

# Federal & Florida

---

## Employee Notifications

# Equal Employment Opportunity is

# THE LAW

## **Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations**

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

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

Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship.

### **DISABILITY**

Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship.

### **AGE**

The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

### **SEX (WAGES)**

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

### **GENETICS**

Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

### **RETALIATION**

All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice.

### **WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED**

There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is suspected: The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at [www.eeoc.gov](http://www.eeoc.gov) or in most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at [www.eeoc.gov](http://www.eeoc.gov).

## **Employers Holding Federal Contracts or Subcontracts**

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

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

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

### **INDIVIDUALS WITH DISABILITIES**

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation 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 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

### **DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS**

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination and requires affirmative action to employ and advance in employment disabled veterans, recently separated veterans (within three years of discharge or release from active duty), other protected veterans (veterans who served during a war or in a campaign or expedition for which a campaign badge has been authorized), and Armed Forces service medal veterans (veterans who, while on active duty, participated in a U.S. military operation for which an Armed Forces service medal was awarded).

### **RETALIATION**

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these Federal laws.

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

The Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at [OFCCP-Public@dol.gov](mailto:OFCCP-Public@dol.gov), or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor.

## **Programs or Activities Receiving Federal Financial Assistance**

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

In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

### **INDIVIDUALS WITH DISABILITIES**

Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

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



# Job Safety And Health

## It's the law!



**Occupational Safety  
and Health Administration**  
U.S. Department of Labor

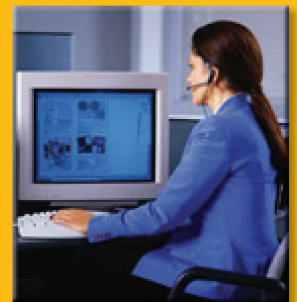
### EMPLOYEES:

- You have the right to notify your employer or OSHA about workplace hazards. You may ask OSHA to keep your name confidential.
- You have the right to request an OSHA inspection if you believe that there are unsafe and unhealthful conditions in your workplace. You or your representative may participate in that inspection.
- You can file a complaint with OSHA within 30 days of retaliation or discrimination by your employer for making safety and health complaints or for exercising your rights under the *OSH Act*
- You have a right to see OSHA citations issued to your employer. Your employer must post the citations at or near the place of the alleged violations.
- Your employer must correct workplace hazards by the date indicated on the citation and must certify that these hazards have been reduced or eliminated.
- You have the right to copies of your medical records and records of your exposure to toxic and harmful substances or conditions.
- Your employer must post this notice in your workplace.
- You must comply with all occupational safety and health standards issued under the *OSH Act* that apply to your own actions and conduct on the job.

### EMPLOYERS:

- You must furnish your employees a place of employment free from recognized hazards.
- You must comply with the occupational safety and health standards issued under the *OSH Act*.

**This free poster available from OSHA –  
The Best Resource for Safety and Health**



Free assistance in identifying and correcting hazards or complying with standards is available to employers, without citation or penalty, through OSHA-supported consultation programs in each state.

**1-800-321-OSHA (6742)**

[www.osha.gov](http://www.osha.gov)

OSHA 3165-02 2012R



EMPLOYEE POLYGRAPH PROTECTION ACT

NOTICE

EMPLOYEE POLYGRAPH PROTECTION ACT

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

PROHIBITIONS

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

EXEMPTIONS\*

Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities.

The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors, and dispensers.

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.

The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.

EXAMINEE RIGHTS

- Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

ENFORCEMENT

- The Secretary of Labor may bring court actions to restrain violations and assess civil penalties up to \$10,000 against violators. Employees or job applicants may also bring their own court actions.

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



Scan your QR phone reader to learn more about the Employee Polygraph Protection Act.



For additional information: 1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627 WWW.WAGEHOUR.DOL.GOV



U.S. Department of Labor | Wage and Hour Division

WHD 1462

Rev. Jan 2012

DRUG-FREE WORKPLACE

Applicant & Employee Notice

Drug-Free Workplace

This company strictly prohibits the illicit use, possession, dispensation, distribution, or manufacture of controlled substances in the workplace. Any violation of this policy shall result in adverse employment action up to and including termination.\*

Screening tests for illegal drug use may be required before hiring and during your employment.\*\*

\*The Drug-Free Workplace Act of 1988 (codified in 41 USCS 701 (a)(1)(A)) requires covered employers to publish this information.

