

# Equal Employment Opportunity is

# THE LAW

## Employers Holding Federal Contracts or Subcontracts

Applicants to and employees of companies with a Federal government contract or subcontract are protected under the following Federal authorities:

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

Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

### **INDIVIDUALS WITH DISABILITIES**

Section 503 of the Rehabilitation Act of 1973, as amended, prohibits job discrimination because of disability and requires affirmative action to employ and advance in employment qualified individuals with disabilities who, with reasonable accommodation, can perform the essential functions of a job.

### **VIETNAM ERA, SPECIAL DISABLED, RECENTLY SEPARATED, AND OTHER PROTECTED VETERANS**

38 U.S.C. 4212 of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, prohibits job discrimination and requires affirmative action to employ and advance in employment qualified Vietnam era veterans, qualified special disabled veterans, recently separated veterans, and other protected veterans.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP), Employment Standards Administration, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210 or call (202) 693-0101, or an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor.

## Private Employment, State and Local Governments, Educational Institutions

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under the following Federal laws:

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

Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex or national origin.

### **DISABILITY**

The Americans with Disabilities Act of 1990, as amended, protects qualified applicants and employees with disabilities from discrimination in hiring, promotion, discharge, pay, job training, fringe benefits, classification, referral, and other aspects of employment on the basis of disability. The law also requires that covered entities provide qualified applicants and employees with disabilities with reasonable accommodations that do not impose undue hardship.

### **AGE**

The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination on the basis of age in hiring, promotion, discharge, compensation, terms, conditions or privileges of employment.

### **SEX (WAGES)**

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act of 1964, as amended (see above), the Equal Pay Act of 1963, as amended, prohibits sex discrimination in payment of wages to women and men performing substantially equal work in the same establishment.

Retaliation against a person who files a charge of discrimination, participates in an investigation, or opposes an unlawful employment practice is prohibited by all of these Federal laws.

If you believe that you have been discriminated against under any of the above laws, you should contact immediately:

The U.S. Equal Employment Opportunity Commission (EEOC), 1801 L Street, N.W., Washington, D.C. 20507 or an EEOC field office by calling toll free (800) 669-4000. For individuals with hearing impairments, EEOC's toll free TDD number is (800) 669-6820.

## Programs or Activities Receiving Federal Financial Assistance

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

In addition to the protection of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act 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 assistance.

### **INDIVIDUALS WITH DISABILITIES**

Sections 501, 504 and 505 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 in the federal government. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with reasonable accommodation, can perform the essential functions of a job.

If you believe you have been discriminated against in a program of any institution which receives Federal assistance, you should contact immediately the Federal agency providing such assistance.

# Your Rights under the Family and Medical Leave Act of 1993

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons. Employees are eligible if they have worked for their employer for at least one year, and for 1,250 hours over

the previous 12 months, and if there are at least 50 employees within 75 miles. The FMLA permits employees to take leave on an intermittent basis or to work a reduced schedule under certain circumstances.

## Reasons for Taking Leave:

Unpaid leave must be granted for *any* of the following reasons:

- to care for the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, son or daughter, or parent who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job.

At the employee's or employer's option, certain kinds of *paid* leave may be substituted for unpaid leave.

## Advance Notice and Medical Certification:

The employee may be required to provide advance leave notice and medical certification. Taking of leave may be denied if requirements are not met.

- The employee ordinarily must provide 30 days advance notice when the leave is "foreseeable."
- An employer may require medical certification to support a request for leave because of a serious health condition, and may require second or third opinions (at the employer's expense) and a fitness for duty report to return to work.

## Job Benefits and Protection:

- For the duration of FMLA leave, the employer must maintain the employee's health coverage under any "group health plan."

- Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.
- The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

## Unlawful Acts by Employers:

FMLA makes it unlawful for any employer to:

- interfere with, restrain, or deny the exercise of any right provided under FMLA;
- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

## Enforcement:

- The U.S. Department of Labor is authorized to investigate and resolve complaints of violations.
- An eligible employee may bring a civil action against an employer for violations.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

## For Additional Information:

If you have access to the Internet visit our FMLA website: <http://www.dol.gov/esa/whd/fmla>. To locate your nearest Wage-Hour Office, telephone our Wage-Hour toll-free information and help line at 1-866-4USWAGE (1-866-487-9243): a customer service representative is available to assist you with referral information from 8am to 5pm **in your time zone**; or log onto our Home Page at <http://www.wagehour.dol.gov>.



U.S. Department of Labor  
Employment Standards Administration  
Wage and Hour Division  
Washington, D.C. 20210

WH Publication 1420  
Revised August 2001

# NOTICE

## Military Family Leave

*On January 28, President Bush signed into law the National Defense Authorization Act for FY 2008 (NDAA), Public Law 110-181. Section 585(a) of the NDAA amended the FMLA to provide eligible employees working for covered employers two important new leave rights related to military service:*

- (1) New Qualifying Reason for Leave.** Eligible employees are entitled to up to 12 weeks of leave because of “any qualifying exigency” arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation. By the terms of the statute, this provision requires the Secretary of Labor to issue regulations defining “any qualifying exigency.” In the interim, employers are encouraged to provide this type of leave to qualifying employees.
  
- (2) New Leave Entitlement.** An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember who is recovering from a serious illness or injury sustained in the line of duty on active duty is entitled to up to 26 weeks of leave in a single 12-month period to care for the servicemember. This provision became effective immediately upon enactment. This military caregiver leave is available during “a single 12-month period” during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave.

Additional information on the amendments and a version of Title I of the FMLA with the new statutory language incorporated is available on the FMLA amendments Web site at [http://www.dol.gov/esa/whd/fmla/NDAA\\_fmla.htm](http://www.dol.gov/esa/whd/fmla/NDAA_fmla.htm).



# EMPLOYEE RIGHTS

## UNDER THE FAIR LABOR STANDARDS ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

### FEDERAL MINIMUM WAGE

**\$5.85** PER HOUR

BEGINNING JULY 24, 2007

**\$6.55** PER HOUR

BEGINNING JULY 24, 2008

**\$7.25** PER HOUR

BEGINNING JULY 24, 2009

#### OVERTIME PAY

At least  $1\frac{1}{2}$  times your regular rate of pay for all hours worked over 40 in a workweek.

#### YOUTH EMPLOYMENT

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 under the following conditions:

***No more than***

- **3** hours on a school day or **18** hours in a school week;
- **8** hours on a non-school day or **40** hours in a non-school week.

Also, work may not begin before **7 a.m.** or end after **7 p.m.**, except from June 1 through Labor Day, when evening hours are extended to **9 p.m.** Different rules apply in agricultural employment. For more information, visit the YouthRules! Web site at [www.youthrules.dol.gov](http://www.youthrules.dol.gov).

## TIP CREDIT

Employers of “tipped employees” must pay 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. Certain other conditions must also be met.

## ENFORCEMENT

The Department of Labor may recover back wages either administratively or through court action, for the employees that have been underpaid in violation of the law. Violations may result in civil or criminal action.

Civil money penalties of up to \$11,000 per violation may be assessed against employers who violate the youth employment provisions of the law and up to \$1,100 per violation against employers who willfully or repeatedly violate the minimum wage or overtime pay provisions. This law prohibits discriminating against or discharging workers who file a complaint or participate in any proceedings under the Act.

## 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 and the Commonwealth of the Northern Mariana Islands.
- Some state laws provide greater employee protections; employers must comply with both.
- The law requires employers to display this poster where employees can readily see it.
- Employees under 20 years of age may be paid \$4.25 per hour during their first 90 consecutive calendar days of employment with an employer.
- 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.



For additional information:

**1-866-4-USWAGE**

(1-866-487-9243)

TTY: 1-877-889-5627



**WWW.WAGEHOUR.DOL.GOV**

U.S. DEPARTMENT OF LABOR

EMPLOYMENT STANDARDS ADMINISTRATION

Wage and Hour Division  
Washington, D.C. 20210



# NOTICE

## EMPLOYEE POLYGRAPH PROTECTION ACT

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

### **PROHIBITIONS**

Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights 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.

## **EXAMINEE RIGHTS**

Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse 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 up to \$10,000 against violators. Employees or job applicants may also bring their own court actions.

## **ADDITIONAL INFORMATION**

Additional information may be obtained, and complaints of violations may be filed, at local offices of the Wage and Hour Division. To locate your nearest Wage-Hour office, telephone our toll-free information and help line at 1 - 866 - 4USWAGE ( 1 - 866 - 487 - 9243). A customer service representative is available to assist you with referral information from 8am to 5 pm in your time zone; or if you have access to the internet, you may log onto our Home page at [www.wagehour.dol.gov](http://www.wagehour.dol.gov).

### **THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.**

*\*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.*

**U.S. DEPARTMENT OF LABOR  
EMPLOYMENT STANDARDS ADMINISTRATION  
Wage and Hour Division  
Washington, D.C. 20210**

**WH Publication 1462**

**June 2003**



# 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.

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 your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military.
- ☆ Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

## ENFORCEMENT

- ☆ The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.
- ☆ For assistance in filing a complaint, or for any other information on USERRA, contact VETS at **1-866-4-USA-DOL** or visit its **website at <http://www.dol.gov/vets>**. An interactive online USERRA Advisor can be viewed at **<http://www.dol.gov/elaws/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/userra/poster.htm>. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.



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



**U.S. Department of Justice**



**Office of Special Counsel**



**1-800-336-4590**

Publication Date—July 2008

You may be eligible for

# unemployment benefits

if you lose your job

Log onto [www.go2ui.com](http://www.go2ui.com) to apply

## To apply for unemployment, you will need:

- Your Social Security number
- Names and addresses of everyone you worked for in the last two years
- 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 were in the military within the last 24 months, we will also ask you to fax or mail us a copy of your discharge papers (Form DD214).

## You can apply online unless:

- You worked in two or more states in the last 24 months
- You worked in only one state other than Washington in the last 24 months
- You were totally disabled for at least 13 consecutive weeks due to a work-related injury or a non-work related injury or illness, AND you were released by your doctor within the last 12 months

## You can also apply for unemployment over the phone

Call 1.800.318.6022 (TTY 1.800.365.8969). We are available to help you Monday through Friday from 8:00 a.m. to 5:00 p.m., except on state holidays. We may be open extended hours during peak periods.

If your Social Security number ends with:

0 thru 3, call on Monday    4 thru 7, call on Tuesday    8 thru 9, call on Wednesday

Please call on your designated day. If you miss your day, you may call on Wednesday, Thursday, or Friday of the same week without any delay in payment. Customers with active claims may call any day of the week.

## You must look for work each week that you claim benefits

Visit WorkSource to find all the FREE resources you need to find a job. These include workshops, computers, copiers, phones, fax machines and Internet access. Log onto [www.go2worksource.com](http://www.go2worksource.com) or call 1.877.872.5627 to find the office nearest you.

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.



**Employment  
Security  
Department**  
WASHINGTON STATE

Employers are legally required to post this notice in a place convenient for employees to read (see RCW 50.20.140).

The Employment Security Department is an equal opportunity employer and provider of programs and services. Auxiliary aids and services are available upon request to persons with disabilities. Auxiliary aids may include qualified interpreters and telecommunication devices (TTY) for hearing or speech impaired individuals. Individuals with limited English proficiency may request interpretive services free of charge to the customer in order to conduct business with the department.

EMS 9874 . CC 7540-032-407 . Rev 07/05 . UI-biz-poster-EN

# NOTICE TO EMPLOYEES

Employer: This is your official industrial insurance poster. You are required by law to post this notice.

## If a job injury occurs...

Your employer is insured through the Department of Labor and 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 arising from your workplace injury or disease will be paid by the workers' compensation benefits program.

**Disability income.** If your injury or occupational disease 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 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 to the right.

