

MICHIGANA



MICHIGAN FEDERAL LABOR LAW POSTER

WHISTLEBLOWER PROTECTION ACT

ATTENTION EMPLOYEES

The Michigan Whistleblowers' Protection Act (469 P.A. 1980) creates certain protections and obligations for employees and employers under Michigan law...

Michigan Department of Labor and Economic Opportunity Wage and Hour Division PO Box 30476, Lansing, MI 48909-7976

Minimum Hourly Wage Rate table with columns for Effective Date, Minimum Hourly Wage Rate, Tipped Employee Reported Average Hourly Tips, and 85%% Rate.

An increase in the minimum hourly wage rate as prescribed in subsection (1) does not take effect if the unemployment rate for this state, as determined by the Bureau of Labor Statistics...

Overtime - Employees covered by the IOWWA must be paid 1-1/2 times their regular rate of pay for hours worked over 40 in a workweek...

Compensatory Time - If an employer meets certain conditions, employees may agree to receive compensatory time of 1-1/2 hours for each hour of overtime worked...

Enforcement - An employee may either file civil action for recovery of unpaid minimum wages or overtime, or they may file a complaint with the Department of Labor and Economic Opportunity...

Auxiliary aids, services and other reasonable accommodations are available, upon request, to individuals with disabilities.

Michigan Occupational Safety and Health Administration (MOSHA) Complaint and Training Division (517) 284-7720

RIGHT TO KNOW LAW

This Workplace Covered by the Michigan Right to Know Law

Employees must make available for employers in a readily accessible manner, Safety Data Sheets (SDS) for those hazardous chemicals in their workplace.

As Required by the Michigan Right to Know Law - TO BE POSTED THROUGHOUT THE WORKPLACE NEXT TO THE SAFETY DATA SHEETS (SDS) LOCATION POSTERS

Form for posting Right to Know Law notices, including fields for New or Revised, Receipt Date, Posting Date, and Locations of New or Revised SDS.

Michigan Department of Labor and Economic Opportunity (LEO) Michigan Occupational Safety and Health Administration (MOSHA)

ANTI-DISCRIMINATION NOTICE

It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which documents they will accept from an employee.

OCCUPATIONAL SAFETY AND HEALTH PROTECTION

MICHIGAN SAFETY AND HEALTH PROTECTION ON THE JOB

THE MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ACT, 1974 P.A. 154, AS AMENDED, REQUIRES POSTING OF THIS DOCUMENT IN A CENTRAL AND CONSPICUOUS LOCATION.

The Michigan Occupational Safety and Health Act (MOSHA) Act, No. 154 of the Public Acts of 1974, as amended, provides job safety and health protection for Michigan employees...

COMPLAINTS: Unemployed and employee representatives who believe that an unsafe or unhealthy condition exists in their workplace have the right to request an inspection...

The U.S. Department of Labor is monitoring the operation of the Michigan Occupational Safety and Health Act (MOSHA) to assure the effective administration of the state act.

CITATIONS: If upon inspection or investigation the Michigan Department of Labor and Economic Opportunity believes that a requirement of the Act has been violated, a citation alleging such violation and setting a time period for correction will be issued to the employer.

EMPLOYER REQUIREMENTS: MOSHA requires that each employer: 1. Furnish to each employee employment and a place of employment which is free from recognized hazards...

3. Post this and other notices and use other appropriate measures to keep his/her employees informed of their protection and obligations under the Act, including the provisions of applicable rules and standards.

4. Notify the Michigan Department of Labor and Economic Opportunity within 8 hours of any work-related fatality.

5. Notify the Michigan Department of Labor and Economic Opportunity within 24 hours of all work-related inpatient hospitalizations, amputations and losses of an eye.

6. Make available to employees, for inspection and copying, all medical records and health data in the employer's possession pertaining to that employee.

8. Give the representative of employees the opportunity to accompany the department during the inspection or investigation of a place of employment and to prohibit the suffering of any loss of wages or fringe benefits...

9. Provide personal protective equipment, at the employer's expense, when it is specifically required by a MOSHA standard.

11. To promptly notify an employee who was or is being exposed to toxic materials or harmful physical agents in concentrations or at levels which exceed those prescribed by a MOSHA standard.