\*\*Additional state laws may apply.

REPORTING OCCUPATIONAL INJURIES AND ILLNESSES

Immediately report all work-related injuries and illnesses to your supervisor.

- You may not be discriminated against for reporting a work-related fatality, injury or illness.
Employees, their personal representatives, and their authorized employee representatives have the right to access the OSHA injury and illness records.
Your employer may not charge for copies the first time they are provided. If additional copies are requested your employer may assess a reasonable charge for retrieving and copying the records.
When an employee, former employee, personal representative, or authorized employee representative requests copies of OSHA injury and illness records, the employer must provide copies of the relevant information by the end of the next business day.
Your employer may be required to post the annual summary of workplace injuries and illnesses no later than February 1st of the year following the year covered by the records and keep the posting in place until April 30th.

▼ **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 conclusion of service; and
- ★ you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

### RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

If you:

- ★ are a past or present member of the uniformed service;
- ★ have applied for membership in the uniformed service; or
- ★ are obligated to serve in the uniformed service;

then an employer may not deny you:

- ★ initial employment;
- ★ reemployment;
- ★ retention in employment;
- ★ promotion; or
- ★ any benefit of employment

because of this status.

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

Publication Date – October 2008

### HEALTH INSURANCE PROTECTION

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

### ENFORCEMENT

- ★ The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.
- ★ For assistance in filing a complaint, or for any other information on USERRA, contact VETS at **1-866-4-USA-DOL** or visit its **website at <http://www.dol.gov/vets>**. An interactive online USERRA Advisor can be viewed at **<http://www.dol.gov/elaws/userra.htm>**.
- ★ If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation.
- ★ You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

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



**VETS**

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



U.S. Department  
of Justice



Office of  
Special Counsel

**ESGR**

Employer Support of  
the Guard and Reserve  
1-800-336-4590

▼ **FLSA Fair Labor Standards Act**

# EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

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

### OVERTIME PAY

At least 1½ 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 under the following conditions:

#### No more than

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

Also, work may not begin before **7 a.m.** or end after **7 p.m.**, except from June 1 through Labor Day, when evening hours are extended to **9 p.m.** Different rules apply in agricultural employment.

### TIP CREDIT

Employers of "tipped employees" must pay a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference. Certain other conditions must also be met.

### ENFORCEMENT

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

Employers may be assessed civil money penalties of up to \$1,100 for each willful or repeated violation of the minimum wage or overtime pay provisions of the law and up to \$11,000 for each employee who is the subject of a violation of the

Act's child labor provisions. In addition, a civil money penalty of up to \$50,000 may be assessed for each child labor violation that causes the death or serious injury of any minor employee, and such assessments may be doubled, up to \$100,000, when the violations are determined to be willful or repeated. The law also prohibits discriminating against or discharging workers who file a complaint or participate in any proceeding under the Act.

### ADDITIONAL INFORMATION

- Certain occupations and establishments are exempt from the minimum wage and/or overtime pay provisions.
- Special provisions apply to workers in American Samoa and the Commonwealth of the Northern Mariana Islands.
- Some state laws provide greater employee protections; employers must comply with both.
- The law requires employers to display this poster where employees can readily see it.
- Employees under 20 years of age may be paid \$4.25 per hour during their first 90 consecutive calendar days of employment with an employer.
- Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.



For additional information:  
**1-866-4-USWAGE**  
(1-866-487-9243) TTY: 1-877-889-5627  
**WWW.WAGEHOUR.DOL.GOV**



U.S. Department of Labor | Wage and Hour Division  
WHD Publication I088

## ▼ FMLA Family and Medical Leave Act of 1993

### EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

#### Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

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

#### Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness\*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.\*

\* The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition".

#### Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

#### Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months\*, and if at least 50 employees are employed by the employer within 75 miles.

\* Special hours of service eligibility requirements apply to airline flight crew employees.

#### Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

#### Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

#### Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

#### Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or

continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

#### Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

#### Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

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

#### Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

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

**FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulation 29 C.F.R. § 825.300(a) may require additional disclosures.**

#### For additional information:

1-866-4US-WAGE (1-866-487-9243)

TTY: 1-877-889-5627

[WWW.WAGEHOUR.DOL.GOV](http://WWW.WAGEHOUR.DOL.GOV)



U.S. Department of Labor  
Wage and Hour Division



WHD Publication 1420 • Revised February 2013

## ▼ EMPLOYMENT ELIGIBILITY

# Important Notice To Applicants and Employees

We comply with U.S. Immigration laws and hire only those legally authorized to work in the U.S.

## What do you have to do?

All new hires must produce proof of identity and employment eligibility within 3 business days of the date employment begins. You must also complete a DHS Form I-9. You can choose which document(s) you want to present from the lists of acceptable documents in accordance with instructions on the back of the Form I-9.

**It is unlawful for anyone knowingly to engage in any of the following activities for the purpose of satisfying the requirements of employment eligibility verification:**

- To forge, counterfeit, alter or falsely make any document.
- To use, attempt to use, possess, obtain, accept or receive any forged, counterfeit, altered, or falsely made document.
- To accept or receive, use or attempt to use, any document lawfully issued to a person other than the possessor, including a deceased individual, for the purpose of complying with the employment eligibility verification requirements.

### Re-verification:

**Special note for those working pursuant to temporary employment authorization documents. You are subject to re-verification of your eligibility status. You are responsible for maintaining a lawful status and current work authorization.**

## IT'S THE LAW!

We comply with all applicable laws governing employment practices and do not discriminate on the basis of national origin, citizenship or other unlawful criteria.

# FLORIDA LAW PROHIBITS DISCRIMINATION

## BASED ON:

RACE, COLOR, RELIGION,  
SEX, NATIONAL ORIGIN, DISABILITY, AGE  
OR MARITAL STATUS

## WHAT IS COVERED UNDER THE LAW:

- EMPLOYMENT
- PUBLIC ACCOMMODATIONS
- RETALIATION AFTER FILING A CLAIM
- STATE EMPLOYEE WHISTLE-BLOWER RETALIATION

*If you feel that you have been discriminated against,  
visit our web site or call us!*

## FLORIDA COMMISSION ON HUMAN RELATIONS

2009 Apalachee Parkway  
Suite 200, Oakland Building  
Tallahassee, Florida 32301-4857  
<http://FCHR.state.fl.us>

Phone: (850) 488-7082  
Voice Messaging: 1-800-342-8170

# LA LEY DE LA FLORIDA PROHIBE DISCRIMINACIÓN

## BASADA EN:

RAZA, COLOR, RELIGIÓN, SEXO, ORIGEN NACIONAL,  
INCAPACIDAD, EDAD, O ESTADO CIVIL

## LO QUE ESTÁ CUBIERTO BAJO LA LEY:

- EMPLEO
- LUGARES DE ACOMODO PÚBLICO
- ACCIÓN VENGATIVA DESPUES DE PRESENTAR UNA QUEJA
- ACCIÓN VENGATIVA EN CONTRA DE UN TRABAJADOR PÚBLICO, DESPUES DE PRESENTAR UNA QUEJA BAJO LA LEY DE "SOPLÓN" (WHISTLE-BLOWER)

*¡Si usted siente que ha sido discriminado,  
visite nuestra página web o llámenos!*

## LA COMISIÓN DE RELACIONES HUMANAS DE LA FLORIDA

2009 Apalachee Parkway  
Suite 200, Oakland Building  
Tallahassee, FL 32301-4857  
<http://FCHR.state.fl.us>

Teléfono: (850) 488-7082  
Correo de Voz: 1-800-342-8170

**CHILD LABOR**

Florida Department of  
**Business &  
Professional  
Regulation**

# Child Labor Laws

## The State of Florida and the Federal Fair Labor Standards Act (FLSA) Protecting the Health, Education and Welfare of Minors in the Workplace