**Get medical care.** You have the right to go to any doctor qualified to treat your injury. Qualified doctors include: medical, osteopathic, chiropractic, naturopathic and podiatric physicians, dentists, optometrists and ophthalmologists. Medical bills that arise from a workplace injury or occupational disease will be paid by the workers' compensation program.

**Tell your doctor that your injury or condition is work-related.** Your doctor will complete a *Report of Industrial Injury or Occupational Disease* form and send it in. This is the first step in filing your industrial insurance claim.

**File your claim within set time frames.** For an on-the-job injury, you must file a claim and Labor and Industries must receive it within one year after the date the injury occurred. For an occupational disease, you must file a claim and Labor and Industries must receive it within two years following the date you are advised by a doctor in writing that your condition is work-related.

### Report your injury to:

\_\_\_\_\_  
(Your employer fills in this space.)

### Helpful phone numbers:

\_\_\_\_\_  
Ambulance

\_\_\_\_\_  
Police

\_\_\_\_\_  
Fire

### IMPORTANT:

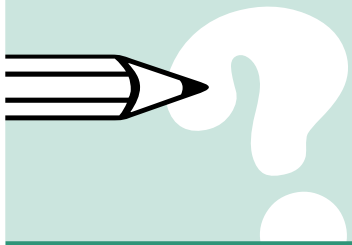
Every worker is entitled to workers' compensation benefits. You cannot be penalized or discriminated against for filing a claim. For more information, call toll-free **800-547-8367**. TDD users, please call 360-902-5797.

Department of  
**LABOR AND  
INDUSTRIES**



[www.LNI.wa.gov](http://www.LNI.wa.gov)

# Job Safety and Health Protection



The Washington Industrial Safety and Health Act (WISHA) — Chapter 49.17 Revised Code of Washington — provides job safety and health protection for Washington employees. The Department of Labor and Industries administers the law and adopts job safety and health regulations. All employers and employees are required to comply with these regulations. Department representatives conduct workplace inspections and investigations to ensure compliance with safety and health regulations.

**This poster describes some important parts of the law.**

## Employers are required to:

Provide job sites that are free from recognized hazards that may cause death or serious harm to employees.

Comply with occupational safety and health regulations administered under WISHA.

Post this and other notices to keep employees informed of their protection and obligations under WISHA.

Notify the Department of Labor and Industries within eight (8) hours of any fatality or probable fatality or catastrophe — an injury or illness that results in two or more workers being hospitalized. The employer must report the following information in person or by telephone to the nearest department office or use the Occupational Safety and Health Administration toll-free central number 1-800-321-6742:

- Name of employer.
- Location and time of the incident.
- Number of fatalities or hospitalized employees.
- Contact person and his/her phone number.
- A brief description of the incident.

Allow an employee representative to attend all meetings between the Department of Labor and Industries and the employer concerning an appeal of a citation by the employer.

Allow an employee representative to accompany the department representative and the employer during an inspection or investigation of the workplace. Employers cannot withhold wages or benefits or discriminate against the employee for time spent participating in the inspection, investigation, or opening and closing conferences.

Provide personal protective equipment when required by a WISHA regulation.

Promptly notify an employee who was or is being exposed to toxic materials or harmful physical agents at levels that exceed those allowed by WISHA regulations.

## Employees are required to:

Comply with occupational safety and health regulations that apply to their own actions and conduct on the job.

## Inspections and investigations:

Employer and employee representatives may accompany a department inspector to assist with an inspection or investigation. If an employee representative does not participate, the inspector will consult with a number of employees about safety and health conditions in the workplace.

## Complaints:

Employees and employee representatives who believe that an unsafe or unhealthy condition exists in their workplace have the right to request an inspection by the Department of Labor and Industries. The names of those filing complaints will be kept confidential upon the request of the employee. Employees also have the right to bring unsafe or unhealthy conditions to the attention of the inspector during an investigation or inspection.

Employees may not be fired or discriminated against for filing safety and health complaints or for exercising any of their rights under WISHA.

