

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. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help.

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

What Practices are Covered?
• Most private employers
• State and local governments (as employers)
• Employment agencies (as employers)
• States
• 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
• Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity)
• Age (40 and older)
• Disability
• Genetic information (including employer requests for, purchase, use, or disclosure of genetic tests, genetic services, or family medical history)

Retaliation for filing a charge, reasonably opposing discrimination, or participating in an investigation or proceeding
• Retaliation for filing a charge, reasonably opposing discrimination, or participating in an investigation or proceeding
• Interference with someone exercising their rights, or someone assisting or encouraging someone else to exercise rights regarding disability discrimination (including accommodation) or pregnancy accommodation

What can you do if you believe discrimination has occurred? Contact the EEOC promptly if you suspect discrimination. Do not because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:
Submit an inquiry through the EEOC's public portal: <https://publicportal.eeoc.gov/portal/login.aspx>
Call 1-800-669-4000 (toll free) 1-800-669-8000 (TDD) 1-844-234-5122 (ASL video phone)
Visit an EEOC field office (information at www.eeoc.gov/field-office)
E-mail info@eeoc.gov
Additional information about the EEOC, including information about filing a charge of discrimination, is available at www.eeoc.gov.

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS
The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action commitments of companies doing business with the Federal Government. If you are applying for a job with, or are an employee of, a company with a Federal contract or subcontract, you are protected under Federal law from discrimination on the basis of:
Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin
Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.
Age, Disability, or Genetic Information Executive Order 11246, as amended, prohibits employers and employees of Federal contractors from discrimination based on requiring, asking, or discussing their compensation or the compensation of other applicants or employees.
Disability Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not making reasonable accommodations to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship.
Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against individuals with disabilities at all levels of employment, including the executive level.

NEW HAMPSHIRE MINIMUM WAGE LAW

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

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

\$7.25 PER HOUR EFFECTIVE SEPTEMBER 1, 2008

Exempt from RSA 279: are:
Employees engaged in Household Labor, Domestic Labor, Farm Labor, Outside Sales Representatives, Summer Camps for Minors, Newspaper Carriers, Non-Professional Ski Patrol and Golf Caddies.

OVERTIME PAY: Those employees covered by RSA 279, with the following exceptions, shall in addition to their regular compensation, be paid at the rate of time and one-half for all time worked in excess of 40 hours in any one week:
(a) Any employee employed by an amusement, seasonal, or recreational establishment if:
(1) does not operate more than 7 months in any calendar year; or
(2) during the preceding calendar year, its average receipts for any 6 months of such year were not more than 33 1/3 percent of its average receipts for the other 6 months of such year
(b) Any employee of employers covered under the provisions of the Federal Fair Labor Standards Act

Tipped employees of a restaurant, hotel, motel, inn, or cabin, who customarily and regularly receive more than \$30 a month in tips directly from the customers will receive a base rate from the employer of not less than 45 percent of the applicable minimum wage. Restaurant shall include an establishment in a temporary or permanent building, kept, used, maintained, advertised, and held out to the public to be a place where meals are regularly prepared or served for which a charge is made and where seating and table service is available for customers and where delivery services are available. The term does not include establishments which do not primarily prepare and serve food. Tipped employees shall also include employees who deliver meals prepared in a restaurant to the customer's home, office, or other location. If an employer shows to the satisfaction of the commissioner that the actual amount of wages received at the end of each pay period did not equal the minimum wage for all hours worked, the employer shall pay to the employee the difference to guarantee the applicable minimum wage.

RECORDS. Every employer of employees shall keep a true and accurate record of the hours worked by each, wages paid to each, and classification of employment when necessary.

NEW HAMPSHIRE YOUTH EMPLOYMENT LAW
No youth under the age of 16 shall be employed or permitted to work without first obtaining a New Hampshire Youth Employment Certificate except for his/her parents, grandparents, guardian, or at work defined as casual or farm labor. **Certificates shall be obtained by an employer within 3 business days of the first day of employment.** Copies of certificates shall be kept on file by all employers of youth. An employer shall not employ a youth 16 or 17 years of age, unless the employer obtains and maintains on file a signed written document from the youth's parent or legal guardian permitting the youth's employment. The parental permission shall be on file at the establishment's worksite prior to the first day of employment. Written parental permission is not required for 16 or 17 year old youth who has graduated from high school or obtained a general equivalency diploma.

INSPECTION DIVISION
P.O. BOX 2076
CONCORD, NH 03302-2076
(603) 271-1492 & 271-3176

Rudolph W. Ogden, III
Deputy Commissioner

Ken Merrifield
Commissioner

Rev. 02-01-18

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. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA. The FMLA applies to employers with 50 or more employees. Eligible employees can take up to 12 workweeks of FMLA leave in a 12-month period for:
• The birth, adoption or foster placement of a child
• Your serious mental or physical health condition that makes you unable to work.
• To care for your spouse, child or parent with a serious mental or physical health condition, and
• Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.
An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness may take FMLA leave **intermittently in separate blocks of time, or on a reduced schedule** by working less hours each week or week. Read Fact Sheet F2860 for more information.
FMLA leave is not paid leave. You may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave.
Am I eligible to take FMLA leave? You are an eligible employee if all of the following apply:
• 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 your leave, and
• Your employer has at least 50 employees within 75 miles of your work location.
Airline 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 20 workweeks in the current or previous calendar year.
• You work for an elementary or public or private secondary school, or
• You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by title of the FMLA, administered by the Office of Personnel Management.
How do I request FMLA leave? Generally, to request FMLA leave you must:
• Follow your employer's normal policies for requesting leave.
• Give notice at least 30 days before you need FMLA leave, or
• If advance notice is not possible, give notice as soon as possible.

Do you not have to share a medical diagnosis but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You must also inform your employer if FMLA leave was previously taken or approved for the same reason within 12 months.
You employer may request certification from a health care provider to verify medical necessity for the leave.
The FMLA does not affect any federal or state law prohibiting discrimination or retaliation against state or local law or collective bargaining agreement that provides greater family or medical leave rights.
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 congressional employees are also covered by the law but are subject to the jurisdiction 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 employer must:
• Allow you to take job-protected time off work for a qualifying reason.
• Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and
• Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave.
Your employer cannot interfere with your FMLA rights and threaten or punish you for 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 the FMLA, your employer must confirm whether you are eligible or not eligible for 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.
Where can I find more information?
Call 1-866-487-9243 or visit www.dol.gov/fmla to learn more. If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. Scan the QR code to learn about our WHD complaint process.

NEW HAMPSHIRE WORKERS' COMPENSATION

NOTICE TO EMPLOYERS - WORKERS' COMPENSATION

Employers need to post their Workers' Compensation, "Notice of Compliance" notice in a conspicuous place.

The primary responsibility for obtaining workers' compensation insurance coverage rests upon employers who must apply for and obtain coverage prior to the hiring of any employee. Insurance agencies and carriers, however, share in this coverage responsibility, beginning with their receipt of an application for coverage. If an agency or carrier refuses to provide coverage on a voluntary basis, they must advise the employer about the availability of coverage under the Assigned Risk Plan of the National Council on Compensation Insurance and must also provide the necessary application form. After coverage is in effect, the employer will receive from the insurance carrier a **NOTICE OF COMPLIANCE**, Form No. WCP-1, which needs to be posted in a conspicuous spot in the place of business. This poster contains basic information regarding the rights and responsibilities of both employer and employees, as well as the name of the insurance carrier underwriting the workers' compensation coverage.

State of New Hampshire - Department of Labor - State Office Park South
95 Pleasant Street - Concord, New Hampshire 03301 - (603) 271-3176

Rudolph W. Ogden, III
Deputy Commissioner

Ken Merrifield
Commissioner

Rev. 02-01-18

RIGHT TO KNOW ACT

STATE OF NEW HAMPSHIRE DEPARTMENT OF LABOR
WORKER'S RIGHT TO KNOW ACT
Revised Statutes Annotated Chapter 277-A, as amended

EMPLOYEES

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

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

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

NH DEPARTMENT OF LABOR
P.O. BOX 2076
CONCORD NH 03302-2076

(EMPLOYER REPRESENTATIVE'S NAME)
Rudolph W. Ogden, III
Deputy Commissioner

Ken Merrifield
Commissioner

Rev. 02-01-18

DISCRIMINATION

EMPLOYMENT DISCRIMINATION IS AGAINST THE LAW IN NEW HAMPSHIRE

Based on:

- Race
- Color
- Age
- National Origin
- Sex
- Gender Identity
- Marital Status
- Sexual Orientation
- Religion
- Pregnancy
- Physical Disability
- Mental Disability

New Hampshire Commission
For Human Rights
Concord, NH 03301

For information call:
603.271.2767
nh.gov/hrc

PAYMENT OF WAGES

STATE OF NEW HAMPSHIRE DEPARTMENT OF LABOR
PROTECTIVE LEGISLATION LAW

Wages in this Establishment Will Be Paid On:

SUNDAY MONDAY TUESDAY WEDNESDAY THURSDAY FRIDAY SATURDAY

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

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

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

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

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

EMPLOYEES SEPARATED. When an employee quits, resigns, or is suspended because of labor dispute wages must be paid not later than the next regular payday or mail if the employee is laid off in full within seventy-two hours. Willful failure to pay as above subjects employer to liquidated damages of ten percent of the unpaid wages for each day except Sunday and legal holidays. In case of dispute over next due, employer shall pay amount conceded by him to be due, leaving employee remedies of law for balance. The acceptance of payment by employee shall not constitute a release to the balance of a claim and any release required by an employer as a condition of payment shall be null and void in violation of the law.

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

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

INSPECTION DIVISION
P.O. BOX 2076, CONCORD, NH 03302-2076
TELEPHONE - (603) 271-1492 & 271-3176

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Ken Merrifield
Commissioner

THIS NOTICE MUST BE POSTED IN A CONSPICUOUS PLACE Rev. 02-01-18

PAYDAY NOTICE

Regular Paydays for Employees of

(Company Name)

Should be as follows:

Weekly Bi-Weekly Monthly Other

By: _____ Title: _____

WITHHOLDING STATUS

YOU MAY NEED TO CHECK YOUR WITHHOLDING

Since you last filed form W-4 with your employer at 1-800-929-3676. 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 on this subject.

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

Publication 2139 (Rev. 8-2009) Cat. No. 110479

USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

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 completion 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 services 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 or pre-existing condition exclusions (except for service-connected illnesses or injuries).

ENFORCEMENT
The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.
For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL, or visit its website at <https://www.dol.gov/agencies/vets>. An interactive online USERRA Advisor can be viewed at <https://webapps.dol.gov/leave/vets/userra>.
If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the U.S. 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.

Publication Date - May 2022

ANTI-DISCRIMINATION NOTICE

It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which documents 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.

EMPLOYEE POLYGRAPH PROTECTION ACT

EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits most private employers from using detectors or 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 using a lie detector test to discipline or discipline 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 Act. The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions.

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

UNIGS AND HOUR DIVISION
STATE OF NEW HAMPSHIRE DEPARTMENT OF LABOR
1-866-487-9243
www.dol.gov/agencies/whd

WHD
WAGE AND HOUR DIVISION
1-866-487-9243
www.dol.gov/agencies/whd

VACATION SHUTDOWN NOTICE

PLEASE HELP YOUR EMPLOYEES BY VOLUNTARILY POSTING THIS IN A CONSPICUOUS PLACE

IS YOUR COMPANY HAVING A VACATION SHUTDOWN?

After your last day of work open a claim on the Internet at www.nhes.nh.gov

If you do not have Internet access, please go immediately to your nearest NH Employment Security office

File as directed on the Internet application.
Vacation and holiday pay count as wages in reference to Unemployment Compensation, but if you are unsure about eligibility because of vacation or holiday pay, please open a claim and file.

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

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

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

Visit the NH Employment Security Resource Center in an Employment Security office near you for free resources, tools, and information, or visit our website at: www.nhes.nh.gov

NH EMPLOYMENT SECURITY OFFICES

Berlin	Conway	Littleton	Portsmouth
Claremont	Keene	Manchester	Salem
Concord	Laconia	Nashua	Somersworth

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

DES 2188 1/12

OSHA - THE OCCUPATIONAL SAFETY AND HEALTH ACT

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

All workers have the right to:

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

Employers must:

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

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

This poster is available free from OSHA.

Contact OSHA. We can help.

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

EQUAL PAY LAW

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

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

Phone: (603) 271-1492, 271-6294, or 271-3176 | Fax: (603) 271-2668 | Email: InspectionD@do1.nh.gov

You may file a wage claim by downloading the form at: <http://www.nh.gov/labor/documents/wage-claim.pdf>
The full text of RSA 275:37 Equal Pay can be found at this link: <http://www.gencourt.state.nh.us/rsa/html/XXII/275-37-3.htm>

RSA 275:36 - Non-Retaliation Provision. No employer shall discharge or in any other manner discriminate against any employee because they invoke their rights under this statute, including filing charges or complaints, or causing any investigation, proceeding, hearing, or action under or related to this subdivision, or has testified or is planning to testify or has assisted or participated in any manner in any such investigation, proceeding, hearing, or action or has inquired about, discussed, or disclosed his or her wages or those of another employee.

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

RSA 275:41 - b Pay Disclosure. No employer shall require that an employee refrain from disclosing the amount of his or her wages or sign a waiver or release of any claim or right to sue or sue the amount of his or her wages, salary, or paid benefits, as a condition of employment, as a condition of employment. No employer shall discharge, formally discipline, or otherwise discriminate against an employee who discloses the amount of his or her wages, salary, or paid benefits.

RSA 275:41 Limitation of Actions. Any action to recover unpaid wages and liquidated damages based on violation of RSA 275:37, shall be commenced within 3 years of discovery of the violation. No action brought under this section shall include any violation that occurred more than 4 years prior to the commencement of such action.

Effective Date: January 1, 2015

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

Rudolph W. Ogden, III
Deputy Commissioner

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Commissioner

Rev. 06/25/18

UNEMPLOYMENT COMPENSATION

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

UNEMPLOYMENT NOTICE

IF YOU BECOME PARTIALLY OR TOTALLY UNEMPLOYED:
Failure to apply as explained below may result in a loss in your entitlement to some benefits!

You must file your initial claim within 3 business days of becoming unemployed or not later than the last calendar day of the first week for which you wish to file for benefits. For filing purposes you are considered to be unemployed on the last day you actually work or on the day your work hours are significantly reduced. Your claim is effective the calendar week it is opened.

Filing in person
File a claim in person at the office nearest you and register for work.
Example: If your last day of work was a Friday and you worked a full week, do not open your claim visit the office nearest you the following week
Office Hours: 8am - 4:30pm Monday - Friday

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

What should you have available before you file?

- Your social security number
- Information about where you worked in the past 18 months, including company names, addresses and approximate dates you worked there.
- Your most recent check stubs, W2s and 1099 forms from the last 18 months
- The amounts of your separation pay, severance, vacation, holiday, sick, bonus pay and wages in lieu of notice you received or expect to receive

Who pays for Unemployment Compensation Taxes?
Employers pay the tax that is deposited in the Unemployment Compensation Trust Fund from which benefits are paid.
Eligibility for Unemployment Compensation is determined on an individual basis and based on the law.
You have to open a claim and then file a claim each week to know if you are eligible.

NH EMPLOYMENT SECURITY OFFICES

Berlin	Conway	Littleton	Portsmouth
Claremont	Keene	Manchester	Salem
Concord	Laconia	Nashua	Somersworth

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

DES 218 1/12

OSHA - THE OCCUPATIONAL SAFETY AND HEALTH ACT

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

All workers have the right to:

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

Employers must:

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

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

This poster is available free from OSHA.

Contact OSHA. We can help.

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

FEDERAL MINIMUM WAGE

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 employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hour restrictions. Different rules apply in agricultural employment.

TIP CREDIT: Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employer'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.

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

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

ADDITIONAL INFORMATION

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

UNIGS AND HOUR DIVISION
STATE OF NEW HAMPSHIRE DEPARTMENT OF LABOR
1-866-487-9243
www.dol.gov/agencies/whd

WHD
WAGE AND HOUR DIVISION
1-866-487-9243
www.dol.gov/agencies/whd

WHISTLEBLOWERS' PROTECTION ACT

STATE OF NEW HAMPSHIRE DEPARTMENT OF LABOR
THE WHISTLEBLOWERS' PROTECTION ACT - RSA 275-E

An employer shall not discharge, threaten, or discriminate against any public or private employee:

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

RIGHTS AND REMEDIES - RSA 275-E:4

After the employee has made a reasonable effort to maintain or restore his/her rights through any grievance procedure or similar process available with the employer.

And has filed the written complaint with the New Hampshire Department of Labor, which can result in a judgment to order reinstatement, payment of fringe benefits, seniority rights, and injunctive relief.

ADDITIONAL RIGHTS AND REMEDIES FOR PUBLIC EMPLOYEES ONLY - RSA 275-E:8 and 9

Public employees can issue complaints to the New Hampshire Department of Labor, who has the authority to investigate complaints or information concerning the possible existence of any activity constituting fraud, waste, or abuse in the expenditure of any public funds, whether state or local, or relating to programs and activities involving the procurement of any supplies, services, or construction by governmental entities within the state.

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

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

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

INSPECTION DIVISION
P.O. Box 2076
Concord NH 03302-2076
Telephone - (603) 271-1492 & 271-3176

Rudolph W. Ogden, III
Deputy Commissioner

Ken Merrifield
Commissioner

THIS NOTICE MUST BE POSTED IN A CONSPICUOUS PLACE Rev. 02-01-18

OSHA - THE OCCUPATIONAL SAFETY AND HEALTH ACT

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

All workers have the right to:

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