

Indiana and Federal Employment Notices 2020

SAFETY AND HEALTH PROTECTION ON THE JOB

INTRODUCTION: The intent of the Indiana Occupational Safety and Health Act of 1974, Indiana Code 22-8-1-1, is to assure, so far as possible, safe and healthful working conditions for the workers in the State.

REQUIREMENTS OF THE ACT include the following:
EMPLOYERS: Each employer shall establish and maintain conditions of work which are reasonably safe and healthful for employees and free from recognized hazards that are causing or likely to cause death or serious physical harm to employees.

EMPLOYEES: All employees shall comply with Occupational Safety and Health Standards and all rules, regulations, and orders issued under the Act, which are applicable to their own actions and conduct.

INSPECTION: The Act requires that an opportunity be provided for employees and their representatives to bring possible safety and health violations to the attention of the Department of Labor inspector in order to aid the inspection. This requirement may be fulfilled by allowing a representative of the employees and a representative of the employer to accompany the inspector during inspection.

COMPLAINT: Employees have the right to file a complaint with the Department of Labor. There shall be an inspection where reasonable grounds exist for the Department of Labor to believe there may be a hazard.

VIOLATION NOTICE: When an alleged violation of any provision of the Act has occurred, the Department of Labor shall promptly issue a written order to the employer, who shall be required to post it prominently at or near the place where the alleged violation occurred until it is made safe and required safeguards are provided or 3 days, whichever is longer.

EMPLOYERS: This poster must be displayed prominently in the workplace.

Family Medical Leave Act

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 1 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;

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.

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 site where the employer has at least 50 employees within 75 miles of the employee's worksite.

REQUIREMENTS: 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 employer must notify the employer as soon as possible and generally follow the employer's usual procedures.

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.

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: 1-866-4-USA WAGE (1-866-487-9243) TTY: 1-877-889-5627 www.dol.gov/whd
U.S. Department of Labor • Wage and Hour Division

IRS Withholding

YOU MAY NEED TO CHECK YOUR WITHHOLDING
Since you last filed Form W-4 with your employer did you...
• Gain or lose a dependent?
• Change your name?
• Were there major changes to...
• Your nonwage income (interest, dividend, capital gains, etc.)?
• Your family wage income (you or your spouse started or ended a job)?
• Your itemized deductions?
• Your tax credits?

USERRA
FOR USE BY PRIVATE SECTOR AND STATE GOVERNMENT EMPLOYERS • YOUR RIGHTS UNDER FEDERAL LAWS THAT UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

REEMPLOYMENT RIGHTS: You have certain rights when employed in your civilian job or your verbal notice of 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.

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION
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.

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/laws/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 bring a VETS process and bring a civil action against an employer of violators 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.

Equal Employment Opportunity

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, prohibits 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 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 (AGES)
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 (GINA ACT)
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, SEXUAL ORIENTATION, GENDER IDENTITY, NATIONAL ORIGIN
Executive Order 11246, as amended, prohibits employment discrimination based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

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

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

DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS (PROTECTED VETERANS)
The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.

RETALIATION
Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these Federal laws. Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the above, Washington, D.C. 20210, immediately:
• File a Federal Contract Compliance Program (OFCPP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800-387-6251 (toll-free) or (202) 893-1337 (TTY). OFCCP may also be contacted by e-mail at OFCPP-Public@dol.gov, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor.

State Minimum Wage Act

YOUR RIGHTS UNDER INDIANA'S MINIMUM WAGE ACT

\$7.25 per hour effective July 24, 2009

Indiana law requires this poster to be displayed in a conspicuous place in the area where employees are employed. Most Indiana employers and employees are covered by the minimum wage and overtime provisions of the Federal Fair Labor Standards Act (FLSA); however those not covered under federal law may still be covered by the Indiana Minimum Wage Law.

The Indiana federal and Indiana state minimum wage will increase from \$6.55 per hour to \$7.25 per hour, effective July 24, 2009.

Both the Federal and Indiana state law generally require employers to pay employees at least the minimum wage for all hours worked and to pay employees 1 1/2 times their regular rate of pay ("Overtime pay requirement") when employees work more than forty (40) hours during a work week. However, there are many exceptions to the overtime pay requirement. Most of those exceptions can be found at Indiana Code § 22-2-2-3 (a) - (p). Indiana law requires every employer subject to the Indiana Minimum Wage Law to furnish each employee a statement of the hours worked by the employee, the wages paid to the employee, and a listing of the deductions made. The Indiana Minimum Wage Law also prohibits pay discrimination on the basis of sex.