Employees who believe they have been discriminated against may file a complaint with the department or with the U.S. Department of Labor, Occupational Safety and Health Administration, within 30 days of the alleged discrimination. Public employees may file discrimination complaints with the Department of Labor and Industries only.

The U.S. Department of Labor monitors the operation of the WISHA program to assure effective administration. Any person may make a written complaint regarding the administration of state regulations directly to the Occupational Safety and Health Administration, Region 10, 1111-3rd Avenue, Suite 715, Seattle, WA 98101-3212.

## Citations:

If, upon inspection the department believes a WISHA regulation has been violated, a citation alleging such violation will be issued to the employer. Citations will specify a time period allowed for correcting the violation.

The WISHA citation must be prominently displayed at or near the place of the alleged violation for a minimum of three days. It cannot be taken down until the violation is corrected.

## Penalties:

Penalties of up to \$70,000 may be assessed for each willful or repeated violation of a WISHA regulation, and a minimum penalty of \$5,000 shall be assessed for each willful violation. Employers may be fined up to \$7,000 for each serious or non-serious violation. Penalties up to \$7,000 will be assessed for failure to post this or any other required notices.

Penalties of up to \$7,000 per day may be assessed for failure to correct a violation by the allowed time specified in the citation.

Criminal penalties are also provided for under WISHA. Any person who is convicted of giving advance notice of an inspection without the authority of the department may be fined up to \$1,000 and imprisoned for up to six months. A person convicted of knowingly making a false statement or report in regard to WISHA may be fined up to \$10,000 and imprisoned for up to six months.

An employer convicted of a willful or repeated violation that results in the death of an employee may be fined up to \$10,000 and imprisoned for up to six months. A second conviction doubles these penalties.

## Appeals:

Employers may appeal the alleged citation, the proposed penalties or the time allowed to correct a violation to the department and to the Board of Industrial Insurance Appeals.

Employees may appeal the time allowed to correct a violation if they believe that time to be unreasonable.

## Consultation services:

The department offers free consultations to help employers comply with safety and health regulations. Specialists can help correct hazardous conditions and develop safety and health programs. These specialists **do not** issue citations or assign penalties. The consultation is confidential unless the employer wishes to make it public.

Department employees are also available to conduct seminars and training on occupational safety and health for both employer and employee groups.

## More information:

To request an inspection, consultation or additional information, call the safety and health toll-free information number:

# 1-800-423-7233 (4BE-SAFE)

**or contact:**

**Department of Labor and Industries  
WISHA Services Division  
PO Box 44600  
Olympia WA 98504-4600**

*This document is available in other formats to accommodate persons with disabilities.  
For assistance, call 1-800-547-8367. (TDD users, please call 360-902-5797.)  
Labor and Industries is an Equal Opportunity Employer.*



# Washington minimum wage: \$8.07 per hour

January 1, 2008, through December 31, 2008

- Workers age 14 or 15 may be paid 85 percent of the minimum wage, which is \$6.86 per hour.
- Employers may not use tips to make up any part of the minimum wage.
- Employees must be paid 1½ times the regular rate for all hours worked over 40 in a workweek. Agricultural workers are generally exempt from overtime.
- Certain occupations are exempt from the minimum wage and/or overtime requirements. Please contact the L&I office nearest you for a complete list of exemptions.

## Need more information?

- Visit Labor and Industries' Web site: [www.Lni.wa.gov](http://www.Lni.wa.gov)
- Call the L&I office nearest you or toll-free 1-866-219-7321. (Please look in the government pages of your phone book for office numbers.)

In 1998, Washington voters approved an initiative on minimum wage. It requires L&I to recalculate the minimum wage each year based on changes in the federal Consumer Price Index.

