



# Occupational 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 workrelated 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.

Contact OSHA. We can help.

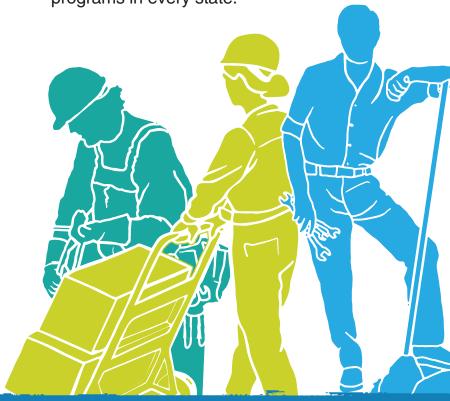
### **Employers must:**

- 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.
- in a language and vocabulary they can understand.

Provide required training to all workers

- 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.



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

Employers subject to the

**OVERTIME PAY:** 

## **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.

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, nonhazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment. 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. 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.

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

WAGE AND HOUR DIVISION • WAGE AND HOUR DIVISION • UNITED STATES DEPARTMENT OF LABOR

If you can answer "yes"...

## **IRS Withholding**

YOU MAY NEED TO CHECK YOUR WITHHOLDING Since you last filed Form W-4 with your employer did you...

Marry or divorce? 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?

To any of these or you owed extra tax when you filed your last return, you may need to file a new Form W-4. See your employer for a copy of Form W-4 or call the IRS at 1-800-829-3676. Now is the time to check your withholding. For more details, get Publication 919, How Do I Adjust My Tax Withholding?, or use the Withholding Calculator at www.irs.gov/individuals on the IRS website.

Employer: Please poster or publish this Bulletin Board Poster so that your employees will see it. Please indicate where they can get forms and information on this subject. Updated 1/17

## **Labor Law Abstract**

Payment of Wages Act When an employee is hired, the employer must notify the employee in writing of: the wages agreed upon

 the normal hours the employee will work the time and place wages will be paid

• the deductions an employer may make from wages, including insurance Changes to these terms must be in writing at least seven (7) calendar days before they become effective.



Employers must pay employees all wages due each pay period. Employers must also give employees an itemized statement showing gross pay and all deductions made each pay period and maintain records of wages paid for three years.

Employers who violate the Payment of Wages Act are subject to a civil penalty of \$100 for each violation. Employees can recover up to three times the full amount of unpaid wages, costs, and attorney's fees in a civil action.

To report a suspected violation, or for recordkeeping or other questions involving the Payment of Wages Act, or to order a copy of the Payment of Wages Act, please contact the Office of Wages and Child Labor at the address and number listed below.

No employer in this State shall engage in any oppressive child labor practices. Oppressive child labor includes employment of any minor in any

occupation declared by the Director of Labor, Licensing and Regulation to be particularly hazardous or detrimental to the health or well being of

 During school hours Before 7 a.m. or after 7 p.m. (9 p.m. during the period of summer break of the school district in which the minorresides)

 More than 18 hours during schoolweeks More than 3 hours on school days

minors. Oppressive child labor also includes employment of minors who are 14 or 15 years old under the following conditions:

 More than 40 hours in non-schoolweeks More than 8 hours on non-school days

For details involving child labor provisions, please contact the Office of Wages and Child Labor at the address and number listed below SC LLR - Office of Wages and Child Labor

> P.O. Box 11329 Columbia. South Carolina 29211-1329 (803)-896-4470 www.llronline.com

## Right-to-Work

The right to work of a person in South Carolina cannot be denied, interfered with, or abridged because the person belongs – or does not belong – to a labor union. An employer, labor organization, or other person who violates a worker's rights under these provisions is guilty of a misdemeanor and, upon conviction, must be punished by imprisonment for not less than ten days nor more than thirty days, a fine of not less than one thousand dollars but not more than ten thousand dollars, or both. In addition, the employer, labor organization, or other person is subject to a lawsuit by the aggrieved worker. For more information, call 803-896-4470.

