajo o relacionada con su regreso al trabajo, pudiera afectar los beneficios que recibiera o pudiera acarrearle multas, encarcelamiento o ambas.

Employer/Empleador _____

Business Address/Dirección _____

City/State/Zip
Ciudad/Estado/Código Postal _____

Federal Employer ID (FEIN)
Identificación Federal Del Empleador _____

Telephone Number/Número Telefónico _____

Insurance Company Name
La Compañía de Seguro _____

Insurance Company Telephone
Telefónico de la Compañía de Seguro _____

MD WCC Form C-24 05/2017

Maryland Workers' Compensation Commission
10 East Baltimore Street, Baltimore, Maryland 21202-1641
(410) 864-5100 / Outside Baltimore (800) 492-0479
Webpage - http://www.wcc.state.md.us / TTY Users - 711 in Maryland or (800) 735-2258

This notice must be printed on 8.5 "X 14" gold or yellow paper, display complete employer information and be posted in a conspicuous location at each work site or location in accordance with COMAR 14.09.01.02 and 14.09.01.10.

Maryland
DEPARTMENT OF LABOR

MARYLAND EARNED SICK AND SAFE LEAVE EMPLOYEE NOTICE

The Maryland Healthy Working Families Act requires employers with 15 or more employees to provide paid sick and safe leave for certain employees. It also requires that employers who employ 14 or fewer employees provide unpaid sick and safe leave for certain employees.

Accrual

Earned sick and safe leave begins to accrue on February 11, 2018, or the date on which an employee begins employment with the employer, whichever is later. An employee accrues earned sick and safe leave at a rate of at least one hour for every 30 hours the employee works; however, an employee is not entitled to earn more than 40 hours of earned sick and safe leave in a year or accrue more than 64 hours of earned sick and safe leave at any time.

Leave Usage

An employee is allowed to use earned sick and safe leave under the following conditions:

- To care for or treat the employee's mental or physical illness, injury, or condition;
- To obtain preventative medical care for the employee or the employee's family member;
- To care for a family member with a mental or physical illness, injury, or condition;
- For maternity or paternity leave; or
- The absence from work is necessary due to domestic violence, sexual assault, or stalking committed against the employee or the employee's family member and the leave is being used: (1) to obtain medical or mental health attention; (2) to obtain services from a victim services organization; (3) for legal services or proceedings; or (4) because the employee has temporarily relocated as a result of the domestic violence, sexual assault, or stalking.

A family member includes a spouse, child, parent, grandparent, grandchild, sibling, the legal guardian or ward of the employee or the employee's spouse, or an individual who acted as a parent or stood in loco parentis to the employee or the employee's spouse when the employee or the employee's spouse was a minor.

Employees are permitted to use earned sick and safe leave in increments in certain amounts established by their employer. Employees are required to give notice of the need to use earned sick and safe leave when it is foreseeable. An employer may deny leave in certain circumstances.

Reporting

Employers are required to provide employees with a written statement of the employee's available earned sick and safe leave.

Prohibitions

An employer is prohibited under the law from taking adverse action against an employee who exercises a right under the Maryland Healthy Working Families Act and an employee is prohibited from making a complaint, bringing an action, or testifying in an action in bad faith.

How to File a Complaint or Obtain Additional Information

If you feel your rights have been violated under this law or you would like additional information, you may contact:

Commissioner of Labor and Industry
1100 North Eutaw Street, Room 607 | Baltimore, MD 21201
ssl.assistance@maryland.gov

Maryland
DEPARTMENT OF LABOR

LICENCIA DE ENFERMEDAD Y SALIDA SEGURA DE MARYLAND
NOTIFICACIÓN PARA EMPLEADOS

La Ley de Familias Trabajadoras Saludables de Maryland requiere que los empleadores con 15 o más empleados brinden licencia de enfermedad y seguro para ciertos empleados. También requiere que los empleadores que emplean a 14 o menos empleados brinden licencias no remuneradas por enfermedad y seguro para ciertos empleados.

Acumulación

El permiso de enfermedad y seguro comienza a acumularse desde 11 de febrero de 2018 o la fecha en que un empleado comienza a trabajar para el empleador. Un empleado acumula un permiso de enfermedad y seguro a una tasa de una hora por cada 30 horas de trabajo. Un empleado tiene derecho a ganar un máximo de 40 horas de licencia de enfermedad y seguro en un año. Lo máximo que un empleado puede acumular es un total de 64 horas de licencia de enfermedad y seguro.

Uso de Licencia

Un empleado puede usar la licencia de enfermedad y seguro acumulada bajo las siguientes condiciones:

- Para cuidar o tratar la enfermedad, lesión o condición mental o física del empleado;
- Para obtener atención médica preventiva para el empleado o miembro de la familia del empleado;
- Para cuidar a un miembro de la familia con una enfermedad, lesión o condición mental o física;
- Por licencia de maternidad o paternidad; o
- La ausencia del trabajo es necesaria debido a violencia doméstica, agresión sexual o acoso cometido contra el empleado o el miembro de la familia del empleado y el permiso se usa: (1) para obtener atención médica o de salud mental; (2) para obtener servicios de una organización de servicios para víctimas; (3) para servicios o procedimientos legales; o (4) porque el empleado se ha mudado temporalmente como resultado de la violencia doméstica, la agresión sexual o el acoso.

Un miembro de la familia incluye un cónyuge, hijos, padres, abuelos, nietos o hermanos el guardián legal o tutor de un empleado o del cónyuge del empleado, o un individuo que actúa como padre o madre, o que quedó en loco parentis del empleado o de su cónyuge cuando el empleado o el cónyuge del empleado eran menores de edad.

A los empleados se les permite usar la licencia de enfermedad y seguro acumulada en incrementos establecidos por su empleador. Se requiere que los empleados notifiquen la necesidad de utilizar la licencia de enfermedad y seguro ganadas cuando sea previsible. Un empleador puede negar la licencia bajo ciertas circunstancias.

Informes

Se requiere que los empleadores proporcionen a los empleados por escrito el balance de las horas de licencia de enfermedad y seguro disponible al empleado.

Prohibiciones

La ley prohíbe a un empleador emprender acciones adversas contra un empleado que ejerce su derecho conforme a la Ley de Familias Trabajadoras Saludables de Maryland y se le prohíbe a un empleado presentar una queja, iniciar una acción o testificar en una acción de mala fe.

Cómo Presentar una Queja u Obtener Información Adicional

Si considera que se han violado sus derechos según esta ley o si desea obtener información adicional, puede comunicarse con:

Employment Discrimination *is Unlawful*

State of Maryland
Commission on Civil Rights
6 Saint Paul Street, Suite 900
Baltimore, MD 21202-1631

How Does The Law Protect Me?

State Government Article, §20-602 of the Annotated Code of Maryland provides every Marylander equal protection in employment regardless of:

Race	Ancestry or National Origin	Marital Status
Sex	Religion	Sexual Orientation
Age	Physical or Mental Disability	Gender Identity
Ethnicity	Color	Genetic Information

What Am I Protected From?

You are protected from unlawful discrimination from the following employment-related practices:

- Employers cannot discriminate in recruiting, interviewing, hiring, upgrading/promoting, setting work conditions, and discharging an employee.
- Labor organizations cannot deny membership to qualified persons or discriminate in apprenticeship programs.
- Employment agencies cannot discriminate in job referrals, ask discriminatory pre-employment questions, or circulate information that unlawfully limits employment.
- Newspapers and other media cannot publish job advertisements that discriminate.

What If My Employer Retaliates?

Retaliation is also prohibited under the law when you exercise your rights to seek relief and redress. If an employee decides to file an employment discrimination complaint, an employer may not:

- Interfere with;
- Restrain;
- Deny the exercise; or
- Deny the attempt to exercise the right.

Any form of retaliation is grounds to file a Complaint of Discrimination with the Maryland Commission on Civil Rights (MCCR).

What If I Am A Victim Of Discrimination?

If you believe your rights under the law have been violated, you must file a complaint with MCCR **within 6 months** of the alleged act of discrimination. A trained Civil Rights Officer will work with you to discuss what happened and determine if there is reason to believe a discriminatory violation occurred. You can reach MCCR by phone, email, fax, letter, or walk-in. **All procedures by MCCR are confidential until your case is certified for public hearing or trial.**

Main: (410) 767-8600 | Toll Free: 1 (800) 637-6247 | TTY: (410) 333-1737 | Fax: (410) 333-1841
mccr@maryland.gov | www.mccr.maryland.gov

Pregnant & Working

State of Maryland
Commission on Civil Rights
6 Saint Paul Street, Suite 900
Baltimore, MD 21202-1631

Know Your Rights!

If you are pregnant, you have a legal right to a reasonable accommodation if your pregnancy causes or contributes to a disability **and** the accommodation does not impose an undue hardship on your employer. *State Government Article, §20-609(b)*

What Does That Mean?

If you have a disability that is contributed to or caused by pregnancy, you may request a reasonable accommodation at work. Your employer must explore "all possible means of providing the reasonable accommodation." *State Government Article, §20-609(d)*

The law lists an assortment of options for both you and your employer to consider in order to comply with a request for reasonable accommodation. These include, but are not limited to:

- Changing job duties
- Changing work hours
- Relocation
- Providing mechanical or electrical aids
- Transfers to less strenuous or less hazardous positions
- Providing leave

Every situation is different. You must explore every available option with your employer to decide what accommodation best suits your needs.

Do I Need A Doctor's Note?

It depends on what your employer requests. The law allows an employer, at his or her discretion, to require certification from your health care provider regarding the medical advisability of a reasonable accommodation, but only to the same extent certification is required for other temporary disabilities. *State Government Article, §20-609(f)*

If required, the certification must include:

- Date a reasonable accommodation is medically advisable.
- Probable duration of the accommodation should be provided.
- Explanation as to the medical advisability of the reasonable accommodation.

Can I Still Get In Trouble?

Retaliation is prohibited under *State Government Article, §20-609(h)* when exercising your rights. If an employee seeks to exercise her right to request a reasonable accommodation for a temporary disability due to pregnancy, an employer may not:

- Interfere with;
- Restrain;
- Deny the exercise; or
- Deny the attempt to exercise the right.

Any form of retaliation is grounds to file a Complaint of Discrimination with the Maryland Commission on Civil Rights (MCCR).

What If I Am A Victim Of Discrimination?

If you believe your rights under the law have been violated, you must file a complaint with MCCR **within 6 months** of the alleged act of discrimination. A trained Civil Rights Officer will work with you to discuss what happened and determine if there is reason to believe a discriminatory violation occurred. You can reach MCCR by phone, email, fax, letter, or walk-in. **All procedures by MCCR are confidential until your case is certified for public hearing or trial.**

Main: (410) 767-8600 | Toll Free: 1 (800) 637-6247 | TTY: (410) 333-1737 | Fax: (410) 333-1841
mccr@maryland.gov | www.mccr.maryland.gov

EMPLOYEE RIGHTS

UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE IN AMERICAN SAMOA

BY INDUSTRY

FISH CANNING AND PROCESSING AND CAN MANUFACTURING

$5.56 beginning September 30, 2018 | $5.96 beginning September 30, 2021

SHIPPING AND TRANSPORTATION

CLASSIFICATION A:

STEVEDORING, LIGHTERAGE, AND MARITIME SHIPPING AGENCY ACTIVITIES

$6.39 beginning September 30, 2018 | $6.79 beginning September 30, 2021

CLASSIFICATION B:

UNLOADING OF FISH

$6.22 beginning September 30, 2018 | $6.62 beginning September 30, 2021

CLASSIFICATION C:

ALL OTHER ACTIVITIES

$6.18 beginning September 30, 2018 | $6.58 beginning September 30, 2021

TOUR AND TRAVEL SERVICES

$5.78 beginning September 30, 2018 | $6.18 beginning September 30, 2021

PETROLEUM MARKETING

$6.15 beginning September 30, 2018 | $6.55 beginning September 30, 2021

CONSTRUCTION

$5.90 beginning September 30, 2018 | $6.30 beginning September 30, 2021

HOTEL

$5.30 beginning September 30, 2018 | $5.70 beginning September 30, 2021

RETAILING, WHOLESALING, AND WAREHOUSING

$5.40 beginning September 30, 2018 | $5.80 beginning September 30, 2021

SHIP MAINTENANCE

$5.81 beginning September 30, 2018 | $6.21 beginning September 30, 2021

BOTTLING, BREWING, AND DAIRY PRODUCTS

$5.49 beginning September 30, 2018 | $5.89 beginning September 30, 2021

PRINTING

$5.80 beginning September 30, 2018 | $6.20 beginning September 30, 2021

FINANCE AND INSURANCE

$6.29 beginning September 30, 2018 | $6.69 beginning September 30, 2021

PRIVATE HOSPITALS AND EDUCATIONAL INSTITUTIONS

$5.63 beginning September 30, 2018 | $6.03 beginning September 30, 2021

GOVERNMENT EMPLOYEES INDUSTRY

$5.21 beginning September 30, 2018 | $5.61 beginning September 30, 2021

MISCELLANEOUS ACTIVITIES (INCLUDES DOMESTIC WORK)

$5.00 beginning September 30, 2018 | $5.40 beginning September 30, 2021

GARMENT MANUFACTURING

$4.98 beginning September 30, 2018 | $5.38 beginning September 30, 2021

PUBLISHING

$5.93 beginning September 30, 2018 | $6.33 beginning September 30, 2021

The Fair Minimum Wage Act of 2007 (Public Law 110-28), as amended, applies the minimum wage rates shown above to industries in American Samoa. This law also provides for additional increases in the minimum wage of $0.40 per hour to occur every three (3) years (e.g. 2021, 2024, 2027, etc.) on September 30, until reaching the minimum wage generally applicable in the U.S.

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

VAEGA O TOTOGI MA ITULA
UNAITE SETETE I LE MATAGALUEGA MO TAGATA FAIGALUEGA

1-808-541-1361
TTY: 1-877-889-5627
www.dol.gov/agencies/whd

WH1088 AMS REV 09/21

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.

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 after the child's birth each time such employee has a need to express 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.

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.
- 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.

WH1088 AMS 09/21

EMPLOYEE RIGHTS

UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE

IN THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

$7.25 PER HOUR

BEGINNING SEPTEMBER 30, 2018

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.