This chart summarizes the child labor laws of the State of Florida and the Federal Fair Labor Standards Act (FLSA). **The stricter provisions must be observed and are denoted by bold lettering.** *The federal law in italics.*

	<b>Minors 16 &amp; 17</b>	<b>Minors 14 &amp; 15 – Under 14 years old MAY NOT WORK</b>
<b>SCHOOL ATTENDANCE</b>	<b>Florida: May NOT work during school hours unless they meet a criterion of the Hour Restrictions listed below. FLSA: No limitations.</b>	<b>Florida &amp; FLSA: May not work during school hours (some exceptions apply)</b>
<b>PERMITS TO WORK</b>	<b>Florida &amp; FLSA: Not required, except the FLSA requires the employer to maintain date of birth information for all employees under 19 years old.</b>	
<b>HOURS OF WORK, WHEN SCHOOL IS IN SESSION</b>	<b>Florida: May work up to 30 hours per week. Not before 6:30 a.m. or later than 11 p.m. and for no more than 8 hours a day when school is scheduled the following day. On days when school does not follow, there are no hour restrictions. FLSA: No limitations.</b>	<b>Florida: May work up to 15 hours per week. Not before 7 a.m. or after 7 p.m. and for no more than 3 hours a day on school days, when a school day follows. May work up to 8 hours on Friday, Saturday, Sunday, and on nonschool days, when school days do not follow, until 9 p.m. FLSA: Daily maximum of 3 hours on school days, 8 hours nonschool days; weekly maximum is 18 hours; not before 7 a.m. or after 7 p.m. Note: Application of both state and federal laws allows this age group to work up to 8 hours on Saturday, Sunday and nonschool days, when school days do not follow, until 7 p.m.</b>
<b>HOURS OF WORK, WHEN SCHOOL IS NOT IN SESSION (summer vacation; winter, spring breaks)</b>	<b>Florida: No limitations. FLSA: No limitations. Note: Hazardous occupations still apply for minors.</b>	<b>Florida: May work up to 8 hours per day and up to 40 hours per week; may not work before 7 a.m. or after 9 p.m. FLSA: May work up to 8 hours per day and up to 40 hours per week. Work must be performed between 7 a.m. and 7 p.m.; from June 1 to Labor Day may work until 9 p.m.</b>
<b>DAYS PER WEEK</b>	<b>Florida: No more than 6 consecutive days in any one week. FLSA: No limitations.</b>	
<b>BREAKS</b>	<b>Florida: Minors may work no more than 4 consecutive hours without a 30 minute uninterrupted break. FLSA: No limitations.</b>	
<b>AGRICULTURE</b>	<b>Florida: Minors participating in farm work, not on their parents or guardian's farm, must comply with the same restrictions as in other work. FLSA: No limitations.</b>	

*FLSA: No employment permitted during school hours. May work after school in occupations not declared hazardous in agriculture. See Child Labor Bulletin 102. (Exception: 12 and 13 year-olds may be employed with written parental consent or on a farm where the minor's parent is also employed; minors under 12 may be employed with written parental consent on farms where employees are exempt from the federal minimum wage provisions.)*

**RESTRICTED OCCUPATIONS** The State of Florida has incorporated the 17 Hazardous Occupations (HOs) of the FLSA into the Florida law and Child Labor Rule. For more info on HOs, contact the U.S. Department of Labor, Wage and Hour Division. This poster represents a combination of those laws with an \*\* annotating Florida law "only."

**Minors under the age of 18 may not work in below occupations:**

- Working in or around explosives or radioactive substances
- Operating motor vehicles
- Logging or sawmilling
- Operating power-driven meat processing machines to include meat and vegetable slicers; slaughtering, meat packing, processing, or rendering
- Working on any scaffolding, roofs or ladders above 6 feet; roofing
- Wrecking, demolition or excavation
- Mining occupations
- Operating power-driven bakery; metal-forming, punching, and shearing machines; woodworking, paper products or hoisting machines
- Manufacturing brick and tile products
- Operating circular saws, band saws, & guillotine shears
- \*\* Working with compressed gases exceeding 40 p.s.i.
- \*\* Working in or around toxic substances, corrosives or pesticides
- \*\* Firefighting
- \*\* Working with electrical apparatus or wiring
- \*\* Operating or assisting to operate tractors over 20 PTO horsepower, forklifts, earthmoving equipment, and harvesting, planting, or plowing machinery or any moving machinery

**Minors 14 and 15 may not work in these occupations:**

- Operating any power-driven machinery other than office machines, including all power mowers and cutters
- Maintaining or repairing an establishment, machines, or equipment
- Working in freezers or meat coolers
- Operating, setting up, adjusting, or cleaning power-driven meat or vegetable slicers, grinders, food choppers, and cutters, and bakery-type mixers
- Operating motor vehicles
- Manufacturing, mining, or processing occupations where goods are manufactured, mined, or processed
- Cooking (some exceptions apply) & baking
- Working in occupations in Transportation, Warehouse and Storage, Communications, and Construction (except clerical); boiler or engine rooms
- Loading and unloading trucks
- Working in public messenger services
- \*\* Handling certain dangerous animals
- \*\* Conducting door-to-door sales of products as employment (some exceptions)
- \*\* Spray painting

**EXEMPTIONS**

**Hour Restrictions-** (from hour restrictions only; hazard restrictions still apply until 18 yrs.)

- Minors who hold waivers from a public school or Child Labor Compliance
- Minors who are or have been married
- Minors who have either graduated from an accredited high school, or hold a high school equivalency diploma
- Minors who have served in the U.S. Armed Forces
- Minors who are enrolled in high school work programs

**Age Restrictions-** (from age requirements; hazard restrictions still apply)

- Minors who work for their parents in occupations not declared hazardous
- Pages in the Florida legislature
- Newspaper delivery (10 years old)
- Minors in the entertainment industry registered with Child Labor Compliance

A court may authorize an exemption from age and hour restrictions.

**PARTIAL WAIVERS** The Florida Child Labor law is designed to serve and protect minors and encourage them to remain in school. At times, some minors may feel that the law conflicts with their best interest or their life circumstances; therefore, they have the right to request an exemption from the law. If the minor is attending a K-12 public school, a waiver may be obtained and granted by the local school district. All other minors may request an application by contacting the Child Labor Compliance. Waiver applications are reviewed and granted on a case by case basis. To qualify, applicants must demonstrate that certain requirements of Florida law need to be waived. Employers must keep a copy of partial waivers of employed minors.

**PENALTIES** Florida: Employment of minors in violation of Florida Child Labor law may result in fines up to \$2,500 per offense and/or be guilty of a second degree misdemeanor. **FLSA: Maximum fines up to \$11,000 per minor/per violation.**

**WORKERS' COMPENSATION** Florida: If an injured minor is employed in violation of any provision of the Child Labor laws of Florida, an employer may be subject to up to double the compensation otherwise payable under Florida Workers' Compensation law.

**POSTING REQUIREMENTS** Florida: All employers of minors must post in a conspicuous place on the property or place of employment, where it may be easily read, this poster notifying minors of the Child Labor laws.

**For information on Florida laws contact:** Florida Department of Business and Professional Regulation • Child Labor Program  
1940 North Monroe Street • Tallahassee, FL 32399-1044 • Telephone 850.488.3131; Toll-Free 1.800.226.2536 • [www.myfloridalicense.com](http://www.myfloridalicense.com)

**For information on federal laws contact:** U.S. Department of Labor, Wage & Hour Division, listed in the telephone directory under U.S. Government; Toll-Free 1.866.487.9243; [www.dol.gov/elaws/flsa.htm](http://www.dol.gov/elaws/flsa.htm)

Florida Department of Business and Professional Regulation and the United States Department of Labor  
"Working Together for Florida's Workforce"

DEPARTMENT  
OF REVENUE

## To Employees:

- **Your Employer** is registered with the Florida Department of Revenue as an employer who is liable under the Florida Reemployment Assistance Program\* Law. This means that **You**, as employees, are covered by the Reemployment Assistance Program.
- **Reemployment taxes** finance the benefits paid to eligible unemployed workers. **Those taxes are paid by your employer and, by law, cannot be deducted from employee's wages.**
- You may be eligible to receive reemployment assistance benefits if you meet the following requirements:
  1. You must be totally or partially unemployed through no fault of your own.
  2. You must register for work and file a claim.
  3. You must have sufficient employment and wages.
  4. You must be **Able** to work and **Available** for work.
- You may file a claim for partial unemployment for any week you work less than full time due to lack of work if your wages during that week are less than your weekly benefit amount.
- You must report all earnings while claiming benefits. Failure to do so is a third degree felony with a maximum penalty of 5 years imprisonment and a \$5,000 fine.
- Any employee who is discharged for misconduct connected with work may be disqualified from 1 to 52 weeks and until the worker has earned in new work, at least 17 times the weekly benefit amount of his or her claim.
- Any employee, who voluntarily quits a job without good cause attributable to the employer, may be disqualified until the worker has earned in new work, at least 17 times the weekly benefit amount of his or her claim.
- If you have any questions regarding filing a claim for reemployment assistance benefits, call the Department of Economic Opportunity, Reemployment Assistance Program at 800-204-2418 or visit the website: [www.floridajobs.org/](http://www.floridajobs.org/)

Department of Economic Opportunity  
Division of Workforce Services  
Reemployment Assistance Program  
MSC 229  
107 East Madison Street  
Tallahassee, Florida 32399-4135

This notice must be posted in accordance with Section 443.151(1), Florida Statutes, of the Florida Reemployment Assistance Program Law.

\*Formerly Unemployment Compensation Program

## **Notice to Employees Minimum Wage in Florida**

**The 2014 minimum wage in Florida is \$7.93 per hour, effective January 1, 2014, with a minimum wage of at least \$4.91 per hour for tipped employees, in addition to tips.**

The minimum wage rate is recalculated yearly on September 30, based on the Consumer Price Index.

An employer may not retaliate against an employee for exercising his or her right to receive the minimum wage. Rights protected by the State Constitution include the right to:

1. File a complaint about an employer's alleged noncompliance with lawful minimum wage requirements.
2. Inform any person about an employer's alleged noncompliance with lawful minimum wage requirements.
3. Inform any person of his or her potential rights under Section 24, Article X of the State Constitution and to assist him or her in asserting such rights.

An employee who has not received the lawful minimum wage after notifying his or her employer and giving the employer 15 days to resolve any claims for unpaid wages may bring a civil action in a court of law against an employer to recover back wages plus damages and attorney's fees.

An employer found liable for intentionally violating minimum wage requirements is subject to a fine of \$1,000 per violation, payable to the state. The Attorney General or other official designated by the Legislature may bring a civil action to enforce the minimum wage.

For details, see Section 24, Article X of the State Constitution and Section 448.110, Florida Statutes.

# Workers' Comp Works For You

## If you are injured on the job:

1. Notify your employer immediately to get the name of an approved physician. Workers' comp insurance may not pay the medical bills if you don't report your injury promptly to your employer.
2. Notify the doctor and medical staff that you were injured on the job so that bills may be properly filed.
3. If you have any problems with your claim or suffer excessive delays in treatment, contact the State of Florida's Division of Workers' Compensation at 1-800-342-1741.

**Workers' compensation** pays for all authorized medically necessary care and treatment related to your injury or illness.

If you are unable to work or your earnings are lower because of a work related injury or illness, and you have been disabled for more than seven calendar days, you may be eligible for some wage replacement benefits.

**\$25,000 Reward**  
**ANTI-FRAUD REWARD PROGRAM**

Rewards of up to \$25,000 may be paid to persons providing information to the Department of Financial Services leading to the arrest and conviction of persons committing insurance fraud, including employers who illegally fail to obtain workers' compensation coverage. Persons may report suspected fraud to the department at **1-800-378-0445** or online at <http://www.myfloridacfo.com/fraudpage.asp>

A person is not subject to civil liability for furnishing such information, if such person acts without malice, fraud or bad faith.

This notice of compliance must be posted by the employer and maintained conspicuously in and about the employer's place or places of employment. State of Florida Division of Workers' Compensation

PLACE INSURER INFORMATION STICKER HERE