**AMBULANCE:** 

The "South Carolina Illegal Immigration and Reform Act" requires all employers to verify the legal status of new employees and prohibits employment of any worker who is not legally in this country and authorized to work.

After July 1, 2009, all businesses in South Carolina are imputed a South Carolina employment license which permits an employer to hire employees. The imputed employment license remains in effect as long as the business abides by the law.

Effective January 1, 2012, all South Carolina employers are required to enroll in the U.S. Department of Homeland Security's E-Verify program and verify the status of new employees within three business days, using E-Verify. Failure to use E-Verify to verify new hires will result in probation for the employer or suspension/revocation of the employer's business licenses.

## **Payday Notice**

□ MONDAY □ TUESDAY □ WEDNESDAY □ THURSDAY □ FRIDAY □ SATURDAY □ SUNDAY

**PAY SCHEDULE IS** 

☐ WEEKLY ☐ BI-WEEKLY ☐ SEMI-MONTHLY ☐ MONTHLY ☐ PAYCHECKS ARE ISSUED ON THE

#### **Emergency Notice** FIRE-RESCUE: PHYSICIAN:

HR that powers your business

**HOSPITAL: ALTERNATE** POLICE: OSHA: HAZARDOUS MATERIAL:

TO REORDER, CALL 1-888-488-7678 OR ORDER AT STATEANDFEDERALPOSTER.COI



OF THE MONTH

### **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

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; 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.

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

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

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 30days' 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 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-USWAGE (1-866-487-9243) TTY: 1-877-889-5627 www.dol.gov/whd U.S. Department of Labor • Wage and Hour Division

### **USERRA**

• FOR USE BY PRIVATE SECTOR AND STATE GOVERNMENT EMPLOYERS • 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.

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

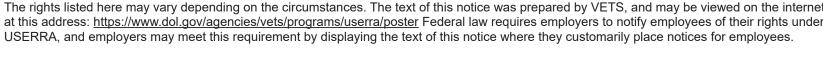
service or, in some cases, a comparable job. RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION If you: • are a past or present member of the uniformed service; • have applied for membership in the uniformed service; or • are obligated to serve

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. **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 USERR. 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 <a href="https://www.dol.gov/agencies/vets/">https://www.dol.gov/agencies/vets/</a>. An interactive online USERRA Advisor can be viewed at <a href="https://webapps.dol.gov/elaws/vets/userra">https://webapps.dol.gov/elaws/vets/userra</a> • 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. 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.











### **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

**EXAMINEE RIGHTS** 

**Discrimination:** 

Penalties:

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.

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. 1-866-487-9243 • TTY: 1-877-889-5627 www.dol.gov/whd **WAGE AND HOUR DIVISION** 

**UNITED STATES DEPARTMENT OF LABOR** 







## **State OSHA**

Under the South Carolina Occupational Safety and Health Act, the State is responsible for the enforcement of occupational safety and health standards in all workplaces, both public and private, within the state of South Carolina. However, longshoring, shipbuilding, ship repairing and shipbreaking operations covered by the Longshoremen and Harbor Workers'

Each employer shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or physical harm to his employees, and shall comply with occupational safety and health standards promulgated by the Director of LLR. Employers must report to OSHA all work-related fatalities within 8 hours, and all inpatient hospitalizations, amputations, and losses of an eye within 24 hours. Reporting may be accomplished by telephone at (803)896-7672 or in person at 121 Executive Center Drive, Suite 230, Columbia, SC 29211.

Each employee shall comply with occupational safety and health standards and all rules, regulations and orders issued by the director of Labor, Licensing and Regulation which are applicable to his own actions and conduct. Any employee or his representative may request an inspection of his place or site of employment. Any employee may file a complaint, either verbally or in writing. Complaint forms and filing information may be found on our website or will be provided, upon request, by the South

Carolina Department of Labor, Licensing and Regulation. Employers and employees have the right to participate in inspections by means of bringing to the attention of the inspecting officer possible violations which exist in their area of work and the right to participate in the walk-around inspection. The inspecting officer shall have the right to determine the number of persons participating in the walk-around inspection.

Under state law, when the authorized representative of the employees accompanies the inspecting officer during a walk-around inspection, he shall not suffer any loss of wages or other benefits which would normally accrue to him. Where there is no authorized representative, the inspecting officer will consult with a reasonable number of employees concerning matters of safety and health in the workplace.

State and federal laws prohibit discrimination against any employee if he files a complaint or causes any proceeding under or related to this Act or is about to testify in any such proceedings or because of the exercise by any employee on behalf of himself or others of any right afforded under state and federal law. The Director of Labor, Licensing and Regulation or the nearest federal OSHA offices must be notified within thirty (30) days after such discriminatory act occurs. State and local government employees should file such complaints with the Director, South Carolina Department of Labor, Licensing and Regulation. A public sector employee believing that he has been discharged or otherwise discriminated against by any person in violation of Section 41-15-510 may proceed with a civil action pursuant to the provisions contained in Chapter 27, Title 8.

Citations listing the alleged violations during an inspection will be mailed to the employer with reasonable promptness. State law requires such citations be promptly posted at appropriate places for employee information for three (3) days, or until the violations are corrected, whichever is later, to warn employees of dangers that may exist.

An employer may be assessed a penalty up to seven thousand (\$7,000) dollars for a non-serious violation.

An employer who receives a citation for a serious violation may be assessed a penalty up to seven thousand (\$7,000) dollars for each such violation. Any employer who willfully violates an occupational safety and health rule or regulation may be assessed a penalty not more than seventy thousand dollars (\$70,000) for each violation. Any employer who willfully violates an occupational safety and health rule or regulation and the violation causes death to an employee shall be deemed guilty of a misdemeanor and, upon conviction, be punished by fine, imprisonment or both.

Under a plan approved November 30, 1972 by the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA), the State of South Carolina is providing job safety and health protection for workers throughout the State. Federal OSHA will monitor the operation of this plan to assure that continued approval is merited. Any person may make a complaint regarding the State administration of this plan directly to the Regional Office of OSHA, U.S. Department of Labor, 61 Forsyth Street S.W., Room 6T50, Atlanta, Georgia 30303. For more information, contact:



P.O. Box 11329 Columbia, South Carolina 29211 - 1329 (803) 896-7665 www.scosha.llronline.com

SC LLR - Office of OSHA Compliance



#### **Workers' Compensation Workers' Compensation Compliance Poster** We are operating under and subject to the South Carolina Workers' Compensation Act

In case of accidental injury or death to an employee, the injured employee, or someone acting in his or her behalf, must give immediate notice to the employer or general authorized agent. Failure to give such immediate notice may be the cause of serious delay in the payment of compensation to the injured employee or his or her dependents and may result in failure to receive any compensation benefits under the law.

1. Pays 100% of your medical bills and some other expenses. 2. Compensates you for 66 2/3% of your salary, limited to the maximum wage set by law, if you are unable to work for more than seven (7) calendar days. If you are injured on the job, you should:

1. Notify your employer at once. You cannot receive benefits unless your employer knows you are injured.

2. Tell the doctor your employer sends you to that you are covered by workers' compensation.

3. Notify the Workers' Compensation Provider listed on this poster or the South Carolina Workers' Compensation Commission at 803.737.5700 if you experience undue delays or problems with your claim. **Workers' Compensation Provider Name** Mailing Address **Claims Telephone Number** 

South Carolina Workers' Compensation Commission P.O. Box 1715, 1333 Main Street, Suite 500 Columbia, S.C. 29202-1715 803-737-5700 www.wcc.sc.gov MAKING UNAUTHORIZED COPIES IS AGAINST THE LAW AND MAY SUBJECT YOU TO CIVIL AND CRIMINAL LIABILITY

## **Equal Employment Opportunity**

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.

Know Your Rights: Workplace Discrimination is Illegal

Who is Protected? Employees (current and former), including managers and temporary employees Job applicants

What Types of Employment Discrimination are Illegal?

you, regardless of your immigration status, on the bases of:

Sex (including pregnancy and related conditions, sexual

use, or disclosure of genetic tests, genetic services, or family

or participating in a discrimination lawsuit, investigation, or

What Employment Practices can be Challenged as

sincerelyheld religious belief, observance or practice

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

What can You Do if You Believe Discrimination has Occurred?

discrimination (180 or 300 days, depending on where you live/work).

Additional information about the EEOC, including information about

The Department of Labor's Office of Federal Contract Compliance

Programs (OFCCP) enforces the nondiscrimination and affirmative

action commitments of companies doing business with the Federal

Government. If you are applying for a job with, or are an employee

t, a company with a Federal contract or subcontract, you are

protected under Federal law from discrimination on the following

filing a charge of discrimination, is available at www.eeoc.gov.

**EMPLOYERS HOLDING FEDERAL CONTRACTS OR** 

Contact the EEOC promptly if you suspect discrimination. Do not

delay, because there are strict time limits for filing a charge of

You can reach the EEOC in any of the following ways:

publicportal.eeoc.gov/Portal/Login.aspx

1-844-234-5122 (ASL video phone)

Visit an EEOC field office (information at

Call 1-800-669-4000 (toll free)

1-800-669-6820 (TTY)

www.eeoc.gov/field-office)

E-Mail info@eeoc.gov

SUBCONTRACTS

Minors Under Age 14

Cleanup work

Car washing and polishing

Submit an inquiry through the EEOC's public portal: https://

Under the EEOC's laws, an employer may not discriminate against

Genetic information (including employer requests for, or purchase,

Retaliation for filing a charge, reasonably opposing discrimination,

Harassment (including unwelcome verbal or physical conduct)

• Failure to provide reasonable accommodation for a disability or a

What Organizations are Covered?

State and local governments (as employers)

Educational institutions (as employers)

Most private employers

Staffing agencies

Color

National origin

Age (40 and older)

**Discriminatory?** 

Job training

Updated 8/16

Classification

Hiring or promotion

orientation, or gender identity)

All aspects of employment, including:

Pay (unequal wages or compensation)

Discharge, firing, or lay-off

• Union members and applicants for membership in a union

inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees.

aspects of employment.

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, 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

Race, Color, Religion, Sex, Sexual Orientation, Gender Identity,

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.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's

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)

If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at https://ofccphelpdesk.dol.gov/s/, or by calling an under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at https://www.dol.gov/agencies/ofccp/

**ASSISTANCE** 

In addition to the protections of Title VII of the Civil Rights Act

Race, Color, National Origin, Sex

of 1964, as amended, Title VI of the Civil Rights Act of 1964, as

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

should immediately contact the Federal agency providing such

## **Child Labor**

South Carolina Child Labor Regulations Summary

Generally, no employment is authorized for minors under the age of 14, under South Carolina Child Labor Statute, §41-13-20. Employment of any minor under age 14 is defined as oppressive child labor Exemptions from this restriction apply under the following specific circumstances: 1) Minors under age 14 may work in any aspect of show business, such as acting or performing in a theatrical, television, radio, or film production. 2) Minors ages 12 and 13 may work during non-school sessions in non-hazardous farm jobs with written parental consent.

Minors ages 12 and 13 may engage in farm labor at any agricultural establishment at which the minor's parents are employed.

At any age, minors may work in any business or establishment solely owned and operated by the parent of the minor. The parental supervision exemption is precluded in occupations deemed hazardous, as defined in the 17 hazardous occupations orders of the Fair Labor Standards Act. At any age, minors may deliver newspapers to consumers. Minors Ages 14 and 15

Minors ages 14 and 15 may work in office, clerical and sales jobs. They also may work in a number of jobs in retail, food service and gasoline service establishments, such as Cashiering, price marking and tagging (by hand or machine) Assembling orders, packing and shelving Bagging and carrying out orders Serving foods and beverages

 Warehousing and storage Public utility duties Work involving the use of ladders or scaffolding Work involving food preparation or the use of grinders The operation of lawnmower and golf carts.

Cleaning vegetables and fruits and wrapping, sealing, labeling, weighing, pricing and stocking goods

Please Note: Minors ages 14 and 15 may not work: During school hours Before 7 a.m. or after 7 p.m. (9 p.m. during the period of summer break of the school district in which the minor resides) More than 18 hours during school weeks More than 3 hours on school days

· Any occupation deemed hazardous, as defined under 17 Hazardous Occupations Orders of the Fair Labor Standards Act.

responsibilities require or the employer requests. Minors ages 16 and 17 may not engage in any occupation deemed hazardous, as defined under the 17 Hazardous Occupations Orders of the Fair Labor Standards Act. Over Age 18

· More than 40 hours in non-school weeks

More than 8 hours on non-school days

Operating gas pumps and performing other courtesy services

• Delivery and errand work by foot, bicycle or public transportation

But they may not engage in the following work activities:

The child labor laws do not apply to employees who are 18 or over. Hazardous Occupations Codes If you are 18 years old, you may work at any time in any job. If you are 16 or 17 years old, you may work in any occupation except those declared hazardous by the Secretary of Labor. The 17 Hazardous Occupations Orders for non-farm work deal with the following:

Minors ages 16 and older are exempt from the hour and scheduling restrictions. They may work as many daily and weekly hours as the job

1. Manufacturing or storing explosives 2. Driving a motor vehicle and being an outside helper 3. Coal mining 4. Logging and sawmilling 5. Power-driven woodworking machines

7. Power-driven hoisting apparatus 8. Power-driven metal-forming, punching and shearing machines 9. Mining, other than coal mining 10. Meat packing or processing 11. Power-driven bakery machines 12. Power-driven paper products machines 13. Manufacturing brick, tile, and related products

15. Wrecking, demolition, and ship-breaking operations

16. Roofing operations

17. Excavation operations

**Unemployment Insurance Tax:** 

unemployment insurance tax.

and services to qualified individuals with disabilities.

14. Power-driven circular saws, band saws and guillotine shears

6. Exposure to radioactive substances and to ionizing radiations



Questions or requests for additional information may be directed to: South Carolina Department of Labor, Licensing and Regulation, Office of Wages and Child Labor 110 Centerview Drive P. O. Box 11329 Columbia, S.C. 29211-1329 David Love or Dana Hinton (803) 896-7756 Wages and Child Labor Fax: (803) 896-7680

## **Unemployment Insurance**

This establishment may be covered by the S.C. Unemployment Compensation Law. If you become unemployed, contact your local SC Works center for assistance with employment opportunities. To find a listing of our SC Works centers, visit: https://dew.sc.gov/about-dew/locations. If no job is immediately available, you may be eligible for unemployment insurance. If only part time work is available, you may be eligible for partial benefits. Apply online anytime, anywhere at mybenefits.dew.sc.gov.

Workers Pay No Part of the Cost for Unemployment Insurance

Often unemployed workers tell us that unemployment insurance is due them "because they have paid for it." In South Carolina, employees do not fund unemployment insurance through deductions from pay. Employers fund unemployment insurance through tax contributions. Don't confuse unemployment insurance with old age, survivors and disability insurance. The amount deducted from your wages as Social Security

is your contribution to old-age, survivors and disability insurance. The employer contributes an equal amount, in addition to his payment of the full

If you have lost your job due to domestic violence, there is a possibility you may be eligible for unemployment insurance benefits.