General Employees
Typically employees must pay tipped employees at least \$2.13 per hour if the employer claims a tip credit. If a employee's tips combined with the hourly wage do not equal the minimum wage, the employer must make up the difference.

Training Wage
Indiana employers may pay \$4.25 per hour to employees under 20 years of age for the first 90 consecutive calendar days after the employee is initially employed by the employer.

Violations
Indiana law provides for both civil and criminal penalties for violation of the Indiana Minimum Wage Law.

For Additional Information
For additional information, please contact the Indiana Department of Labor's Wage and Hour Division by email at wagehour@dol.in.gov or phone (317) 232-2655.

Fair Employment

The Indiana Civil Rights Law (IC 22-9-1, IC 22-9-5, IC 22-9-5) state that it is the public policy of the State of Indiana to provide all of its citizens equal opportunity and that it is unlawful to discriminate in the areas of EMPLOYMENT, real property, education, public accommodation or credit on the basis of race, religion, color, sex, disability, ancestry, national origin and familial status (housing only).

EMPLOYMENT COVERED ENTITIES:
1. Employers of six (6) or more persons;
2. The State of Indiana and any of its political or civil subdivisions;
3. Unions and other labor organizations; and
4. Employment agencies.

IT IS UNLAWFUL TO:
• Discriminate in hiring, firing, training, disciplining, compensation, advancement and other terms or conditions of employment;
• Deny equal benefits or privileges;
• Deny a reasonable accommodation to a qualified individual with a disability;
• Conduct medical examinations (except in limited circumstances);
• Harass employees because of their membership in a protected class; and
• Retaliate against a person for filing a complaint, testifying at a hearing or assisting in an investigation.

Persons who feel they have suffered discrimination as defined above should file a signed, verified complaint with the Indiana Civil Rights Commission within 180 days from the date of the alleged act or acts of discrimination. Persons found to have committed illegal discriminatory acts may be subject to cease and desist orders, monetary damages, and other appropriate remedial relief.

"Morality cannot be legislated, but behavior can be regulated." -- Dr. Martin Luther King, Jr.

STATE OF INDIANA, CIVIL RIGHTS COMMISSION, 100 North Senate Ave., Rm. 1103, Indianapolis, Indiana 46204
Office: (317) 232-2600 Toll Free: (800) 628-2909 Hearing-Impaired: (800) 743-3333 FAX: (317) 232-6580
Real Estate/Housing: (866) 3FAR4U | Web Page: www.in.gov/crc
Provided by: Indiana Civil Rights Commission, Public Education and Outreach Information Center.

Equal Opportunity

Applicants to and employees of most private employers, state and local governments, educational institutions, educational institutions, employment agencies and labor organizations with six or more persons are protected under Federal law from discrimination on the following bases:

Race | Color | Sex | Disability | Ancestry | Religion | National Origin | Veteran Status

This includes:
Discriminatory hiring, firing, training, discipline, compensation, promotion and other terms or conditions of employment
Denial of equal benefits or privileges
Denying a reasonable accommodation to a qualified individual with a disability or an employee with deeply held religious beliefs
Conducting medical examinations (except in limited circumstances)
Harassing employees because of their membership in a protected class
Retaliating against a person for filing a complaint, testifying at a hearing or assisting in an investigation
Failing to hire an applicant based on their status as a veteran

Contact Us:
Indiana Civil Rights Commission
100 North Senate Avenue, Room N103
Indianapolis, IN 46204
Office: (317) 232-2600 | Toll Free: (800) 628-2909
Hearing Impaired: (800) 743-3333 | Fax: (317) 232-6580
E-mail: irc@crc.in.gov | Website: www.in.gov/crc

Polygraph Protection

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) test to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armed 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 to continue 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.
1-866-487-9243 • TTY: 1-877-889-5627 www.dol.gov/whd

WAGE AND HOUR DIVISION

UNITED STATES DEPARTMENT OF LABOR

No Smoking

Smoking Is Prohibited By State Law

On July 1, 2012 Indiana's new Smoke-Free Air Law takes effect.

