


Washington State  
Department of  
Labor & Industries

# Your Rights as a Worker

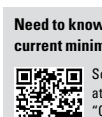


## It's the law!

Employers must post this notice where employees can read it.

## Wage and Overtime Laws

**Workers must be paid the Washington minimum wage**



**How to know the minimum wage?**

Go to [www.wa.gov/minimum-wage](http://www.wa.gov/minimum-wage) or call 1-800-562-6000 to get the state rate or the federal rate, whichever is better.

• Most workers who are 16 years of age or older must be paid at least the minimum wage for hours worked.

• Workers who are 14 or 15 must be paid 85% of the minimum wage.

*Tip: cannot be counted as part of the minimum wage.*

## Overtime pay can't be working more than 40 hours

Most workers must be paid one and one-half times their regular rate of pay for all hours worked over 40 in a fixed seven-day workweek. Agricultural workers are generally exempt from overtime.

## Workers Need Meal and Rest Breaks

### Meal period

Most workers are entitled to a 30-minute unpaid meal period if working more than five hours in a day. If you remain on duty during your meal period, you must be paid for the 30 minutes.

### Breaks

- Most workers are entitled to a 30-minute paid rest break for each four hours worked and must not work more than three hours without a break.
- Agricultural workers must have a 30-minute paid rest break within each four-hour period of work.
- If you are under 18, see Teen Corner below.

### Regular Payday

Workers must be paid at least once a month on a regularly scheduled payroll. Your employer must give you a pay statement showing the number of hours worked, the number of pieces of work done (units of piece work), gross pay, the pay period and all deductions taken.

For more information regarding authorized deductions, go to [www.Lni.gov/MinimumWageRights](http://www.Lni.gov/MinimumWageRights) and click on "Pay Requirements."

## Leave Laws

### Paid sick leave (effective January 1, 2018)

Most workers earn a minimum of one hour of paid sick leave for every 40 hours worked. This leave may be used beginning on the 30th calendar day of employment. Employees must provide employers with a statement that includes their accrued and available sick leave at least once per month. This information may be provided on your regular pay statement or a separate statement. Workers must notify their employer of their use of 40 hours of this unused leave to the following year. See [www.Lni.gov/SickLeave](http://www.Lni.gov/SickLeave) for details on authorized usage, accrual details and eligibility.

### Washington Family Care Act: Use of paid leave to care for sick family

Employees are entitled to use their choice of any paid leave for paid leave sick leave, vacation, certain short-term disability plans, or other paid time off to care for:

- A child with a health condition requiring treatment or supervision;
- An employee's parent, grandparent or grandchild with a serious health condition or an emergency health condition; and
- Children 18 years and older with disabilities that make them incapable of self-care.

### Washington Family Leave Act

This act provides additional leave for pregnancy and childbirth. It covers employees with 15 or more employees. Employees must have worked for an employer at least 1,250 hours in the previous 12 months to be eligible. For more information regarding qualifications and benefits, see [www.Lni.gov/WashingtonWorkplaceRight/LeverBenefits](http://www.Lni.gov/WashingtonWorkplaceRight/LeverBenefits).

Pregnancy disability leave is covered under the Washington State Law Against Discrimination (WLAD) and enforced by the Washington State Human Rights Commission. [www.humanr.wa.gov](http://www.humanr.wa.gov) or 1-800-233-3397.

Eligible employees can enforce their right to protected family and medical leave under FMLA by contacting the U.S. Department of Labor at: [www.dol.gov/fmla/tel/1-866-455-6253](http://www.dol.gov/fmla/tel/1-866-455-6253).

### Leave for victims of domestic violence, sexual assault or stalking

Workers for certain family and household members who are victims of leave for victims of law enforcement assistance, sexual assault, harassment, counseling, relocation, meetings with their crime victim advocate, or to protect their safety.

# EMPLOYEE RIGHTS

## ON GOVERNMENT CONTRACTS

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

This establishment is performing Government contract work subject to (check one):

☐ **SERVICE CONTRACT ACT (SCA)** or

☐ **PUBLIC CONTRACT ACT (PCA)**

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

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

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

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

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

**SAFETY & HEALTH** Work must be performed under conditions that are sanitary, and not hazardous or dangerous to employee's health and safety.

**ENFORCEMENT** Specific DOL agencies are responsible for the administration of these laws. To file a complaint or obtain information for: Contact the Wage and Hour Division by calling its toll-free help line at 1-866-4-USDEWAGE (1-866-487-9243), or visit its Web site at [www.wagehour.dol.gov](http://www.wagehour.dol.gov).

Contact the Occupational Safety and Health Administration (OSHA) by calling a toll-free 1-800-368-OSHA (1-800-368-7674), or visit its Web site at [www.osha.gov](http://www.osha.gov).

For additional information:

**1-866-4-USDEWAGE 1-877-939-0627**

(1-866-487-9243) TTY: 1-800-999-0627

**WHD**  
U.S. DEPT. OF LABOR

**WAGE HOUR DIVISION**


U.S. Department of Labor | Employment Standards Administration | Wage and Hour Division

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# 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 be 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 prior to taking leave,\* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

You may be eligible for

# UNEMPLOYMENT BENEFITS

if you lose your job

Visit [www.esd.wa.gov](http://www.esd.wa.gov) to apply and click "Sign in or create an account"


**To apply for unemployment, you will need:**

- Your Social Security number
- Names and addresses of employers you worked for in the last 18 months
- Dates you started and stopped working for each employer
- Reasons you left each job
- Your alien registration number if you are not a U.S. citizen

If you are in the military within the last 18 months, we will also ask you to provide a copy of your discharge papers (see PDF 00214).

**You can apply online at [esd.wa.gov](http://esd.wa.gov):**

If you have a home computer, you can access one at a WorkSource center or your local library.

 **Employment  
Security  
Department**  
WASHINGTON STATE

Employers are legally required to post this notice in a place convenient for employees to read (see RCW 50.04.040).

The Employment Security Department is to assist unemployed employees and providers of programs and services. It is not to be used for the purpose of determining eligibility for unemployment benefits. Auditing rules may prohibit auditors from using this information for any purpose, including or excluding individuals. Individuals with limited English proficiency may request the interpreter benefit in a verbal language at the Department.

**If you can't apply online, try contacting us over the phone:**


Call 800-818-6242. Persons with hearing and speaking impairments can call Washington Relay Service (711). We are available to help you with Interservice and Folioes from 8 a.m. to 4 p.m., except on state holidays. Your phone experience long term.

**You must look for work each week that you claim benefits:**

WorkSource has led all the FREE resources you need to find a job. These include workshops, computers, printers, phones, fax machines, Internet access, and newspapers. Log on to [esd.wa.gov](http://esd.wa.gov) to find the nearest office.

If your work hours have been reduced to part-time, you may qualify for partial unemployment benefits.

If you have been unemployed due to a work-related injury or non-work-related illness or injury and are now able to work again, you may be eligible for special unemployment benefits.



ISS-001 3/2008 01-00137-01-0000

# Equal Employment Opportunity is



## 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 from discrimination on the following bases:

### RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

Title VII of the Civil Rights Act of 1964, an amended, protects applicants and employees from discrimination on the basis of race, color, religion, sex, or national origin. Religion discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship.

### DISABILITY

Title I and Title V of the Americans with Disabilities Act of 1990, an amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, retirement, and other aspects of employment. Disability discrimination includes not making reasonable accommodations for 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, an 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, retirement, and other aspects of employment.

### SEX (WAGES)

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, the Equal Pay Act of 1963, an amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment.

### GENETICS

Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination on the basis of genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, retirement, and other aspects of employment. GINA also protects an employee's 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 employers 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 a charge of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a lawsuit later, you should ultimately need to, you should contact EEOC promptly when discrimination is suspected.

U.S. Equal Employment Opportunity Commission (EEOC), 1-800-648-6800 (toll free) or 1-800-648-6800 (toll free) TTY number for individuals with hearing impairments. EEOC field offices are available at [www.eeoc.gov](http://www.eeoc.gov) or in most telephone directories in the U.S. Government and Federal Government section. Additional information about EEOC, including information about charge filing, is available at [www.eeoc.gov](http://www.eeoc.gov).

## Employers Holding Federal Contracts or Subcontracts


Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases:

### RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

Executive Order 11246, an amended, prohibits discrimination on the basis of race, color, religion, sex, or national origin, and requires affirmative action to ensure that persons are treated equally in all aspects of employment.

### AGE AND DISABILITY

Three years of discharge or release from active duty, other protected veterans (including disabled veterans), and persons discharged or released with a campaign badge have been authorized, and Armed Forces service medal veterans (other than, while on active duty, participated in a U.S. military operation for which an Armed Forces service medal was then awarded).

 Washington State Department of  
Labor & Industries

## Job Safety and Health Law

It's the law! Employers must post this notice where employees can read it  
(Chapter 49.17 RCW)

All workers have the right to a safe and healthy workplace.

Washington State Department of  
Labor & Industries

# Notice to Employees

## It's the law! Employers must post this notice where employees can read it.

Every worker is entitled to workers' compensation benefits. You cannot be penalized or discriminated against for filing a claim. For more information, call toll-free **1-800-547-8367**.

### If a job injury occurs

Your employer is insured through the Department of Labor & Industries' workers' compensation program. If you are injured on the job or develop an occupational disease, you are entitled to workers' compensation benefits.

#### Benefits include:

**Medical care.** Medical expenses resulting from the work-related injury or disease are covered by the workers' compensation program.

**Disability income.** If your work-related medical condition prevents you from working, you may be eligible for benefits to partially replace your wages.

**Vocational assistance.** Under certain conditions, you may be eligible for help in returning to work.

**Partial disability benefits.** You may be eligible for a monetary award to compensate for the loss of body functions.

**Pensions.** Injuries that permanently keep you from returning to work may qualify you for a disability pension.

**Death benefits for survivors.** If a worker dies, the surviving spouse or registered domestic partner and/or dependents may receive a pension.

### What you should do

**Report your injury.** If you are injured, no matter how minor the injury seems, contact the person listed on this poster.

**Get medical care.** The first time you see a doctor, you may choose any health-care provider who is qualified to treat your injury. For ongoing care, you must be treated by a doctor in the L&I medical network. [Find network providers at [www.Lni.wa.gov/FindAdocs](http://www.Lni.wa.gov/FindAdocs)].

Qualified health-care providers include: medical, osteopathic, chiropractic, naturopathic and podiatric physicians; dentists; optometrists; ophthalmologists; physician assistants; and advanced registered nurse practitioners.

**Tell your health-care provider and your employer about your work-related injury or condition.** The first step in filing a workers' compensation (industrial insurance) claim is to file a Report of Accident (ROA). You can do this online with FileFast ([www.Lni.wa.gov/FileFast](http://www.Lni.wa.gov/FileFast)), by phone at 1-877-561-FILE, or on paper in your doctor's office. Filing online or by phone speeds the claim and reduces hassle.

**File your claim as soon as possible.** For an on-the-job injury, you must file a claim and the Department of Labor & Industries (L&I) must receive it within one year after the day the injury occurred. For an occupational disease, you must file a claim and L&I must receive it within two years following the date you are advised by a health-care provider in writing that your condition is work related.

### Report your injury to:

(Your employer fills in this space.)

#### Helpful phone numbers:

Amulance

Fire

Police

### About required workplace posters

Go to [www.Lni.wa.gov/RequiredPosters](http://www.Lni.wa.gov/RequiredPosters) to learn more about workplace posters from L&I and other government agencies.

On the Web: [www.Lni.wa.gov](http://www.Lni.wa.gov)

Upon request, foreign language support and forms for persons with disabilities are available. Call 1-800-547-8367. TDD users, call 360-902-5797. L&I is an equal opportunity employer.

PUBLICATION F242-191-909 (12-2012)

## Employees — Your employer must protect you from hazards you encounter on the job, tell you about them and provide training.

**You have the right to:**

- Notify your employer or L&I about workplace hazards. You may ask L&I to keep your name confidential.
- Request an L&I inspection of the place you work if you believe unsafe or unhealthy conditions exist. You or your employer representative may participate in an inspection, without loss of wages or benefits.
- Get copies of your medical records, including records of exposures to toxic and harmful substances or conditions.
- File a complaint with L&I within 30 days if you believe your employer fired you, or retaliated or discriminated against you because you filed a safety complaint, participated in an inspection or any other safety-related activity.
- Appeal a violation correction date if you believe the time allowed on the citation is not reasonable.

**The law requires you to follow workplace safety and health rules that apply to your own actions and conduct on the job.**

## Employees — You have a legal obligation to protect employees on the job.

**Employers must provide workplaces free from recognized hazards that could cause employees serious harm or death.**

**Actions you must take:**

- Comply with all workplace safety and health rules that apply to your business, including developing and implementing a written accident prevention plan (also called an APP or safety program).
- Post this notice to inform your employees of their rights and responsibilities.
- Prior to job assignments, train employees how to prevent hazardous exposures and provide required personal protective equipment at no cost.
- Allow an employer representative to participate in an L&I safety/health inspection, without loss of wages or benefits. The L&I inspector may talk confidentially with a number of employees.
- If you are cited for safety and/or health violations, you must prominently display the citation at or near the place of the violation for a minimum of three days. You cannot remove it until you correct the violation.

**Firing or discriminating against any employee for filing a complaint or participating in an inspection, investigation, or opening or closing conference is illegal.**



## Employers must report all deaths, in-patient hospitalizations, amputations or loss of an eye.

Report any worker-related death or in-patient hospitalization to L&I's Division of Occupational Safety and Health (DOSH) within 8 hours.

Report any worker-related non-hospitalized amputation or loss of an eye to DOSH within 24 hours.

For any worker-related death, in-patient hospitalization, amputation or loss of an eye, you must report the following information to DOSH:

- Employer contact person and phone number.
- Name of business.
- Address and location where the work-related incident occurred.
- Date and time of the incident.
- Number of employees and their names.
- Brief description of what happened.

### Where to report:

- Any local L&I office or
- 1-800-423-7223, press 1 (available 24/7)

**This poster is available free from L&I at**  
[www.Lni.wa.gov/RequiredPosters](http://www.Lni.wa.gov/RequiredPosters).

**Free assistance from the Division of Occupational Safety and Health (DOSH)**

- Training and resources to promote safe workplaces.
- On-site consultations to help employers identify and fix hazards, and risk management help to lower your workers' compensation costs.




**Division of Occupational Safety and Health**

 [www.Lni.wa.gov/Safety](http://www.Lni.wa.gov/Safety)  1-800-423-7223

*Upon request, foreign language support and formats for persons with disabilities are available. Call 1-800-547-8367, TDD users, call 360-902-5797. L&I is an equal opportunity employer.*

PUBLICATION F416-081-909 [09-2015]




For additional information or to file a complaint:

# 1-866-4-USWAGE

(1-866-447-9243) TTY: 1-877-885-6627

## www.dol.gov/whd

U.S. Department of Labor Wage and Hour Division



WH1420 REV 04/16

# EMPLOYEE RIGHTS

## EMPLOYEE POLYGRAPH PROTECTION ACT

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

### PROHIBITIONS

Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discriminating, disciplining, or retaliating 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 polygraphs (a kind of lie detector test) to be administered in the private sector, subject to restrictions. In certain professions or occupations of security service firms (armored cars, alarm and guard, and 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 prevent 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 refuse the test before testing, the right to refuse to discontinue a test, and the right 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 CANDIDATES CAN READILY SEE IT.**

# EMPLOYEE RIGHTS

## UNDER THE FAIR LABOR STANDARDS ACT

### FEDERAL MINIMUM WAGE

# \$7.25

PER HOUR

BEGINNING JULY 24, 2009

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

### OVERTIME PAY

At least 1 1/2 times the regular rate of pay for each hour worked over 40 in a workweek.