## **State Equal Opportunity is the Law**

It is against the law for this recipient of Federal financial assistance to discriminate on the following bases: against any individual in the United States, on

the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act, on the basis of the individual's citizenship status or participation in any WIOA Title I-financially assisted program or activity. The recipient must not discriminate in any of the following areas: deciding who will be admitted, or have access, to any WIOA Title I-financially assisted program or activity; providing opportunities in, or treating any person with regard to, such a program or activity; or making employment decisions in the administration of, or in connection with, such a program or activity. Recipients of federal financial assistance must take reasonable steps to ensure that communications with individuals with disabilities are as effective as

communications with others. This means that, upon request and at no cost to the individual, recipients are required to provide appropriate auxiliary aids

#### If you think that you have been subjected to discrimination under a WIOA Title I-financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either: the recipient's Equal Opportunity Officer (or the person whom the recipient has designated for

WHAT TO DO IF YOU BELIEVE YOU HAVE EXPERIENCED DISCRIMINATION

Stephani Frese, EO Officer, SCDEW, Post Office Box 908, Columbia SC 29202

200 Constitution Avenue NW, Room N-4123, Washington, DC 20210 or electronically as directed on the CRC website at www.dol.gov/crc.

If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed

Director, Civil Rights Center (CRC), U.S. Department of Labor

(whichever is sooner), before filing with the Civil Rights Center (see address above). If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you may file a complaint with CRC before receiving that Notice. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient). If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.

**Employment Discrimination** 

#### SOUTH CAROLINA LAW PROHIBITS EMPLOYMENT DISCRIMINATION Employers, including each State Agency, or department of the State, and local subdivision thereof, SHALL POST, KEEP POSTED, AND **Based on:** Race, Color, Religion, National Origin, Sex (including Pregnancy MAINTAINED IN CONSPICUOUS PLACES UPON THEIR PREMISES & Childbirth or related medical conditions), Age (40+), or Disability

Examples of conduct covered under the law: Failure to Hire or Promote Unequal Wages Harassment/Intimidation

Applying Different Terms and Conditions of Employmen Failure to Reasonably Accommodate due to: disability: religion: pregnancy, childbirth or related medical conditions, including, but not

Discipline/Demotion/Suspension/Termination

and assist you in filing a formal complaint.

limited, to lactation Retaliation as a result of complaining about discrimination, seeking an

accommodation, or participating in a discrimination investigation low to report unlawful discrimination: Complete a questionnaire via phone, in-person, mail, or online at www. schac.sc.gov. Once submitted, a SCHAC Intake Officer will contact you

You must file a formal complaint to launch an investigation.

information pertinent to the filing of a complaint. **EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW** In addition to preventing Employment discrimination, the mission of SCHAC is to eliminate and prevent unlawful discrimination in: **Housing** on the basis of race, color, national origin, religion, sex, familial

AFFAIRS LAW and LACTATION SUPPORT ACT, and

where notices to employees and applicants for employment are customarily

forth excerpts from and/or summaries of, pertinent provisions of the **HUMAN** 

posted a notice to be prepared and distributed by the Commission setting

status or disability; and Public Accommodations on the basis of race, color, national origin or religion. **South Carolina Human Affairs Commission** 

1026 Sumter Street, Suite 101 Columbia, SC, 29201 www.schac.sc.gov Phone: 803.737.7800

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Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on

Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all Asking About, Disclosing, or Discussing Pay

There are strict time limits for filing charges of employment discrimination. To preserve the ability to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact SCHAC promptly when discrimination is suspected.

all levels of employment, including the executive level.

**Protected Veteran Status** 

Retaliation Retaliation is prohibited against a person who files a complaint of

discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors under these Federal

authorities should contact immediately:

OFCCP regional or district office, listed in most telephone directories

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL

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** 

If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you