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ADDITIONAL INFORMATION

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

The Fair Minimum Wage Act of 2007 (Public Law 110-28), as amended, applies the minimum wage rate shown above to the Commonwealth of the Northern Mariana Islands. This law also provides for additional increases in the minimum wage of $0.50 an hour each year on September 30 (except in 2011, 2013 and 2015, when no increase occurs), until reaching the minimum wage generally applicable in the U.S.

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

1-808-541-1361
TTY: 1-877-889-5627
www.dol.gov/whd

WH1088 NMI REV 09/18

EMPLOYEE RIGHTS

FOR WORKERS WITH DISABILITIES PAID AT SUBMINIMUM WAGES

This establishment has a certificate authorizing the payment of subminimum wages to workers who are disabled for the work they are performing. Authority to pay subminimum wages to workers with disabilities generally applies to work covered by the **Fair Labor Standards Act (FLSA)**, **McNamara-O'Hara Service Contract Act (SCA)**, and/or **Walsh-Healey Public Contracts Act (PCA)**. Such subminimum wages are referred to as "commensurate wage rates" and are less than the basic hourly rates stated in an SCA wage determination and/or less than the FLSA minimum wage of **$7.25 per hour**. A "commensurate wage rate" is based on the worker's individual productivity, no matter how limited, in proportion to the wage and productivity of experienced workers who do not have disabilities that impact their productivity when performing essentially the same type, quality, and quantity of work in the geographic area from which the labor force of the community is drawn.

Employers shall make this poster available and display it where employees and the parents and guardians of workers with disabilities can readily see it.

WORKERS WITH DISABILITIES

Subminimum wages under section 14(c) are not applicable unless a worker's disability actually impairs the worker's earning or productive capacity for the work being performed. The fact that a worker may have a disability is not in and of itself sufficient to warrant the payment of a subminimum wage.

For purposes of payment of commensurate wage rates under a certificate, a worker with a disability is defined as: An individual whose earnings or productive capacity is impaired by a physical or mental disability, including those related to age or injury, for the work to be performed.

Disabilities which may affect productive capacity include an intellectual or developmental disability, psychiatric disability, a hearing or visual impairment, and certain other impairments. The following do not ordinarily affect productive capacity for purposes of paying commensurate wage rates: educational disabilities; chronic unemployment; receipt of welfare benefits; nonattendance at school; juvenile delinquency; and correctional parole or probation.

WORKER NOTIFICATION

Each worker with a disability and, where appropriate, the parent or guardian of such worker, shall be informed orally and in writing by the employer of the terms of the certificate under which such worker is employed.

KEY ELEMENTS OF COMMENSURATE WAGE RATES

- **Nondisabled worker standard**—The objective gauge (usually a time study of the production of workers who do not have disabilities that impair their productivity for the job) against which the productivity of a worker with a disability is measured.
- **Prevailing wage rate**—The wage paid to experienced workers who do not have disabilities that impair their productivity for the same or similar work and who are performing such work in the area. Most SCA contracts include a wage determination specifying the prevailing wage rates to be paid for SCA-covered work.
- **Evaluation of the productivity of the worker with a disability**—Documented measurement of the production of the worker with a disability (in terms of quantity and quality).

The wages of all workers paid commensurate wages must be reviewed, and adjusted if appropriate, at periodic intervals. At a minimum, the productivity of hourly-paid workers must be reevaluated at least every six months and a new prevailing wage survey must be conducted at least once every twelve months. In addition, prevailing wages must be reviewed, and adjusted as appropriate, whenever there is a change in the job or a change in the prevailing wage rate, such as when the applicable state or federal minimum wage is increased.

WIOA

The Workforce Innovation and Opportunity Act of 2014 (WIOA) amended the Rehabilitation Act by adding section 511, which places limitations on the payment of subminimum wages to individuals with disabilities by mandating the completion of certain requirements prior to and during the payment of a subminimum wage.

EXECUTIVE ORDER 13658

Executive Order 13658, Establishing a Minimum Wage for Contractors, established a minimum wage that generally must be paid to workers performing on or in connection with a covered contract with the Federal Government. Workers covered by this Executive Order and due the full Executive Order minimum wage include workers with disabilities whose wages are calculated pursuant to certificates issued under section 14(c) of the FLSA.

FRINGE BENEFITS

Neither the FLSA nor the PCA have provisions requiring vacation, holiday, or sick pay nor other fringe benefits such as health insurance or pension plans. SCA wage determinations may require such fringe benefit payments (or a cash equivalent). Workers paid under a certificate authorizing commensurate wage rates must receive the full fringe benefits listed on the SCA wage determination.

OVERTIME

Generally, if a worker is performing work subject to the FLSA, SCA, and/or PCA, that worker must be paid at least 1 1/2 times their regular rate of pay for all hours worked over 40 in a workweek.

CHILD LABOR

Minors younger than 18 years of age must be employed in accordance with the child labor provisions of the FLSA. No persons under 16 years of age may be employed in manufacturing or on a PCA contract.

PETITION PROCESS

Workers with disabilities paid at subminimum wages may petition the Administrator of the Wage and Hour Division of the Department of Labor for a review of their wage rates by an Administrative Law Judge. No particular form of petition is required, except that it must be signed by the worker with a disability or his or her parent or guardian and should contain the name and address of the employer. Petitions should be mailed to: Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue NW, Washington, D.C. 20210.

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd

WH1284 REV 01/18

Montgomery County, Maryland

EARNED SICK AND SAFE LEAVE LAW

Montgomery County Code
Chapter 27 Human Rights and Civil Liberties, Article XIII

EFFECTIVE OCTOBER 1, 2016

Revised November 9, 2016

How is Earned Sick and Safe Leave Accrued?

An employee must accrue paid leave before accruing unpaid leave in a calendar year. Paid earned sick and safe leave must accrue at a rate of at least 1 hour for every 30 hours an employee works in the County.

An employer with FEWER THAN 5 EMPLOYEES:

- ✓ Must provide each employee with both paid and unpaid sick and safe leave for work performed in the County.
- ✓ Must not be required to allow an employee to:
- ✓ Earn more than 32 hours of paid earned sick and safe leave and 24 hours of unpaid earned sick and safe leave in a calendar year; or
- ✓ Use more than 80 hours of earned sick and safe leave in a calendar year.

An employer with 5 OR MORE EMPLOYEES must not be required to allow an employee to:

- ✓ Earn more than 56 hours of earned sick and safe leave in a calendar year; or
- ✓ Use more than 80 hours of earned sick and safe leave in a calendar year.

Permitted Uses of Earned Sick and Safe Leave:

- ✓ To care for or treat the employee's own illness (mental or physical), injury, or health condition.
- ✓ To obtain preventative medical care for the employee or their family member.
- ✓ To take care of a family member with an illness (physical or mental), injury, or health condition.
- ✓ When the employee's place of business or when the employee's family member's school or child care center has been closed by order of a public official due to a public health emergency.
- ✓ To care for a family member if a health official or health care provider determined the family member's presence in the community, due to exposure to a communicable disease, would jeopardize the health of others.
- ✓ Due to domestic violence, sexual assault, or stalking against the employee or the employee's family member. Leave must be used for medical attention, services from a victim services organization, legal services, or during the time that the employee has temporarily relocated.
- ✓ For the birth of a child or for the placement of a child with the employee for adoption or foster care.
- ✓ To care for a newborn, newly adopted, or newly placed child within one year for a newborn or adoption or placement.

An employer may not retaliate against an employee for exercising the rights granted by the Sick and Safe Leave Article.

If you think you have been subjected to a violation of any rights granted by the Earned Sick and Safe Leave Article, please contact:

Montgomery County Office of Human Rights
21 Maryland Avenue, Suite 330, Rockville, Maryland, 20850
240-777-8450, www.montgomerycountymd.gov/humanrights

Montgomery County, Maryland Office of HR HUMAN RIGHTS
Creating a culture of service and a climate of fairness and inclusion

Equal Employment Opportunity is

THE LAW

Private Employers, State and Local Governments, Educational Institutions, 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 bases:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

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.

DISABILITY

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 qualified individual with a disability who is an applicant or employee, barring undue hardship.

AGE

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, referral, and other aspects of employment.

SEX (WAGES)

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.

GENETICS

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.

RETALIATION

All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice.

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 behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is suspected:

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

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

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.

INDIVIDUALS WITH DISABILITIES

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 employment 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 medal was awarded).

RETALIATION

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. Government, Department of Labor.

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 is provision of employment, or where employment discrimination causes or may cause discrimination 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.

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 of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

EMPLOYEE RIGHTS

UNDER THE NATIONAL LABOR RELATIONS ACT

The NLRA guarantees the right of employees to organize and bargain collectively with their employers, and to engage in other protected concerted activity. Employees covered by the NLRA* are protected from certain types of employer and union misconduct. This Notice gives you general information about your rights, and about the obligations of employers and unions under the NLRA. Contact the National Labor Relations Board, the Federal agency that investigates and resolves complaints under the NLRA, using the contact information supplied below, if you have any questions about specific rights that may apply in your particular workplace.

Under the NLRA, you have the right to:

- Organize a union to negotiate with your employer concerning your wages, hours, and other terms and conditions of employment.
- Form, join or assist a union.
- Bargain collectively through representatives of employees' own choosing for a contract with your employer setting your wages, benefits, hours, and other working conditions.
- Discuss your terms and conditions of employment or union organizing with your co-workers or a union.
- Take action with one or more co-workers to improve your working conditions by, among other means, raising work-related complaints directly with your employer or with a government agency, and seeking help from a union.
- Strike and picket, depending on the purpose or means of the strike or the picketing.
- Choose not to do any of these activities, including joining or remaining a member of a union.

Under the NLRA, it is illegal for your employer to:

- Prohibit you from soliciting for a union during non-work time, such as before or after work or during break times; or from distributing union literature during non-work time, in non-work areas, such as parking lots or break rooms.
- Question you about your union support or activities in a manner that discourages you from engaging in that activity.
- Fire, demote, or transfer you, or reduce your hours or change your shift, or otherwise take adverse action against you, or threaten to take any of these actions, because you join or support a union, or because you engage in concerted activity for mutual aid and protection, or because you choose not to engage in any such activity.
- Threaten to close your workplace if workers choose a union to represent them.
- Promise or grant promotions, pay raises, or other benefits to discourage or encourage union support.
- Prohibit you from wearing union hats, buttons, t-shirts, and pins in the workplace except under special circumstances.
- Spy on or videotape peaceful union activities and gatherings or pretend to do so.

Under the NLRA, it is illegal for a union or for the union that represents you in bargaining with your employer to:

- Threaten you that you will lose your job unless you support the union.
- Refuse to process a grievance because you have criticized union officials or because you are not a member of the union.
- Use or maintain discriminatory standards or procedures in making job referrals from a hiring hall.
- Cause or attempt to cause an employer to discriminate against you because of your union-related activity.
- Take other adverse action against you based on whether you have joined or support the union.

If you and your coworkers select a union to act as your collective bargaining representative, your employer and the union are required to bargain in good faith in a genuine effort to reach a written, binding agreement setting your terms and conditions of employment. The union is required to fairly represent you in bargaining and enforcing the agreement.

Illegal conduct will not be permitted. If you believe your rights or the rights of others have been violated, you should contact the NLRB promptly to protect your rights, generally within six months of the unlawful activity. You may inquire about possible violations without your employer or anyone else being informed of the inquiry. Charges may be filed by any person and need not be filed by the employee directly affected by the violation. The NLRB may order an employer to rehire a worker fired in violation of the law and to pay lost wages and benefits, and may order an employer or union to cease violating the law. Employees should seek assistance from the nearest regional NLRB office, which can be found on the Agency's website: **www.nlrb.gov**.

You can also contact the NLRB by calling toll-free: **1-844-762-NLRB (6572)**. Hearing impaired callers who wish to speak to an NLRB representative should contact the Federal Relay Service by visiting its website at **https://www.federalrelay.us/tty**, calling one of its toll free numbers, and asking its Communications Assistant to call the NLRB toll free number at **1-844-762-NLRB (6572)**.

*__The National Labor Relations Act covers most private-sector employers__. Excluded from coverage under the NLRA are public-sector employees, agricultural and domestic workers, independent contractors, workers employed by a parent or spouse, employees of air and rail carriers covered by the Railway Labor Act, and supervisors (although supervisors that have been discriminated against for refusing to violate the NLRA may be covered).

This is an official Government Notice
and must not be defaced by anyone.

U.S. Department of Labor

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
TTY: 1-877-889-5627
www.dol.gov/whd

WH1462 REV 07/16

Maryland
Equal Pay for Equal Work
(Labor and Employment Article Title 3, Subtitle 3)

§3–301.

(a) In this subtitle the following words have the meanings indicated.

(b)(1) "Employer" means:

(i) a person engaged in a business, industry, profession, trade, or other enterprise in the State;

(ii) the State and its units;

(iii) a county and its units; and

(iv) a municipal government in the State.

(2) "Employer" includes a person who acts directly or indirectly in the interest of another employer with an employee.

(c) "Gender identity" has the meaning stated in § 20–101 of the State Government Article.

(d)(1) "Wage" means all compensation for employment.

(2) "Wage" includes board, lodging, or other advantage provided to an employee for the convenience of the employer.

§3–302.

This subtitle applies to an employer of both men and women in a lawful enterprise.

§3–303.

In addition to any powers set forth elsewhere, the Commissioner may:

(1) use informal methods of conference, conciliation, and persuasion to eliminate pay practices that are unlawful under this subtitle; and

(2) supervise the payment of a wage owing to an employee under this subtitle.

§3–304.

(a) In this section, "providing less favorable employment opportunities" means:

(1) assigning or directing the employee into a less favorable career track, if career tracks are offered, or position;

(2) failing to provide information about promotions or advancement in the full range of career tracks offered by the employer; or

(3) limiting or depriving an employee of employment opportunities that would otherwise be available to the employee but for the employee's sex or gender identity.

(b)(1) An employer may not discriminate between employees in any occupation by:

(i) paying a wage to employees of one sex or gender identity at a rate less than the rate paid to employees of another sex or gender identity if both employees work in the same establishment and perform work of comparable character or work on the same operation, in the same business, or of the same type; or

(ii) providing less favorable employment opportunities based on sex or gender identity.

(2) For purposes of paragraph (1)(i) of this subsection, an employee shall be deemed to work at the same establishment as another employee if the employees work for the same employer at workplaces located in the same county of the State.

(c) Except as provided in subsection (d) of this section, subsection (b) of this section does not prohibit a variation in a wage that is based on:

(1) a seniority system that does not discriminate on the basis of sex or gender identity;

(2) a merit increase system that does not discriminate on the basis of sex or gender identity;

(3) jobs that require different abilities or skills;

(4) jobs that require the regular performance of different duties or services;

(5) work that is performed on different shifts or at different times of day;

(6) a system that measures performance based on a quality or quantity of production; or

(7) a bona fide factor other than sex or gender identity, including education, training, or experience, in which the factor:

(i) is not based on or derived from a gender–based differential in compensation;

(ii) is job related with respect to the position and consistent with a business necessity; and

(iii) accounts for the entire differential.

(d) This section does not preclude an employee from demonstrating that an employer's reliance on an exception listed in subsection (c) of this section is a pretext for discrimination on the basis of sex or gender identity.

(e) An employer who is paying a wage in violation of this subtitle may not reduce another wage to comply with this subtitle.

§3–304.1.

(a) An employer may not:

(1) prohibit an employee from:

(i) inquiring about, discussing, or disclosing the wages of the employee or another employee; or

(ii) requesting that the employer provide a reason for why the employee's wages are a condition of employment;

(2) require an employee to sign a waiver or any other document that purports to deny the employee the right to disclose or discuss the employee's wages; or

(3) take any adverse employment action against an employee for:

(i) inquiring about the employee's wages or another employee's wages;

(ii) disclosing the employee's own wages;

(iii) discussing another employee's wages if those wages have been disclosed voluntarily;

(iv) asking the employer to provide a reason for the employee's wages; or

(v) aiding or encouraging another employee's exercise of rights under this section.

(b)(1) Subject to paragraph (2) of this subsection, an employer may, in a written policy provided to each employee, establish reasonable workday limitations on the time, place, and manner for inquiries about or the discussion or disclosure of employee wages.

(2) A limitation established under paragraph (1) of this subsection shall be consistent with standards adopted by the Commissioner and all other State and federal laws.

(3) Subject to subsection (d) of this section, limitations established under paragraph (1) of this subsection may include prohibiting an employee from discussing or disclosing the wages of another employee without that employee's prior permission.

(c) Except as provided in subsection (d) of this section, the failure of an employee to adhere to a reasonable limitation included in a written policy under subsection (b) of this section shall be an affirmative defense to a claim made against an employer by the employee under this section if the adverse employment action taken by the employer was for a failure to adhere to the reasonable limitation and not for an inquiry, a discussion, or a disclosure of wages in accordance with the limitation.

(d) (1) A prohibition established in accordance with subsection (b)(3) of this section against the discussion or disclosure of the wages of another employee without that employee's prior permission may not apply to instances in which an employee who has access to the wage information of other employees as a part of the employee's essential job functions if the discussion or disclosure is in response to a complaint or charge or in furtherance of an investigation, a proceeding, a hearing, or an action under this subtitle, including an investigation conducted by the employer.

(2) If an employee who has access to wage information as part of the essential functions of the employee's job discloses the employee's own wages or wage information about another employee obtained outside the performance of the essential functions of the employee's job, the employee shall be entitled to all the protections afforded under this subtitle.

(e) Nothing in this section shall be construed to:

(1) require an employee to disclose the employee's wages;

(2) diminish employees' rights to negotiate the terms and conditions of employment under federal, State, or local law;

(3) limit the rights of an employee provided under any other provision of law or collective bargaining agreement;

(4) create an obligation on any employer or employee to disclose wages;

(5) permit an employee, without the written consent of an employer, to disclose proprietary information, trade secret information, or information that is otherwise subject to a legal privilege or protected by law; or

(6) permit an employee to disclose wage information to a competitor of the employer.

§3–304.2

(A) On request, an employer shall provide to an applicant for employment the wage range for the position for which the applicant applied.

(B) (1) An employer may not:

(I) Retaliate against or refuse to interview, hire, or employ an applicant for employment because the applicant:

1. Did not provide wage history; or

2. Requested the wage range in accordance with this section for the position for which the applicant applied; and

(II) Except a provided in paragraph (2) of this subsection:

1. Rely on the wage history of an applicant for employment in screening or considering the applicant for employment or in determining the wages for the applicant; or

2. Seek the wage history for an applicant for employment orally, in writing, or through an employee or an agent or from a current or former employer.

(2) After an employer makes an initial offer of employment with an offer of compensation to an applicant for employment, an employer may:

(I) Subject to paragraph (3) of this subsection, rely on the wage history voluntarily provided by the applicant for employment to support a wage offer higher than the initial wage offered by the employer: or

(II) Seek to confirm the wage history voluntarily provided by the applicant for employment to support a wage offer higher than the initial wage offered by the employer.

(3) An employer may rely on wage history under paragraph (2) of this subsection only if the higher wage does not create an unlawful pay differential based on protected characteristics under §3-304 of this subtitle.

(C) This section may not be construed to prohibit an applicant for employment from sharing wage history with an employer voluntarily.

§3–305.

(a) (1) Each employer shall keep each record that the Commissioner requires on:

(i) wages of employees;

(ii) job classifications of employees; and

(iii) other conditions of employment.

(2) An employer shall keep the records required under this subsection for the period of time that the Commissioner requires.

(b) On the basis of the records required under this section, an employer shall make each report that the Commissioner requires.

§3–306.

(a) On request of an employer, the Commissioner shall provide without charge a copy of this subtitle to the employer.

(b) Each employer shall keep posted conspicuously in each place of employment a copy of this subtitle.

(c) The Commissioner, in consultation with the Maryland Commission on Civil Rights, shall develop educational materials and make training available to assist employers in adopting training, policies, and procedures that comply with the requirements of this subtitle.

§3–306.1.

(a) Whenever the Commissioner determines that this subtitle has been violated, the Commissioner shall:

(1) try to resolve any issue involved in the violation informally by mediation; or

(2) ask the Attorney General to bring an action on behalf of the applicant or employee.

(b) The Attorney General may bring an action under this section in the county where the violation allegedly occurred for injunctive relief, damages, or other relief.

§3–307.

(a)(1) If an employer knew or reasonably should have known that the employer's action violates § 3–304 of this subtitle, an affected employee may bring an action against the employer for injunctive relief and to recover the difference between the wages paid to employees of one sex or gender identity and the wages paid to employees of another sex or gender identity who do the same type work and an additional equal amount as liquidated damages.

(2) If an employer knew or reasonably should have known that the employer's action violates § 3–304.1 of this subtitle, an affected employee may bring an action against the employer for injunctive relief and to recover actual damages and an additional equal amount as liquidated damages.

(3) An employee may bring an action on behalf of the employee and other employees similarly affected.

(b) On the written request of an employee who is entitled to bring an action under this section, the Commissioner may:

(1) take an assignment of the claim in trust for the employee;

(2) ask the Attorney General to bring an action in accordance with this section on behalf of the employee; and

(3) consolidate 2 or more claims against an employer.

(c) An action under this section shall be filed within 3 years after the employee receives from the employer the wages paid on the termination of employment under § 3–505(a) of this title.

(d) The agreement of an employee to work for less than the wage to which the employee is entitled under this subtitle is not a defense to an action under this section.

(e) If a court determines that an employee is entitled to judgment in an action under this section, the court shall allow against the employer reasonable counsel fees and other costs of the action, as well as prejudgment interest in accordance with the Maryland Rules.

§3–308.

(a) An employer may not:

(1) willfully violate any provision of this subtitle;

(2) hinder, delay, or otherwise interfere with the Commissioner or an authorized representative of the Commissioner in the enforcement of this subtitle;

(3) refuse entry to the Commissioner or an authorized representative of the Commissioner into a place of employment that the Commissioner is authorized under this subtitle to inspect;

(4) discharge or otherwise discriminate against an employee or applicant for employment because the employee or applicant for employment:

(i) makes a complaint to the employer, the Commissioner, or another person;

(ii) brings an action under this subtitle or a proceeding that relates to the subject of this subtitle or causes the action or proceeding to be brought; or

(iii) has testified or will testify in an action under this subtitle or a proceeding that relates to the subject of this subtitle; or

(5) Violate §3–304.2 of this subtitle.

(b) An employee or an applicant for employment may not:

(1) make a groundless or malicious complaint to the Commissioner or an authorized representative of the Commissioner;

(2) in bad faith, bring an action under this subtitle;

(3) in bad faith, bring a proceeding that relates to the subject of this subtitle; or

(4) in bad faith, testify in an action under this subtitle or a proceeding that relates to the subject of this subtitle.

(c) The Commissioner may bring an action for injunctive relief and damages against a person who violates subsection (a)(1), (4), or subsection (b)(1), (3), or (4) of this section.

(d) (1) Except as provided in paragraph (2) of this subsection, an employer who violates any provision of subsection (a)(2) or (3) of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding $300.

(2) (i) This paragraph does not apply to a violation of §304.2.

(ii) If an employer is found to have violated this subtitle two or more times within a 3–year period, the Commissioner or a court may require the employer to pay a civil penalty equal to 10% of the amount of damages owed by the employer.

(iii) Each civil penalty assessed under this paragraph shall be paid to the General Fund of the State to offset the cost of enforcing this subtitle.

(E) (1) If the Commissioner determines that an employer has violated §3-304.2 of this subtitle, the Commissioner:

(I) shall issue an order compelling compliance; and

(II) may, in the Commissioner's discretion,

1. for a first violation, issue a letter to the employer compelling compliance;

2. for a second violation, assess a civil penalty of up to $300 for each applicant for employment for whom the employer is not in compliance; or

3. for each subsequent violation, assess a civil penalty of up to $600 for each applicant for employment for whom the employer is not in compliance if the violation occurred within 3 years after a previous determination that a violation had occurred.

(2) In determining the amount of the penalty, if assessed, the Commissioner shall consider:

(I) the gravity of the violation'

(II) the size of the employer's business;

(III) the employer's good faith; and

(IV) the employer's history of violations under this subtitle.

(3) If the Commissioner assesses a penalty under paragraph (1)(II) of this subsection, the penalty shall be subject to the notice and hearing requirements of Title 10, Subtitle 2 of the State Government Article.

For additional information or to file a complaint, please contact:

FOR MORE INFORMATION CONTACT:
Department of Labor
Division of Labor and Industry
Employment Standards Service
1100 N. Eutaw St. Rm. 607, Baltimore, MD 21201
Phone: 410-767-2357

Rev. 9/2020

Notice to Tipped Employees

Maryland Division of Labor and Industry

Under Maryland law, a tipped employee is an employee who customarily and regularly received more than $30 each month in tips or gratuities.

Maryland law prohibits an employer from requiring a tipped employee to reimburse an employer or pay an employer for the amount of a customer's charge for food or beverage if the customer leaves the employer's place of business without paying for the charges. In addition, unless otherwise provided by law, and employer is prohibited from making a deduction to an employee's wages to cover the cost of a customer's charge for food or beverage if the customer leaves the employer's place of business without paying the charge for food or beverages.

If you think you have been required to make an improper payment or there has been an improper deduction from your wages related to a customer's charges if the customer leaves the place of business without paying the charges, you may contact the Commissioner of Labor and Industry at:

Department of Labor
Division of Labor and Industry
Employment Standards Service
1100 North Eutaw Street, Room 607
Baltimore, MD 21201
Telephone Number: (410) 767-2357 • Fax Number: (410) 333-7303
E-mail: dldliemploymentstandards-dllr@maryland.gov

***PURSUANT TO* §3-713 (C) OF THE LABOR AND EMPLOYMENT ARTICLE OF THE MARYLAND ANNOTATED CODE, EMPLOYERS ARE REQUIRED TO CONSPICUOUSLY POST THIS NOTICE IN A PLACE WHERE ANY TIPPED EMPLOYEE IS EMPLOYED.**

Rev. 9/2019

This Organization Participates in E-Verify

Esta Organización Participa en E-Verify

Sample Only Sólo muestra

This employer participates in E-Verify and will provide the federal government with your Form I-9 information to confirm that you are authorized to work in the U.S.

If E-Verify cannot confirm that you are authorized to work, this employer is required to give you written instructions and an opportunity to contact Department of Homeland Security (DHS) or Social Security Administration (SSA) so you can begin to resolve the issue before the employer can take any action against you, including terminating your employment.

Employers can only use E-Verify once you have accepted a job offer and completed the Form I-9.

Este empleador participa en E-Verify y proporcionará al gobierno federal la información de su Formulario I-9 para confirmar que usted está autorizado para trabajar en los EE.UU..

Si E-Verify no puede confirmar que usted está autorizado para trabajar, este empleador está requerido a darle instrucciones por escrito y una oportunidad de contactar al Departamento de Seguridad Nacional (DHS) o a la Administración del Seguro Social (SSA) para que pueda empezar a resolver el problema antes de que el empleador pueda tomar cualquier acción en su contra, incluyendo la terminación de su empleo.

Los empleadores sólo pueden utilizar E-Verify una vez que usted haya aceptado una oferta de trabajo y completado el Formulario I-9.

E-Verify Works for Everyone

E-Verify Funciona Para Todos

For more information on E-Verify, or if you believe that your employer has violated its E-Verify responsibilities, please contact DHS.

Para más información sobre E-Verify, o si usted cree que su empleador ha violado sus responsabilidades de E-Verify, por favor contacte a DHS.

888-897-7781

dhs.gov/e-verify

E-VERIFY IS A SERVICE OF DHS AND SSA

English / Spanish Poster

EMPLOYEE RIGHTS

UNDER THE DAVIS-BACON ACT

FOR LABORERS AND MECHANICS EMPLOYED ON FEDERAL OR FEDERALLY ASSISTED CONSTRUCTION PROJECTS

PREVAILING WAGES

You must be paid not less than the wage rate listed in the Davis-Bacon Wage Decision posted with this Notice for the work you perform.

OVERTIME

You must be paid not less than one and one-half times your basic rate of pay for all hours worked over 40 in a work week. There are few exceptions.

ENFORCEMENT

Contract payments can be withheld to ensure workers receive wages and overtime pay due, and liquidated damages may apply if overtime pay requirements are not met. Davis-Bacon contract clauses allow contract termination and debarment of contractors from future federal contracts for up to three years. A contractor who falsifies certified payroll records or induces wage kickbacks may be subject to civil or criminal prosecution, fines and/or imprisonment.

APPRENTICES

Apprentice rates apply only to apprentices properly registered under approved Federal or State apprenticeship programs.

PROPER PAY

If you do not receive proper pay, or require further information on the applicable wages, contact the Contracting Officer listed below:

or contact the U.S. Department of Labor's Wage and Hour Division.

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd

WH1321 REV 10/17

FEDERAL EMPLOYEE RIGHTS

PAID SICK LEAVE AND EXPANDED FAMILY AND MEDICAL LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

The **Families First Coronavirus Response Act (FFCRA or Act)** requires the Federal government to provide all of its employees with paid sick leave and, for employees who are covered under Title I of the Family and Medical Leave Act (FMLA), with expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020.

▸ PAID LEAVE ENTITLEMENTS

Generally, the Federal government must provide Federal employees:

Up to two weeks (80 hours, or a part-time employee's two-week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at:

- 100% for qualifying reasons #1-3 below, up to $511 daily and $5,110 total; and
- ⅔ for qualifying reasons #4 and 6 below, up to $200 daily and $2,000 total.

Federal employees including those not covered under Title I of the FMLA can receive either ⅔ of the higher of their regular rate of pay, or the applicable state or Federal minimum wage for the two-week period for qualifying reason #5 below. However, for leave under qualifying reason #5, Federal employees covered under Title I of the FMLA can receive 10 additional weeks of expanded family and medical leave for reason #5 below, up to $200 daily and $12,000 total.

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

▸ ELIGIBLE EMPLOYEES

All Federal employees are eligible for up to two weeks of fully or partially paid sick leave for COVID-19 related reasons (see below). *Federal employees who are covered under Title I of the FMLA and have been employed for at least 30 days* prior to their leave request are eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 below.

Most federal employees are not covered under Title I of the FMLA and so would not be eligible for partially paid expanded family and medical leave. Please consult with your agency to determine whether you are covered under Title I of the FMLA. The Office of Personnel and Management will issue guidance on this question.

▸ QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19

A Federal employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to **telework**, because the employee:

1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. has been advised by a health care provider to self-quarantine related to COVID-19;
3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
5. is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or
6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.

▸ ENFORCEMENT

The U.S. Department of Labor's Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA for Federal employers covered under Title I of the FMLA. Employers may not discharge, discipline, or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint, or institutes a proceeding under or related to this Act. Federal employers covered under Title I of the FMLA in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD.

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

For additional information or to file a complaint:
1-866-487-9243
TTY: 1-877-889-5627
dol.gov/agencies/whd

WH1423 REV 03/20

EMPLOYEE RIGHTS

PAID SICK LEAVE AND EXPANDED FAMILY AND MEDICAL LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

The **Families First Coronavirus Response Act (FFCRA or Act)** requires certain employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020.

▸ PAID LEAVE ENTITLEMENTS

Generally, employers covered under the Act must provide employees:

Up to two weeks (80 hours, or a part-time employee's two-week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at:

- 100% for qualifying reasons #1-3 below, up to $511 daily and $5,110 total;
- ⅔ for qualifying reasons #4 and 6 below, up to $200 daily and $2,000 total; and
- Up to 12 weeks of paid sick leave and expanded family and medical leave paid at ⅔ for qualifying reason #5 below for up to $200 daily and $12,000 total.

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

▸ ELIGIBLE EMPLOYEES

In general, employees of private sector employers with fewer than 500 employees, and certain public sector employers, are eligible for up to two weeks of fully or partially paid sick leave for COVID-19 related reasons (see below). *Employees who have been employed for at least 30 days* prior to their leave request may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 below.

▸ QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19

An employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to **telework**, because the employee:

1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. has been advised by a health care provider to self-quarantine related to COVID-19;
3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
5. is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or
6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.

▸ ENFORCEMENT

The U.S. Department of Labor's Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA. Employers may not discharge, discipline, or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint, or institutes a proceeding under or related to this Act. Employers in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD.

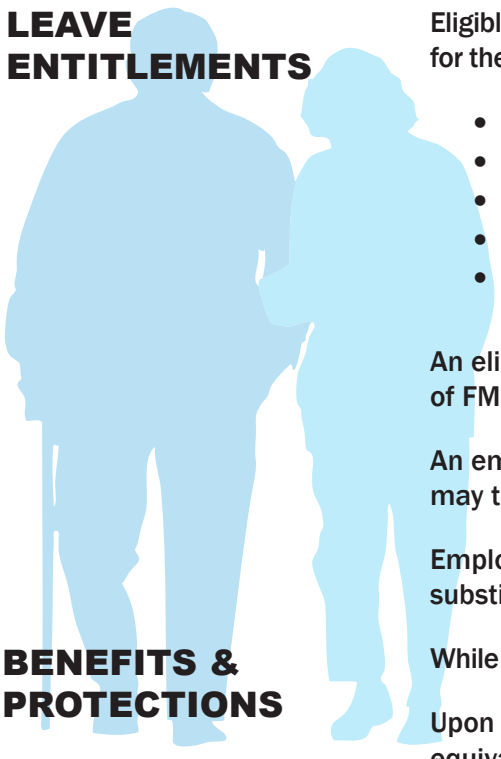
WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

For additional information or to file a complaint:
1-866-487-9243
TTY: 1-877-889-5627
dol.gov/agencies/whd

WH1422 REV 03/20

EMPLOYEE RIGHTS
UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION



LEAVE ENTITLEMENTS

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 one 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;
- 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 serious injury or illness.

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

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

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

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- 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.

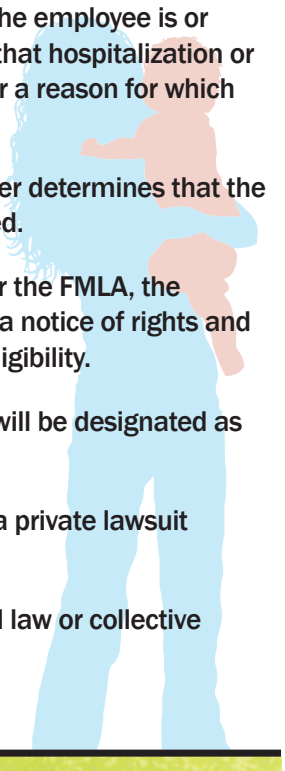
*Special "hours of service" requirements apply to airline flight crew employees.

REQUESTING LEAVE

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, follow the employer's usual procedures.

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 leave rights.

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

WAGE AND HOUR DIVISION

WH1420 REV 04/16

EMPLOYEE RIGHTS
ON GOVERNMENT CONTRACTS

THIS ESTABLISHMENT IS PERFORMING GOVERNMENT CONTRACT WORK SUBJECT TO:
(CHECK ONE)

☐ **SERVICE CONTRACT ACT (SCA)**

☐ **PUBLIC CONTRACTS ACT (PCA)**

MINIMUM WAGES

Your rate must be no less than the federal minimum wage established by the Fair Labor Standards Act (FLSA).

A higher rate may be required for SCA contracts if a wage determination applies. Such wage determination will be posted as an attachment to this notice.

FRINGE BENEFITS

SCA wage determinations may require fringe benefit payments (or a cash equivalent). PCA contracts do not require fringe benefits.

OVERTIME PAY

You must be paid 1.5 times your basic rate of pay for all hours worked over 40 in a week. There are some exceptions.

CHILD LABOR

No person under 16 years of age may be employed on a PCA contract.

SAFETY & HEALTH

Work must be performed under conditions that are sanitary, and not hazardous or dangerous to employees' health and safety.

ENFORCEMENT

Specific DOL agencies are responsible for the administration of these laws. To file a complaint or obtain information, contact the **Wage and Hour Division** (WHD) by calling its toll-free help line at 1-866-4-USWAGE (1-866-487-9243), or visit **www.dol.gov/whd**

Contact the **Occupational Safety and Health Administration** (OSHA) by calling 1-800-321-OSHA (1-800-321-6742), or visit **www.osha.gov**

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd

WH1313 REV 04/09

U.S. DEPARTMENT OF LABOR

The purpose of the discussion below is to advise contractors which are subject to the Walsh-Healey Public Contracts Act or the Service Contract Act of the principal provisions of these acts.

WALSH-HEALEY PUBLIC CONTRACTS ACT

General Provisions—This act applies to contracts which exceed or may exceed $10,000 entered into by any agency or instrumentality of the United States for the manufacture or furnishing of materials, supplies, articles, or equipment. The act establishes minimum wage, maximum hours, and safety and health standards for work on such contracts, and prohibits the employment on contract work of convict labor (unless certain conditions are met) and children under 16 years of age. The employment of homeworkers (except homeworkers with disabilities employed under the provisions of Regulations, 29 CFR Part 525) on a covered contract is not permitted.
In addition to its coverage of prime contractors, the act under certain circumstances applies to secondary contractors performing work under contracts awarded by the Government prime contractor.

All provisions of the act except the safety and health requirements are administered by the Wage and Hour Division.

Minimum Wage—Covered employees must currently be paid not less than the Federal minimum wage established in section 6(a)(1) of the Fair Labor Standards Act.

Overtime—Covered workers must be paid at least one and one-half times their basic rate of pay for all hours worked in excess of 40 a week. Overtime is due on the basis of the total hours spent in all work, Government and non-Government, performed by the employee in any week in which covered work is performed.

Child Labor—Employers may protect themselves against unintentional child labor violations by obtaining certificates of age. State employment or age certificates are acceptable.

Safety and Health—No covered work may be performed in plants, factories, buildings, or surroundings or under work conditions that are unsanitary or hazardous or dangerous to the health and safety of the employees engaged in the performance of the contract. The safety and health provisions of the Walsh-Healey Public Contracts Act are administered by the Occupational Safety and Health Administration.

Posting—During the period that covered work is being performed on a contract subject to the act, the contractor must post copies of Notice to Employees Working on Government Contracts in a sufficient number of places to permit employees to observe a copy on the way to or from their place of employment.

Responsibility for Secondary Contractors—Prime contractors are liable for violations of the act committed by their covered secondary contractors.

SERVICE CONTRACT ACT

General Provisions—The Service Contract Act applies to every contract entered into by the United States or the District of Columbia, the principal purpose of which is to furnish services in the United States through the use of service employees. Contractors and subcontractors performing on such Federal contracts must observe minimum wage and safety and health standards, and must maintain certain records, unless a specific exemption applies.

Wages and Fringe Benefits—Every service employee performing any of the Government contract work under a service contract in excess of $2,500 must be paid not less than the monetary wages, and must be furnished the fringe benefits, which the Secretary of Labor has determined to be prevailing in the locality for the classification in which the employee is working or the wage rates and fringe benefits (including any accrued or prospective wage rates and fringe benefits) contained in a predecessor contractor's collective bargaining agreement. The wage rates and fringe benefits required are usually specified in the contract but in no case may employees doing work necessary for the performance of the contract be paid less than the minimum wage established in section 6(a)(1) of the Fair Labor Standards Act. Service contracts which do not exceed $2,500 are not subject to prevailing rate determinations or to the safety and health requirements of the act. However, the act does require that employees performing work on such contracts be paid not less than the minimum wage rate established in section 6(a)(1) of the Fair Labor Standards Act.

Overtime—The Fair Labor Standards Act and the Contract Work Hours Safety Standards Act may require the payment of overtime at time and one-half the regular rate of pay for all hours work on the contract in excess of 40 a week. The Contract Work Hours Safety Standards Act is more limited in scope than the Fair Labor Standards Act and generally applies to Government contracts in excess of $100,000 that require or involve the employment of laborers, mechanics, guards, watchmen.

Safety and Health—The act provides that no part of the services in contracts in excess of $2,500 may be performed in buildings or surroundings or under working conditions, provided by or under the control or supervision of the contractor or subcontractor, which are unsanitary or hazardous or dangerous to the health or safety of service employees engaged to furnish the services. The safety and health provisions of the Service Contract Act are administered by the Occupational Safety and Health Administration.

Notice to Employees—On the date a service employee commences work on a contract in excess of $2,500, the contractor (or subcontractor) must provide the employee with a notice of the compensation required by the act. The posting of the notice (including any applicable wage determination) contained on the reverse in a location where it may be seen by all employees performing on the contract will satisfy this requirement.

Notice in Subcontracts—The contractor is required to insert in all subcontracts the labor standards clauses specified by the regulations in 29 CFR Part 4 for Federal service contracts exceeding $2,500.

Responsibility for Secondary Contractors—Prime contractors are liable for violations of the act committed by their covered secondary contractors.

Other Obligations—Observance of the labor standards of these acts does not relieve the employer of any obligation he may have under any other laws or agreements providing for higher labor standards.

Additional Information—Additional Information and copies of the acts and applicable regulations and interpretations may be obtained from the nearest office of the Wage and Hour Division or the national office in Washington, D.C. Information pertaining to safety and health standards may be obtained from the nearest office of the Occupational Safety and Health Administration or the national office in Washington, D.C.

TO BE POSTED

HEALTH INSURANCE COVERAGE

You and other members of your family may be eligible under Maryland law to continue to be covered by your former employer's health insurance policy if:

- You quit your job or you were terminated from your employment for a reason other than for cause; and
- You are covered by your employer under a group hospital-medical policy or a health maintenance organization (HMO) for at least three (3) months prior to being separated from your employment; and
- You do not have other similar insurance.

If you wish to continue your health insurance, you MUST give your employer written notice no later than forty-five (45) days after your last day of work.

IMPORTANT:

You will be responsible for paying the entire cost of the health insurance policy.

For further information about the program, you should contact your employer, or if necessary, telephone the Insurance Administration in Baltimore at (410) 468-2244 or 1-800-492-6116 (Ext. 2244).

State of Maryland
Maryland Department of Labor

THIS NOTICE APPLIES TO STATE LAW.
YOU MAY HAVE BROADER BENEFITS UNDER FEDERAL LAW.