All public places and places of employment in Indiana must post one or more of five types of signs, depending on the nature of the business.

The law, House Enrolled Act 1149, will also prohibit smoking within eight feet of a public entrance to a public place or a place of employment.

This sign is in compliance with Indiana state law.

Workers Compensation

WORKER'S COMPENSATION ACT
Your employer is required to provide for payment of benefits under the Worker's Compensation Act of the State of Indiana. Any employee who is injured while at work should report the injury immediately to their supervisor, employer, or designated representative.

The worker's compensation insurance carrier or administrator for

(name of carrier/administrator) is: (name of insurance carrier or administrator)

(name of carrier/administrator)

(mailing address)

(city, state, zip)

(telephone number)

(contact person)

For more information about rights or procedures under the Indiana Worker's Compensation system, call or write:
Worker's Compensation Board of Indiana, Ombudsman Division
402 W. Washington St., Rm W196, Indianapolis, IN 46204 (317) 232-3808 1-800-824-2667

Unemployment Insurance

THIS FIRM IS SUBJECT TO THE INDIANA WORKFORCE DEVELOPMENT ACT

If you lose your job or work less than full time, you may be eligible for unemployment insurance benefits. Information is available on-line at www.in.gov/dwd. Computers are available at any Indiana WorkOne Center.

No deductions are made from employees' pay for unemployment insurance. This employer pays this tax.

If you have more questions about this program, contact the Indiana Department of Workforce Development.

www.in.gov/dwd
1-800-891-6949

Teen Work Hours

TEEN WORK HOURS

Indiana Department of Labor - Bureau of Child Labor
402 W. Washington Street Room W195
Indianapolis, IN 46204
Phone: (317) 232-2655 Fax: (317) 234-4449 TT Voice: 1-800-743-3333

Notice: employers of minors who are 14, 15, 16 or 17 years of age are required by law to post the maximum number of hours these minors may be employed or permitted to work in each day of the week. The information must be posted in a conspicuous place or in places where notices are customarily posted. For additional copies of this form or for further information contact this office.

AGES 14 and 15
Restricted to: Restricted to:
- 3 hours per school day
- 8 hours per week
- 18 hours per school week
- 40 hours per non-school week*
- No work before 7:00 a.m. or after 7:00 p.m. (except 9:00 p.m. June 1 through Labor Day)

AGE 16
- 8 hours per school day
- 9 hours per day not followed by a school day*
- 30 hours per week
- 40 hours per non-school week*
- 48 hours per non-school week*
- No more than 6 working days per week
- No work before 9:00 a.m.
- Work until 10:00 p.m. on nights followed by a school day
- Work until 12:00 a.m. on nights NOT followed by a school day*

AGE 17
- 8 hours per day
- 9 hours per day not followed by a school day*
- 30 hours per week
- 40 hours per non-school week*
- 48 hours per non-school week*
- No more than 6 working days per week
- No work before 9:00 a.m. on school days
- Until 10:00 p.m. on nights followed by a school day
- Until 11:30 p.m. on nights followed by a school day*
- Until 1:00 a.m. on nights followed by a school day, but not on consecutive nights and not more than two school nights per week*

*requires written parental permission on file with employer at location where minor is employed

TEEN BREAK LAW: As a worker under the age of 18, you must receive one or two breaks totaling 30 minutes when you are scheduled to work for 6 or more consecutive hours.

16 or 17 year olds may not be employed or permitted to work on a school day after 7:30 a.m. and before 3:30 p.m. unless the employer has on file a written exemption issued by the school that the minor attends.

16 or 17 year olds who have withdrawn or graduated from high school are not subject to the hour restrictions listed above.

As worker under the age of 18 you must be accompanied by a coworker who is at least 18 years of age when working after 10:00 p.m. and before 6:00 a.m. in an establishment that is open to the public.

Payday Notice

REGULAR PAYDAYS FOR EMPLOYEES OF: _____ (FIRM NAME)

SHALL BE AS FOLLOWS: _____

BY: _____

TITLE: _____

Emergency Notice

HOSPITAL: _____ **FIRE-RESCUE:** _____
ALTERNATE: _____ **POLICE:** _____
OSHA: _____ **HAZARDOUS MATERIAL:** _____

TO REORDER, CALL 1-888-488-7676 OR ORDER AT STATEANDFEDERALPOSTER.COM

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