

FED EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE
\$7.25 PER HOUR
BEGINNING JULY 24, 2009

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

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

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

TIP CREDIT
Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.

PUMP AT WORK
The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for her nursing child for one year after the child's birth each time the employee needs to express breast milk. Employers must provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

ENFORCEMENT
The Department has authority to recover back wages and an equal amount in liquidated damages in instances

of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA.

ADDITIONAL INFORMATION

- Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions. Certain narrow exemptions also apply to the pump at work requirements.
- Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.
- Some state laws provide greater employee protections; employers must comply with both.
- Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not.
- Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

DEPARTMENT OF LABOR UNITED STATES OF AMERICA

WHD

WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR

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

WH1088

REV. 04/2023

FED 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 and defenses.

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.

EXAMINES 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 to not 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.

FED U.S. Equal Employment Opportunity Commission Know Your Rights: Workplace Discrimination is Illegal

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

Who is Protected?

- Employees (current and former), including managers and temporary employees
- Job applicants
- Union members and applicants for membership in a union

What Types of Employment Discrimination are Illegal?
Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of:

- Race
- Color
- Religion
- National origin
- Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity)
- Age (40 and older)
- Disability
- Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)
- Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding
- Interference with, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation

What Organizations are Covered?

- Most private employers
- State and local governments (as employers)
- Educational institutions (as employers)
- Unions
- Staffing agencies

What Employment Practices can be Challenged as Discriminatory?
All aspects of employment, including:

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

What can You Do if You Believe Discrimination has Occurred?

Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:

Submit an inquiry through the EEOC's public portal: <https://publicportal.eeoc.gov/Portal/Login.aspx>

Call 1-800-669-4000 (toll free) 1-800-669-8820 (TTY) 1-844-234-5122 (ASL, video phone)

Visit an EEOC field office (information at www.eeoc.gov/field-office)

E-Mail info@eeoc.gov

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

FED 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;
- 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.

U.S. Department of Labor • 1-866-487-2365 U.S. Department of Justice • Office of Special Counsel Employer Support of the Guard and Reserve • 1-800-336-4590

REV. 05/2022

KS STOP HUMAN TRAFFICKING IN KANSAS

1-888-373-7888

CALL: 1-888-373-7888

TEXT: "BeFree" to 233733

LIVE CHAT: HumanTraffickingHotline.org



SCAN: to visit the website

If you or someone you know is a victim of human trafficking, there is help.

Know the Signs

Are you being forced to work against your will?
Are you threatened or tricked by your boss?
Are you required to live with your employer?

Report Suspicious Activities

- Minor accompanied by an unrelated older adult who exerts excessive control or seems overly possessive.
 - Lack of personal freedom.
 - Tattoos or branding suggesting ownership.
 - Signs of fear, submissiveness or paranoia around authority.
 - Required to earn a certain amount of money per day.
- Contact the National Human Trafficking Hotline to:**
- Get help.
 - Find services.
 - Report a tip.
 - Learn about your options.

If you or someone you know is in immediate danger, call 911.

Your actions can make a difference in someone's life.

Kansas Department of Labor | 401 SW Topeka Blvd, Topeka, KS 66603 | www.dol.ks.gov

KESD-P 541

REV. 10/2024

FED YOUR EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

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

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

- The birth, adoption or foster placement of a child with you.
- Your serious mental or physical health condition that makes you unable to work.
- To care for your spouse, child or parent with a serious mental or physical health condition, and
- Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

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

You have the right to use FMLA leave in one block of time. When it is medically necessary or otherwise permitted, you may take FMLA leave intermittently in separate blocks of time, or on a reduced schedule by working less hours each day or week. Read Fact Sheet #28M(C) for more information.

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

Am I eligible to take FMLA leave?

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

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

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

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

- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,
- You work for an elementary or public or private secondary school, and
- You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA administered by the Office of Personnel Management.

How do I request FMLA leave?
Generally, to request FMLA leave you must:

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

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

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

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

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

What does my employer need to do?

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

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

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

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

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

Where can I find more information?
Call 1-866-487-9243 or visit dol.gov/fmla to learn more.

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

DEPARTMENT OF LABOR UNITED STATES OF AMERICA

WHD

WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR

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

WH1420

REV. 04/2023

KS Department of Labor Workers Compensation Rights and Responsibilities

This notice must be posted and maintained by the employer in one or more conspicuous places. Your employer is subject to the Kansas Workers Compensation Law which provides compensation for job-related injuries.

This notice applies to dates of accidents on or after July 1, 2024.

