

Needham Risk Management Resource Group, LLC
1955 Ferndale Rd. Ste 102
Castleton-on-Hudson NY 12203

Access to Employee Exposure and Medical Records

Occupational Safety and Health Administration Regulation 29 CFR 1910.1020 provides employees a right of access to relevant exposure and medical records that are maintained by the employer. Needham Risk Management maintains employee medical examination documentation and other records that may be covered by these requirements.

The designated person responsible for maintaining and providing employee access to these records is:

Kara Whitaker
518-860-1758
kwhitaker@theneedhamgroup.com

Notice to Employees

〔 NEEDHAM RISK MANAGEMENT RESOURCE GROUP, LLC 〕

Employer Legal Name: _____
1955 Ferndale Road, Ste 102
Address: _____
Castleton-On-Hudson, NY 12033 _____

Employer Registration (ER) #: L _____ 48-38453 9 _____]

Employees of this firm: you are covered by the New York State Unemployment Insurance Law.

- Your employer may not deduct from your wages for this purpose.
- **If you are laid off, work less than four days a week, are discharged, quit or have your hours reduced to 30 or less each week:**
 - **Get a "Record of Employment," form from your employer. Keep it for your records to use if you file for Unemployment Insurance benefits.**
 - The "Record of Employment" form must have your employer's name, registration number, and address where payroll records are kept.
- **To file an application for Unemployment Insurance:**
 - Call the Telephone Claims Center at (888) 209-8124 (translation services are available) or
 - Go to our website at www.labor.ny.gov
 - Hearing impaired individuals who have telephone Device for the Deaf (TTY/TDD) equipment may file a claim by calling a relay operator at (800) 662-1220 and requesting the operator call (888) 783-1370. Service at this number is provided only to callers using TDD equipment.

To Employer: You must post this poster conspicuously in each workplace.

Employers who utilize the fill-in version of this poster certify to the completeness and accuracy of the legal name, address and Employer Registration # displayed. For additional posters, write to the: New York State Department of Labor, Liability and Determination Section, 1220 Washington Ave., Albany, NY 12226.



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 (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
- State and local governments (as employers)
- Educational institutions (as employers)
- Unions
- Staffing agencies

What Types of Employment Discrimination are Illegal?

Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of:

- Race
- Color
- Religion
- National origin
- Sex (including pregnancy and related conditions, sexual orientation, or gender identity)
- Age (40 and older)
- Disability
- Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)
- Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding.

What Employment Practices can be Challenged as Discriminatory?

All aspects of employment, including:

- Discharge, firing, or lay-off
- Harassment (including unwelcome verbal or physical conduct)
- Hiring or promotion
- Assignment
- Pay (unequal wages or compensation)
- Failure to provide reasonable accommodation for a disability or a sincerely-held religious belief, observance or practice
- Benefits
- Job training
- Classification
- Referral
- Obtaining or disclosing genetic information of employees
- Requesting or disclosing medical information of employees
- Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or proceeding.

What can You Do if You Believe Discrimination has Occurred?

Contact the EEOC promptly if you suspect discrimination. Do not delay, 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)
1-800-669-6820 (TTY)
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 following bases:

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.

Asking About, Disclosing, or Discussing Pay

Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, 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 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 to the employer. 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.

Protected Veteran Status

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.

Retaliation

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

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities 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)

If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at <https://ofccphelpdesk.dol.gov/s/>, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at <https://www.dol.gov/agencies/ofccp/contact>.

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.



Department of the Treasury Internal Revenue Service

Notice 797

(Rev. December 2022)

Possible Federal Tax Refund Due to the Earned Income Credit (EIC)

What Is the EIC?

The EIC is a refundable tax credit for certain workers.

What Is the Purpose of This Notice?

Your employer sent you this notice to make you aware of an important federal tax benefit. Even if you had no income tax withheld from your wages during the year, you may be eligible for the EIC.

How Much Is the EIC?

For 2022, the EIC can be as much as \$3,733 if you have one qualifying child who has a valid SSN; \$6,164 if you have two qualifying children who have valid SSNs; \$6,935 if you have three or more qualifying children who have valid SSNs; and \$560 if you have no qualifying children who have a valid SSN.

How Do You Claim the EIC?

To claim the EIC, you must:

1. Be eligible for the EIC, and
2. File a 2022 tax return (including Schedule EIC if you have a qualifying child).

To figure out if you are eligible, see Pub. 596 or visit [IRS.gov/EITC](https://irs.gov/EITC).

If eligible, you can claim the EIC to get a refund even if you had no tax withheld from your pay or owe no tax. For example, if you had no tax withheld in 2022 and owe no tax but are eligible for a credit of \$800, you must file a 2022 income tax return to get the \$800 refund.

Most people qualify for free tax preparation. If you earned less than \$73,000, you can file for free online at [IRS.gov/FreeFile](https://irs.gov/FreeFile). In addition, IRS-certified volunteers can prepare your return for free in person if you earned less than \$60,000 or are age 60 or older. To find locations, visit [IRS.gov/VITA](https://irs.gov/VITA) or call 800-906-9887.

More Information

Refer to instructions for the tax return you are filing, Pub. 596, or [IRS.gov/EITC](https://irs.gov/EITC) for details on the EIC. You can download IRS forms and publications at [IRS.gov/Forms](https://irs.gov/Forms), and you can get printed copies mailed to you by going to [IRS.gov/OrderForms](https://irs.gov/OrderForms) or by calling 800-829-3676.

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.

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 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.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd



EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

LEAVE ENTITLEMENTS

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within one year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

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

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

EMPLOYER RESPONSIBILITIES

ENFORCEMENT



For additional information or to file a complaint:

1-866-4-USWAGE

(1-866-487-9243) TTY: 1-877-889-5627

www.dol.gov/whd

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



WHD
WAGE AND HOUR DIVISION



The EITC is for working people who earn less than \$59,187. This year, the amount of the credit you could receive is up to \$6,935 if you claim qualifying children or up to \$560 if you don't claim qualifying children.

The amount of the credit depends on:

- whether you are single or married
- if you have no children or the number of qualifying children you have
- the amount you earned

Just imagine what you could do with the EITC.



Life's a little easier with



**See if you qualify.
www.irs.gov/eitc**

Are you eligible to claim the EITC for 2022?

Here are the rules to claim the credit . . .