TO BE POSTED

IF YOU HAVE THE RIGHT TO WORK

DON'T LET ANYONE TAKE IT AWAY

If you have the skills, experience, and legal right to work, your citizenship or immigration status shouldn't get in the way. Neither should the place you were born or another aspect of your national origin. A part of U.S. immigration laws protects legally-authorized workers from discrimination based on their citizenship status and national origin. You can read this law at 8 U.S.C. § 1324b.

The Immigrant and Employee Rights Section (IER) may be able to help if an employer treats you unfairly in violation of this law.

The law that IER enforces is 8 U.S.C. § 1324b. The regulations for this law are at 28 C.F.R. Part 44.

Call IER if an employer:

Does not hire you or fires you because of your national origin or citizenship status (this may violate a part of the law at 8 U.S.C. § 1324b(a)(1))

Treats you unfairly while checking your right to work in the U.S., including while completing the Form I-9 or using E-Verify (this may violate the law at 8 U.S.C. § 1324b(a)(1) or (a)(6))

Retaliates against you because you are speaking up for your right to work as protected by this law (the law prohibits retaliation at 8 U.S.C. § 1324b(a)(5))

The law can be complicated. Call IER to get more information on protections from discrimination based on citizenship status and national origin.

Immigrant and Employee Rights Section (IER)

1-800-255-7688 **TTY 1-800-237-2515**

www.justice.gov/ier

IER@usdoj.gov

U.S. Department of Justice, Civil Rights Division, Immigrant and Employee Rights Section, January 2019

This guidance document is not intended to be a final agency action, has no legally binding effect, and has no force or effect of law. The document may be rescinded or modified at the Department's discretion, in accordance with applicable laws. The Department's guidance documents, including this guidance, do not establish legally enforceable responsibilities beyond what is required by the terms of the applicable statutes, regulations, or binding judicial precedent. For more information, see "Memorandum for All Components: Prohibition of Improper Guidance Documents," from Attorney General Jefferson B. Sessions III, November 16, 2017.

SI USTED TIENE DERECHO A TRABAJAR

NO DEJE QUE NADIE SE LO QUITE

Si usted dispone de las capacidades, experiencia y derecho legal a trabajar, su estatus migratorio o de ciudadanía no debe representar un obstáculo, ni tampoco lo debe ser el lugar en que usted nació o ningún otro aspecto de su nacionalidad de origen. Existe una parte de las leyes migratorias de los EE. UU. que protegen a los trabajadores que cuentan con la debida autorización legal para trabajar de la discriminación por motivos de su estatus de ciudadanía o nacionalidad de origen. Puede consultar esta ley contenida en la Sección 1324b del Título 8 del Código de los EE. UU.

Es posible que la Sección de Derechos de Inmigrantes y Empleados (IER, por sus siglas en inglés) pueda ayudar si un empleador lo trata de una forma injusta, en contra de esta ley.

La ley que hace cumplir la IER es la Sección 1324b del Título 8 del Código de los EE. UU. Los reglamentos de dicha ley se encuentran en la Parte 44 del Título 28 del Código de Reglamentos Federales.

Llame a la IER si un empleador:

No lo contrata o lo despide a causa de su nacionalidad de origen o estatus de ciudadanía (esto podría representar una vulneración de parte de la ley contenida en la Sección 1324b(a)(1) del Título 8 del Código de los EE. UU.)

Lo trata de una manera injusta a la forma de comprobar su derecho a trabajar en los EE. UU., incluyendo al completar el Formulario I-9 o utilizar E-Verify (esto podría representar una vulneración de la ley contenida en la Sección 1324b(a)(1) o (a)(6) del Título 8 del Código de los EE. UU.)

Toma represalias en su contra por haber defendido su derecho a trabajar al amparo de esta ley (la ley prohíbe las represalias, según se indica en la Sección 1324b(a)(5) del Título 8 del Código de los EE. UU.)

Esta ley puede ser complicada. Llame a la IER para más información sobre las protecciones existentes contra la discriminación por motivos del estatus de ciudadanía o la nacionalidad de origen.

Sección de Derechos de Inmigrantes y Empleados (IER)

1-800-255-7688 **TTY 1-800-237-2515**

www.justice.gov/crt-espanol/ier

IER@usdoj.gov

Departamento de Justicia de los EE. UU., División de Derechos Civiles, Sección de Derechos de Inmigrantes y Empleados, enero del 2019

Este documento de orientación no tiene como propósito ser una decisión definitiva por parte de la agencia, no tiene ningún efecto jurídicamente vinculante y puede ser rescindido o modificado a la discreción del Departamento, conforme a las leyes aplicables. Los documentos de orientación del Departamento, entre ellos este documento de orientación, no establecen responsabilidades jurídicamente vinculantes más allá de lo que se requiere en los términos de las leyes aplicables, los reglamentos o los precedentes jurídicamente vinculantes. Para más información, véase «Memorándum para Todos Los Componentes: La Prohibición contra Documentos de Orientación Impropias», del Fiscal General Jefferson B. Sessions III, 16 de noviembre del 2017.

Maryland Minimum Wage and Overtime Law

Maryland DEPARTMENT OF LABOR

Maryland Division of Labor and Industry

Minimum Wage Rates

Employers with 15 or more employees:

$12.50
Effective 1/1/2022
$13.25
Scheduled 1/1/23
$14.00
Scheduled 1/1/24

Employers with 14 or fewer employees:

$12.20
Effective 1/1/22
$12.80
Scheduled 1/1/23
$13.40
Scheduled 1/1/24

Montgomery Co.
Different minimum wage rates are in effect. Employers in this county are required to post the applicable rate information.

(Labor and Employment Article, Title 3, Subtitle 4, Annotated Code of Maryland)

Minimum Wage

Most employees must be paid the Maryland State Minimum Wage Rate.

Tipped Employees (earning more than $30 per month in tips) must earn the State Minimum Wage Rate per hour. Employers must pay at least **$3.63** per hour. This amount plus tips must equal at least the State Minimum Wage Rate. Subject to the adoption of related regulations, restaurant employers who utilize a tip credit are required to provide employees with a written or electronic wage statement for each pay period showing the employee's effective hourly rate of pay including employer paid cash wages plus tips for tip credit hours worked for each workweek of the pay period. Additional information and updates will be posted on the Maryland Department of Labor website.

Employees under 18 years of age must earn at least 85% of the State Minimum Wage Rate.

Overtime

Most employees must be paid **1.5 times** their usual hourly rate for all work over **40 hrs.** per week. Exceptions:

- Bowling establishments, and institutions providing on-premise care (other than hospitals) to the sick, the aged, or individuals with disabilities for all work over **48 hrs.** per week
- Agricultural workers for all work over **60 hrs.** per week

Exemptions

Minimum Wage and Overtime Exemptions:

- Immediate family member of the employer
- Certain agricultural employees
- Executives, administrative, and professional employees
- Volunteers for educational, charitable, religious, and non-profit organizations
- Employees under 16 working less than 20 hours per week
- Outside salespersons
- Commissioned employees
- Employees enrolled as a trainee as part of a public school special education program
- Non-administrative employees of organized camps
- Certain establishments selling food and drink for consumption on the premises grossing less than $400,000 annually
- Drive-in theaters
- Establishments engaged in the first canning, packing or freezing of fruits, vegetables, poultry, or seafood

Overtime Only Exemptions (must earn the State Minimum Wage Rate):

- Taxicab drivers
- Certain employees selling/servicing automobiles, farm equipment, trailers, or trucks
- Non-profit concert promoter, theater, music festival, music pavilion, or theatrical show
- Employers subject to certain railroad requirements of the U.S. Dept. of Transportation, the Federal Motor Carrier Act, and the Interstate Commerce Commission
- Seasonal amusement and recreational establishments that meet certain criteria

FOR MORE INFORMATION OR TO FILE A COMPLAINT CONTACT:

Maryland Department of Labor
Division of Labor and Industry—Employment Standards Service
10946 Golden West Drive, Suite 160
Hunt Valley, MD 21031
Telephone Number: (410) 767-2357 • Fax Number: (410) 333-7303
E-mail: dldliemploymentstandards-dllr@maryland.gov

EMPLOYERS ARE REQUIRED BY LAW TO POST THIS INFORMATION.
PAY RECORDS MUST BE KEPT FOR 3 YEARS ON OR ABOUT THE PLACE OF WORK.
PENALTIES ARE PRESCRIBED FOR VIOLATIONS OF THE LAW.

Rev. 10/2021

Minor Fact Sheet

Maryland DEPARTMENT OF LABOR

Maryland Division of Labor and Industry

(Labor and Employment Article, Section 3 -206, Annotated Code of Maryland)

APPLYING FOR A WORK PERMIT

Applications for work permits are accepted online at: www.dllr.state.md.us/childworkpermit. Steps:

- **Minor or Parent/Guardian completes required information online and prints work permit**
- **TO BE VALID: The Minor, the Minor's Parent/ Guardian, and the Employer must sign the permit**

NOTE TO EMPLOYERS

- **A minor under the age of 14 is not permitted to work and may not be employed.**
- **Minors 14 through 17 years of age may *only* work with a work permit.**
- **The work permit must be in the employer's possession before the minor is permitted to work.**
- **Employers must keep the work permit on file for three years.**

Permissible Hours of Employment

All Minors:
May not be employed or permitted to work more than five hours continuously without a non-working period of at least ½ hour.

Minors 14—15:

- ***Non-school hours;**
- *3 hours on any day when school is in session;
- 8 hours on any day when school is not in session
- *18 hours in a school week;
- 40 hours in any week when school is not in session;
- *May only work between the hours of 7:00am and 7:00pm.
- *May work until 9:00pm from June 1 until Labor Day.
- The hours worked by a minor enrolled in a bona fide work- study or student-learner program when school is normally in session may not be counted towards the permissible hours of work prescribed above.

*This is based upon a more restrictive Federal law.

Minors 16—17:
May spend no more than 12 hours in a combination of school hours and work hours each day.

Must be allowed at least eight consecutive hours of non-work, non-school time in each 24-hour period

Exceptions:
Exceptions to hours and occupations may be granted by the Commissioner of Labor and Industry. Applications for exceptions should be addressed to the Commissioner giving specific details.

Non-Employment Activities

Activities not considered employment if performed outside of the prescribed school day and the activity does not involve mining, manufacturing or hazardous occupations. The activities include:

- Farm work performed on a farm.
- Domestic work performed in or about a home.
- Work performed in a business owned or operated by a parent or one standing in the place of a parent.
- Work performed by non-paid volunteers, in a charitable or non-profit organization, employed with the written consent of a parent or one standing in the place of a parent.
- Caddying on a golf course.
- Employment as an instructor on an instructional sailboat.
- Manufacturing of evergreen wreaths in or about a home.
- Delivery of newspapers to the consumer.
- Work performed as a counselor, assistant counselor, or instructor in a youth camp certified under the Maryland Youth Camp Act.
- Hazardous work performed by non-paid volunteers of a volunteer fire department or company or volunteer rescue squad who have completed or are taking a course of study relating to firefighting or rescue and who are 16 years of age or older.

Special Permits

Special permits may be issued to minors of any age to be employed as a model, performer, or entertainer. The applications and permits are available only from the Baltimore office of the Division of Labor and Industry (address below) or online at: www.labor.maryland.gov/labor/wages/empm.shtml

Federal Restrictions

Restrictions under the child labor provisions of the Federal Fair Labor Standards Act may be greater than State Standards. In all cases, the higher or more restrictive standard prevails. Information on Federal Standards is available from the Baltimore office of the U.S. Department of Labor, Wage and Hour Division (410) 962-6211.

FOR MORE INFORMATION CONTACT:
Maryland Department of Labor
Division of Industry - Employment Standards Service
1100 North Eutaw Street, Room 607 • Baltimore, MD 21201
Telephone Number: (410) 767-2357 • Fax Number: (410) 333-7303 • E-mail: dldliemploymentstandards-dllr@maryland.gov

Minor Fact Sheet

Maryland DEPARTMENT OF LABOR

Maryland Division of Labor and Industry

(Labor and Employment Article, Section 3 -206, Annotated Code of Maryland)

OCCUPATIONS FORBIDDEN TO ALL MINORS: Certain occupations are declared to be hazardous by the U.S. Secretary of Labor and have been adopted by reference by the Commissioner of Labor and Industry for the State of Maryland. All minors are forbidden to be employed at these occupations with certain exceptions including but not limited to Youth Apprenticeship.

- Occupations in or about plants or establishments manufacturing or storing explosives or articles containing explosive components.
- Occupations of motor-vehicle driver and outside helper.
- Coal-mine occupations.
- Logging occupations and occupations in the operation of any sawmill, lathe mill, shingle mill, or cooperage-stock mill.
- Occupations involved in the operation of power-driven woodworking machines.
- Occupations involving exposure to radioactive substances and to ionizing radiations.
- Occupations involved in the operation of elevators and other power-driven hoisting apparatus.
- Occupations involved in the operation of power-driven metal forming, punching, and shearing machines.
- Occupations in connection with mining, other than coal.
- Occupations involving slaughtering, meat-packing or processing, or rendering.
- Occupations involved in the operation of certain power-driven bakery machines.
- Occupations involved in the operation of certain power-driven paper products machines.
- Occupations involved in the manufacture of brick, tile, and kindred products.
- Occupations involved in the operation of circular saws, band saws, and guillotine shears.
- Occupations involved in wrecking, demolition, and shipbreaking operations.
- Occupations involved in roofing operations.
- Occupations involved in excavation operations.

In addition to the hazardous occupations as declared by the U.S. Secretary of Labor and adopted by the Commissioner of Labor and Industry, the following occupations are forbidden to all minors:

- Blast furnaces.
- Docks or wharves, other than marinas where pleasure boats are sold or served.
- Pilots, firemen, or engineers on any vessel or boat engaged in commerce.
- Railroads.
- Erection and repair of electrical wires.
- Any distillery where alcoholic beverages are manufactured, bottled, wrapped or packed.
- The manufacturing of dangerous or toxic chemicals or compounds.
- Cleaning, oiling or wiping of machinery.
- Any occupation forbidden by any local, state or federal law.
- Any occupation which after investigation by the Commissioner is deemed injurious to the health and welfare of the minor.

A minor may not be employed to transfer monetary funds in any amount between 8 p.m. and 8 a.m. or in any amount over $100.00 between 8 a.m. and 8 p.m. unless that minor is the child of the owner or operator or the funds have been received in payment of goods or services delivered by the minor.

AREAS OF EMPLOYMENT RESTRICTED FOR MINORS 14 AND 15 YEARS OF AGE

(1) Manufacturing, mechanical or processing occupations including occupations in workrooms, workplaces or storage areas where goods are manufactured or processed.
(2) Operation, cleaning or adjusting of any power-driven machinery other than office machines.
(3) Occupations in, about, or in connection with (except office or sales work not performed on site):

- scaffolding
- acids
- construction
- dyes
- railroads
- hoisting apparatus
- brickyard
- gases
- lumberyard
- lye
- airports
- public messaging service
- occupations causing dust or gases in injurious quantities
- boats engaged in navigation or commerce
- certain poultry activities
- certain baking and cooking
- any occupation deemed injurious by the Commissioner after investigation.
- transportation of persons or property

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.

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 after the child's birth each time such employee has a need to express 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.

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.
- 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
TTY: 1-877-889-5627
www.dol.gov/whd

WH1088 REV 07/16

MARYLAND
OCCUPATIONAL
SAFETY and HEALTH ACT

PRIVATE SECTOR

safety and health protection on the job

The Maryland Occupational Safety and Health Act of 1973 provides job safety and health protection for workers through the promotion of safe and healthful working conditions throughout the State. Requirements of the Act include the following:

Employers:

Each employer shall furnish to each of his or her employees employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious harm to employees; and shall comply with occupational safety and health standards issued under the Act.

Employees:

Each employee shall comply with all occupational safety and health standards, rules, regulations and orders issued under the Act that apply to his or her own actions and conduct on the job.

The Commissioner of Labor and Industry has the primary responsibility for administering the Act and issuing occupational safety and health standards. MOSH Safety and Health Inspectors conduct jobsite inspections to ensure compliance with the Act.

Inspection:

The Act requires that a representative authorized by the employees be given an opportunity to accompany the MOSH Inspector for the purpose of aiding the inspection.

Where there is no authorized employee representative, the MOSH Inspector shall consult with a reasonable number of employees concerning safety and health conditions in the workplace.

Complaint:

Employees or their representatives have the right to file a complaint with the Commissioner requesting an inspection if they believe unsafe or unhealthful conditions exist in their workplace. The Commissioner will withhold names of employees complaining on request.

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.

An employee who believes he or she has been discriminated against may file a complaint with the Commissioner and/or the Federal Occupational Safety and Health Administration Regional Office within 30 days of the alleged discrimination.

Citation:

If upon an inspection the Commissioner believes an employer has violated the Act, a citation alleging such violations shall be issued to the employer. Each citation shall specify a time period within which the alleged violation must be corrected.

The MOSH citation must be prominently displayed at or near the place of alleged violation for three days, or until it is corrected, whichever is later, to warn employees of dangers that may exist there.

Proposed Penalty:

The Act provides for mandatory civil penalties against employers of up to $7,000 for each serious violation and for optional penalties of up to $7,000 for each nonserious violation. Civil penalties of up to $7,000 per day may be proposed for failure to correct violations within the proposed time period. Also, any employer who willfully or repeatedly violates the Act may be assessed civil penalties of up to $70,000 for each such violation.

Criminal penalties are also provided for in the Act. Any willful violation resulting in death of an employee, upon conviction, is punishable by a fine of not more that $10,000 or by imprisonment for not more than six months, or by both. Conviction of an employer after a first conviction doubles these maximum penalties.

Voluntary Activity:

While providing penalties for violation, the Act also encourages efforts by labor and management to reduce injuries and illnesses arising out of employment. The Commissioner of Labor and Industry encourages employers and employees to reduce workplace hazards voluntarily and to develop and improve safety and health programs in all workplaces and industries.

Such cooperative action would initially focus on the identification and elimination of hazards that could cause death, injury, or illness to employees and supervisors. There are many public and private organizations that can provide information and assistance in this effort, if requested.

STATE OF MARYLAND

MARTIN O'MALLEY

Governor

ANTHONY G. BROWN

Lieutenant Governor

LEONARD J. HOWIE III

Secretary of Labor, Licensing and Regulation

ADDITIONAL INFORMATION AND COPIES OF THE ACT, SPECIFIC MARYLAND OCCUPATIONAL SAFETY AND HEALTH STANDARDS, AND OTHER APPLICABLE REGULATIONS MAY BE OBTAINED FROM

MOSH TRAINING and EDUCATION

10946 Golden West Drive, Suite 160

Hunt Valley, Maryland 21031

Phone: 410-527-2091

Complaints about State Program administration may be made to Regional Administrator, Occupational Safety and Health Administration, The Curtis Center, Suite 740 West, 170 S. Independence Mall West, Philadelphia, PA 19106-3309

Notice

Migrant and Seasonal Agricultural Worker Protection Act

This federal law requires agricultural employers, agricultural associations, farm labor contractors and their employees to observe certain labor standards when employing migrant and seasonal farmworkers unless specific exemptions apply. Further, farm labor contractors are required to register with the U.S. Department of Labor.

Migrant and Seasonal Farmworkers Have These Rights

- To receive accurate information about wages and working conditions for the prospective employment
- To receive this information in writing and in English, Spanish or other languages, as appropriate
- To have the terms of the working arrangement upheld
- To have farm labor contractors show proof of registration at the time of recruitment
- To be paid wages when due
- To receive itemized, written statements of earnings for each pay period
- To purchase goods from the source of their choice
- To be transported in vehicles which are properly insured and operated by licensed drivers, and which meet federal and state safety standards
- For migrant farmworkers who are provided housing
  - To be housed in property which meets federal and state safety and health standards
  - To have the housing information presented to them in writing at the time of recruitment
  - To have posted in a conspicuous place at the housing site or presented to them a statement of the terms and conditions of occupancy, if any

Workers who believe their rights under the act have been violated may file complaints with the department's Wage and Hour Division or may file suit directly in federal district court. The law prohibits employers from discriminating against workers who file complaints, testify or in any way exercise their rights on their own behalf or on behalf of others. Complaints of such discrimination must be filed with the division within 180 days of the alleged event.

For further information, get in touch with the nearest office of the Wage and Hour Division, listed in most telephone directories under the U.S. Government, Department of Labor.

Aviso

Ley de Protección de Trabajadores Migrantes y Temporales en la Agricultura

Esta ley federal exige que los patrones agrícolas, las asociaciones agrícolas, los contratistas de mano de obra agrícola (o troqueros), y sus empleados cumplan con ciertas normas laborales cuando ocupan a los trabajadores migrantes y temporales en la agricultura, a menos que se apliquen excepciones específicas. Los contratistas, o troqueros, tienen además la obligación de registrarse con el Departamento del Trabajo.

Los Trabajadores Migrantes y Temporales en la Agricultura Tienen los Derechos Siguientes

- Recibir detalles exactos sobre el salario y las condiciones de trabajo del empleo futuro
- Recibir estos datos por escrito en inglés, en español, o en otro idioma que sea apropiado
- Cumplimiento de todas las condiciones de trabajo como fueron presentadas cuando se les hizo la oferta de trabajo
- Al ser reclutados para un trabajo, ver una prueba de que el contratista se haya registrado con el Departamento del Trabajo
- Cobrar el salario en la fecha fijada
- Recibir cada día de pago un recibo indicando el salario y la razón de cualquier deducción
- Comprar mercancías al comerciante que ellos escojan
- Ser transportados en vehículos que tengan seguros adecuados y que hayan pasado las inspecciones federales y estatales de seguridad, y conducidos por choferes que tengan permisos de manejar
- Las garantías para los trabajadores migrantes a quienes se les proporcionen viviendas o alojamiento
  - Viviendas que satisfazcan los requisitos federales y estatales de seguridad y de sanidad
  - Al ser reclutados, recibir por escrito informes sobre las viviendas y su costo
  - Recibir de su patron un aviso escrito explicando las condiciones de ocupación de la vivienda, o que tal aviso esté colocado en un lugar visible de la vivienda

Los trabajadores que crean haber sufrido una violación de sus derechos pueden presentar sus quejas a la División de Salarios y Horas o pueden presentar una demanda directamente a los tribunales federales. La ley prohibe cualquier discriminación o sanción hacia los trabajadores que presenten tales quejas, que hagan declaraciones, o que reclamen de cualquier manera sus derechos, sea a beneficio de sí mismos o a beneficio de otros. Hay que presentar las quejas de discriminación o de sanción a la división dentro de 180 días del suceso.

En caso de que necesite más información, comuníquense con la oficina de la División de Salarios y Horas más cercana, que aparece en la mayoría de los directorios telefónicos bajo el título U.S. Government, Department of Labor.

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR
1-866-487-9243
www.dol.gov/whd

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

DIVISIÓN DE HORAS Y SALARIOS
DEPARTAMENTO DE TRABAJO DE LOS EE.UU.
1-866-487-9243
www.dol.gov/whd

La ley exige que los patrones fijen este aviso en un lugar donde puedan verlo fácilmente los trabajadores.

WH1376
REV 0483
PRINT 0718

WORKER RIGHTS
UNDER EXECUTIVE ORDER 13658

FEDERAL MINIMUM WAGE FOR CONTRACTORS

$10.95 PER HOUR

EFFECTIVE JANUARY 1, 2021 – DECEMBER 31, 2021

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

MINIMUM WAGE

Executive Order 13658 (EO) requires that federal contractors pay workers performing work on or in connection with covered contracts at least (1) $10.10 per hour beginning January 1, 2015, and (2) beginning January 1, 2016, and every year thereafter, an inflation-adjusted amount determined by the Secretary of Labor in accordance with the EO and appropriate regulations. The EO hourly minimum wage in effect from January 1, 2021, through December 31, 2021, is $10.95.

TIPS

Covered tipped employees must be paid a cash wage of at least $7.65 per hour effective January 1, 2021, through December 31, 2021. If a worker's tips combined with the required cash wage of at least $7.65 per hour paid by the contractor do not equal the EO hourly minimum wage for contractors, the contractor must increase the cash wage paid to make up the difference. Certain other conditions must also be met.

EXCLUSIONS

- Some workers who provide support "in connection with" covered contracts for less than 20 percent of their hours worked in a week may not be entitled to the EO minimum wage.
- Certain full-time students, learners, and apprentices who are employed under subminimum wage certificates are not entitled to the EO minimum wage.
- Workers employed on contracts for seasonal recreational services or seasonal recreational equipment rental for the general public on federal lands, except when the workers are performing associated lodging and food services, are not entitled to the EO minimum wage.
- Certain other occupations and workers are also exempt from the EO.

ENFORCEMENT

The U.S. Department of Labor's Wage and Hour Division (WHD) is responsible for enforcing the EO. WHD can answer questions, in person or by telephone, about your workplace rights and protections. We can investigate employers, recover wages to which workers may be entitled, and pursue appropriate sanctions against covered contractors. All services are free and confidential. The law also prohibits discriminating against or discharging workers who file a complaint or participate in any proceeding under the EO. If you are unable to file a complaint in English, WHD will accept the complaint in any language. You can find your nearest WHD office at *www.dol.gov/agencies/whd/contact/local-offices*

ADDITIONAL INFORMATION

- The EO applies only to new federal construction and service contracts, as defined by the Secretary in the regulations.
- Workers with disabilities whose wages are governed by certificates issued under section 14(c) of the Fair Labor Standards Act must also receive no less than the full EO minimum wage rate.
- Some state or local laws may provide greater worker protections; employers must comply with both.
- More information about the EO is available at *www.dol.gov/agencies/whd/government-contracts/minimum-wage*

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/agencies/whd

WH1089 REV 11/20

U.S. Department of Labor

OSHA®
Occupational Safety and Health Administration

Job Safety and Health
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-related injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- 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 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.

This poster is available free from OSHA.

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.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.
- 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.

Contact OSHA. We can help.

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

OSHA 3165-04R 2019

Maryland Sample Earned Sick and Safe Leave Policies

Overview

The Maryland Healthy Working Families Act requires that employers with 15 or more employees provide paid sick and safe leave for certain employees. It also requires that employers who employ 14 or fewer employees provide unpaid sick and safe leave for certain employees. In determining whether an employer is required to provide paid or unpaid earned sick and safe leave under the law, the number of employees is determined by calculating the average monthly number of employees during the immediately preceding year without regard to whether the employee is full-time, part-time, temporary, or seasonal.

These are sample policies for employers who have determined that their employees are covered by the Maryland Healthy Working Families Act.

The law requires that the Commissioner of Labor and Industry develop a model policy. The law provides that employers may:

1. award earned sick and safe leave at the beginning of the year; or
2. allow earned sick and safe leave to be accrued during the year.

The Commissioner has developed two different policies based upon the approach chosen by an employer, as well as a third policy for restaurant employers with tipped employees:

These model policies set forth the minimum requirements under the Maryland Healthy Working Families Act. For additional information on the law, please go to http://www.dllr.state.md.us/paidleave/ or the text the law itself which can be found in §§ 3-1301 through 3-1311 of the Labor and Employment Article of the Maryland Annotated Code. An employer will need to customize its policy to reflect whether its employees are entitled to paid or unpaid sick leave as well as choose certain options which are indicated in the respective model policies.

ATTACHMENT A

Sample Policy for Employers Awarding Earned Sick and Safe Leave at the Beginning of the Year

Pursuant to Maryland law, employees are entitled to earn sick and safe leave at the rate of 1 hour for every 30 hours that an employee works up to a maximum of 40 hours. To comply with the law, employees will be awarded forty (40) hours of paid/unpaid sick leave at the beginning of each year. The year commences on _____ and ends on _____. The terms under which employees are permitted to use this leave are set forth below. Employees are not permitted to carry over any unused leave at the end of the year.

Employees will not be paid for any unused sick and safe leave upon termination of employment. If an employee leaves employment and is rehired within 37 weeks of leaving, any earned and unused sick leave that the employee had at the time of separation will be reinstated.

Leave Usage

Employees are not permitted to use leave during the first 106 calendar days of their employment.

An employee is allowed to use earned sick and safe leave under the following conditions:

- To care for or treat the employee's mental or physical illness, injury or condition;
- To obtain preventative medical care for the employee or the employee's family member;
- To care for a family member with a mental or physical illness, injury or condition;
- For maternity or paternity leave; or
- The absence from work is necessary due to domestic violence, sexual assault or stalking committed against the employee or the employee's family member and the leave is being used: (1) to obtain medical or mental health attention; (2) to obtain services from a victim services organization; (3) for legal services or proceedings; or (4) because the employee has temporarily relocated as a result of the domestic violence, sexual assault or stalking.