### CHILD LABOR

An employee must be at least 16 years old to work in most non-hazard jobs and at least 18 in more demanding occupations for the Secretary of Labor. Youth as young as 14 may work outside schools in various non-manufacturing, non-mining, non-hazardous jobs in certain cases with hours restrictions. Offense can result in an injunction and/or fine.

### TIP CREDIT

Employers of "tipped employees" who meet certain conditions may claim a partial wage based on tips received by their employees. Employees must receive at least the minimum wage based on 8 "tipped hours" of pay (they may in excess against their minimum wage payment). If an employer has not complied with the employer's wage based on \$2.13 per hour (or less), the employer may lose the tip credit.

### NURSING MATTERS



The U.S. Laborers' organization to provide assistance. Please file a nursing matter with a subject to submit to the FLRA employee arbitrator in order for the employees to explore their rights. Please contact the Department of Labor for more information. Please contact the Department of Labor for more information. Please contact the Department of Labor for more information.

### ENFORCEMENT

The U.S. Laborers' organization to provide assistance. Please file a nursing matter with a subject to submit to the FLRA employee arbitrator in order for the employees to explore their rights. Please contact the Department of Labor for more information. Please contact the Department of Labor for more information. Please contact the Department of Labor for more information.


### ADDITIONAL INFORMATION


- Certain occupations and establishments are exempt from the minimum wage, and/or overtime provisions.
- Federal minimum wage is workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.
- Some laws also provide greater employee protection than federal law.
- Some employees currently classified as "non-exempt" (not covered by the law) may actually be exempt under the FLSA. If you are unsure of the difference between the two, please contact the Department of Labor for more information.
- Certain farm workers, migrant workers, and seasonal workers with disabilities may not have the minimum wage under special certificate issued by the Department of Labor.

WAGE AND HOUR DIVISION  
U.S. DEPARTMENT OF LABOR

1-866-4-USWAGE  
TTY: 1-877-885-6627  
www.dol.gov/whd

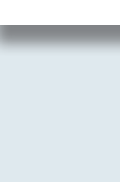



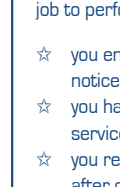
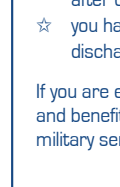
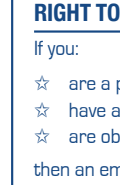
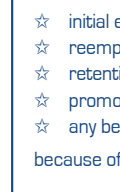
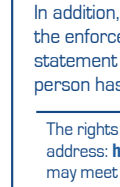





WAGE AND HOUR DIVISION  
U.S. DEPARTMENT OF LABOR

1-800-485-3821  
TTY: 1-800-485-3821  
www.dol.gov/whd

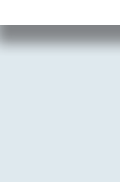



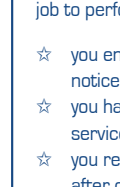
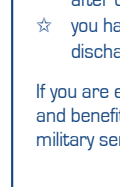
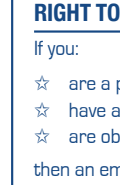
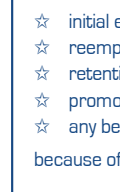
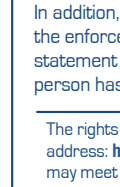

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# YOUR RIGHTS UNDER USERRA

## 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;
- restoration in employment;
- promotion; or
- any benefits of employment

because of this status.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.


### HEALTH INSURANCE PROTECTION

- If you leave your job to perform military service, you have the right to elect to continue 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 (i.e., 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-USA-501**, or visit its website at: <http://www.dol.gov/vets>. An interactive online USERRA Advisor can be viewed at <http://www.dol.gov/vets/userra.htm>.
- If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation.
- You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.


The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS and may be viewed on the internet at this address: <http://www.dol.gov/vets/programs/uniformed-services.htm>. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.




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



U.S. Department of Justice



Office of Special Counsel



1-800-368-5950  
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Publication Date – April 2011