- Generally must be a U.S. citizen or resident alien all year
- Must work and have earned income
- Must have a valid Social Security number issued on or before the due date of the return (including extensions)
- May not have more than \$10,300 of investment income (such as interest)
- Must have a qualifying child and meet other requirements if you are married but not filing a joint return.
- May not be a qualifying child of another person
- May not file Form 2555 (related to foreign earned income)

You have to file a federal income tax return to get the EITC even if you owe no tax or are not required to file. The EITC provides a boost to help pay your bills or save for a rainy day.

Did you meet the rules?

If so, your earned income must be less than . . .

- \$16,480 (\$22,610 if married filing a joint return) with no qualifying children who have valid SSNs
- \$43,492 (\$49,622 if married filing a joint return) with one qualifying child who has a valid SSN
- \$49,399 (\$55,529 if married filing a joint return) with two qualifying children who have valid SSNs
- \$53,057 (\$59,187 if married filing a joint return) with three or more qualifying children who have valid SSNs

Special rules may apply for members of the U.S. Armed Forces in combat zones, members of the clergy, and those with disability retirement income.

Do you have a qualifying child who lives with you?

To be a qualifying child for the credit . . .

- The child must meet the relationship, age, residency, and joint return tests described at www.irs.gov/eitc or in Publication 596, Earned Income Credit.

Did you double check your facts?

Here are common errors to avoid . . .

- Claiming a child as a qualifying child who does not meet the relationship, age or residency tests
- Underreporting or overreporting income or expenses
- Social Security number and last name mismatches

If you claim the EITC, the IRS can't release your refund until mid-February. Errors on the tax return can cause a delay in processing your claim for the tax credits.

Do you want help with the EITC?

Go online or call us toll free . . .

- Go to www.irs.gov/eitc for free information and to check out the interactive EITC Assistant to see if you qualify for the credit and estimate the amount of your EITC.
- Visit a Volunteer Income Tax Assistance (VITA) site for free tax help and preparation. Go to www.irs.gov/VITA or call 1-800-906-9887 to find a site.
- Use Free File at www.irs.gov/FreeFile for free online filing through commercially available tax preparation software.
- Go to www.irs.gov/chooseataxpro to help locate a qualified tax return preparer.
- Call 1-800-829-4059 if you have access to TTY/TDD equipment for the hearing impaired.



Paycheck Checkup Can Prevent a Tax-Time Surprise

It's important to check your federal income tax withholding now to avoid an unexpected tax bill or penalty with next year's return. The IRS Tax Withholding Estimator can help.

Everyone should check their withholding. It's especially important to check now if you:

- Had a large tax refund or tax bill the last time you filed
- Are a two-income family
- Have two or more jobs at the same time
- Work a seasonal job or only work part of the year
- Claim the child tax credit
- Have dependents age 17 or older
- Previously itemized your deductions
- Have high income or a complex tax return

Use the IRS Tax Withholding Estimator to do a Paycheck Checkup

- The IRS Tax Withholding Estimator helps figure out if you should submit a new Form W-4 to your employer or make estimated tax payments to the IRS before the end of the year.
- Have your most recent pay stub and federal tax return on hand.
- The estimator's results are only as accurate as the information you enter.
- Find the IRS estimator at **[IRS.gov/withholding](https://irs.gov/withholding)**.

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 1½ times the 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 hours 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 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.

NURSING MOTHERS

The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA’s overtime requirements in order for the employee to express breast milk for her nursing child for one year after the child’s birth each time such employee has a need to express breast milk. Employers are also required to 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 recommend 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 certificates issued by the Department of Labor.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd





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.

This poster is available free from OSHA.

Contact OSHA. We can help.

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.



PAY DAY NOTICE

PAY DAY IS ON:

- MONDAY
- FRIDAY
- TUESDAY
- SATURDAY
- WEDNESDAY
- SUNDAY
- THURSDAY

PAY SCHEDULE IS:

- WEEKLY
- SEMI MONTHLY
- BIWEEKLY
- MONTHLY
- _____

PAYCHECKS ARE ISSUED ON

THE _____ AND _____ OF THE MONTH

AT: _____

TIME: _____



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.

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



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



U.S. Department of Justice



Office of Special Counsel



1-800-336-4590

Publication Date—October 2008



Division of Labor Standards

Guidelines for Implementation of Employee Blood Donation Leave

Section 202-j of the Labor Law mandates that employers provide leave time to employees for the purpose of donating blood. As the entity responsible for the administration of this provision of law, the Department of Labor hereby establishes the following guidelines governing such leave:

I. Definitions

As used in these guidelines, the following terms shall have the following meaning:

- a. "Apheresis" is the collection of individual components of blood, such as platelets, plasma, or double red blood cells.
- b. "Employee" means employee as defined in Labor Law § 202-j (1)(a).
- c. "Employer" means employer as defined in Labor law § 202-j (1) (b).
- d. "Employee's place of employment" means the physical location at which the employee works. Such location may be in a different building on the same location, e.g. another building on a school campus or office complex, so long as such location is affiliated and physically proximate to the employee's physical work location.
- e. "Off-premises blood donation" shall mean blood donation which is not made in connection with a blood drive at the employee's place of employment or in connection with some other convenient time and place set by the employer.
- f. "Donation leave alternative" shall include either a blood drive at the employee's place of employment or a blood donation option at some other convenient time and place set by the employer.

II. Compensation for Leave

Leave granted to employees for off-premises blood donation is not required to be paid leave. Leave taken by employees for donation leave alternatives shall be paid leave given without requiring the employee to use accumulated vacation, personal, sick, or other already existing leave time.

III. Off-Premises Donation

Leave for off-premises donation shall be subject to the following:

- a. Employees taking leave for off-premises blood donation shall be permitted at least one leave period per calendar year of three hours duration during the employee's regular work schedule.

- b. Any additional leave time taken by employees in connection with off-premises blood donation shall be subject to all other rules and guidelines governing leave established by the employer or applicable collective bargaining agreements.
- c. Employers are not required to allow off-premises blood donation leave under Labor Law § 202-j to accrue if it is not used during the calendar year.

IV. Blood Donation Leave Alternatives

As an alternative to providing the leave time otherwise required by Labor Law §202-j and the preceding guidelines for off-premises blood donation, an employer may elect blood donation leave alternatives. Such blood donation leave alternatives shall be subject to the following:

- a. Leave for blood donation leave alternatives shall be paid leave given without use of vacation, personal, sick, or other already existing leave accruals.
- b. Leave for blood donation leave alternatives shall be given twice per calendar year.
- c. Leave for blood donation leave alternatives under this section of the guidelines shall be for the purpose of donating blood at a convenient time and place set by the employer and may include a blood drive at the employee's place of employment. For the purposes of this paragraph, a "convenient time and place set by the employer" shall mean a time that will not require an employee to attend outside of his/her normal work hours and shall not require an employee to travel to a location which is not a reasonable travel distance for employees.
- d. Employee leave time under this section must be given during an employee's work hours. For purposes of this paragraph, "during work hours" means that the blood drive must be held during the employee's regularly scheduled work hours. If an employee provides prompt notice that he or she is not or was not able to participate in a blood donation leave alternative because the employee is or was on leave (such as sick or vacation leave), and if as a result the employer has not provided the employee with the opportunity to participate in at least two blood leave alternatives during working hours in a calendar year, the employer must either make available another such alternative to the employee, or allow the employee to take leave to make an off-premises donation in accordance with section III.
- e. Off-premises donation leave time shall be subject to all the terms and conditions applicable to off-premises donation leave time set forth elsewhere in these guidelines.
- f. Employees donating blood during a blood donation leave alternative must be allowed sufficient leave time necessary to donate blood, to recover, including partaking nourishment after donating, and to return to work.
- g. Nothing herein shall prevent two or more employers from coordinating or co-sponsoring a blood donation leave alternative at a shared work location.
- h. Notwithstanding the discretion afforded employers under this guideline to elect to offer blood donation leave alternatives, employers electing these alternatives are encouraged to offer their employees up to three hours of blood donation leave for the purpose of donating blood components through apheresis should they wish to do so. Such leave would be subject to all the provisions applying to off-premises blood donation set forth elsewhere in these guidelines.
- i. Notice of any blood donation leave alternative shall be prominently posted in the workplace at least two weeks beforehand. To count towards the two blood donation leave alternatives in a calendar year under this section, notice of the final such leave must be provided prior to December 1 of that year. No blood leave alternative should be scheduled during a time when a significant number of employees are out of the office, such as during the last week of December or around other significant holidays.

j. To meet the requirements of § 202-j through blood donation leave alternatives, at least two such alternatives provided during a calendar year must take place at least sixty days apart.

V. Notice and Recordkeeping

The following notice and recordkeeping requirements shall apply to all leaves for blood donation:

Notice:

a. Employers must notify employees in writing of their right to take blood donation leave. Such notification must be made in a manner that will ensure that employees see it, such as by posting in a prominent spot in an area where employees congregate, inclusion of notice with employees' paychecks, mailings, notices in employee handbooks, or other comparable method.

b. Such notice must be provided to all employees within sixty (60) days after issuance of these guidelines, and shall be updated as necessary. If the employer provides written notice directly to the employee, it shall do so at the time of hire to new employees, and thereafter, to all employees on an annual basis, no later than the fifteenth day of January.

c. The employer may require employees to give reasonable notice of their intended use of leave time governed by these guidelines. If leave is for off-premises blood donation, reasonable notice would consist of notice provided at least three working days prior to the day on which leave will be taken. If leave is for a blood donation leave alternative, reasonable notice would consist of notice two days prior to the day on which leave will be taken.

d. In cases where the employee fills a position essential to the operation of the employer or necessary to comply with legal requirements, and three days notice is insufficient to allow the employee's position to be filled during the donation, the employer shall require notice no longer than is necessary to feasibly fill the position, but in no case longer than ten working days. The employer shall notify all covered employees of this extended notice requirement in compliance with the notice requirements of these guidelines.

e. Should the employee experience an emergency requiring that he/she donate blood for his or her own surgery or that of a family member, employers must provide reasonable accommodations for a shorter notice period.

Recordkeeping:

An employer may require employees making off-premises blood donation to show proof of their blood donation in the form of notice of blood donation or a good faith effort at blood donation from the blood bank or some other proof sufficient to the purpose.

VI. Employer Discretion

Nothing herein shall prevent an employer from establishing policies or practices which support more frequent donation of blood by employees including, but not limited to, paid leave, additional blood donation leave, shorter notice periods, or more generous leave periods for donation of blood in preparation for surgery on the employee or an employee's family member.

VII. Collective Bargaining

Nothing herein shall prevent employers and employees, or their representatives, from making the terms and conditions of employee blood donation leave a matter of collective bargaining, provided however, that any collectively bargained conditions affecting blood donation leave shall not diminish the minimum requirements set forth in Labor Law 202-j and these guidelines.

Albany District
State Office Campus
Bldg. 12 Room 185A
Albany, NY 12240
(518) 457-2730

Binghamton
Sub-District
44 Hawley Street
Binghamton, NY 13901
(607) 721-8014

New York City District
75 Varick Street
7th Floor
New York, NY 10013
(212) 775-3880

Garden City District
400 Oak Street
Suite 101
Garden City, NY 11530
(516) 794-8195

Buffalo District
65 Court Street
Room 202
Buffalo, NY 14202
(716) 847-7141

Rochester
Sub-District
276 Waring Road
Room 104
Rochester, NY 14609
(585) 258-4550

Syracuse District
333 East Washington Street
Room 121
Syracuse, NY 13202
(315) 428-4057

White Plains District
120 Bloomingdale Road
White Plains, NY 10605
(914) 997-9521

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<http://www.labor.ny.gov>

NEW YORK CORRECTION LAW
ARTICLE 23-A

LICENSURE AND EMPLOYMENT OF PERSONS PREVIOUSLY
CONVICTED OF ONE OR MORE CRIMINAL OFFENSES

Section 750. Definitions.

751. Applicability.

752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited.

753. Factors to be considered concerning a previous criminal conviction; presumption.

754. Written statement upon denial of license or employment.

755. Enforcement.

§750. Definitions. For the purposes of this article, the following terms shall have the following meanings:

(1) "Public agency" means the state or any local subdivision thereof, or any state or local department, agency, board or commission.

(2) "Private employer" means any person, company, corporation, labor organization or association which employs ten or more persons.

(3) "Direct relationship" means that the nature of criminal conduct for which the person was convicted has a direct bearing on his fitness or ability to perform one or more of the duties or responsibilities necessarily related to the license, opportunity, or job in question.

(4) "License" means any certificate, license, permit or grant of permission required by the laws of this state, its political subdivisions or instrumentalities as a condition for the lawful practice of any occupation, employment, trade, vocation, business, or profession. Provided, however, that "license" shall not, for the purposes of this article, include any license or permit to own, possess, carry, or fire any explosive, pistol, handgun, rifle, shotgun, or other firearm.

(5) "Employment" means any occupation, vocation or employment, or any form of vocational or educational training. Provided, however, that "employment" shall not, for the purposes of this article, include membership in any law enforcement agency.

§751. Applicability. The provisions of this article shall apply to any application by any person for a license or employment at any public or private employer, who has previously been convicted of one or more criminal offenses in this state or in any other jurisdiction, and to any license or employment held by any person whose conviction of one or more criminal offenses in this state or in any other jurisdiction preceded such employment or granting of a license, except where a mandatory forfeiture, disability or bar to employment is imposed by law, and has not been removed by an executive pardon, certificate of relief from disabilities or certificate of good conduct. Nothing in this article shall be construed to affect any right an employer may have with respect to an intentional misrepresentation in connection with an application for employment made by a prospective employee or previously made by a current employee.

§752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited. No application for any license or employment, and no employment or license held by an individual, to which the provisions of this article are applicable, shall be denied or acted upon adversely by reason of the individual's having been previously convicted of one or more criminal offenses, or by reason of a finding of lack of "good moral character" when such finding is based upon the fact that the individual has previously been convicted of one or more criminal offenses, unless:

- (1) There is a direct relationship between one or more of the previous criminal offenses and the specific license or employment sought or held by the individual; or
- (2) the issuance or continuation of the license or the granting or continuation of the employment would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public.

§753. Factors to be considered concerning a previous criminal conviction; presumption. 1. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall consider the following factors:

- (a) The public policy of this state, as expressed in this act, to encourage the licensure and employment of persons previously convicted of one or more criminal offenses.
- (b) The specific duties and responsibilities necessarily related to the license or employment sought or held by the person.
- (c) The bearing, if any, the criminal offense or offenses for which the person was previously convicted will have on his fitness or ability to perform one or more such duties or responsibilities.
- (d) The time which has elapsed since the occurrence of the criminal offense or offenses.
- (e) The age of the person at the time of occurrence of the criminal offense or offenses.
- (f) The seriousness of the offense or offenses.
- (g) Any information produced by the person, or produced on his behalf, in regard to his rehabilitation and good conduct.
- (h) The legitimate interest of the public agency or private employer in protecting property, and the safety and welfare of specific individuals or the general public.

2. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall also give consideration to a certificate of relief from disabilities or a certificate of good conduct issued to the applicant, which certificate shall create a presumption of rehabilitation in regard to the offense or offenses specified therein.

§754. Written statement upon denial of license or employment. At the request of any person previously convicted of one or more criminal offenses who has been denied a license or employment, a public agency or private employer shall provide, within thirty days of a request, a written statement setting forth the reasons for such denial.

§755. Enforcement. 1. In relation to actions by public agencies, the provisions of this article shall be enforceable by a proceeding brought pursuant to article seventy-eight of the civil practice law and rules.

2. In relation to actions by private employers, the provisions of this article shall be enforceable by the division of human rights pursuant to the powers and procedures set forth in article fifteen of the executive law, and, concurrently, by the New York city commission on human rights.

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This PDF update is sized to fit over the existing notice on your poster. Print the PDF (for best results, choose "No scaling" or "Actual size" on your printer's settings). Simply cut it out following the dotted lines and then fit the updated poster over the existing notice with your choice of application. Posting this update now will guarantee your compliance with the most up-to-date labor laws.

If you have questions about this update or any other update, please contact us at ecompliance@laborlawcenter.com or call 1-800-745-9970.

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Division of Human Rights

THIS ESTABLISHMENT IS SUBJECT TO THE NEW YORK STATE HUMAN RIGHTS LAW (EXECUTIVE LAW, ARTICLE 15)

DISCRIMINATION BASED UPON AGE, RACE, CREED, COLOR, NATIONAL ORIGIN, SEXUAL ORIENTATION, MILITARY STATUS, SEX, PREGNANCY, GENDER IDENTITY OR EXPRESSION, CITIZENSHIP OR IMMIGRATION STATUS, DISABILITY OR MARITAL STATUS IS PROHIBITED BY THE NEW YORK STATE HUMAN RIGHTS LAW. SEXUAL HARASSMENT OR HARASSMENT BASED UPON ANY OF THESE PROTECTED CLASSES ALSO IS PROHIBITED.

ALL EMPLOYERS, EMPLOYMENT AGENCIES, LABOR ORGANIZATIONS AND APPRENTICESHIP TRAINING PROGRAMS

Also prohibited: discrimination in employment on the basis of Sabbath observance or religious practices; hairstyles associated with race (also applies to all areas listed below); prior arrest or conviction record; predisposing genetic characteristics; familial status; pregnancy-related conditions; domestic violence victim status.

Reasonable accommodations for persons with disabilities and pregnancy-related conditions including lactation may be required. A reasonable accommodation is an adjustment to a job or work environment that enables a person with a disability to perform the essential functions of a job in a reasonable manner.

Also covered: domestic workers; interns and nonemployees working in the workplace (for example temp or contract workers) are protected from all discrimination described above.

RENTAL, LEASE OR SALE OF HOUSING, LAND AND COMMERCIAL SPACE, INCLUDING ACTIVITIES OF REAL ESTATE BROKERS AND SALES PEOPLE

Also prohibited: discrimination on the basis of lawful source of income (for example housing vouchers, disability benefits, child support); familial status (families with children or being pregnant); prior arrest or sealed conviction;

DISCRIMINATION

**1-888-392-3644
WWW.DHR.NY.GOV**

ESTE ESTABLECIMIENTO ESTÁ SUJETO A LA LEY DE DERECHOS HUMANOS DEL ESTADO DE NUEVA YORK (LEY EJECUTIVA, SECCIÓN 15)

LA LEY DE DERECHOS HUMANOS DEL ESTADO DE NUEVA YORK PROHÍBE LA DISCRIMINACIÓN POR EDAD, RAZA, CREDO, COLOR, ORIGEN NACIONAL, ORIENTACIÓN SEXUAL, ESTATUS MILITAR, SEXO, EMBARAZO, IDENTIDAD O EXPRESIÓN DE GÉNERO, ESTADO MIGRATORIO O CIUDADANÍA, DISCAPACIDAD O ESTADO CIVIL. TAMBIÉN ESTÁ PROHIBIDO EL ACOSO SEXUAL O EL ACOSO POR CUALQUIERA DE ESTAS CLASES PROTEGIDAS.