A family member includes a spouse, child, parent, grandparent, grandchild, sibling or legal guardian. For a complete list of family members included under the law, please see §3-1301(G) of the Labor and Employment Article of the Maryland Annotated Code.

Employees are permitted to use the leave in increments of not less than ___ hours [Employer Option but note that the minimum increment may not exceed 4 hours].

If the need to use sick and safe leave is foreseeable (for example a scheduled doctor's appointment), the employee must provide notice 7 days prior to leave use. Notice must be given _____ [Employer Option to insert the desired method of notice] and directed to _____. [Employer Option complete to whom]

If the need to use leave is not foreseeable, the employee must provide notice as soon as practicable.

A request for earned sick and safe leave may be denied if the employee fails to provide proper notice and the employee's absence will cause a disruption to the employer.

Employees may only use earned sick and safe leave for one of the listed authorized reasons. Employees using earned sick and safe leave for unauthorized purposes or who have demonstrated a pattern of abusing sick and safe leave may be denied the right to use earned sick and safe leave in the future.

If an employee uses sick and safe leave for more than two consecutive scheduled shifts, the employee must provide verification that the leave use was appropriate.

As indicated above, employees may not use sick and safe leave for the first 106 days of their employment. Employees who wish to use leave between the 107th through the 120th calendar days after beginning employment must provide verification that the leave use was appropriate as agreed upon at the time of hire. [Employer Option: To require this verification of use between 107th and 120th days, employer and employee must have mutually agreed at the time of hire that the employee would provide such verification].

[THE FOLLOWING SECTION APPLIES ONLY TO PRIVATE EMPLOYERS LICENSED UNDER TITLE 7 OR TITLE 10 OF THE HEALTH GENERAL ARTICLE TO PROVIDE SERVICES TO DEVELOPMENTALLY DISABLED OR MENTALLY ILL INDIVIDUALS]

Employees may be denied sick and safe leave use if (1) the need to use earned sick and safe leave was foreseeable; (2) the employer is unable to find a suitable replacement for the employee after exercising reasonable diligence; and (3) the employee's absence will cause a disruption of service to at least one individual with a developmental disability or mental illness.

Statement of Earned Sick and Safe Leave

With each pay period, employees will be provided with a statement of leave used and available leave.

[THIS MAY BE PROVIDED THROUGH AN ONLINE ELECTRONIC SYSTEM]

Notice

An employer is required to notify its employees that the employee is entitled to earned sick and safe leave along with an explanation of how earned sick and safe leave accrue and the purposes for which the leave may be used. Maryland law prohibits an employer from taking adverse action against an employee for exercising their rights under this law as well as prohibits an employee from making a complaint, bringing an action or testifying in an action in bad faith.

QUESTIONS

Questions
The Commissioner of Labor and Industry has oversight of issues related to earned sick and safe leave. The Commissioner may be contacted at ssl.assistance@maryland.gov.

ATTACHMENT B

Sample Policy for Employers Who Allow Employees to Accrue Leave Throughout the Year

Pursuant to Maryland law, employees are entitled to earn sick and safe leave at the rate of 1 hour for every 30 hours that an employee works up to a maximum of 40 hours per year. The year commences on _____ and ends on _____. An employee accrues earned sick and safe leave at a rate of at least one hour for every 30 hours the employee works, however, an employee is not entitled to earn more than 40 hours of sick and safe leave in a year.

An employee is not entitled to earn sick and safe leave during:

(1) a two-week pay period in which the employee worked fewer than 24 hours total;

(2) a one-week pay period if the employee worked fewer than a combined total of 24 hours in the current and preceding pay period; or

(3) a pay period in which the employee is paid twice per month and the employee worked fewer than 26 hours in the pay period.

An employee who is exempt from the overtime provisions of the Fair Labor Standards Act is assumed to work 40 hours per week.

An employee may carry over any earned but unused sick and safe leave up to 40 hours but an employee may not accrue more than 64 hours of sick and safe leave at any time.

Employees will not be paid for any unused sick and safe leave upon termination of employment. If an employee leaves employment and is rehired within 37 weeks of leaving, any earned and unused sick leave that the employee had at the time of separation will be reinstated.

Leave Usage

Employees are not permitted to use leave during the first 106 calendar days of their employment.

An employee is allowed to use earned sick and safe leave under the following conditions:

- To care for or treat the employee's mental or physical illness, injury or condition;
- To obtain preventative medical care for the employee or the employee's family member;
- To care for a family member with a mental or physical illness, injury or condition;
- For maternity or paternity leave; or
- The absence from work is necessary due to domestic violence, sexual assault or stalking committed against the employee or the employee's family member and the leave is being used: (1) to obtain medical or mental health attention; (2) to obtain services from a victim services organization; (3) for legal services or proceedings; or (4) because the employee has temporarily relocated as a result of the domestic violence, sexual assault or stalking.

A family member includes a spouse, child, parent, grandparent, grandchild, sibling, or legal guardian. For a complete list of family members included under the law, please see §3-1301(G) of the Labor and Employment Article of the Maryland Annotated Code.

Employees are permitted to use the leave in increments of not less than ___ hours [Employer option but note that the minimum increment may not exceed 4 hours].

[Employer Option] An employee may use earned sick and safe leave before the leave has accrued up to a maximum of ____ hours. If an employee wishes to use leave before it has accrued, the employee must sign an acknowledgement that any amount of earned sick and safe leave that is paid before it has accrued will be deducted from wages paid to the employee if the employee leaves employment prior to accrual.

If the need to use sick and safe leave is foreseeable (for example a scheduled doctor's appointment), the employee must provide notice 7 days prior to leave use. Notice must be_____ [Employer Option insert desired method of notice] and directed to _____. [Employer option insert to whom] If the need to use leave is not foreseeable, the employee must provide notice as soon as practicable.

A request for earned sick and safe leave may be denied if the employee fails to provide the required notice and the employee's absence will cause disruption to the employer.

Employees may only use earned sick and safe leave for one of the listed authorized reasons. Employees using earned sick and safe leave for unauthorized purposes or who have demonstrated a pattern of abusing sick and safe leave may be denied the right to use sick and safe leave in the future.

If an employee uses sick and safe leave for more than two consecutive scheduled shifts, the employee must provide verification that the leave use was appropriate.

As indicated above, employees may not use sick and safe leave for the first 106 days of their employment. Employees who wish to use leave between the 107th through the 120th calendar days after beginning employment must provide verification that the leave use was appropriate as agreed upon at the time of hire. [Employer Option: To require this verification of use between 107th and 120th days, employer and employee must have mutually agreed at the time of hire that the employee would provide such verification].

[THE FOLLOWING SECTION APPLIES ONLY TO PRIVATE EMPLOYERS LICENSED UNDER TITLE 7 OR TITLE 10 OF THE HEALTH GENERAL ARTICLE TO PROVIDE SERVICES TO DEVELOPMENTALLY DISABLED OR MENTALLY ILL INDIVIDUALS]

Employees may be denied sick and safe leave use if (1) the need to use earned sick and safe leave was foreseeable; (2) the employer is unable to find a suitable replacement for the employee after exercising reasonable diligence; and (3) the employee's absence will cause a disruption of service to at least one individual with a developmental disability or mental illness.

Statement of Earned Sick and Safe Leave

With each pay period, employees will be provided with a statement of leave used and available leave.

[THIS MAY BE PROVIDED THROUGH AN ONLINE ELECTRONIC SYSTEM]

Notice

An employer is required to notify its employees that the employee is entitled to earned sick and safe leave along with an explanation of how earned sick and safe leave accrue and the purposes for which the leave may be used. Maryland law prohibits an employer from taking adverse action against an employee for exercising their rights under this law as well as prohibits an employee from making a complaint, bringing an action or testifying in an action in bad faith.

Questions

The Commissioner of Labor and Industry has oversight of issues related to earned sick and safe leave. The Commissioner may be contacted at ssl.assistance@maryland.gov.

ATTACHMENT C

Sample Policy for Restaurant Employers with Tipped Employees

This policy applies to an employee who is employed in a restaurant industry and who is compensated as a tipped employee. Pursuant to Maryland law, employees are entitled to earn sick and safe leave at the rate of 1 hour for every 30 hours that an employee works up to a maximum of 40 hours per year. The year commences on _____ and ends on _____. An employee accrues earned sick and safe leave at a rate of at least one hour for every 30 hours the employee works, however, an employee is not entitled to earn more than 40 hours of sick and safe leave in a year.

An employee may carry over any earned but unused sick and safe leave but an employee may not accrue more than 64 hours of sick and safe leave at any time. An employee who is exempt from the overtime provisions of the Fair Labor Standards Act is assumed to work 40 hours per week.

Employees will not be paid for any unused sick and safe leave upon termination of employment. If an employee leaves employment and is rehired within 37 weeks of leaving, any earned and unused sick leave that the employee had at the time of separation will be reinstated.

An employee is not entitled to earn sick and safe leave during:

(1) a two-week pay period in which the employee worked fewer than 24 hours total;

(2) a one-week pay period if the employee worked fewer than a combined total of 24 hours in the current and preceding pay period; or

(3) a pay period in which the employee is paid twice per month and the employee worked fewer than 26 hours in the pay period.

Leave Usage

Tipped employees using paid sick and safe leave will be paid at the minimum wage rate that is in effect at the time the leave is taken.

Employees are not permitted to use leave during the first 106 calendar days of employment.

An employee is allowed to use earned sick and safe leave under the following conditions:

- To care for or treat the employee's mental or physical illness, injury or condition;
- To obtain preventative medical care for the employee or the employee's family member;
- To care for a family member with a mental or physical illness, injury or condition;
- For maternity or paternity leave; or
- The absence from work is necessary due to domestic violence, sexual assault or stalking committed against the employee or the employee's family member and the leave is being used: (1) to obtain medical or mental health attention; (2) to obtain services from a victim

services organization; (3) for legal services or proceedings; or (4) because the employee has temporarily relocated as a result of the domestic violence, sexual assault or stalking.

A family member includes a spouse, child, parent, grandparent, grandchild, sibling or legal guardian. For a complete list of family members included under the law, please see §3-1301(G) of the Labor and Employment Article of the Maryland Annotated Code.

Employees are permitted to use the leave in increments of not less than ___ hours [Employer option but please note that this minimum increment may not exceed 4 hours].

[Employer Option] An employee may use earned sick and safe leave before the leave has accrued up to a maximum of ____ hours. If an employee wishes to use leave before it has accrued, the employee must sign an acknowledgement that any amount of earned sick and safe leave that is paid before it has accrued will be deducted from wages paid to the employee if the employee leaves employment prior to accrual.

If the need to use sick and safe leave is foreseeable (for example a scheduled doctor's appointment), the employee must provide notice 7 days prior to leave use. Notice must be_____ [Employer Option insert desired method of notice] and directed to _____. [Employer option insert to whom] If the need to use leave is not foreseeable, the employee must provide notice as soon as practicable.

A request for earned sick and safe leave may be denied if the employee fails to provide the required notice and the employee's absence will cause disruption to the employer.

Employees may only use earned sick and safe leave for one of the listed authorized reasons. Employees using earned sick and safe leave for unauthorized purposes or who have demonstrated a pattern of abusing sick and safe leave may be denied the right to use sick and safe leave in the future.

If an employee uses sick and safe leave for more than two consecutive scheduled shifts, the employee must provide verification that the leave use was appropriate.

As indicated above, employees may not use sick and safe leave for the first 106 days of their employment. Employees who wish to use leave between the 107th through the 120th calendar days after beginning employment must provide verification that the leave use was appropriate as agreed upon at the time of hire. {Employer Option: To require this verification of use between 107th and 120th days, employer and employee must have mutually agreed at the time of hire that the employee would provide such verification].

Alternate Shifts in Lieu of Paid Sick and Safe Leave for Tipped Employees

If a tipped employee needs to use earned sick and safe leave during a regularly scheduled shift, the employee may request the opportunity to work additional hours or trade shifts with another employee in lieu of taking paid leave. Such a request must be in writing and directed to _____. Where feasible such a request will be granted. However, the employer reserves the right to deny

such a request in which case the employee will be paid the current minimum wage rate for those hours that the employee uses earned sick and safe leave.

Statement of Earned Sick and Safe Leave

With each pay period, employees will be provided with a statement of leave used and available leave.

[THIS MAY BE PROVIDED THROUGH AN ONLINE ELECTRONIC SYSTEM]

Notice

An employer is required to notify its employees that the employee is entitled to earned sick and safe leave along with an explanation of how earned sick and safe leave accrue and the purposes for which the leave may be used. Maryland law prohibits an employer from taking adverse action against an employee for exercising their rights under this law as well as prohibits an employee from making a complaint, bringing an action or testifying in an action in bad faith.

Questions

The Commissioner of Labor and Industry has oversight of issues related to earned sick and safe leave. The Commissioner may be contacted at ssl.assistance@maryland.gov

PAY TRANSPARENCY

NONDISCRIMINATION PROVISION

The contractor will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with the contractor's legal duty to furnish information. 41 CFR 60-1.35(c)

If you believe that you have experienced discrimination contact OFCCP
1.800.397.6251 | TTY 1.877.889.5627 | www.dol.gov/ofccp

OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS
OFCCP

200 CONSTITUTION AVENUE NW | WASHINGTON, DC 20210 | tel: 1-800-397-6251 | TTY: 1-877-889-5627 | www.dol.gov/ofccp

TO EMPLOYEES

YOUR EMPLOYER IS SUBJECT TO the Maryland Unemployment Insurance Law and pays taxes under this law. No deduction is made from your wages for this purpose.

IF YOU ARE LAID OFF or otherwise become unemployed, immediately file a claim by callling the telephone number for the area in which you reside or you may file a claim on the internet at the web site address indicated below.

IF YOU ARE ELIGIBLE, you may be entitled to unemployment insurance benefits for as many as 26 weeks.

IF YOU ARE WORKING LESS THAN FULL TIME, you may be eligible for partial benefits. If your regular hours of work have been reduced, promptly file a claim as instructed above, to determine your benefit rights.

