

**Job Safety and Health IT'S THE LAW!**

**All workers have the right to:**

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

**Employers must:**

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations.

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.

This poster is available free from OSHA.

**Contact OSHA. We can help.**

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

**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 restrictions. Different rules apply in agricultural employment.

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

**NURSING MOTHERS:**  
The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA's overtime requirements in order for the employee to express breast milk for her nursing child for one year after the child's birth each time such employee has a need to express breast milk. Employers are also required to provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

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

**ADDITIONAL INFORMATION:**

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

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

**Equal Employment Opportunity**

**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

**Who are the employers covered for membership in a union?**

- Union members and applicants for membership in a union

**What Organizations are Covered?**

- Most private employers
- State and local governments (as employers)
- Disability discrimination (as employers)
- Unions
- Other agencies

**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 and related conditions, sexual orientation, or gender identity)
- Age (40 and older)
- Disability
- Genetic information (including employee 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.

**What Employment Practices can be Challenged as Discriminatory?**

- Recruiting, hiring, 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 or a sincerely held religious belief, observance or practice
- Job benefits
- Classification
- Referral
- Obtaining or disclosing medical information of employees
- Retaliation or discriminating against employees
- Conduct that might reasonably be perceived as discrimination on the basis of race, color, or national origin in an investigation or proceeding.

**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/publicportal/ask>

Call 1-800-669-4000 (toll free)  
1-800-669-8320 (TTY)  
1-844-234-5122 (ASL video phone)  
Visit an EEOC field office (information at [www.eeoc.gov/field-office](https://www.eeoc.gov/field-office))  
E-Mail [info@eeoc.gov](mailto:info@eeoc.gov)

Additional information about the EEOC, including information about filing a charge of discrimination, is available at [www.eeoc.gov](https://www.eeoc.gov).

**EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS**

The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action commitments of companies doing business with the Federal Government. If you are applying for a job with, or are an employee of, a company with a Federal contract or subcontract, you are protected under Federal law from discrimination on the following bases:

- RACE, COLOR, OR NATIONAL ORIGIN • SEX (including sexual harassment) • FAMILIAL STATUS (having children or pregnancy)
- PHYSICAL DISABILITY (including AIDS infection) • SEXUAL ORIENTATION • MENTAL DISABILITY
- AGE • MARITAL STATUS • RELIGION

If you have questions or would like to file a complaint, call 247-2767.

NEW HAMPSHIRE COMMISSION FOR HUMAN RIGHTS  
CONCORD, NH 03301

[www.state.nh.us/hcr/index.html](http://www.state.nh.us/hcr/index.html)  
[humanrights@nhssa.state.nh.us](mailto:humanrights@nhssa.state.nh.us)

Equal Housing Opportunity

**Equal Housing Opportunity**

**EQUAL HOUSING OPPORTUNITY**  
**EQUAL OPPORTUNITY TO HOUSING IS THE LAW IN NEW HAMPSHIRE**

IT IS ILLEGAL TO DISCRIMINATE IN THE SALE, RENTAL, OR FINANCING OF HOUSING ON THE BASIS OF:

- RACE, COLOR, OR NATIONAL ORIGIN • SEX (including sexual harassment) • FAMILIAL STATUS (having children or pregnancy)
- PHYSICAL DISABILITY (including AIDS infection) • SEXUAL ORIENTATION • MENTAL DISABILITY
- AGE • MARITAL STATUS • RELIGION

IF YOU HAVE QUESTIONS OR WOULD LIKE TO FILE A COMPLAINT, CALL 247-2767.