EMPLOYEE REQUIREMENTS: MOSHA requires that each employee: 1. Comply with promulgated rules and standards...

INSPECTIONS/INVESTIGATIONS: Inspections and investigations are conducted by trained personnel. The Act requires that an employer employee for time spent participating in the inspection...

If a representative of employees does not participate, the department representative will consult with a number of employees concerning matters of safety or health in the place of employment.

EMPLOYEE POLYGRAPH PROTECTION ACT

EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT

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

EXAMINER RIGHTS: Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test.

ENFORCEMENT: The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators.

USERRA - 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.

REEMPLOYMENT RIGHTS: You have the right to be reemployed in your civilian job if you leave and begin your service in the uniformed services.

HEALTH INSURANCE PROTECTION: If you leave your job to perform military service, you have the right to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months in the military.

ENFORCEMENT: The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.

Workers' Compensation - State of Michigan Workers' Disability Compensation Agency

Remember - It is important to report your injury to your employer. Medical Care: You are entitled to reasonable and necessary medical care for work-related injuries or diseases.

After 28 days you are free to these physicians. During the first 28 days of treatment, your employer has the right to choose the physician of your choice.

Wage Loss Benefits: You are entitled to weekly workers' compensation benefits if you suffer a wage loss for more than seven consecutive days.

Vocational Rehabilitation: If you are unable to perform the work that you have done previously, you are entitled to vocational rehabilitation.

Form for reporting injury to the Workers' Compensation Insurance Carrier, including fields for Employer Name, Employee Name, and Employer Contact Person.

Regular Paydays for Employees of: (Company Name) Shall be as follows: Weekly, Bi-Weekly, Monthly, Other

FEDERAL MINIMUM WAGE

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

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

The law requires employers to display this poster where employees can readily see it. OVERTIME PAY: At least 1 1/2 times your regular rate of pay for all hours worked over 40 in a workweek.

CHILD LABOR: An employer 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.

Tip Credit: Employees of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees.

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.

ENFORCEMENT: The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations.

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 provides eligible employees with job-protected leave for qualifying family and medical reasons.

What you need to know: You do not have to share a medical diagnosis but must provide enough information to your employer so you can determine whether the leave qualifies for FMLA protection.

When you take FMLA leave: You must be a U.S. citizen or national and work for a covered employer. You must be an eligible employee and take up to 12 workweeks of FMLA leave in a 12-month period.

How you take FMLA leave: You must be on a reduced schedule by working less hours each day or week. Reduced schedule leave may be used for up to 12 workweeks.

What you cannot do: You cannot be penalized for using FMLA leave. You must be on a reduced schedule by working less hours each day or week.

Where you can find more information: Call 1-866-487-9243 or visit dol.gov/fmla to learn more.

State of Michigan Department of Labor and Economic Opportunity Wage and Hour Division (517) 284-7720

EEOC - KNOW YOUR RIGHTS: WORKPLACE DISCRIMINATION IS ILLEGAL

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.

Who is Protected? - Employees (current and former), including managers and temporary employees. - Job applicants. - Union members and applicants for membership in a union.

What Organizations are Covered? - Most private employers. - All state, local, or federal governments. - Educational institutions (as employers).

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 basis of: - Race - Color - Religion - National origin

Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding. - Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation.

What Employment Practices can be Challenged as Discriminatory? - All aspects of employment, including: - Discharge, firing, or lay-off - Hiring - Promotion - Termination

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS: The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action commitments of companies doing business with the Federal Government.

PAID MEDICAL LEAVE ACT: Michigan Department of Labor and Economic Opportunity Wage and Hour Division PO Box 30476, Lansing, MI 48909-7976

Coverage: The Paid Medical Leave Act, 2018 Public Act 336, as amended by 2018 Public Act 369, effective March 29, 2019, covers employees who employ 50 or more individuals. The act covers individuals engaged in service for the business of the employer and from whom an employer is required to withhold for federal income tax purposes.

Employees covered by a private collective bargaining agreement that is in effect, employees of the United States government, another state, or a political subdivision of another state, individuals whose principal activity is the business of the employer and from whom an employer is required to withhold for federal income tax purposes.