PUBLICATION F700-102-909 [11-2007]

*Please post this information where your employees can read it.*



Washington State Department of  
**Labor & Industries**

# Salario mínimo de Washington: \$8.07 dólares por hora

1º de enero de 2008 al 31 de diciembre de 2008

- A los trabajadores de 14 ó 15 años de edad se les podrá pagar \$6.86 dólares por hora, equivalente al 85 por ciento del salario mínimo.
- Los empleadores no podrán usar propinas para compensar ninguna parte del salario mínimo.
- A los empleados se les tiene que pagar tiempo y medio de la tarifa regular por todas las horas que trabajen sobre 40 horas en una semana de trabajo. Los trabajadores agrícolas, por lo general, están exentos del requisito de horas extra.
- Algunos empleos están exentos de los requisitos del salario mínimo y/o las horas extra. Póngase en contacto con la oficina de Labor e Industrias más cercana para obtener una lista completa de las excepciones.

## ¿Necesita más información?

- Visite el sitio de Internet del Departamento de Labor e Industrias: [www.Lni.wa.gov](http://www.Lni.wa.gov)
- Llame a la oficina de Labor e Industrias más cercana o al número gratuito 1-866-219-7321. (Por favor busque los números de teléfono de las oficinas en las páginas del directorio bajo la sección de gobierno).

En 1998, los votantes de Washington aprobaron una iniciativa sobre el salario mínimo. Esta requiere que Labor e Industrias vuelva a calcular el salario mínimo cada año, basado en los cambios del índice federal de precios al consumidor.

*Por favor coloque esta información donde puedan verla sus empleados.*

# Your Rights as a Non-agricultural Worker

## Minimum wage

The minimum wage in Washington State is recalculated each year as a result of an initiative approved by voters in 1998. **Your employer is required to pay the current minimum wage.** You or your employer can learn the current minimum wage by:

- Visiting the L&I web site at [www.Lni.wa.gov](http://www.Lni.wa.gov)
- Calling a local L&I office
- Calling L&I's Employment Standards information line, 360-902-5316

## Work week

The employer must establish a fixed 7-day work week. The work week in this establishment is \_\_\_\_\_ (day of week) through \_\_\_\_\_ (day of week).

## Overtime

You must be paid one and one-half times your regular rate of pay for hours worked over 40 in a work week regardless of your pay basis (i.e., hourly, salary, piece rate, commission or flat rate). You cannot waive this right, even if you and your employer agree. If you are an executive, administrative or professional employee, or work as an outside salesperson and are paid on a salary basis, you may be exempt from overtime under WAC 296-128 (510-540).

Other exemptions or exceptions may apply based on the nature of your employment. See RCW 49.46.130.

## Working conditions

You are entitled to a **meal period** of at least 30 minutes if you work more than five hours in a day. If you are required to remain on duty during your meal period, you must be paid for that time.

If you are age 18 or older, you must have a paid rest break of at least 10 minutes for every four works you work. The break must be taken by the end of the third hour of your work. Intermittent paid breaks totaling at least 10 minutes for every four hours of work may be permitted instead. (Note: If you are under age 18, see "Workers under age 18" in the second column for information about meal and rest breaks.)

If you lift or move more than 20 pounds as a normal part of your duties, you must be taught proper lifting techniques.

## Pay periods

You must be paid at least once a month on a regularly scheduled pay day. The regularly scheduled pay date(s) in this establishment is/are \_\_\_\_\_.

Each time you are paid, you must receive a statement showing the days or hours you worked, your rate(s) of pay, your gross wages and all deductions taken.

## Deductions

Your employer may withhold money from your wages only when required to do so by state or federal law or when you have authorized a deduction in writing in advance for a lawful purpose that benefits you and not the employer.

## Employment records and inspections

Your employer must record your name, address, occupation, rate of pay, the amount you receive each pay period and the hours or days you work. **These records must be made available to you upon request at any reasonable time.** You are entitled to review your personnel file at least once a year.

Under state law, the Department of Labor and Industries (L&I) has the right to investigate the wages, hours and working conditions of all employees covered by the Industrial Welfare and Minimum Wage acts.

## Variations

Employers may request variations from employment standards and child labor rules. For information on variations, contact your local L&I office.

## Complaints

If you believe your rights listed on this poster have been denied, you may file a Worker Rights Complaint Report and mail it to the L&I office nearest to where you work. You may obtain this form from a local L&I office or on our web site at [www.Lni.wa.gov/WorkplaceRights/](http://www.Lni.wa.gov/WorkplaceRights/).

## Penalties

Employers who violate child labor or family care rules may be fined for each occurrence. An employer who is convicted of violating provisions of the Minimum Wage Act or of discriminating against an employee for filing a minimum wage complaint will be guilty of a gross misdemeanor.

## Appeals

Any person, firm or corporation may appeal an action or decision made by L&I. Contact your local L&I office to learn more about the appeals process.

## Workers under age 18

Except under very limited circumstances, the minimum age for employment is 14.

The minimum wage for 16- and 17-year-old workers is the same as for adults. Minors under 16 may be paid 85 percent of the state minimum wage.

Employers who hire workers under age 18 must have a minor work permit endorsement as part of the Master Business License and must renew it each year.

If you are under age 18, your employer needs to give you a Parent/School Authorization form that your parent or legal guardian must sign before you begin work. If you plan to work during the school year, your school must sign this form, too. Your employer needs to renew the Parent/School Authorization each year when it expires in September. Your employer must also have proof of your age and keep it on file for three years.

Fourteen- and 15-year-old workers may not work more than four hours without a uninterrupted 30-minute meal period. In addition, 14- and 15-year-old workers must be provided a paid rest break of at least 10 minutes for every two hours worked.

Sixteen- and 17-year-old workers may not work more than five hours without an uninterrupted 30-minute meal period. In addition, 16- and 17-year-old workers must be provided a paid rest break of at least 10 minutes for every three hours worked.

An adult must supervise minors working after 8 p.m. in service occupations, such as restaurants and retail businesses.

## What hours are teens under 18 allowed to work in non-agricultural jobs?

Hours and Schedules Minors are Permitted to Work in Non-agricultural Jobs					
	Hours a Day	Hours a Week	Days a Week	Begin	Quit
<b>14- and 15-year-olds</b>					
School weeks	3 hours (8 hours Sat.-Sun.)	16 hours	6 days	7 a.m.	7 p.m.
Non-school weeks	8 hours	40 hours	6 days	7 a.m.	7 p.m. (9 p.m. June 1 to Labor Day)
<b>16- and 17-year-olds</b>					
School weeks	4 hours (8 hours Fri.-Sun.)	20 hours	6 days	7 a.m.	10 p.m. (Midnight Fri.-Sat.)
School weeks with a special variance from school	6 hours (8 hours Fri.-Sun.)	28 hours	6 days	7 a.m.	10 p.m. (Midnight Fri.-Sat.)
Non-school weeks	8 hours	48 hours	6 days	5 a.m.	Midnight

• An adult must supervise minors working after 8 p.m. in service occupations, such as restaurants and retail businesses.  
• Overtime rules apply for all hours worked over 40 in one week.  
• These rules also apply to home-schooled teens.

**Prohibited duties for minor employees:** Experience has shown that some job duties are potentially hazardous for young workers. Certain jobs and duties are prohibited for workers under age 18 and additional ones for those under 16. To obtain the list of prohibited duties, visit L&I's teen worker web site at [www.TeenWorkers.Lni.wa.gov](http://www.TeenWorkers.Lni.wa.gov), call your local office or call 360-902-5316.

## More information on your rights as a worker

For more information on these laws or for more copies of this poster, contact your local L&I office, call 360-902-5316, or visit the L&I web site: [www.Lni.wa.gov/WorkplaceRights/](http://www.Lni.wa.gov/WorkplaceRights/).

# Family Care and Family Leave Provisions

## Washington Family Care Act

(Use of paid leave to care for a family member)

If you work for an employer with a paid-leave policy (sick, vacation or other paid-time off), the law allows you to use your choice of any paid leave to care for sick family members. For those without a paid leave benefit for sickness, certain employer-provided short-term disability plans could be used for this purpose. Family members include:

- Children under age 18 with a health condition that requires supervision or treatment.
- Spouse, parent, parent-in-law or grandparent with a serious or emergency health condition.
- Adult son or daughter incapable of self-care due to a disability.