NEW HAMPSHIRE COMMISSION FOR HUMAN RIGHTS  
CONCORD, NH 03301

[www.state.nh.us/hcr/index.html](http://www.state.nh.us/hcr/index.html)  
[humanrights@nhssa.state.nh.us](mailto:humanrights@nhssa.state.nh.us)

Equal Housing Opportunity

**Fair Employment**

**EMPLOYMENT DISCRIMINATION IS AGAINST THE LAW IN NEW HAMPSHIRE**

Based on: Race, Color, National Origin, Marital Status, Pregnancy, Physical Disability, Mental Disability, Age, Religion, Sex, Sexual Orientation, Gender Identity

New Hampshire Commission For Human Rights  
Concord, NH 03301

For information call: 603.271.2767  
nh.gov/hcr

Updated 10/22

**ProService HAWAII**

HR that powers your business

MADE IN USA

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

**State Minimum Wage**

**STATE OF NEW HAMPSHIRE DEPARTMENT OF LABOR NEW HAMPSHIRE MINIMUM WAGE LAW**  
Revised Statutes Annotated Chapter 279, as amended

Unless otherwise provided by statute, no person, firm, or corporation shall employ any employee at an hourly rate lower than that set forth in the federal minimum wage law, as amended:

**\$7.25 PER HOUR EFFECTIVE SEPTEMBER 1, 2008**

Exempt from RSA 279 are:

- Employees engaged in Household Labor, Domestic Labor, Farm Labor, Outside Sales Representatives, Summer Camps for Minors, Newspaper Carriers, Non-Professional Ski Patrol and Golf Caddies
- OVERTIME PAY.** Those employees covered by RSA 279, with the following exceptions, shall in addition to their regular compensation, be paid at the rate of time and one-half for all time worked in excess of 40 hours in any one week:  
(a) Any employee employed by an amusement, seasonal, or recreational establishment if:  
(1) it does not operate for more than 7 months in any calendar year; or  
(2) during the preceding calendar year, its average receipts for any 6 months of such year were not more than 33 1/3 percent of its average receipts for the other 6 months of such year.  
(b) Any employee of employers covered under the provisions of the Federal Fair Labor Standards Act.  
(c) Tipped employees of a restaurant, hotel, motel, inn, or cabin, who customarily and regularly receive more than \$30 a month in tips directly from the customers will receive a base rate from the employer of not less than 45 percent of the applicable minimum wage. Restaurant shall include an establishment in a temporary or permanent building, kept, used, maintained, advertised, and held out to the public to be a place where meals are regularly prepared or served for which a charge is made, where seating and table service is available for customers or where delivery services are available. The term does not include establishments which do not primarily prepare and serve food. Tipped employees shall also include employees who deliver meals prepared in a restaurant to the customer's home, office, or other location. If an employee shows to the satisfaction of the commissioner that the actual amount of wages received at the end of each pay period do not equal the minimum wage for all hours worked, the employer shall pay the employee the difference to guarantee the applicable minimum wage.
- RECORDS. Every employer of employees shall keep a true and accurate record of the hours worked by each, wages paid to each, and classification of employment when necessary.
- NEW HAMPSHIRE YOUTH EMPLOYMENT LAW**  
No youth under the age of 16 shall be employed or permitted to work without first obtaining a New Hampshire Youth Employment Certificate except for his/her parents, grandparents, guardian, or at work defined as casual or farm labor. Certificates shall be obtained by an employer within 3 business days of the first day of employment. Copies of certificates shall be kept on file by all employers of youths. An employer shall not employ a youth 16 or 17 years of age, unless the employer obtains and maintains on file a signed written document from the youth's parent or legal guardian permitting the youth's employment. The parent's permission shall be on file at the establishment's worksite prior to the first day of employment. Written parental permission is not required for a 16 or 17 year old youth who has graduated from high school or obtained a general equivalency diploma.

Inspection Division  
P.O. Box 2076, Concord, NH 03302-2076  
(603) 271-1492 & 271-3176

Rudolph W. Ogden III  
Deputy Commissioner

Ken Merrifield  
Commissioner

THIS NOTICE MUST BE POSTED IN A CONSPICUOUS PLACE

Updated 2/18

**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;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

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

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

**BENEFITS & PROTECTIONS:** While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

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

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave; and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

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

**REQUESTING LEAVE:** Generally, employees must give 30-days advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employer 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. Employers 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 they will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

**ENFORCEMENT:** Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

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

For additional information: 1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627 [www.dol.gov/whd](http://www.dol.gov/whd)  
U.S. Department of Labor • Wage and Hour Division

Updated 8/16

**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.

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

- you ensure that your employer receives advance written or verbal notice of your service; you have five years or less of cumulative service in the uniformed services while with that particular employer;
- you return to work or apply for reemployment in a timely manner after conclusion of service; and
- you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

**RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION**  
If you:

- are a past or present member of the uniformed service; have applied for membership in the uniformed service; or
- are obligated to serve in the uniformed service; then an employer may not deny you: initial employment; reemployment; retention in employment; promotion; or any benefit of employment because of this status.

**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 <https://www.dol.gov/agencies/vets/>. An interactive online USERRA Advisor can be viewed at <https://webapps.dol.gov/relays/vets/userra/>. 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.

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: <https://www.dol.gov/agencies/vets/programs/userra/poster> Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.

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

U.S. Department of Justice

Office of Special Counsel  
1-800-335-4920

Updated 6/22

**Polygraph Protection**

**The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests for pre-employment screening or during the course of employment.**

**EXAMINEE RIGHTS**  
Where polygraph tests are permitted, they are subject to numerous strict standards concerning the content 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](http://www.dol.gov/whd)

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

Inspection Division  
P.O. Box 2076, Concord, NH 03302-2076  
(603) 271-1492 & 271-3176

Rudolph W. Ogden III  
Deputy Commissioner

Ken Merrifield  
Commissioner

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Updated 8/16

**Employee or Independent Contractor**

Criteria to Establish an Employee or Independent Contractor

"Employee" means and includes every person who may be permitted, required, or directed by any employer, in consideration of direct or indirect gain or profit, to engage in any employment, but shall not include any person exempted from the law by the definition of employee as stated in RSA 281-A:2, V(b)(2), (3), or (4), or RSA 281-A:2, V(b)(1), or a person providing services as part of a residential placement for individuals with developmental, acquired, or emotional disabilities, or any person who meets all of the following criteria:

- The person possesses or has applied for a federal employer identification number or social security number, or in the alternative, has agreed in writing to carry out the responsibilities imposed on employers by the law.
- The person has control and discretion over the means and manner of performance of the work, in that the result of the work, rather than the means or manner by which the work is performed, is the primary element bargained for by the employer.
- The person has control over the time when the work is performed, and the level of performance is not dictated by the employer. However, this shall not prohibit the employer from performing with the person as to completion schedule, range of work hours, and maximum number of work hours to be provided by the person, and in the case of entertainment, the time such entertainment is to be presented.
- The person hires and pays the person's assistants, if any, and to the extent such assistants are employees, supervises the details of the assistants' work.
- The person holds himself or herself out to be in business for himself or herself or is registered with the state as a business and the person has continuing or recurring business liabilities or obligations.
- The person is responsible for satisfactory completion of work and may be held contractually responsible for failure to complete the work.
- The person is not required to work exclusively for the employer.

**Payday Notice**

**PAYDAY IS ON**

☐ MONDAY ☐ TUESDAY ☐ WEDNESDAY ☐ THURSDAY ☐ FRIDAY ☐ SATURDAY ☐ SUNDAY

**PAY SCHEDULE IS**

☐ WEEKLY ☐ BI-WEEKLY ☐ SEMI-MONTHLY ☐ MONTHLY ☐

**PAYCHECKS ARE ISSUED ON THE \_\_\_\_\_ AND \_\_\_\_\_ OF THE MONTH**

**AT \_\_\_\_\_ TIME: \_\_\_\_\_**

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Updated 2/18

**Emergency Notice**

**AMBULANCE:** \_\_\_\_\_ **FIRE-RESCUE:** \_\_\_\_\_

**HOSPITAL:** \_\_\_\_\_ **PHYSICIAN:** \_\_\_\_\_

**ALTERNATE:** \_\_\_\_\_ **POLICE:** \_\_\_\_\_

**OSHA:** \_\_\_\_\_ **HAZARDOUS MATERIAL:** \_\_\_\_\_

**Protective Legislative Law**

**STATE OF NEW HAMPSHIRE, DEPARTMENT OF LABOR • PROTECTIVE LEGISLATION LAW**

**Wages in This Establishment Will Be Paid On:**

SUNDAY	MONDAY	TUESDAY	WEDNESDAY
THURSDAY	FRIDAY	SATURDAY	

**PAYMENT OF WAGES.**  
All wages due an employee must be paid on a weekly or biweekly basis. The Labor Commissioner may, upon written petition showing good and sufficient reason, permit payment of wages less frequently, except it shall be at least once each calendar month.

**NOTICE TO EMPLOYEE.**  
Employer must notify employee in writing when hiring of the rate of pay, or any changes bring to change; make available in writing, or by posted notice, employment practices and policies on vacation pay, sick leave and other fringe benefits; furnish employee statement of deductions each payday.

**LUNCH OR EATING PERIOD.**  
An employer may not require an employee to work more than five consecutive hours without granting him a one half-hour lunch or eating period, except if it is feasible for the employee to eat during the performance of his/her work, and the employer permits him/her to do so.

**ACCESS TO PERSONNEL FILE.**  
Every employer shall provide a reasonable opportunity for an employee who so requests to inspect such employee's personnel file and upon request receive checkbook with a copy of all or part of the file.

**WITHHOLDING WAGES.**  
Employer may not withhold or divert any portion of an employee's wages unless required or empowered by state or federal law; or unless by written authorization by the employer for a lawful purpose accruing to the benefit of the employee, per regulation promulgated by the Commissioner.

**EMPLOYEES SEPARATED.**  
When an employee quits, resigns, or is suspended because of labor dispute wages must be paid not later than the next regular payday or by mail if the employee so requests. Employees discharged must be paid in full within seventy-two hours. Willful failure to pay as above subjects employer to liquidated damages of ten percent of the unpaid wages for each day except Sunday and legal holidays. In case of dispute over amount due, employer shall pay amount contended by him to be due, leaving employee remedies of law for balance.

The acceptance of payment by employee shall not constitute a release to the balance of a claim and any release required by an employer as a condition of payment shall be null and void in violation of the law.

**REQUIRED PAY.**  
On any day an employee reports to work at an employer's request, the employee shall be paid not less than 2 hours pay at their regular rate of pay. This does not apply to employees of counties or municipalities.

**CIVIL PENALTY.**  
There may be a minimum civil penalty of \$100.00 per violation of any section of the New Hampshire Labor Laws.

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**Right To Know**

**EMPLOYEES YOU HAVE A RIGHT TO KNOW ABOUT TOXIC SUBSTANCES USED IN THIS WORKPLACE**

The New Hampshire "Right to Know" law (RSA 277-A) guarantees that:

- You be notified by a posting of the long and short-term health hazards of all toxic substances that you may come into contact with.
- You be trained by your employer in the safe use and handling of these toxic materials.
- You have the right to request complete information, in the form of a Material Safety Data Sheet, from your employer on any toxic substance you may have contact with. Your employer must respond to this request within five working days.

To learn more about the toxic materials used in this workplace, and to obtain Material Safety Data Sheets, contact the employer representative listed below.

(EMPLOYER REPRESENTATIVE'S NAME)

Inspection Division  
P.O. Box 2076, Concord, NH 03302-2076  
(603) 271-1492 & 271-3176

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Updated 2/18

**Unemployment Insurance**

**UNEMPLOYMENT NOTICE**

If you become partially or totally unemployed:

**Filing in person:**  
File a claim in person at the office nearest you and register for work. Example: If your last day of work was a Friday and you worked a full week, visit the office nearest you the following week. Hours: 9am - 4:30pm Monday - Friday

**Filing over the Internet:**  
File on-line and register for work at [www.nh.gov/nhes](http://www.nh.gov/nhes)  
Example: If your last day of work was a Friday and you worked a full week, do not open your claim on-line that week. Open your claim the following Saturday (before midnight).

**Failure to apply as explained below may result in a loss in your entitlement to some benefits!**  
You must file your initial claim within 3 business days of becoming unemployed or no later than the last calendar day of the first week for which you wish to file for benefits. For filing purposes you are considered to be unemployed on the last day you actually work or on the day your work hours significantly reduced. Your claim is effective the calendar week it is opened.

**What should you have available before you file?**

- Your social security number
- Information about where you worked in the past 18 months, including company names, addresses and approximate dates you worked there
- Your most recent check stubs, W2s and 1099 forms from the last 12 months
- The amounts of your separation pay, severance, vacation, holiday, sick, bonus pay and wages in lieu of notice you received or expect to receive
- Who pays for Unemployment Compensation Taxes?
- Employers pay the tax that is deposited in the Unemployment Compensation Trust Fund from which benefits are paid.
- File as directed on the internet application.
- Vacation and holiday pay count as wages in reference to Unemployment Compensation, but if you are unsure about eligibility because of vacation or holiday pay, please call a claim and file.

**NH EMPLOYMENT SECURITY OFFICES:**  
Berlin, Claremont, Concord, Conway, Keene, Laconia, Littleton, Manchester, Nashua, Portsmouth, Salem, Somersworth.

**NHES is a proud member of America's Workforce Network and NH WORKS. NHES is an Equal Opportunity Employer and complies with the Americans with Disabilities Act. Auxiliary aids and services are available upon request to individuals with disabilities. TTY/TDD Access: Relay NH 1-800-735-2964**

**YOU ARE REQUIRED BY LAW TO POST THIS IN A CONSPICUOUS PLACE**

Updated 2/12

**Vacation Shutdown**

**State of New Hampshire, Department of Employment Security**

**Is your company having a Vacation Shutdown?**  
After your last day of work open a claim on the Internet at [www.nhes.nh.gov](http://www.nhes.nh.gov). If you do not have Internet access, please go immediately to your nearest NH Employment Security office.

File as directed on the internet application.

- Vacation and holiday pay count as wages in reference to Unemployment Compensation, but if you are unsure about eligibility because of vacation or holiday pay, please call a claim and file.

**Failure to apply immediately may result in a loss in your entitlement to some benefits!**  
**What should you have available before you file?**

- Your social security number
- Know where you worked in the past 18 months, including names of companies, addresses and approximate dates you worked there.
- Have your check stubs, W2s, and 1099 forms available for easy reference.

**You have to open a claim and then file a claim each week as directed to know if you are eligible!**  
Eligibility for Unemployment Compensation is determined on an individual basis based on the law.

Visit the NH Employment Security Resource Center in an Employment Security office near you for free resources, tools, and information, or visit our Website at: [www.nhes.nh.gov](http://www.nhes.nh.gov)

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Updated 2/12

**Whistleblowers' Protection**

**THE WHISTLEBLOWERS' PROTECTION ACT - RSA 275-E**  
An employer shall not discharge, threaten, or discriminate against any public or private employee if:

- If the employee, in good faith, reports or causes to be reported an alleged violation of any law or rule adopted under the laws of this state, a political subdivision of this state, or the United States;
- OR, the employee objects to or refuses to participate in any activity that the employee, in good faith, believes is a violation of the law or rule;
- OR, the employee refuses to execute a directive which the employee, in good faith, believes violates any law or rule adopted under the laws of this state, a political subdivision of this state or the United States;
- OR, the employee participates in an investigation, hearing, or inquiry conducted by any governmental entity or any court action which concerns allegations that the employer has violated any law or rule adopted under the laws of this state, a political subdivision of this state, or the United States.

**RIGHTS AND REMEDIES - RSA 275-E:4**  
After the employee has made a reasonable effort to maintain or restore his/her rights through any grievance procedure or similar process available with the employer  
And has filed the written complaint with the New Hampshire Department of Labor.  
He/she may request a hearing with the New Hampshire Department of Labor, which can result in a judgment to order reinstatement, payment of fringe benefits, seniority rights, and injunctive relief.

**ADDITIONAL RIGHTS AND REMEDIES FOR PUBLIC EMPLOYEES ONLY - RSA 275-E:8 and 9**  
Public employees can issue complaints to the New Hampshire Department of Labor, who has the authority to investigate complaints or information concerning the possible existence of any activity constituting fraud, waste, or abuse in the expenditure of any public funds, whether state or local, or relating to programs and operations involving the procuring of any supplies, services, or construction by governmental entities within the state.

The identity of the person who filed the complaint shall not be disclosed without his or her written consent, unless such disclosure is to a law enforcement agency that is conducting a criminal investigation.

No governmental entity shall take any retaliatory action against a public employee who, in good faith, files a complaint under this section and the public employee shall be afforded all protections under RSA 275-E:2.

No governmental entity shall threaten, discipline, demote, fire, transfer, reassign, or discriminate against a public employee who files a complaint with the department of labor under RSA 275-E:8 or otherwise discloses or threatens to disclose activities or information that the employee reasonably believes violates RSA 275-E:2, represents a gross mismanagement or waste of public funds, property, or manpower, or evidences an abuse of authority or a danger to the public health and safety.

Inspection Division  
P.O. Box 2076, Concord, NH 03302-2076  
(603) 271-1492 & 271-3176

Rudolph W. Ogden III  
Labor Commissioner

Ken Merrifield  
Commissioner

THIS NOTICE MUST BE POSTED IN A CONSPICUOUS PLACE

Updated 2/18

**Workers' Compensation**

The Workers' Compensation Poster for the State of New Hampshire is distributed only after you have obtained and can demonstrate proof of workers' compensation insurance coverage. Once obtained, please contact your workers' compensation insurance carrier for the poster.

The Workers' Compensation Division of the New Hampshire Department of Labor was created in 1947 with the passage of RSA 281. This law, originally enacted in 1911, requires employers to provide no fault workers' compensation insurance coverage for employees in case of accidental injury, death or occupational disease, "arising out of and in the course of employment".

The Workers' Compensation Division administers and enforces the provisions of RSA 281-A, including the enforcement of coverage requirements for all employers, the oversight of the level of medical and wage replacement benefits to be paid to injured workers, conduct hearings on contested claims, and monitoring of insurance carriers and claim administrators to ensure the prompt payment of benefits and delivery of services.

The Division also provides private vocational rehabilitation providers and monitors vocational rehabilitation services provided to eligible injured workers. Additionally, the Division approves and monitors the use of managed care programs in Workers' Compensation.

For more information please contact:

Workers' Compensation Department Telephone (603) 271-3178 • 1-800-272-4353  
Workers' Compensation Division, NH Department of Labor 95 Pleasant Street, Concord, NH 03301  
Division Contact Numbers Coverage (603) 271-2042, Claims (603) 271-3174, Vocational Rehabilitation (603) 271-3328, Self-insurance (603) 271-6172

**Equal Pay**

**STATE OF NEW HAMPSHIRE**  
**DEPARTMENT OF LABOR EQUAL PAY**  
**RSA 275:37**

It is illegal in New Hampshire under both state and federal law to pay employees different wages for the same work based solely on sex. If you think that your employer has violated this provision, please contact the New Hampshire Department of Labor, 95 Pleasant St, Concord, NH 03301

Phone: (603) 271-1492, 271-6294, or 271-3178  
Fax: (603) 271-2698  
Email: [inspectionDiv@dol.nh.gov](mailto:inspectionDiv@dol.nh.gov)  
You may file a wage claim by downloading the form at: <http://www.nh.gov/labor/documents/wage-claim.pdf>  
The full text of RSA 275:37 Equal Pay can be found at this link: <http://www.genourcstat.state.nh.us/nashtml/XXIII/275-37.htm>

**RSA 275:37-a Non-Retaliation Provision.** No employer shall discharge or in any other manner discriminate against any employee because they invoke their rights under this statute, including filing charges or complaints, or causing any investigation, proceeding, hearing, or action under or related to this subdivision, or has testified or is planning to testify or has assisted or participated in any manner in any such investigation, proceeding, hearing, or action or has inquired about, discussed, or disclosed his or her wages or those of another employee.

This section shall not apply to any employee who has access to the wage information of other employees as a part of such employee's essential job functions who discloses the wages of such other employees to individuals who do not otherwise have access to such information, unless such disclosure is in response to a complaint, hearing or in furtherance of an investigation, proceeding, hearing, or action under RSA 275:41 including an investigation conducted by the employer. Nothing in this section shall be construed to limit the rights of an employee provided under any other provision of law.

**RSA 275:37-b Pay Disclosure.** No employer shall require that an employee refrain from disclosing the amount of his or her wages or sign a waiver or other document that purports to deny the employee the right to disclose the amount of his or her wages, salary, or paid benefits, as a condition of employment. No employer shall discharge, formally discipline, or otherwise discriminate against an employee who discloses the amount of