IF YOU HAVE BEEN FILING FOR BENEFITS AND RETURN TO WORK, you must report your gross wages before deductions during the week you return to work regardless of whether or not you have been paid.

YOU ARE ENTITLED TO BENEFITS IF:

1. You are unemployed through no fault of your own.
2. You have sufficient earnings in your Base Period.
3. You have registered for work and filed a claim for benefits with a Maryland Department of Labor claim center listed below.
4. You are able to work, available for work, and actively seeking work.

NOTE: To ensure prompt handling of your claim, it is necessary to have your Social Security number available. If you claim dependents under sixteen (16) years of age, you must know the Social Security number of each dependent when you file. If you do not know the Social Security numbers, you will be provided with instructions on how to provide a copy of the dependents' birth certificates or other forms of proof of dependency.

IF YOU ARE TOTALLY OR PARTIALLY UNEMPLOYED CALL:

Phone Number To File A Claim	Area Served	Phone Number To File A Claim	Area Served	Phone Number To File A Claim	Area Served
301-313-8000 1-877-293-4125 (toll free)	Calvert Charles Montgomery Prince Georges St. Mary's	410-334-6800 1-877-293-4125 (toll free)	Caroline Dorchester Kent Queen Anne's Somerset Talbot Wicomico Worcester	410-853-1600 1-877-293-4125 (toll free)	Anne Arundel Baltimore City Baltimore County Carroll Cecil Harford Howard
301-723-2000 1-877-293-4125 (toll free)	Allegany Frederick Garrett Washington				
SOLICITUD DE BENEFICIOS DEL DESEMPLEO PARA LA POBLACIÓN DE HABLE HISPANA 301-313-8000		**INSIDE THE STATE OF MARYLAND** (DENTRO DEL ESTADO DE MARYLAND) Maryland Relay Dial 711 TTY: 1-800-735-2258 Speech to Speech: 1-800-785-5630 Para Relevos en Maryland presione 711 ó 1-800-877-1264 (U.S.)		**OUTSIDE THE STATE OF MARYLAND** (FUERA DEL ESTADO DE MARYLAND) TTY: 1-800-735-2258 Speech to Speech: 1-800-785-5630 Para Relevos en Maryland presione 1-800-877-1264 (U.S.)	

TO FILE A CLAIM VIA THE INTERNET:
www.mdunemployment.com

IMPORTANT NOTICE

Unemployment insurance is intended for persons who are unemployed through no fault of their own and who are ready, willing and able to work. Persons who receive benefits through false statements or fail to report ALL earnings will be disqualified and will be subject to criminal prosecution.

The Civil Rights Act of 1964 states that no person shall be discriminated against on the basis of race, color, religion, age, sex, or national origin. If you feel you have been discriminated against in the unemployment insurance process because of any of these factors, you may file a complaint with the Office of Fair Practices, 1100 North Eutaw Street, Room 613, Baltimore, Maryland 21201.

MARYLAND DEPARTMENT OF LABOR - DIVISION OF UNEMPLOYMENT INSURANCE

THIS CARD MUST BE POSTED IN A CONSPICUOUS PLACE

YOUR RIGHTS UNDER USERRA

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

REEMPLOYMENT RIGHTS

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

- ☆ 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 conditions.

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.

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

If you:

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

then an employer may not deny you:

- ☆ initial employment;
- ☆ reemployment;
- ☆ retention in employment;
- ☆ promotion; or
- ☆ any benefit of 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 connection.

HEALTH INSURANCE PROTECTION

- ☆ If you leave your job to perform military service, you have the right to elect to continue your existing employer-based 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.

ENFORCEMENT

- ☆ 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 **http://www.dol.gov/vets**. An interactive online USERRA Advisor can be viewed at **http://www.dol.gov/elaws/userra.htm**.

- ☆ 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: **http://www.dol.gov/vets/programs/userra/poster.htm**. 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.

U.S. Department of Labor
1-866-487-2365

U.S. Department of Justice

Office of Special Counsel

1-800-336-4590

Publication Date — April 2017

EMPLOYEE RIGHTS

H-2A WORKERS AND COVID-19

All people in the United States, including H-2A workers, have equal access to COVID-19 vaccines and vaccination sites.

- ***The vaccine is free of charge, regardless of immigration status.***
- ***Health insurance is not required.***

Vaccines may be available at your local pharmacy, grocery store, or health clinic. To find a COVID-19 vaccination site near you, visit **www.vaccines.gov**, text your ZIP code to **438829**, or call **1-800-232-0233**.

H-2A employers must comply with all federal, state, and local laws and regulations related to employment, including:

- health and safety laws that help protect workers from COVID-19,
- any right to time off or paid time off to receive COVID-19 vaccines, and
- any required notifications to local health authorities of any outbreak at the labor camp.

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/agencies/whd

WH1046 REV 11/21

WORKER RIGHTS
UNDER EXECUTIVE ORDER 13706

PAID SICK LEAVE FOR FEDERAL CONTRACTORS

ONE HOUR OF PAID SICK LEAVE FOR EVERY 30 HOURS WORKED, UP TO 56 HOURS EACH YEAR

PAID SICK LEAVE

Executive Order 13706, Establishing Paid Sick Leave for Federal Contractors, requires certain employers that contract with the Federal Government to provide employees working on or in connection with those contracts with 1 hour of paid sick leave for every 30 hours they work—up to 56 hours of paid sick leave each year.

Employees must be permitted to use paid sick leave for their own illness, injury, or other health-related needs, including preventive care; to assist a family member who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member who is the victim of, domestic violence, sexual assault, or stalking.

Employers are required to inform employees of their paid sick leave balances and must approve all valid requests to use paid sick leave. Rules about when and how employees should ask to use paid sick leave also apply. More information about the paid sick leave requirements is available at www.dol.gov/whd/govcontracts/eo13706

ENFORCEMENT

The Wage and Hour Division (WHD), which is responsible for making sure employers comply with Executive Order 13706, has offices across the country. WHD can answer questions, in person or by telephone, about your workplace rights and protections. WHD can investigate employers and recover wages to which workers may be entitled. All services are free and confidential. If you are unable to file a complaint in English, WHD will accept the complaint in any language.

The law prohibits discriminating against or discharging workers who file a complaint or participate in any proceeding under the Executive Order.

ADDITIONAL INFORMATION

Executive Order 13706 applies to new contracts and replacements for expiring contracts with the Federal Government starting January 1, 2017. It applies to federal contracts for construction and many types of federal contracts for services.

Some state and local laws also require that employees be provided with paid sick leave. Employers must comply with all applicable requirements.

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd/govcontracts

WH1090 REV 09/16

EMPLOYEE RIGHTS

UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE

$7.25 PER HOUR

BEGINNING JULY 24, 2009

STATE AND LOCAL GOVERNMENT EMPLOYEES

OVERTIME PAY

At least 1½ times the regular rate of pay for all hours worked over 40 in a workweek.

Law enforcement and fire protection personnel: You may be paid overtime on the basis of a "work period" of between 7 and 28 consecutive days in length, rather than on a 40-hour workweek basis.

COMPENSATORY TIME

Employees may receive compensatory time off instead of cash overtime pay, at a rate of not less than 1½ hours for each overtime hour worked, where provided pursuant to an agreement or understanding that meets the requirements of the Act.

EXEMPTIONS

The Act does not apply to persons who are not subject to the civil service laws of State or local governments and who are: elected public officials, certain immediate advisors to such officials, certain individuals appointed or selected by such officials to serve in various capacities, or employees of legislative branches of State and local governments. Employees of legislative libraries do not come within this exclusion and are thus covered by the Act.

Certain types of workers are exempt from the minimum wage and overtime pay provisions, including bona fide executive, administrative, and professional employees who meet regulatory requirements.

Any law enforcement or fire protection employee who in any workweek is employed by a public agency employing less than 5 employees in law enforcement or fire protection activities is exempt from the overtime pay provisions.

YOUTH EMPLOYMENT

16 years old is the minimum age for most occupations. An 18-year old minimum applies to hazardous occupations. Minors 14 and 15 years old may work outside school hours under certain conditions. For more information, visit the YouthRules! Web site at www.youthrules.dol.gov.

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

- Some state laws provide greater employee protections; employers must comply with both.
- Employees under 20 years of age may be paid a youth minimum wage of not less than $4.25 an hour during their first 90 consecutive calendar days after initial employment by an employer.
- Employers are required to display this poster where employees can readily see it.

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

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd

WH1385 REV 07/16

EMPLOYEE RIGHTS

UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE

$7.25 PER HOUR

BEGINNING JULY 24, 2009

AGRICULTURAL EMPLOYEES

MINIMUM WAGE

The Fair Labor Standards Act requires the payment of the minimum wage listed above if you perform covered work for an employer who used more than 500 man-days of farm labor in any calendar quarter of the preceding year. A man-day means any day when an employee (except for a member of the employer's immediate family) does agricultural work for at least one hour.

Note: Under specific exemptions in the law, employers do not have to pay the minimum wage to the following:

- Members of the employer's immediate family;
- Local hand-harvest workers who are paid on a piece-rate basis and who worked fewer than 13 weeks in agriculture during the preceding calendar year;
- Migrant hand-harvest workers 16 and younger who are employed on the same farm as their parents and who receive the same piece rates as employees older than 16 working on the same farm;
- Workers mainly engaged in the range production of livestock.

CHILD LABOR

At age 16, you may work at any time in any farm job, including those declared hazardous by the Secretary of Labor. At age 14, you may work in nonhazardous farm jobs outside school hours. Minors 12 and 13 years old may work outside school hours with written parental consent or on farms where a parent of the minor is employed, and those under 12 may work with parental consent outside school hours on farms not subject to the minimum wage. Although the FLSA authorizes the Secretary of Labor to issue waivers that would, under specified conditions, permit the employment of local minors 10 and 11 years of age to work outside school hours in the hand harvesting of crops, the Department of Labor has been enjoined from issuing such waivers since 1980.

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

- Some state laws provide greater employee protections; employers must comply with both.
- 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 the Labor.
- The law requires employers to display this poster where employees can readily see it.

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

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd

WH1386 REV 07/16

Break Time for Nursing Mothers

under the Fair Labor Standards Act (FLSA)

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

The Fair Labor Standards Act (FLSA) requires employers to provide **break time and space** for a covered nonexempt nursing mother to express breast milk for her nursing child for one year after her child's birth.

- Employers must allow reasonable **break time** whenever a covered employee needs to express breast milk.
- Employers must provide covered employees with space that is:
  - functional for expressing milk
  - shielded from view
  - free from intrusion
  - available as needed, AND
  - **NOT a bathroom**.

If an employer has fewer than 50 employees **AND** can demonstrate that compliance with this law would impose an undue hardship on the employer, that employer does not have to provide nursing breaks.

Note: The FLSA requirement of break time for nursing mothers to express breast milk does not preempt state laws that provide greater protections to employees (for example, providing compensated break time, providing break time for exempt employees, or providing break time beyond one year after the child's birth).

UNLAWFUL ACTS

Any employee who is "discharged or in any other manner discriminated against" because he or she has filed a complaint or cooperated in an investigation may file a retaliation complaint with the Wage and Hour Division or directly in court seeking appropriate remedies.

1-866-4US-WAGE
www.dol.gov/whd

WH1527 1218

EMPLOYEE RIGHTS
UNDER THE H-2A PROGRAM

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

The Immigration and Nationality Act (INA) allows for the employment of temporary, non-immigrant workers in agriculture (H-2A WORKERS) only if the employment of U.S. workers would not be adversely impacted. To ensure that U.S. workers are not adversely impacted, ***H-2A WORKERS*** **and** ***OTHER WORKERS employed on an H-2A work contract or by an H-2A employer in the same agricultural work as the H-2A workers*** have the following rights:

DISCLOSURE

- To receive accurate, **WRITTEN INFORMATION** about the wages, hours, working conditions, and benefits of the employment being offered
- To receive this information prior to getting a visa and no later than on the first day of work
- To receive this information in a language understood by the worker

WAGES

- To be **PAID** at least twice per month at the rate stated in the work contract
- To be informed, in writing, of all **DEDUCTIONS** (not otherwise required by law) that will be made from the worker's paycheck
- To receive an itemized, written **STATEMENT OF EARNINGS** (pay stub) for each pay period
- To be guaranteed employment for at least **THREE-FOURTHS** (75%) of the total hours promised in the work contract

TRANSPORTATION

- To be provided or, upon completion of 50 percent of the work contract period, reimbursed for reasonable costs incurred to the place of employment for transportation and subsistence (lodging incurred on the employer's behalf and meals)
- Upon completion of the work contract, to be provided or paid for return transportation and subsistence
- For workers living in employer-provided housing, to be provided **TRANSPORTATION**, at no cost to the worker, between the housing and the worksite
- All employer-provided transportation must meet applicable safety standards, be properly insured, and be operated by licensed drivers

HOUSING

- For any worker who is not reasonably able to return to his/her residence within the same day, to be provided **HOUSING AT NO COST**
- Employer-provided housing must meet applicable safety standards
- Workers who live in employer-provided housing must be offered three meals per day at no more than a DOL-specified cost, or provided free and convenient cooking and kitchen facilities

ADDITIONAL PROVISIONS

- To be provided state **WORKERS' COMPENSATION** insurance or its equivalent
- To be provided, at no cost, all **TOOLS**, **SUPPLIES**, and **EQUIPMENT** required to perform the assigned duties
- **TO BE FREE FROM DISCRIMINATION** or **DISCHARGE** for filing a complaint, testifying, or exercising your rights in any way or helping others to do so
- Employers MUST comply with all other applicable laws (including the prohibition against holding workers' passports or other immigration documents)
- Employers and their agents, including foreign recruiters, or anyone working on behalf of the employer, MUST NOT receive payment from any worker for any costs related to obtaining the H-2A certification (such as application and recruitment fees)
- Employers MUST display this poster where employees can readily see it
- Employers MUST NOT lay off or displace similarly employed U.S. workers within 60 days of the date of need for H-2A workers
- Employers MUST hire any eligible U.S. worker who applies during the first 50 percent of the approved work contract period

Workers who believe their rights under the program have been violated may file confidential complaints.

For additional information:

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

U.S. Wage and Hour Division

WH1491 April 2012