TODOS LOS EMPLEADORES, AGENCIAS DE EMPLEO, ORGANIZACIONES DE TRABAJO Y PROGRAMAS DE CAPACITACIÓN DE APRENDICES

Asimismo, está prohibida la discriminación en el empleo sobre la base de la observancia del Shabat o prácticas religiosas; peinados asociados con la raza (también se aplica a las áreas enumeradas a continuación) arresto previo o antecedentes penales; las características genéticas predisponentes; el estado civil; las condiciones relacionadas con el embarazo.

Es posible que sea necesario hacer acomodos razonables para personas con discapacidades y condiciones relacionadas con el embarazo incluyendo lactación. Un arreglo razonable es una adaptación a un trabajo o entorno laboral que permita que una persona con discapacidad realice las tareas esenciales de un trabajo de manera razonable.

También están cubiertos: trabajadores domésticos; internos y no empleados cuales trabajan en el lugar de trabajo (por ejemplo trabajadores temporarios o contratantes) están protegidos de toda discriminación descrita arriba.

ALQUILER, ARRENDAMIENTO O VENTA DE VIVIENDA, TERRENO O ESPACIO COMERCIAL INCLUYENDO ACTIVIDADES DE AGENTE DE BIENES RAICES Y VENDEDORES

También está prohibido: la discriminación a base de fuente de ingreso legal (por ejemplo vales, beneficios de discapacidad, manutención de niños); estado familiar (familias con niños o en estado de embarazo); arresto previo o condena sellada; boicot comercial o acoso inmobiliario.



commercial boycotts or blockbusting

Reasonable accommodations and modifications for persons with disabilities may also be required.

Does not apply to:

- (1) rental of an apartment in an owner-occupied two-family house
- (2) restrictions of all rooms in a housing accommodation to individuals of the same sex
- (3) rental of a room by the occupant of a house or apartment
- (4) sale, rental, or lease of accommodations of housing exclusively to persons 55 years of age or older, and the spouse of such persons

ALL CREDIT TRANSACTIONS INCLUDING FINANCING FOR PURCHASE, MAINTENANCE AND REPAIR OF HOUSING

PLACES OF PUBLIC ACCOMMODATION SUCH AS RESTAURANTS, HOTELS, HOSPITALS AND MEDICAL OFFICES, CLUBS, PARKS AND GOVERNMENT OFFICES

Exception: Age is not a covered classification relative to public accommodations. Reasonable accommodations for persons with disabilities may also be required.

EDUCATION INSTITUTIONS

All public schools and private nonprofit schools, at all education levels, excluding those run by religious organizations; also for-profit colleges, universities, licensed private career schools or certified English as a second language schools.

ADVERTISING AND APPLICATIONS RELATING TO EMPLOYMENT, REAL ESTATE, PLACES OF PUBLIC ACCOMMODATION AND CREDIT TRANSACTIONS MAY NOT EXPRESS ANY DISCRIMINATION

A complaint must be filed with the Division within one year for alleged acts of discrimination that occurred before 2/15/2024. Complaints for acts of discrimination that occur on or after 2/15/2024 may be filed within three years of the alleged act. The Division's services are provided free of charge.

If you wish to file a complaint in State Court, you may do so within three years of the discrimination. You may not file both with the Division and the State Court.

Retaliation for filing a complaint or opposing discriminatory practices is prohibited. You may file a complaint with the Division if you have been retaliated against.

FOR FURTHER INFORMATION, WRITE OR CALL THE DIVISION'S NEAREST OFFICE. HEADQUARTERS: ONE FORDHAM PLAZA, 4TH FLOOR, BRONX, NY 10458

También es posible que sea necesario realizar modificaciones y arreglos razonables para personas con discapacidades.

Excepciones:

- (1) alquiler de un apartamento en una casa para dos familias ocupada por el dueño
- (2) restricciones de todas las habitaciones en una vivienda para individuos del mismo sexo
- (3) alquiler de una habitación por parte del ocupante de una casa o apartamento
- (4) venta, alquiler o arrendamiento de alojamiento en una casa exclusivamente a personas mayores de 55 años y al cónyuge de dichas personas

TODAS TRANSACCIONES CREDITICIAS INCLUYENDO FINANCIAMIENTO PARA LA COMPRA, MANTENIMIENTO Y REPARACION DE VIVIENDAS

LUGARES DE ALOJAMIENTO PÚBLICO, COMO RESTAURANTES, HOTELES, HOSPITALES Y CONSULTORIOS MÉDICOS, CLUBS, PARQUES Y OFICINAS DEL GOBIERNO.

Excepción:

La edad no es una clasificación cubierta respecto a los alojamientos públicos. Es posible que sea necesario realizar arreglos razonables para personas con discapacidades.

INSTITUCIONES EDUCATIVAS

Todas las escuelas públicas y escuelas privadas sin ánimo de lucro, en todos los niveles, excluyendo escuelas dirigidas por organizaciones religiosas; también están cubiertos: escuelas profesionales autorizadas o escuelas certificadas de inglés como segundo idioma.

PUBLICIDAD Y SOLICITUDES RELACIONADAS CON EL EMPLEO, LOS INMUEBLES, LOS LUGARES DE ALOJAMIENTO PÚBLICO Y LAS TRANSACCIONES CREDITICIAS NO DEBEN EXPRESAR NINGUN ACTO DISCRIMINATORIO

Para actos que ocurran el 14/02/2024 o antes, debe presentar su querella en un plazo de un año a partir del acto más reciente de presunta discriminación. Para actos realizados a partir del 15/02/2024, debe presentar su querella en un plazo de tres años posterior al acto más reciente de presunta discriminación. Los servicios de la División se ofrecen sin cargo.