Este aviso aplica a las fechas de los accidentes a partir de Julio 1, 2024.

WHAT TO DO IF AN INJURY OCCURS ON THE JOB
NOTIFY YOUR EMPLOYER IMMEDIATELY. Per K.S.A. 44-520, a claim may be denied if an employee fails to notify their employer within the earliest of the following dates: (A) 30 calendar days from the date of accident or the date of injury by repetitive trauma; (B) if the employee no longer works for the employer against whom benefits are being sought; 20 calendar days after the employee's last day of actual work for the employer.

Notice may be given orally or in writing. Where notice is provided orally, if the employer has designated an individual or department to whom notice must be given and such designation has been communicated in writing to the employee, notice to any other individual or department shall be insufficient under this section. If the employer has not designated an individual or department to whom notice must be given, notice must be provided to a supervisor or manager.

Where notice is provided in writing, notice must be sent to a supervisor or manager at the employee's principal location of employment.

The notice, whether provided orally or in writing, shall include the time, date, place, person injured and particulars of such injury. It must be apparent from the content of the notice that the employee is claiming benefits under the workers compensation act or has suffered a work-related injury.

BENEFITS. Benefits are paid by the employer's insurance carrier or self insurance program. Benefits include medical treatment, partial wage replacement for lost time and additional benefits if the injury results in permanent disability. An employer is required to furnish all necessary medical treatment and has the right to designate the treating physician. If the employee seeks treatment from a doctor not authorized by the employer, the employer or its insurance carrier is only liable up to \$800.00 dollars for the unauthorized medical treatment.

QUE HACER SI UNA LESION OCURRE EN EL TRABAJO
NOTIFIQUE A SU EMPLEADOR INMEDIATAMENTE. De acuerdo con el artículo de ley K.S.A. 44-520, un reclamo puede ser negado si el empleado no notifica a su empleador dentro del antes de las siguientes fechas: (A) 30 días a partir de la fecha del accidente o la fecha de la lesión debido a trauma por movimientos repetitivos; (B) si el empleado está trabajando con el empleador en contra del cual el empleado ya no trabaja para el empleador en contra del cual se están buscando beneficios; 20 días después del último día de trabajo para dicho empleado.

El aviso puede darse oralmente o por escrito. Donde el aviso se da oralmente, si el empleador ha designado un individuo o departamento a quien el aviso se debe dar y tal designación ha sido comunicada por escrito al empleado, aviso a cualquier otro individuo o departamento deberá ser insuficiente bajo esta sección. Si el empleador no ha designado a un individuo o departamento a quien se debe dar el aviso, el aviso puede darse a un supervisor o gerente. Donde el aviso se hace por escrito, el aviso debe ser enviado a un supervisor o gerente de la oficina principal de empleo del trabajador.

El aviso, sea que se haga oralmente o por escrito, debe incluir la hora, fecha, lugar, persona lesionada y detalles de tal lesión. Debe ser visible a partir del contenido del aviso, que el empleado está reclamando beneficios bajo la ley de compensación del trabajador o que ha sufrido una lesión relacionada con el trabajo.

BENEFICIOS. Los beneficios son pagados por la compañía aseguradora del empleador o programa de seguro propio. Los beneficios incluyen tratamiento médico, reemplazo de sueldo parcial por tiempo perdido y beneficios adicionales si la lesión resulta en incapacidad permanente. El empleador debe proporcionar todo el tratamiento médico necesario y tiene el derecho de designar al doctor para dicho tratamiento. Si el empleado busca tratamiento con un doctor que no ha sido autorizado por el empleador, el empleador o su compañía aseguradora serán responsables de pagar solamente los primeros \$800.00 dólares para tratamiento médico no autorizado.

WHERE TO GET HELP WITH YOUR CLAIM (DÓNDE CONSEGUIR AYUDA CON SU RECLAMO):

EMPLOYER'S INSURANCE CARRIER (COMPAÑÍA ASEGURADORA DEL EMPLEADOR)
TELEPHONE (TELÉFONO DE LA ASEGURADORA)
ADDRESS (DIRECCIÓN DE LA ASEGURADORA)
For questions about Workers Compensation Law, contact:
(Para preguntas acerca de la Ley de Compensación del Trabajador):
KANSAS DEPARTMENT OF LABOR
Workers Compensation Division/Ombudsman
401 SW Topeka Blvd., Suite 2, Topeka, KS 66603-3105
Website: dol.ks.gov/workers-compensation/overview
Email: KDOL_w@ks.gov
Phone: (800) 332-0353 or (785) 296-4000
Persons with impaired hearing or speech utilizing a telecommunications device may access the above number(s) by using the Kansas Relay Center at (800) 766-3777.