PAID Medical Leave Accrual - Paid medical leave accrual begins on March 29, 2019, or upon commencement of the employee's employment, whichever is later. Paid medical leave accrual begins on the first day of the employee's 18th birthday or the first day of the employee's 19th birthday, whichever is later.

PAID Medical Leave Use - An employee may use accrued paid medical leave as is provided for in a contract or policy. An employer may require an employee to wait until the 90th day after commencing employment before using accrued paid medical leave.

Auxiliary aids, services and other reasonable accommodations are available, upon request, to individuals with disabilities. Michigan Department of Labor and Economic Opportunity (LEO) Michigan Occupational Safety and Health Administration (MOSHA)

STATE OF MICHIGAN DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY INFORMATIONAL SHEET: Youth Employment Provisions of Act 1978, as amended

MCL 409.110 Minor shall not be employed in an occupation subject to this act for more than 6 days in 1 week, nor for a period longer than a weekly average of 8 hours per day or 48 hours in 1 week, nor more than 10 hours in 1 provisionally shortened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated.

MCL 409.111 Minor 16 years and over: days and hours of employment. (1) (I) Except as provided in subsection (3), a person shall not employ a minor 16 years of age or older in an occupation subject to this act for more than any of the following periods: (a) Six days in 1 week.

MCL 409.112 Prohibition of minors working alone in occupation involving a cash transaction after sunset or 8 p.m. at a fixed location. (1) A minor who would otherwise be permitted under this act to be employed in an occupation subject to this act shall not be employed in an occupation that involves a cash transaction subject to this act after sunset or 8 p.m., whichever is earlier, at a fixed location unless an employer or other employee 18 years of age or older is present at the fixed location during those hours.

IMPORTANT: Administrative Rule, R408.6207 REQUIRES A MINOR SUBJECT TO ACT 1978 TO BE EMPLOYED BY THE EMPLOYER OR ANOTHER EMPLOYEE 18 YEARS OF AGE OR OLDER.

STATE OF MICHIGAN DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY INFORMATIONAL SHEET: Youth Employment Provisions of Act 1978, as amended

MCL 409.113a Prohibition of minors working alone in occupation involving a cash transaction after sunset or 8 p.m. at a fixed location. (1) A minor who would otherwise be permitted under this act to be employed in an occupation subject to this act shall not be employed in an occupation that involves a cash transaction subject to this act after sunset or 8 p.m., whichever is earlier, at a fixed location unless an employer or other employee 18 years of age or older is present at the fixed location during those hours.

Withholding Status: YOU MAY NEED TO CHECK YOUR WITHHOLDING. 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.

DISCRIMINATION: Michigan Law Prohibits Discrimination. In Employment, Education, Housing, Public Accommodation, Law Enforcement or Public Service

MICHIGAN LAW PROHIBITS DISCRIMINATION. In Employment, Education, Housing, Public Accommodation, Law Enforcement or Public Service

BASED ON: religion, race, color, national origin, sex, disability, age, marital status, height, weight, arrest record, genetic information, and familial status

If you think you have been discriminated against, you may file a complaint with the Michigan Department of Civil Rights. Call 1-800-842-3604 | Video Phone: 313-477-7035 www.michigan.gov/mdcr

UNEMPLOYMENT INSURANCE: Notice To All Employees: Information about Unemployment Benefits. This employee is covered by the Michigan Employment Security Act. Unemployment benefits are payable to qualified and eligible workers of this employer through Michigan's Unemployment Insurance Agency.

File an unemployment claim online. If you became unemployed, you can file your new unemployment claim or renew an established claim online through the Michigan Web Account Manager (MWAAM) at michigan.gov/ueia.

STATE OF MICHIGAN DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY UNEMPLOYMENT INSURANCE AGENCY. UIA is an equal opportunity employment program. Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

Michigan Department of Labor and Economic Opportunity Michigan Unemployment Insurance Agency Authority: Michigan Unemployment Code, Section R 421.105; Paid for with federal funds. UIA 1700 (Rev. 12-19) UIA 1700

MICHIGAN DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY