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. • Retaliation for filing a charge, reasonably opposing • Employees (current and former), including managers Interference, coercion, or threats related to exercising Job applicants Union members and applicants for membership in a union rights regarding disability discrimination or pregnancy What Employment Practices can be Challenged as Most private employers State and local governments (as employers) **Discriminatory?** All aspects of employment, including: Educational institutions (as employers) • Discharge, firing, or lay-off Harassment (including unwelcome verbal or Staffing 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 Pay (unequal wages or compensation) • Failure to provide reasonable accommodation for a Race disability; pregnancy, childbirth, or related medical Color condition; or a sincerely-held religious belief, Religion National origin Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity) Classification Age (40 and older) Referral

Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)

other applicants or employees. **Disability** Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring,

disabilities at all levels of employment, including the executive level.

E-Mail info@eeoc.gov Obtaining or disclosing genetic information Additional information about the EEOC. · Requesting or disclosing medical information

including information about filing a charge of discrimination, is available at www.eeoc.gov. **EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS**

EEOC - KNOW YOUR RIGHTS: WORKPLACE DISCRIMINATION IS ILLEGAL

discrimination, or participating in a discrimination

physical conduct)

The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) Protected Veteran Status The Vietnam Era Veterans' Readjustment Assistance Act of enforces the nondiscrimination and affirmative action commitments of companies 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and doing business with the Federal Government. If you are applying for a job with, or are requires affirmative action to recruit, employ, and advance in employment, disabled 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, Religion, from active duty), active duty wartime or campaign badge veterans, or Armed Forces Sex, Sexual Orientation, Gender Identity, National Origin Executive Order 11246, as service medal veterans. Retaliation Retaliation is prohibited against a person who files a mended, prohibits employment discrimination by Federal contractors based on race, complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes color, religion, sex, sexual orientation, gender identity, or national origin, and requires discrimination by Federal contractors under these Federal laws. Any person who believes affirmative action to ensure equality of opportunity in all aspects of employment. a contractor has violated its nondiscrimination or affirmative action obligations under Asking About, Disclosing, or Discussing Pay Executive Order 11246, as amended, OFCCP's authorities should contact immediately The Office of Federal Contract Compliance Programs (OFCCP) protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of

U.S. Department of Labor Washington, D.C. 20210

promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access making reasonable accommodation to the known physical or mental limitations of an telecommunications relay services. OFCCP may also be contacted by submitting otherwise qualified individual with a disability who is an applicant or employee, barring a question online to OFCCP's Help Desk at https://ofccphelpdesk.dol.gov/s/, or by undue hardship to the employer. Section 503 also requires that Federal contractors take calling an OFCCP regional or district office, listed in most telephone directorie affirmative action to employ and advance in employment qualified individuals with under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at https://www.dol.gov/agencies/ofccp/contact.

Conduct that might reasonably discourage someone

Conduct that coerces, intimidates, threatens, or interferes

from opposing discrimination, filing a charge, or

participating in an investigation or proceeding

with someone exercising their rights, or someone

rights, regarding disability discrimination (including

What can You Do if You Believe Discrimination has

Occurred? Contact the EEOC promptly if you suspect

limits for filing a charge of discrimination (180 or 300

Submit an inquiry through the EEOC's public portal:

https://publicportal.eeoc.gov/Portal/Login.aspx

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

the EEOC in any of the following ways:

Call 1–800–669–4000 (toll free)

1-800-669-6820 (TTY)

www.eeoc.gov/field-office)

Visit an EEOC field office (information at

discrimination. Do not delay, because there are strict time

days, depending on where you live/work). You can reach

accommodation) or pregnancy accommodation

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE Race, Color, National Origin, Sex In addition to the protections of Title VII of the Civil which receive Federal financial assistance. Individuals with Disabilities Section 504 of Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the prohibits discrimination on the basis of race, color or national origin in programs or basis of disability in any program or activity which receives Federal financial assistance. activities receiving Federal financial assistance. Employment discrimination is covered by Discrimination is prohibited in all aspects of employment against persons with disabilities Fitle VI if the primary objective of the financial assistance is provision of employment, who, with or without reasonable accommodation, can perform the essential functions of or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits which receives Federal financial assistance, you should immediately contact the Federal employment discrimination on the basis of sex in educational programs or activities agency providing such assistance.

WORKERS' COMPENSATION

WORKERS' COMPENSATION in MARYLAND LA COMPENSACIÓN DEL TRABAJADOR en

<u> Job Related Accidental Personal Injury or Occupational Disease?</u>

If you are disabled and unable to work for more than three (3) days, your employer's workers' compensation insurance company may pay your medical bills and other expenses and replace two-thirds (2/3) of your salary (limited to the maximum set by law).

If you are injured on the job:

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

2. Tell the doctor who treats you that you were hurt on the job. 3. Complete an Employee's Claim Form C-1 (available by phone or on the Commission's website) and send it

to us as soon as possible.

Note: Withholding information or giving false information about any work-related activity or return to work could prevent you from receiving benefits and may subject you to fines, imprisonment or both.

Employer/Empleador

Business Address/Dirección

City/State/Zip

Ciudad/Estado/Código Postal Federal Employer ID (FEIN)

Indentificación Federal Del Empleador

Telephone Number/Número Telefónico

Insurance Company Name

La Compañía de Seguro

Insurance Company Telephone Telefónico de la Compañía de Seguro

MD WCC Form C-24 05/2017

¿Accidentes por lesión/dono corporal relacionados con el Empleo o Enfermedad Profesional? Si usted se encuentra incapacitado o inhabilitado para trabajar por mas de tres días, el seguro de

trabajadores que tienen las compañías pudiera cubrir las facturas médicas y otros gastos relacionados. También le compensarían 2/3 de sus ingresos (Hasta un monto máximo estipulado por la ley). <u>Si usted sufre una lesión en el trabajo, debe:</u>

1. Informarle a su empleador o supervisor de inmediato. No podría recibir todas sus beneficios a menos que

su empleador fuere notificado que sufrió una lesión. 2. Informarle al médico quien le administre tratamiento que usted se lesionó en su trabajo.

3. Llenar el formulario Employee's Claim Form C-1 (disponible consultando la pagina del Internet para el Workers' Compensation o solicitando uno por teléfono). Diligenciarlo para que las oficinas del Workers' Compensation lo reciban lo antes posible.

Aviso: El suminitrar información falsa u ocultar información sobre cualquier actividad relacionada con su trabajo o relacionada con su regreso al trabajo, pudiera afectar los beneficios que recibiera o pudiera acarrearle multas, encarcelamiento o ambas.

Maryland Workers' Compensation Commission 10 East Baltimore Street Baltimore, Maryland 21202-1641 (410) 864-5100 **Outside Baltimore (800) 492-0479** Webpage http://www.wcc.state.md.us

TTY Users-711 in Maryland or (800) 735-2258

This notice must be printed on 8.5" X 14" gold or yellow paper, display complete employer information and be posted in a conspicuous location at each work site or location in accordance with COMAR 14.09.01.02 and 14.09.01.10.

EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits most private employers from embezzlement, etc.) that resulted in economic loss to the employer. The law does not using lie detector tests either for pre-employment screening or during the course preempt any provision of any State or local law or any collective bargaining agreem **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 EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT. 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

which is more restrictive with respect to lie detector tests. **EXAMINEE RIGHTS** Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or ntinue 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 WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

who are reasonably suspected of involvement in a workplace incident (theft,

EQUAL PAY FOR EQUAL WORK

Maryland ... (a) In this subtitle the following words have the meanings

(b)(1) "Employer" means (i) a person engaged in a business, industry, profession, trade, or other enterprise in the State; (ii) the State and its units; (iii) a county and its units; and (iv) a municipal government in the State.

(2) "Employer" includes a person who acts directly or indirectly in the interest of another employer with an employee. (c) "Gender identity" has the meaning stated in § 20–101 of the State Government Article.

(d)(1) "Wage" means all compensation for employment. (2) "Wage" includes board, lodging, or other advantage provided to an employee for the convenience of the §3–302. This subtitle applies to an employer of both men and women in a lawful enterprise

§3–303. In addition to any powers set forth elsewhere, the Commissioner may:
(1) use informal methods of conference, conciliation, and persuasion to eliminate pay practices that are unlawful under this subtitle; and (2) supervise the payment of a wage owing to an employee under this subtitle. (a) In this section, "providing less favorable employment

opportunities" means: 1) assigning or directing the employee into a less favorable career track, if career tracks are offered, or (2) failing to provide information about promotions or advancement in the full range of career tracks offered by the employer; or

(3) limiting or depriving an employee of employment opportunities that would otherwise be available to the employee but for the employee's sex or gender (b)(1) An employer may not discriminate between employees in any occupation by:

gender identity at a rate less than the rate paid to employees of another sex or gender identity if both mployees work in the same establishment and perform work of comparable character or work on \$3-304.2 the same operation, in the same business, or of the (A) On request, an employer shall provide to an applicant

(ii) providing less favorable employment opportunities based on sex or gender identity. (2) For purposes of paragraph (1)(i) of this subsection, an employee shall be deemed to work at the same establishment as another employee if the employees work for the same employer at workplaces located in the same county of the State. (c) Except as provided in subsection (d) of this section,

subsection (b) of this section does not prohibit a variation in a wage that is based on: (1) a seniority system that does not discriminate on the basis of sex or gender identity (2) a merit increase system that does not discriminate on the basis of sex or gender identity; 3) jobs that require different abilities or skills; 4) jobs that require the regular performance of different

duties or services; (5) work that is performed on different shifts or at different times of day: (6) a system that measures performance based on a ality or quantity of production; or (7) a bona fide factor other than sex or gender identity. including education, training, or experience, in (i) is not based on or derived from a gender–based differential in compensation; (ii) is job related with respect to the position and

consistent with a business necessity; and (iii) accounts for the entire differential. (d) This section does not preclude an employee from demonstrating that an employer's reliance on an exception listed in subsection (c) of this section is a pretext for discrimination on the basis of sex or gender (e) An employer who is paying a wage in violation of this

subtitle may not reduce another wage to comply with this subtitle. (a) An employer may not:

(1) prohibit an employee from:

(i) inquiring about, discussing, or disclosing the wages (ii) requesting that the employer provide a reason

for why the employee's wages are a condition of (2) require an employee to sign a waiver or any other

document that purports to deny the employee the ght to disclose or discuss the employee's wages; or (3) take any adverse employment action against an employee for (i) inquiring about the employee's wages or another emplovee's wages: (ii) disclosing the employee's own wages; wages have been disclosed voluntarily: (iv) asking the employer to provide a reason for the employee's wages; or

(v) aiding or encouraging another employee's exercise of rights under this section. (b)(1) Subject to paragraph (2) of this subsection, an employer may, in a written policy provided to each employee, establish reasonable workday limitations on the time, place, and manner for inquiries about or the discussion or disclosure of employee wages. (2) A limitation established under paragraph (1) of this subsection shall be consistent with standards adopted by the Commissioner and all other State and federal laws.

(3) Subject to subsection (d) of this section, limitations

established under paragraph (1) of this subsection

may include prohibiting an employee from

materials and make training available to assist employers n adopting training, policies, and procedures that comply with the requirements of this subtitle. mally by mediation; or

employee without that employee's prior permission. (a)(1) If an employer knew or reasonably should have

Maryland Equal Pay for Equal Work (Labor and Employment Article Title 3, Subtitle 3) (c) Except as provided in subsection (d) of this section the failure of an employee to adhere to a reasonable imitation included in a written policy under subsection (b) of this section shall be an affirmative defense to a claim made against an employer by the employee under this section if the adverse employment action

taken by the employer was for a failure to adhere to the reasonable limitation and not for an inquiry, a discussion, or a disclosure of wages in accordance with (d) (1) A prohibition established in accordance with subsection (b)(3) of this section against the discussion without that employee's prior permission may not apply to instances in which an employee who has access to the wage information of other employees a a part of the employee's essential job functions if the discussion or disclosure is in response to a complaint

or charge or in furtherance of an investigation, a proceeding, a hearing, or an action under this subtitle, including an investigation conducted by the employer (2) If an employee who has access to wage information as part of the essential functions of the employee's job discloses the employee's own wages or wage outside the performance of the essential functions of the employee's job, the employee shall be entitled to all the protections afforded under this subtitle. (e) Nothing in this section shall be construed to: (1) require an employee to disclose the employee's

(2) diminish employees' rights to negotiate the terms and conditions of employment under federal, State, (3) limit the rights of an employee provided under any other provision of law or collective bargaining (4) create an obligation on any employer or employee to disclose wages; (5) permit an employee, without the written consent of an employer, to disclose proprietary information, trade secret information, or information that is

otherwise subject to a legal privilege or protected by law; or (6) permit an employee to disclose wage information to a competitor of the employe

for employment the wage range for the position for which the applicant applied. (B) (1) An employer may not: (I) Retaliate against or refuse to interview, hire, or employ an applicant for employment because the

Did not provide wage history; or 2. Requested the wage range in accordance with this section for the position for which the applicant II) Except a provided in paragraph (2) of this subsection 1. Rely on the wage history of an applicant for employment in screening or considering the applicant for employment or in determining the wages for the applicant; or 2. Seek the wage history for an applicant for

employment orally, in writing, or through an employee or an agent or from a current or former (2) After an employer makes an initial offer of employment with an offer of compensation to an

(I) Subject to paragraph (3) of this subsection, rely on the wage history voluntarily provided by the applicant for employment to support a wage offer higher than the initial wage offered by the (II) Seek to confirm the wage history voluntarily

provided by the applicant for employment to support a wage offer higher than the initial wage (3) An employer may rely on wage history under paragraph (2) of this subsection only if the higher vage does not create an unlawful pay differentia based on protected characteristics under §3-304 of (C) This section may not be construed to prohibit an

applicant for employment from sharing wage history with an employer voluntarily. (a) (1) Each employer shall keep each record that the (E) (1) If the Commissioner determines that an employer ha Commissioner requires on: (ii) i ob classifications of employees; and

(iii) other conditions of employment. (2) An employer shall keep the records required under this subsection for the period of time that the Commissioner requires. (b) On the basis of the records required under this section, an employer shall make each report that the Commissioner requires.

(a) On request of an employer, the Commissioner shall provide without charge a copy of this subtitle to the (b) Each employer shall keep posted conspicuously in each place of employment a copy of this subtitle. (c) The Commissioner, in consultation with the Maryland Commission on Civil Rights, shall develop educational

(a) Whenever the Commissioner determines that this subtitle has been violated, the Commissioner shall: (1) try to resolve any issue involved in the violation (2) ask the Attorney General to bring an action on behalf of the applicant or employee. (b) The Attorney General may bring an action under this section in the county where the violation allegedly occurred for injunctive relief, damages, or other relief discussing or disclosing the wages of another §3–307

known that the employer's action violates § 3-304 of this subtitle, an affected employee may bring an action against the employer for injunctive relief and to recover the difference between the wages paid to employees of one sex or gender identity and the wages paid to employees of another sex of

gender identity who do the same type work and ar additional equal amount as liquidated damages. (2) If an employer knew or reasonably should have nown that the employer's action violates § 3–304.1 of this subtitle, an affected employee may bring a action against the employer for injunctive relief and to recover actual damagés and an additional equal amount as liquidated damages.

(3) An employee may bring an action on behalf of the mployee and other employees similarly affected. (b) On the written request of an employee who is entitled to bring an action under this section, the (1) take an assignment of the claim in trust for the (2) ask the Attorney General to bring an action in

accordance with this section on behalf of the employee; and consolidate 2 or more claims against an employe (c) An action under this section shall be filed within years after the employee receives from the employer the wages paid on the termination of employment under § 3–505(a) of this title. (d) The agreement of an employee to work for less than

the wage to which the employee is entitled under this subtitle is not a defense to an action under this section (e) If a court determines that an employee is entitled nent in an action under this section, the court shall allow against the employer reasonable counsel fees and other costs of the action, as well prejudgment interest in accordance with the Maryland Rules

(1) willfully violate any provision of this subtitle; (2) hinder, delay, or otherwise interfere with th Commissioner or an authorized representative of the Commissioner in the enforcement of this subtitle: (3) refuse entry to the Commissioner or an authorized representative of the Commissioner into a place o under this subtitle to inspect;

employment that the Commissioner is authorized (4) discharge or otherwise discriminate against ar employee or applicant for employment because the employee or applicant for employment: Commissioner, or another person: (ii) brings an action under this subtitle or a proceeding hat relates to the subject of this subtitle or causes the action or proceeding to be brought; or (iii) has testified or will testify in an action under this

of this subtitle: or (5) Violate §3-304.2 of this subtitle. b) An employee or an applicant for employment may not: (1) make a groundless or malicious complaint to the Commissioner or an authorized representative of subject of this subtitle; or

subtitle or a proceeding that relates to the subject

(2) in bad faith, bring an action under this subtitle: (3) in bad faith, bring a proceeding that relates to the (4) in bad faith, testify in an action under this subtitle or a proceeding that relates to the subject of this subtitle Commissioner may bring an action for injunctive relief and damages against a person who violates subsection (a)(1), (4), or subsection (b)(1), (3), or (4) of (d) (1) Except as provided in paragraph (2) of this subsection, an employer who violates any

provision of subsection (a)(2) or (3) of this section is quilty of a misdemeanor and on conviction i subject to a fine not exceeding \$300. (2) (i) This paragraph does not apply to a violation of (ii) If an employer is found to have violated this subtitle wo or more times within a 3–year period, the Commissioner or a court may require the employer to pay a civil penalty equal to 10% of the amount of ages owed by the employer

(iii) Each civil penalty assessed under this paragraph shall be paid to the General Fund of the State to offset the cost of enforcing this subtitle. violated §3-304.2 of this subtitle, the Commissioner (I) shall issue an order compelling compliance; and (II) may, in the Commissioner's discretion. 1. for a first violation, issue a letter to the employe npelling compliance; 2. for a second violation, assess a civil penalty of up to \$300 for each applicant for employment for whom the employer is not in compliance; or 3. for each subsequent violation, assess a civil penalt of up to \$600 for each applicant for employment for whom the employer is not in compliance if the violation occurred within 3 years after a previous determination that a violation had occurred.

I) the gravity of the violation' (II) the size of the employer's business; (III) the employer's good faith; and (IV) the employer's history of violations under this (3) If the Commissioner assesses a penalty unde paragraph (1)(II) of this subsection, the penalty shall be subject to the notice and hearing requiren

of Title 10. Subtitle 2 of the State Government Article

For additional information or to file a complaint,

please contact:

the Commissioner shall consider

FOR MORE INFORMATION CONTACT: Department of Labor **Division of Labor and Industry Employment Standards Service** 10946 Golden West Drive, Suite 160 – Hunt Valley, MD 21031 Phone: 410-767-2357

DISCRIMINATION NOTICE

EMPLOYMENT DISCRIMINATION IS UNLAWFUL How Does The Law Protect Me? State Government Article, §20-602 of the What If My Employer Retaliates? Retaliation is also prohibited under the law Annotated Code of Maryland provides every Marylander equal protection in when you exercise your rights to seek relief and redress. If an employee decides Race, Sex, Age, Ethnicity, Ancestry or National Origin, Religion, Physical or • Interfere with; Mental Disability, Color, Marital Status, Sexual Orientation, Gender Identity, • Restrain:

Genetic Information What Am I Protected From? You are protected from unlawful discrimination from the following employment-related practices: · Employers cannot discriminate in recruiting, interviewing, hiring, upgrading/ promoting, setting work conditions, and discharging an employee. · Labor organizations cannot deny membership to qualified persons o discriminate in apprenticeship programs pre-employment questions, or circulate information that unlawfully limits violation occurred. You can reach MCCR by phone, email, fax, letter, or walk-in.

Newspapers and other media cannot publish job advertisements that discriminate. **public hearing or trial.** State of Maryland Commission on Civil Rights 6 Saint Paul Street, Suite 900, Baltimore, MD 21202-1631 Main: (410) 767-8600 | Toll Free: 1 (800) 637-6247 | TTY: (410) 333-1737 | Fax: (410) 333-1841 | mccr@maryland.gov | www.mccr.maryland.gov

Maryland

Minimum

Wage Rates

Employers with 15 or

more employees:

\$13.25

Effective 1/1/23

\$15.00

Scheduled 1/1/24

\$12.80

Effective 1/1/23

\$15.00

Montgomery Co.

Different minimum

age rates are in effect

Employers in this

county are required to

post the applicable rate

Change your name?

you may need to file a new form W-4.

as instructed above, to determine your benefit rights.

regardless of whether or not you have been paid

Phone Number To File A Claim Area Served

SOLICITUD DE BENEFICIOS DEL

DESEMPLEO PARA LA POBLACIÓN

DE HABLE HISPANA

301-313-8000

301-313-8000

1-877-293-4125

301-723-2000

to file an employment discrimination complaint, an employer may not: Deny the exercise; or

· Deny the attempt to exercise the right.

Any form of retaliation is grounds to file a Complaint of Discrimination with the Maryland Commission on Civil Rights (MCCR). What If I Am A Victim Of Discrimination? If you believe your rights under the law have been violated, you must file a complaint with MCCR within 6 months of the alleged act of discrimination. A trained Civil Rights Officer will work with you to • Employment agencies cannot discriminate in job referrals, ask discriminatory discuss what happened and determine if there is reason to believe a discriminatory All procedures by MCCR are confidential until your case is certified for

Establishments engaged in the first canning, packing or

• Certain employees selling/servicing automobiles, farm

freezing of fruits, vegetables, poultry, or seafood

(must earn the State Minimum Wage Rate):

Overtime Only Exemptions

equipment, trailers, or trucks

Taxicab drivers

MARYLAND MINIMUM WAGE AND OVERTIME LAW

Maryland Minimum Wage and Overtime Law (Labor and Employment Article, Title 3, Subtitle 4, Annotated Code of Maryland)

Most employees must be paid the Maryland State Minimum Wage Rate. Tipped Employees (earning more than \$30 per month in tips) must earn the State Minimum Wage Rate per hour. Employers must pay at least \$3.63 per hour. This amount plus tips must equal at least the State Minimum Wage Rate. Subject to the adoption of related regulations. restaurant employers who utilize a tip credit are required to provide employees with a written or electronic wage statement for each pay period showing the employee's effective hourly rate of pay including employer paid cash wages plus tips for tip credit hours worked for each workweek of the pay period. Additional information and updates will be posted on the Maryland Department of Labor website. Employees under 18 years of age must earn at least 85% of the State Minimum Wage Rate. Most employees must be paid 1.5 times their usual hourly rate for all work over 40 hrs. per week. Exceptions:

Minimum Wage and Overtime Exemptions Employers with 14 or · Immediate family member of the employe fewer employees: Certain agricultural employees Executives, administrative, and professional employees Volunteers for educational, charitable, religious, and non-profit Employees under 16 working less than 20 hours per week Outside salespersons Commissioned employees Employees enrolled as a trainee as part of a public school special education program Scheduled 1/1/24 Non-administrative employees of organized camps Certain establishments selling food and drink for consumption

• Agricultural workers for all work over **60 hrs.** per week

Non-profit concert promoter, theater, music festival, music pavilion, or theatrical show Employers subject to certain railroad requirements of the U.S Dept. of Transportation, the Federal Motor Carrier Act, and the Interstate Commerce Commission Seasonal amusement and recreational establishments that meet certain criteria on the premises grossing less than \$400,000 annually Drive-in theaters FOR MORE INFORMATION OR TO FILE A COMPLAINT CONTACT: Maryland Department of Labor, Division of Labor and Industry—Employment Standards Service

10946 Golden West Drive, Suite 160 Hunt Valley, MD 21031 • Telephone Number: (410) 767-2357 • Fax Number: (410) 333-7303 E-mail: <u>dldliemploymentstandards-dllr@maryland.gov</u> EMPLOYERS ARE REQUIRED BY LAW TO POST THIS INFORMATION CONSPICUOUSLY. THIS IS A SUMMARY OF THE LAW. TO ENSURE COMPLIANCE, CONSULT A LEGAL ADVISOR. PENALTIES ARE PRESCRIBED FOR VIOLATION OF THE LAW.

PAYDAY NOTICE

Regular Paydays for Employees of Shall be as follows: Othe

WITHHOLDING STATUS

YOU MAY NEED TO CHECK YOUR WITHHOLDING Since you last filed form W-4 with your employer did you... Marry or divorce? Gain or lose a dependent?

410-334-6800

-877-293-4125

Were there major changes to... Your nonwage income (interest, dividends, capital gains, etc.)? • Your family wage income (you or your spouse started or ended a job)? Your itemized deductions? Your tax credits? If you can answer "YES"... To any of these questions or you owed extra tax when you filed your last return

See your employer for a copy of Form W-4 or call the IRS at 1-800-829-3676.

Charles

Montgomery

Prince Georges

St. Mary's

Allegany Frederick

Now is the time to check your withholding. For more details, get Publication 919, How Do I Adjust My Tax Withholding?, or use the Withholding Calculator at **www.irs.gov/individuals** on the IRS web site. **Employer:** Please post or publish this Bulletin Board Poster so that your employees will see it. Please indicate where they can get forms and information Publication 213

(Rev. 8-2009)

Cat. No. 11047P

Anne Arundel

Baltimore City

Carroll

Harford

TTY: 1-800-735-2258

Speech to Speech: 1-800-785-5630

Para Relevos en Maryland presione

1-800-877-1264 (U.S.)

Department of the Treasury Internal Revenue Service www.irs.gov

UNEMPLOYMENT INSURANCE

線IRS

TO EMPLOYEES

YOUR EMPLOYER IS SUBJECT TO the Maryland Unemployment Insurance Law and
YOU ARE ENTITLED TO BENEFITS IF: 1. You are unemployed through no fault of your own pays taxes under this law. No deduction is made from your wages for this purpose. **IF YOU ARE LAID OFF** or otherwise become unemployed, immediately file a 2. You have sufficient earnings in your Base Period. claim by callling the telephone number for the area in which you reside or you 3. You have registered for work and filed a claim for benefits with a Maryland may file a claim on the internet at the web site address indicated below. Department of Labor claim center listed below. **IF YOU ARE ELIGIBLE**, you may be entitled to unemployment insurance 4. You are able to work, available for work, and actively seeking work. benefits for as many as 26 weeks NOTE: To ensure prompt handling of your claim, it is necessary to have your IF YOU ARE WORKING LESS THAN FULL TIME, you may be eligible for partial Social Security number available. If you claim dependents under sixteen benefits. If your regular hours of work have been reduced, promptly file a claim

(16) years of age, you must know the Social Security number of each dependent when you file. If you do not know the Social Security numbers, IF YOU HAVE BEEN FILING FOR BENEFITS AND RETURN TO WORK, you must you will be provided with instructions on how to provide a copy of the report your gross wages before deductions during the week you return to work dependents' birth certificates or other forms of proof of dependency. IF YOU ARE TOTALLY OR PARTIALLY UNEMPLOYED CALL: Phone Number To File A Claim Area Served Phone Number To File A Claim Area Served

Dorchester

Oueen Anne's

Somerset

Wicomico

Talbot

410-853-1600

1-877-293-4125

Washington INSIDE THE STATE OF MARYLAND **OUTSIDE THE STATE OF MARYLAND** (DENTRO DEL ESTADO DE MARYLAND (FUERA DEL ESTADO DE MARYLAND) laryland Relay Dial 711 TTY: 1-800-735-2258

Speech to Speech: 1-800-785-5630 Para Relevos en Maryland presione 711 ó

1-800-877-1264 (U.S.)

TO FILE A CLAIM VIA THE INTERNET: www.mdunemployment.com **IMPORTANT NOTICE** Unemployment insurance is intended for persons who are unemployed through no fault of their own and who are ready, willing and able to work. Persons who receive benefits through false statements or fail to report ALL earnings will be disqualified and will be subject to criminal prosecution. The Civil Rights Act of 1964 states that no person shall be discriminated against on the basis of race, color, religion, age, sex, or national origin. If you feel you have been discriminated against in the unemployment insurance process because of any of these factors, you may file a complaint with the Office of Fair Practices, 1100 North Eutaw Street, Room 613, Baltimore, Maryland 21201.

MARYLAND DEPARTMENT OF LABOR - DIVISION OF UNEMPLOYMENT INSURANCE THIS CARD MUST BE POSTED IN A CONSPICUOUS PLACE Maryland Department of Labor - Employment Article, Title 8, Sec. 8-603

HEALTH INSURANCE COVERAGE

continue to be covered by your former employer's health insurance policy if: written notice no later than forty-five (45) days after your last day of work. • You quit your job or you were terminated from your employment for a reason IMPORTANT: You will be responsible for paying the entire cost of the health other than for cause: and • You are covered by your employer under a group hospital-medical policy or a your employer, or if necessary, telephone the Insurance Administration in health maintenance organization (HMO) for at least three (3) months prior to being separated from your employment; and You do not have other similar insurance. **PUB/DUI 6116**

TO BE POSTED HEALTH INSURANCE COVERAGE You and other members of your family may be eligible under Maryland law to If you wish to continue your health insurance, you MUST give your employer insurance policy. For further information about the program, you should contact Baltimore at (410) 468-2244 or 1-800-492-6116 (Ext. 2244). State of Maryland - Maryland Department of Labor THIS NOTICE APPLIES TO STATE LAW. YOU MAY HAVE BROADER BENEFITS

State of Maryland Commission on Civil Rights

6 Saint Paul Street, Suite 900, Baltimore, MD 21202-1631

ANTI-DISCRIMINATION NOTICE

It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination. For information, please contact The Office of Special Counsel for Immigration Related Unfair Employment Practices Office at 800-255-7688.

ACCOMMODATION FOR PREGNANCY DISABILITIES

Restrain:

PREGNANT & WORKING

Providing mechanical or electrical aids

YOUR RIGHTS UNDER USERRA

and applicants to the uniformed services.

with that particular employer;

conclusion of service; and

perform service in the uniformed service and:

under other than honorable conditions.

employment, because of this status.

over 40 in a workweek.

Maryland

If you are pregnant, you have a legal right to a reasonable accommodation if your If required, the certification must include: pregnancy causes or contributes to a disability **and** the accommodation does not • Date a reasonable accommodation is medically advisable. impose an undue hardship on your employer. State Government Article, §20-609(b) • Probable duration of the accommodation should be provided. If you have a disability that is contributed to or caused by pregnancy, you may Can I Still Get In Trouble?

request a reasonable accommodation at work. Your employer must explore "all **Retaliation is prohibited under** State Government Article, §20-609(h) whe possible means of providing the reasonable accommodation." State Government exercising your rights. If an employee seeks to exercise her right to request a Article, §20-609(d). The law lists an assortment of options for both you and reasonable accommodation for a temporary disability due to pregnancy, an your employer to consider in order to comply with a request for reasonable employer may not: accommodation. These include, but are not limited to: Changing job duties Changing work hours

• Transfers to less strenuous or less hazardous positions Providing leave Every situation is different. You must explore every available option with your employer to decide what accommodation best suits your needs.

It depends on what your employer requests. The law allows an employer, at his reason to believe a discriminatory violation occurred. You can reach MCCR by phone, or her discretion, to require certification from your health care provider email, fax, letter, or walk-in. All procedures by MCCR are confidential until your regarding the medical advisability of a reasonable accommodation, but only case is certified for public hearing or trial. to the same extent certification is required for other temporary disabilities. Main: (410) 767-8600 | Toll Free: 1 (800) 637-6247 | TTY: (410) 333-1737 | Fax: (410) 333-1841 | mccr@maryland.gov | www.mccr.maryland.gov

you ensure that your employer receives advance written or verbal notice of

you have five years or less of cumulative service in the uniformed services while

you return to work or apply for reemployment in a timely manner after

you have not been separated from service with a disqualifying discharge o

you would have attained if you had not been absent due to military service or, in

If you: • are a past or present member of the uniformed service: • have applied

reemployment: • retention in employment: • promotion: or • any benefit of

must pay tipped employees a cash wage of at least \$2.13 per hour if they claim

combined with the employer's cash wage of at least \$2.13 per hour do not equal

PUMP AT WORK The FLSA requires employers to provide reasonable break

time for a nursing employee to express breast milk for their nursing child for

one year after the child's birth each time the employee needs to express

breast milk. Employers must provide a place, other than a bathroom, that is

shielded from view and free from intrusion from coworkers and the public,

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

Department of Labor

Division of Labor and Industry Employment Standards Service

10946 Golden West Dive, Suite 160, Hunt Valley, MD 21031

Telephone Number: (410) 767-2357 • Fax Number: (410) 333-7303

 $E\text{-}mail: \underline{dldliemployments} \underline{tandards} \text{-}\underline{dllr@maryland.gov}$

the minimum hourly wage, the employer must make up the difference.

which may be used by the employee to express breast milk.

You have the right to be reemployed in your civilian job if you leave that job to service connection

• Explanation as to the medical advisability of the reasonable accommodation.

 Denv the exercise: or • Deny the attempt to exercise the right. Any form of retaliation is grounds to file a Complaint of Discrimination with the Maryland Commission on Civil Rights (MCCR). What If I Am A Victim Of Discrimination? If you believe your rights under the law have been violated, you must file a complaint with MCCR within 6 months of the alleged act of discrimination. A trained Civil

Rights Officer will work with you to discuss what happened and determine if there is

USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT 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, in connection with a proceeding under USERRA, even if that person has no

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., preexisting condition exclusions) except for service-connected illnesses or injuries. If you are eligible to be reemployed, you must be restored to the job and benefits • 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 for membership in the uniformed service; or • are obligated to serve in the can be viewed at https://webapps.dol.gov/elaws/vets/userra uniformed service; then an employer may not deny you: • initial employment; • 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. In addition, an employer may not retaliate against anyone assisting in the •You may also bypass the VETS process and bring a civil action against an enforcement of USERRA rights, including testifying or making a statement 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: 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.

FEDERAL MINIMUM WAGE

FEDERAL MINIMUM WAGE \$7.25 PER HOUR BEGINNING JULY 24, 2009

The law requires employers to display this poster where employees can provisions of the law. Civil money penalties may also be assessed for violations

NOTICE TO TIPPED EMPLOYEES

Under Maryland law, a tipped employee is an employee who customarily and a deduction to an employee's wages to cover the cost of a customer's charge for food

regularly received more than \$30 each month in tips or gratuities. Maryland law or beverage if the customer leaves the employer's place of business without paying

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

of the FLSA's child labor provisions. Heightened civil money penalties may be OVERTIME PAY At least 1 ½ times your regular rate of pay for all hours worked 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 CHILD LABOR An employee must be at least 16 years old to work in most non- the violations are determined to be willful or repeated. The law also prohibits farm jobs and at least 18 to work in non-farm jobs declared hazardous by the retaliating against or discharging workers who file a complaint or participate Secretary of Labor. Youths 14 and 15 years old may work outside school hours in in any proceeding under the FLSA. various non-manufacturing, non-mining, non-hazardous jobs with certain work ADDITIONAL INFORMATION hours restrictions. Different rules apply in agricultural employment. Certain occupations and establishments are exempt from the minimum FIP CREDIT Employers of "tipped employees" who meet certain conditions may wage, and/or overtime pay provisions. claim a partial wage credit based on tips received by their employees. Employers Special provisions apply to workers in American Samoa, the Commonwealth

a tip credit against their minimum wage obligation. If an employee's tips 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 **ENFORCEMENT** The Department has authority to recover back wages and an certificates issued by the Department of Labor.

of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.

1-866-487-9243 www.dol.gov/agencies/who NOTICE TO TIPPED EMPLOYEES

prohibits an employer from requiring a tipped employee to reimburse an employer the charge for food or beverages. If you think you have been required to make an or pay an employer for the amount of a customer's charge for food or beverage if the improper payment or there has been an improper deduction from your wages customer leaves the employer's place of business without paying for the charges. In related to a customer's charges if the customer leaves the place of business without addition, unless otherwise provided by law, and employer is prohibited from making paying the charges, you may contact the Commissioner of Labor and Industry at: PURSUANT TO §3-713 (C) OF THE LABOR AND EMPLOYMENT ARTICLE OF THE MARYLAND ANNOTATED CODE, EMPLOYERS ARE REQUIRED TO CONSPICUOUSLY POST THIS NOTICE IN A PLACE WHERE ANY TIPPED **EMPLOYEE IS EMPLOYED.**

Rev. 2/2022

FMLA - FAMILY AND MEDICAL LEAVE ACT

Your Employee Rights Under the Family and Medical Leave Act What is FMLA leave? The Family and Medical Leave Act (FMLA) is a federal law that You do not have to share a medical diagnosis but must provide enough information provides eligible employees with **job-protected leave** for qualifying family and medical to your employer so they can determine whether the leave qualifies for FMLA protection.

reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the You must also inform your employer if FMLA leave was previously taken or approved FMLA for most employees. Eligible employees can take **up to 12 workweeks** of FMLA for the same reason when requesting additional leave. Your **employer** <u>may</u> request certification from a health care provider to verify medical leave and may request certification of a qualifying exigency. Your serious mental or physical health condition that makes you unable to work, The FMLA does not affect any federal or state law prohibiting discrimination or supersede To care for your spouse, child or parent with a serious mental or physical health any state or local law or collective bargaining agreement that provides greater family or medical leave rights. Certain qualifying reasons related to the foreign deployment of your spouse, child or State employees may be subject to certain limitations in pursuit of direct lawsuits

regarding leave for their own serious health conditions. Most federal and certain n eligible employee who is the spouse, child, parent or next of kin of a covered congressional employees are also covered by the law but are subject to the jurisdiction servicemember with a serious injury or illness may take up to 26 workweeks of FMLA of the U.S. Office of Personnel Management or Congress. What does my employer need to do? If you are eligible for FMLA leave, your You have the right to use FMLA leave in one block of time. When it is medically employer must: necessary or otherwise permitted, you may take FMLA leave intermittently in separate Allow you to take job-protected time off work for a qualifying reason.

blocks of time, or on a reduced schedule by working less hours each day or week. Read Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to · Allow you to return to the same job, or a virtually identical job with the same pay, use any employer-provided paid leave if your employer's paid leave policy covers the benefits and other working conditions, including shift and location, at the end of vour leave.

> exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation After becoming aware that your need for leave is for a reason that may qualify under

FMLA leave. If your employer determines that you are eligible, your employer must notify you in writing: About your FMLA rights and responsibilities, and • How much of your requested leave, if any, will be FMLA-protected leave.

complaint process

EARNED SICK AND SAFE LEAVE MARYLAND EARNED SICK AND SAFE LEAVE Maryland **EMPLOYEE NOTICE**

The Maryland Healthy Working Families Act requires employers with 15 or more A family member includes a spouse, child, parent, grandparent, grandchild, sibling, the employees to provide paid sick and safe leave for certain employees. It also requires that legal guardian or ward of the employee or the employee's spouse, or an individual who employers who employ 14 or fewer employees provide unpaid sick and safe leave for acted as a parent or stood in loco parentis to the employee or the employee's spouse Earned sick and safe leave begins to accrue on February 11, 2018, or the date on which an employee begins employment with the employer, whichever is later. An employee accrues earned sick and safe leave at a rate of at least one hour for every 30 hours the employee works; however, an employee is not entitled to earn more than 40 hours of

leave in a 12-month period for:

parent who is a military servicemember.

Fact Sheet #28M(c) for more information.

reason for which you need FMLA leave.

condition, and

• The birth, adoption or foster placement of a child with you,

leave in a single 12-month period to care for the servicemember.

You work for an elementary or public or private secondary school, or

Follow your employer's normal policies for requesting leave.

Give notice at least 30 days before your need for FMLA leave, or

If advance notice is not possible, give notice as soon as possible

An employee is allowed to use earned sick and safe leave under the following conditions: • To care for or treat the employee's mental or physical illness, injury, or condition; To obtain preventative medical care for the employee or the employee's family member; • To care for a family member with a mental or physical illness, injury, or condition;

earned sick and safe leave in a year or accrue more than 64 hours of earned sick and safe

• For maternity or paternity leave; or The absence from work is necessary due to domestic violence, sexual assault, or stalking committed against the employee or the employee's family member and the leave is being used: (1) to obtain medical or mental health attention: (2) to obtain services from a victim services organization; (3) for legal services or proceedings; or (4) because the employee has temporarily relocated as a result of the domestic violence,

sexual assault, or stalking.

How to File a Complaint or Obtain Additional Information If you feel your rights have been violated under this law or you would like additional information, you may contact: Commissioner of Labor and Industry ssl.assistance@maryland.gov

MARYLAND OCCUPATIONAL **SAFETY and HEALTH ACT**

OSHA - THE OCCUPATIONAL SAFETY AND HEALTH ACT

PUBLIC SECTOR

safety and health protection on the job

The Maryland Occupational Safety and Health Act of 1973 provides job safety and health protection for workers through the promotion of safe and healthful working conditions throughout the State. Requirements of the Act include the following:

employees employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious harm to employees; and shall comply with occupational safety and health standards issued under the Act.

Employees: Each public employee shall comply with all

Employers: Each public employer shall furnish to each of his or her

regulations and orders issued under the Act that apply to his or her own actions and conduct on the job. The Commissioner of Labor and Industry has the primary responsibility for administering the Act and issuing occupational safety and health standards.

of its political subdivisions or any agency thereof

shall develop, conduct and maintain a program of

Inspection: The Act provides that the State Government and each

occupational safety and health standards, rules,

self-inspection. This program is to be approved and monitored by the Commissioner of Labor and Industry. The Act requires that a representative or representatives authorized by the employees be

given an opportunity to participate in the inspection

Where there is no authorized employee representative,

unhealthful conditions exist in their workplace. The

Commissioner will withhold names of employees

the inspector shall consult with a reasonable number of employees concerning safety and health conditions in the workplace. **Complaint:** Public employees or their representatives have the right to file a complaint with the Commissioner requesting an inspection if they believe unsafe or

complaining on request.

procedure.

The Act provides that employees may not be discharged or discriminated against in anyway for filing safety and health complaints or otherwise exercising their rights under the Act.

A public employee who believes he or she has been

discriminated against may file a complaint with the Commissioner within 30 days of the alleged

If upon an inspection performed by the Division of Labor and Industry, the Commissioner believes a public employer has violated the Act, a citation alleging such violations shall be issued to the public

The MOSH citation must be prominently displayed at or near the place of alleged violation for three days, or until it is corrected, whichever is later, to warn employees of dangers that may exist there.

discrimination.

and improve safety and health programs in all workplaces and industries. Such cooperative action would initially focus on the



ADDITIONAL INFORMATION AND COPIES OF THE ACT, SPECIFIC RYLAND OCCUPATIONAL SAFETY AND HEALTH STANDARDS, AND

OTHER APPLICABLE REGULATIONS MAY BE OBTAINED FROM MOSH TRAINING and EDUCATION 10946 Golden West Drive, Suite 160 **Hunt Valley, Maryland 21031** Phone: 410-527-2091

Commissioner of Labor and Industry at the above address.

OSHA - THE OCCUPATIONAL SAFETY AND HEALTH ACT MARYLAND OCCUPATIONAL **SAFETY and HEALTH ACT**

safety and health protection on the job

The Maryland Occupational Safety and Health Act of 1973 provides job safety and health protection for workers through the promotion of safe and healthful working conditions throughout the State. Requirements of the Act include the following:

employees employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious harm to employees; and shall comply with occupational safety and health standards issued under the Act. **Employees:** Each employee shall comply with all occupational

own actions and conduct on the job.

Employers: Each employer shall furnish to each of his or her

The Commissioner of Labor and Industry has the primary responsibility for administering the Act and issuing occupational safety and health standards. MOSH Safety and Health Inspectors conduct jobsite inspections to ensure compliance with the Act.

safety and health standards, rules, regulations and

orders issued under the Act that apply to his or her

the employees be given an opportunity to accompany

the MOSH Inspector for the purpose of aiding the

Where there is no authorized employee representative, the MOSH Inspector shall consult with a reasonable number of employees concerning safety and health

conditions in the workplace.

Inspection: The Act requires that a representative authorized by

Complaint: Employees or their representatives have the right to file a complaint with the Commissioner requesting an inspection if they believe unsafe or unhealthful conditions exist in their workplace. The Commissioner will withhold names of employees complaining on

The Act provides that employees may not be

exercising their rights under the Act.

discharged or discriminated against in any way for

filing safety and health complaints or otherwise

An employee who believes he or she has been discriminated against may file a complaint with the Commissioner and/or the Federal Occupational Safety and Health Administration Regional Office within 30 days of the alleged discrimination.

to reduce injuries and illnesses arising out of employment. The Commissioner of Labor and Industry encourages employers and employees to reduce workplace hazards voluntarily and to develop and improve safety and health programs in all workplaces and industries. Such cooperative action would initially focus on the identification and elimination of hazards that could cause death, injury, or illness to employees and supervisors. There are many public and private

organizations that can provide information and

Citation: If upon an inspection the Commissioner believes an

alleged violation must be corrected.

employer has violated the Act, a citation alleging

such violations shall be issued to the employer. Each

citation shall specify a time period within which the

The MOSH citation must be prominently displayed

days, or until it is corrected, whichever is later, to warn

The Act provides for mandatory civil penalties against

employers of up to \$7,000 for each serious violation

day may be proposed for failure to correct violations

within the proposed time period. Also, any employer

assessed civil penalties of up to \$70,000 for each such

Criminal penalties are also provided for in the Act. Any

willful violation resulting in death of an employee,

upon conviction, is punishable by a fine of not more

that \$10,000 or by imprisonment for not more than six

months, or by both. Conviction of an employer after a

first conviction doubles these maximum penalties.

also encourages efforts by labor and management

While providing penalties for violation, the Act

who willfully or repeatedly violates the Act maybe

nonserious violation. Civil penalties of up to \$7,000 per

and for optional penalties of up to \$7,000 for each

at or near the place of alleged violation for three

employees of dangers that may exist there.

ADDITIONAL INFORMATION AND COPIES OF THE ACT, SPECIFIC MARYLAND OCCUPATIONAL SAFETY AND HEALTH STANDARDS, AND OTHER APPLICABLE REGULATIONS MAY BE OBTAINED FROM

assistance in this effort, if requested.

10946 Golden West Drive, Suite 160 **Hunt Valley, Maryland 21031** Phone: 410-527-2091 Complaints about State Program administration may be made to Regional Administrator, Occupational Safety and Health Administration, The Curtis Center, Suite 740 West, 170 S. Independence Mall West, Philadelphia, PA 19106-3309

MOSH TRAINING and EDUCATION

MD-0723-F04

Am I eligible to take FMLA leave? You are an eligible employee if all of the following Your employer cannot interfere with your FMLA rights or threaten or punish you for You work for a covered employer, You have worked for your employer at least 12 months, You have at least 1,250 hours of service for your employer during the 12 months before the FMLA, your **employer** must confirm whether you are eligible or not eligible for your leave, and Your employer has at least 50 employees within 75 miles of your work location. irline flight crew employees have different "hours of service" requirements. You work for a **covered employer** if **one** of the following applies: You work for a private employer that had at least 50 employees during at least Where can I find more information 20 workweeks in the current or previous calendar year,

Call 1-866-487-9243 or visit dol.gov/fmla to learn more. If you believe your rights under You work for a public agency, such as a local, state or federal government agency. Most the FMLA have been violated, federal employees are covered by Title II of the FMLA, administered by the Office of you may file a complaint with WHD or file a private lawsuit agains

SCAN ME

low do I request FMLA leave? Generally, to request FMLA leave you must: vour employer in court. Scan the OR code to learn about our WHD

WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR WH1420 REV 04/23

when the employee or the employee's spouse was a minor. Employees are permitted to use earned sick and safe leave in increments in certain amounts established by their employer. Employees are required to give notice of the need to use earned sick and safe leave when it is foreseeable. An employer may deny leave in certain circumstances.

Employers are required to provide employees with a written statement of the employee's available earned sick and safe leave. An employer is prohibited under the law from taking adverse action against an employee who exercises a right under the Maryland Healthy Working Families Act and an employee is prohibited from making a complaint, bringing an action, or testifying in an action in

10946 Golden West Drive, Suite 160 - Hunt Valley, MD 21031

employer. Each citation shall specify a time period within which the alleged violation must be corrected.

The Act encourages efforts by labor and management to reduce injuries and illnesses arising out of employment. The Commissioner of Labor and Industry encourages employers and employees to reduce workplace hazards voluntarily and to develop

identification and elimination of hazards that could cause death, injury, or illness to employees and supervisors.