Employers may not discharge, penalize or discriminate against workers who use their leave for this purpose or who file a complaint alleging a violation of these leave laws.

## Federal Family and Medical Leave Act (FMLA)

The federal FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons. Employees are eligible if they:

- Worked for an employer for 1,250 hours over the previous 12 months; and
- There are at least 50 employees within 75 miles.

Complete information on the federal FMLA is available from the U.S. Department of Labor. Call 1-866-487-9243 or visit [www.dol.gov/dol/allcfr/ESA/Title\\_29/Part\\_825/toc.htm](http://www.dol.gov/dol/allcfr/ESA/Title_29/Part_825/toc.htm)

## Washington Family Leave Act

(Additional time off for pregnancy-related disability)

Women employees who qualify for leave under the federal Family and Medical Leave Act (FMLA) described in the previous section are also entitled to job-protected leave under the Washington Family Leave Act (FLA) for disability due to pregnancy and childbirth in addition to 12 weeks of other family leave.

Complete information on the Family Care and Family Leave laws is available from L&I. Go to [www.Lni.wa.gov/WorkplaceRights](http://www.Lni.wa.gov/WorkplaceRights) and click on "Leave & Benefits" or call 1-866-219-7321.

## Pregnancy Disability/Discrimination

Discrimination because of pregnancy or pregnancy disability is a violation of state law. This law applies to employers with 8 or more employees. The woman's health-care provider determines the amount of time off needed for disability due to pregnancy.

Complete information is available from the Washington State Human Rights Commission at [www.hum.wa.gov](http://www.hum.wa.gov) or by calling 1-800-233-3247.





# Washington Law Prohibits Discrimination in Employment

The law prohibits unfair employment practices that are based on the following:

- Race
- Creed
- Color
- National Origin
- Sex
- Marital Status
- Sexual Orientation, including Gender Identity
- Age (40 years of age and older)
- HIV/AIDS or Hepatitis C status
- The presence of any sensory, mental, or physical disability
- The use of a trained dog guide or service animal by a person with a disability
- Pregnancy or Maternity
- Retaliation for opposing an unfair practice
- Retaliation for filing a whistleblower complaint with the state auditor
- Retaliation for filing a nursing home abuse complaint

## PROHIBITED UNFAIR EMPLOYMENT PRACTICES

AN EMPLOYER OF EIGHT (8) OR MORE EMPLOYEES MAY NOT DISCRIMINATE SOLELY ON THE BASIS OF A PROTECTED CLASS. FOR EXAMPLE, AN EMPLOYER CANNOT:

- Refuse to hire you;
- Discharge you from employment;
- Discriminate in compensation or other terms or conditions of employment;
- Print, circulate, or use any discriminatory statement, advertisement, publication, job application form, or make any inquiry in connection with prospective employment that is discriminatory.

\* Excludes tribal governments and non-profit religiously controlled entities.

LABOR UNIONS MAY NOT DISCRIMINATE SOLELY ON THE BASIS OF A PROTECTED CLASS.

FOR EXAMPLE, A LABOR UNION CANNOT:

- Deny membership and membership rights and privileges;
- Expel from membership; or
- Failing to represent a person.

EMPLOYMENT AGENCIES MAY NOT DISCRIMINATE SOLELY ON THE BASIS OF A PROTECTED CLASS.

FOR EXAMPLE, AN EMPLOYMENT AGENCY MAY NOT:

- Discriminate in classification or referrals for employment;
- Print or circulate any discriminatory statement, advertisement, or publication; or
- Use discriminatory employment application forms, or inquiries made in connection with prospective employment.

If you feel that you have been discriminated against,  
please contact the Human Rights Commission at:

**1-800-233-3247 VOICE**

**1-800-300-7525 TTY**

Language interpreters are available. Accommodations to people with disabilities will be made.

[www.hum.wa.gov](http://www.hum.wa.gov)