KANSAS DEPARTMENT OF LABOR
401 SW Topeka Blvd, Topeka, KS 66603
www.dol.ks.gov
K-WC 40-A
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KS Department of Labor Child Labor Laws Notice Kansas Hour Restrictions

This poster is only required to be displayed if you employ youth under 18 years of age and are NOT covered under the federal Fair Labor Standards Act (FLSA). Employers not covered by the FLSA are required to follow Kansas child labor laws. If you have a question as to which law (federal or state) applies, contact the Federal Wage and Hour office.

Most employers are covered by the FLSA and follow federal child labor laws.

There are no hour restrictions for minors ages 16 and 17.

Hour Restrictions for minors ages 14 and 15:

May not work before 7 a.m.

May not work after 10 p.m. (except on nights that do not precede a school day)

Maximum Hours
8 hours per day
40 hours per week

Hazardous Occupations
No child under 18 can be employed in any occupation declared hazardous by the U.S. Secretary of Labor.

Kansas Department of Labor | 401 SW Topeka Blvd, Topeka, KS 66603 | www.dol.ks.gov
K-ESLR 100
REV. 10/2024

Limited exemptions apply. For more info, visit dol.ks.gov/agencies/whd/child-labor

FEDERAL
For information on federal laws and guidelines, contact:

U.S. DEPARTMENT OF LABOR OFFICE
WAGE AND HOUR DIVISION
GATEWAY TOWER II
400 STATE AVE., SUITE 1010
KANSAS CITY, KS 66101
(913) 551-5721
TOLL FREE (866) 487-9243
DOL.GOV/AGENCIES/WHD/FLSA

STATE
For information or answers regarding Kansas state law, contact:

KANSAS DEPARTMENT OF LABOR
ELEANOR STANWELL
401 SW TOPEKA BLVD.
TOPEKA, KS 66603-3182
(785) 296-5000, OPT. 5
DOLKS.GOV

KS Department of Labor Unemployment Insurance Notice for Workers

El Seguro de Desempleo Aviso Para el Trabajador
Unemployment Insurance (UI) is a program that provides temporary financial assistance to workers who have lost their jobs through no fault of their own. Funding for UI Benefits comes from taxes paid by employers.

El Seguro de Desempleo es un programa que proporciona asistencia financiera temporal a los trabajadores que han perdido sus empleos por causas ajenas a su voluntad. Los fondos para los beneficios del seguro de desempleo provienen de los impuestos pagados por los empleadores.

Qualifications

You must be able to work, available for work and seeking suitable employment to be eligible for Unemployment Insurance benefits. You must also have adequate work history and meet wage requirements. UI benefits are intended to replace some of the income you lost to assist with basic needs until you find new work. You must also comply with weekly job search requirements, and participate in reemployment service activities to receive benefits.

Filing a Claim

Create an account at KansasUI.gov to file a claim. Submit a weekly certification for each week you're not working full time. Log in to your account to check your eligibility status. For assistance, call the contact center.

Debe ser capaz de trabajar, estar disponible para trabajar y buscar un empleo adecuado para ser elegible para los beneficios del Seguro de Desempleo. También debe tener un historial laboral adecuado y cumplir con los requisitos salariales. Los beneficios del UI están destinados a reemplazar algunos de los ingresos que perdió y retenerlo hasta que encuentre un nuevo trabajo. También debe cumplir con los requisitos de búsqueda de empleo semanal y participar en actividades de servicio de reempleo para recibir beneficios.

Presentación de una reclamación
Crear una cuenta en KansasUI.gov para presentar su reclamo. Envíe una certificación semanal por cada semana que no trabaje tiempo completo. Inicie sesión en su cuenta para verificar su estado de elegibilidad. Para obtener ayuda, llame al centro de contacto.

Apply at KansasUI.gov
KDOL Contact Center
785-575-1460
Toll Free: 800-292-6333
Monday - Wednesday 8 a.m. - 4 p.m.
Thursday: 8 a.m. - 3:15 p.m.
Closed state holidays

Aplicar en KansasUI.gov
KDOL Centro de Contacto
785-575-1460
Número gratuito: 800-292-6333
Lunes - miércoles 8 a.m. - 4 p.m.
Jueves 8 a.m. - 3:15 p.m.
Días festivos estatales cerrados

Kansas Department of Labor | 401 SW Topeka Blvd, Topeka, KS 66603 | dol.ks.gov
K-CNS 405-A
REV. 12/2024



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.