Si desea presentar una demanda ante el Tribunal Estatal, puede hacerlo dentro de los tres años desde que ocurriera la discriminación. No puede presentar una demanda ante la División y ante el Tribunal Estatal.

Se prohíben las represalias por presentar una demanda u oponerse a prácticas discriminatorias. Puede presentar una demanda ante la División si sufrió represalias.

PARA OBTENER MÁS INFORMACIÓN, ESCRIBA O LLAME A LA OFICINA MÁS CERCANA DE LA DIVISIÓN. OFICINA CENTRAL: ONE FORDHAM PLAZA. 4TH FLOOR, BRONX, NY 10458



NEW YORK STATE
DIVISION OF
**HUMAN
RIGHTS**

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ANDREW M. CUOMO, GOVERNOR

**DISCRIMINATION REALLY HURTS.
IF YOU SEE IT OR EXPERIENCE IT, CALL US.
WE'RE HERE.
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THIS ESTABLISHMENT IS SUBJECT TO THE NEW YORK STATE HUMAN RIGHTS LAW (EXECUTIVE LAW, ARTICLE 15)

DISCRIMINATION BASED ON AGE, RACE, CREED, COLOR, NATIONAL ORIGIN, SEXUAL ORIENTATION, MILITARY STATUS, SEX, DISABILITY, DOMESTIC VIOLENCE VICTIM STATUS, OR MARITAL STATUS IS PROHIBITED BY THE NEW YORK STATE HUMAN RIGHTS LAW IN:

EMPLOYMENT, BY EMPLOYERS OF FOUR OR MORE PEOPLE, EMPLOYMENT AGENCIES, LABOR ORGANIZATIONS AND APPRENTICESHIP TRAINING PROGRAMS

Also prohibited: discrimination in employment on the basis of Sabbath observance or religious practices; prior arrest or conviction record; predisposing genetic characteristics.

Reasonable accommodations for persons with disabilities may be required. A reasonable accommodation is an adjustment to a job or work environment that enables a person with a disability to perform the essential functions of a job in a reasonable manner.

RENTAL, LEASE OR SALE OF HOUSING, LAND AND COMMERCIAL SPACE

Exceptions:

- (1) rental of an apartment in an owner-occupied two-family house
- (2) restrictions of all rooms in a housing accommodation to individuals of the same sex
- (3) rental of a room by the occupant of a house or apartment
- (4) sale, rental, or lease of accommodations of housing exclusively to persons 55 years of age or older, and the spouse of such persons

Also prohibited: discrimination in housing on the basis of familial status (e.g. families with children)

Reasonable accommodations and modifications for persons with disabilities may also be required.

ACTIVITIES OF REAL ESTATE BROKERS AND SALES PEOPLE

Also prohibited: commercial boycotts and blockbusting.

PLACES OF PUBLIC ACCOMMODATION, RESORT OR AMUSEMENT SUCH AS RESTAURANTS, HOTELS, HOSPITALS, CLUBS AND MEDICAL OFFICES

Exception:

Age is not a covered classification relative to public accommodations.

Reasonable accommodations for persons with disabilities may also be required.

(Effective January 1st, 2008.)

ADVERTISING AND APPLICATIONS RELATING TO EMPLOYMENT, REAL ESTATE, PLACES OF PUBLIC ACCOMMODATION AND CREDIT TRANSACTIONS

EDUCATIONAL INSTITUTIONS: NON-SECTARIAN, TAX EXEMPT, PUBLIC AND PRIVATE

ALL CREDIT TRANSACTIONS INCLUDING FINANCING FOR PURCHASE, MAINTENANCE AND REPAIR OF HOUSING

If you wish to file a formal complaint with the Division of Human Rights, you must do so within one year after the discrimination occurred. The Division's services are provided free of charge.

If you wish to file a complaint in State Court, you may do so within three years of the discrimination. You may not file both with the Division and the State Court.

Retaliation for filing a complaint or opposing discriminatory practices is prohibited. You may file a complaint with the Division if you have been retaliated against.

FOR FURTHER INFORMATION, WRITE OR CALL THE DIVISION'S NEAREST OFFICE. HEADQUARTERS: ONE FORDHAM PLAZA, 4TH FLOOR, BRONX, NY 10458

ESTE ESTABLECIMIENTO ESTÁ SUJETO A LA LEY DE DERECHOS HUMANOS DEL ESTADO DE NUEVA YORK (LEY EJECUTIVA, ARTÍCULO 15)

LA DISCRIMINACIÓN BASADA EN EDAD, RAZA, CREDO, COLOR, NACIONALIDAD, ORIENTACIÓN SEXUAL, ESTADO MILITAR, SEXO, DISCAPACIDAD, ESTADO COMO VÍCTIMA DE VIOLENCIA DOMÉSTICA, O ESTADO CIVIL ESTÁ PROHIBIDA BAJO LA LEY DE DERECHOS HUMANOS DEL ESTADO DE NUEVA YORK EN:

EL EMPLEO, POR PARTE DE EMPLEADORES CON UN PERSONAL DE CUATRO PERSONAS O MÁS, EN SINDICATOS Y PROGRAMAS DE ADIESTRAMIENTO Y CAPACITACIÓN

También se prohíbe: La discriminación en el empleo basado en la observación del Sabat y otras prácticas religiosas, por previos arrestos o antecedentes criminales, por predisposición genética.

En casos de personas con discapacidades físicas se puede exigir que se le proporcionen ajustes necesarios y razonables. Un ajuste razonable es una modificación en el lugar o ambiente de trabajo que permite que una persona con discapacidades pueda desempeñar sus funciones de forma razonable.

ALQUILER, CONTRATO DE ALQUILER, VENTA DE VIVIENDAS, TIERRAS O ESPACIOS COMERCIALES

Excepciones:

- (1) el alquiler de un apartamento en una casa para dos familias en la que reside el propietario
- (2) la restricción de todas las habitaciones de una propiedad residencial para alojamiento de individuos del mismo sexo
- (3) el alquiler de una habitación por el ocupante de una casa o apartamento
- (4) la venta, alquiler, contrato de alquiler en viviendas para alojamiento exclusivo de personas de 55 años o más y sus respectivos esposos o esposas

También está prohibido: la discriminación en viviendas basada en la situación familiar (ejemplo: familias con niños)

También se puede exigir que se hagan ajustes razonables y modificaciones para las personas con discapacidades.

ACTIVIDADES DE AGENTES Y VENDEDORES DE BIENES RAÍCES

Está prohibido: los boicots comerciales y la práctica de vender o alquilar viviendas a grupos étnicos minoritarios en barrios habitados predominantemente por blancos, con el propósito de depreciar las propiedades y hacer especulaciones. A ésta práctica se le conoce en inglés como blockbusting.

SITIOS PÚBLICOS, LUGARES PARA VACACIONAR O DE ENTRETENIMIENTO COMO RESTAURANTES, HOTELES, HOSPITALES, CLUBES Y CONSULTORIOS MÉDICOS

Excepción:

La edad no es una de las categorías protegidas con respecto a los sitios públicos. Ajustes razonables para las personas con discapacidades también pueden ser requeridos. (Efectivo el 1ero de enero del 2008.)

PUBLICIDAD Y SOLICITUDES RELACIONADAS A EMPLEOS, BIENES RAÍCES, SITIOS PÚBLICOS Y OPERACIONES DE CRÉDITO

INSTITUCIONES EDUCATIVAS: QUE NO SEAN RELIGIOSAS, LIBRES DE IMPUESTOS, PÚBLICAS Y PRIVADAS

TODAS LAS OPERACIONES DE CRÉDITO INCLUYENDO FINANCIAMIENTO DE COMPRA, MANTENIMIENTO O REPARACIONES DE VIVIENDAS

Si desea presentar una querella con la División de Derechos Humanos, debe hacerlo dentro de un plazo de un año después que el acto discriminadorio haya ocurrido. Los servicios que ofrece la División son gratuitos.

Si desea presentar una querella ante la Corte Estatal tiene un plazo de hasta tres años después del incidente discriminadorio para hacerlo. No puede presentar su queja en ambos lugares, la División y la Corte Estatal.

Está prohibido tomar represalias contra una persona porque haya presentado una querella o por oponerse a conductas discriminatorias. Usted puede presentar una querella ante la División si han tomado represalias en su contra.

PARA MÁS INFORMACIÓN, ESCRIBA O LLAME A SU OFICINA DE LA DIVISIÓN MÁS CERCANA.

SEDE: ONE FORDHAM PLAZA, 4TH FLOOR, BRONX, NY 10458



ESTADO DE NUEVA YORK
**DIVISIÓN DE
DERECHOS
HUMANOS**

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GOBERNADOR ANDREW M. CUOMO

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SI ES TESTIGO O VÍCTIMA DE ELLA, LLÁMENOS.
ESTAMOS AQUÍ PARA SERVIRLES.**

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TTD (718)741-8300



Attention Miscellaneous Industry Employees

Minimum Wage hourly rates effective 1/1/2026 – 12/31/2026

New York City

Large Employers (11 or more employees)	Small Employers (10 or less employees)
Minimum Wage \$17.00 Overtime after 40 hours \$25.50	Minimum Wage \$17.00 Overtime after 40 hours \$25.50
Tipped workers \$17.00 Overtime after 40 hours \$25.50	Tipped workers \$17.00 Overtime after 40 hours \$25.50

Long Island and Westchester County

Minimum Wage \$17.00 Overtime after 40 hours \$25.50
Tipped workers \$17.00 Overtime after 40 hours \$25.50

Remainder of New York State

Minimum Wage \$16.00 Overtime after 40 hours \$24.00
Tipped workers \$16.00 Overtime after 40 hours \$24.00

If you have questions, need more information or want to file a complaint, please visit

www.labor.ny.gov/minimumwage or call: **1-888-469-7365**.

Credits and Allowances that may reduce your pay below the minimum wage rates shown above:

- **Tips** – Beginning December 31, 2020, your employer must pay the full applicable minimum wage rate, and cannot take any tip credit.
- **Meals and lodging** – Your employer may claim a limited amount of your wages for meals and lodging that they provide to you, as long as they do not charge you anything else. The rates and requirements are set forth in wage orders and summaries, which are available online.

Extra Pay you may be owed in addition to the minimum wage rates shown above:

- **Overtime** – You must be paid 1½ times your regular rate of pay (no less than amounts shown above) for weekly hours over 40 (or 44 for residential employees).
Exceptions: Overtime is not required for salaried professionals, or for executives and administrative staff whose weekly salary is more than 75 times the minimum wage rate.
- **Call-in pay** – If you go to work as scheduled and your employer sends you home early, you may be entitled to extra hours of pay at the minimum wage rate for that day.
- **Spread of hours** – If your workday lasts longer than ten hours, you may be entitled to extra daily pay. The daily rate is equal to one hour of pay at the minimum wage rate.
- **Uniform maintenance** – If you clean your own uniform, you may be entitled to additional weekly pay. The weekly rates are available online.

Summary of New York State Child Labor Law, Permitted Working Hours for Minors Under 18 Years of Age

Age of Minor Girls and Boys	Industry or Occupation	Maximum			Permitted Hours
		Daily Hours	Weekly Hours	Days per Week	
Attending School, When school is in session:	All occupations except farm work, newspaper carrier and street trades	3 hours on school days. 8 hours on other days.	18 ¹	6	7 AM to 7 PM
	All occupations except farm work, newspaper carrier and street trades.	4 hours on days preceding school days: Monday, Tuesday, Wednesday, Thursday ² . 8 hours on: Friday, Saturday, Sunday and Holidays. ⁴	28 ⁴	6 ⁴	6 AM to 10 PM ³
Attending School, When school is not in session (vacation):	All occupations except farm work, newspaper carrier and street trades.	8 hours	40	6	7 AM to 9 PM June 21 to Labor Day
	All occupations except farm work, newspaper carrier and street trades	8 hours ⁴	48 ⁴	6 ⁴	6 AM to Midnight ⁴
Not Attending School:	All occupations except farm work, newspaper carrier and street trades	8 hours ⁴	48 ⁴	6 ⁴	6 AM to Midnight ⁴
Farm Work:	Hand harvest of berries, fruits and vegetables.	4 hours	---	---	June 21 to Labor Day, 7 AM to 7 PM. Day after Labor Day to June 20, 9 AM to 4 PM.
	Any farm work	---	---	---	---
Newspaper Carriers:	Delivers, or sells and delivers newspapers, shopping papers or periodicals to homes or business places.	4 hours on school days. 5 hours on other days.	---	---	5 AM to 7 PM or 30 minutes prior to sunset, whichever is later
Street Trades:	Self-employed work in public places selling newspapers or work as a bootblack	4 hours on school days. 5 hours on other days.	---	---	6 AM to 7 PM

¹ Students 14 and 15 enrolled in an approved work/study program may work 3 hours on a school day, 23 hours in any one-week when school is in session.

² Students 16 and 17 enrolled in an approved Cooperative Education Program may work up to 6 hours on a day preceding a school day other than a Sunday or Holiday when school is in session, as long as the hours are in conjunction with the Program.

³ 6 AM to 10 PM or until midnight with written parental and educational authorities consent on day preceding a school day and until midnight on day preceding a non-school day with written parental consent.

⁴ This provision does not apply to minors employed in resort hotels or restaurants in resort areas.

Additional Child Labor Law Information

The Employer must post a schedule of work hours for minors under 18 years old in the establishment.

An Employment Certificate (Working Paper) is required for all employed minors under 18 years old.

Penalties for Child Labor Laws violations:

- First violation: maximum \$1,000*
- Second violation: maximum \$2,000*
- Third or more violations: maximum \$3,000*

*If a minor is seriously injured or dies while illegally employed, the penalty is three times the maximum penalty.

Also, Section 14A of the Workers' Compensation Law provides double compensation and death benefits for minors illegally employed.

Note: There are many prohibited occupations for minors in New York State.

For more information about New York State Child Labor Laws and provisions please visit the Department of Labor's website at <http://www.labor.ny.gov>. If you have questions, please send them to one of the offices listed below at:

New York State Department of Labor, Division of Labor Standards:

Albany District
State Office Campus
Bldg. 12 Room 185A
Albany, NY 12240
(518) 457-2730

Buffalo District
290 Main Street
Room 226
Buffalo, NY 14202
(716) 847-7141

Garden City District
400 Oak Street
Suite 101
Garden City, NY 11530
(516) 794-8195

New York City District
75 Varick Street
7th Floor
New York, NY 10013
(212) 775-3880

Rochester
Sub-District
276 Waring Road
Room 104
Rochester, NY 14609
(585) 258-4550

White Plains District
120 Bloomingdale Road
White Plains, NY 10605
(914) 997-9521

Syracuse District
333 East Washington Street
Room 121
Syracuse, NY 13202
(315) 428-4057



VETERAN BENEFITS AND SERVICES

The following resources and hotlines are available at no-cost to help veterans understand their rights, protections, benefits, and accommodations:

dol.ny.gov/veteran-benefits-and-services

MENTAL HEALTH AND SUBSTANCE ABUSE RESOURCES

All calls and texts are free and confidential

U.S. Department of Veterans Affairs Veterans Crisis Line:

www.veteranscrisisline.net

Call: 988, press 1 Text: 838255

Suicide and Crisis Lifeline:

www.veteranscrisisline.net

Call: 988 Text: 988

Crisis Textline:

Text: 741741 Chat: crisistextline.org

NYS Office of Mental Health (OMH):

www.omh.ny.gov

NYS Office of Addiction Services and Supports (OASAS):

www.oasas.ny.gov/hopeline

Call: 1-877-8-HOPENY (467469)

Text: HOPENY (467369)

LEGAL SERVICES

Veterans Treatment Courts (VTC):

ww2.nycourts.gov/courts/problem_solving/vet/courts.shtml

Email: ProblemSolving@courts.state.ny.us

NYS Defenders Association Veteran Defense Program:

www.nysda.org/page/AboutVDP

TAX BENEFITS

NYS Department of Tax and Finance

- Information for military personnel and veterans: tax.ny.gov/pit/file/military_page.htm
- Property tax exemptions: tax.ny.gov/pit/property/exemption/vetexempt.htm

EDUCATION, WORKFORCE, AND TRAINING RESOURCES

Veteran Readiness and Employment (VR&E) Program:

www.benefits.va.gov/vocrehab

New York State Civil Service Credits for Veterans Program:

www.cs.ny.gov

ADDITIONAL RESOURCES

NYS Domestic and Sexual Violence Hotline:

Call: 800-942-6906 Text: 844-997-2121

NYS Workplace Sexual Harassment Hotline:

Call: 1-800-HARASS-3

NYS Department of Motor Vehicles:

- Veteran Status Designation Photo Document: dmv.ny.gov/more-info/veteran-status-designation-photo-document
- Veteran License Plate: dmv.ny.gov/plates/military-and-veterans

NEW YORK STATE DEPARTMENT OF VETERANS' SERVICES

Website: veterans.ny.gov
Help Line: 1-888-838-7697
Email: DVSInfo@veterans.ny.gov

Services: Legal, education, employment and volunteer, financial, health care, and more.

NEW YORK STATE DEPARTMENT OF LABOR VETERANS' PROGRAM

Website: dol.ny.gov/services-veterans
Help Line: 1-888-469-7365
Email: Ask.Vets@labor.ny.gov

Services: Workforce and training resources, unemployment insurance, the Experience Counts program, and more.



**Department of
Veterans' Services**

WE ARE YOUR DOL



**Department
of Labor**



WE ARE YOUR DOL



Department
of Labor

PUBLIC EMPLOYEES

Job Safety & Health Protection

The New York State Public Employee Safety and Health Act of 1980 provides job safety and health protection for workers through the promotion of safe and healthful working conditions throughout the State. Requirements of the Act include the following:

Employers

Employers must provide employees with a workplace that is:

- free from recognized hazards,
- in compliance with the safety and health standards that apply to the workplace, and
- in compliance with any other regulations issued under the PESH Act by the Commissioner of Labor.

Employees

Employees must comply with all safety and health standards that apply to their actions on the job.

Employees must also comply with any regulations issued under the PESH Act that apply to their job.

ENFORCEMENT

The New York State Department of Labor administers and enforces the PESH Act. The Commissioner of Labor issues safety and health standards. The Department's Division of Safety and Health (DOSH) has Inspectors and Hygienists who inspect workplaces to make sure they are following the PESH Act.

Inspection

When DOSH staff inspect a workplace, a representative of the employer and a representative approved by the employees must be allowed to help with the inspection. When there is no employee-approved representative, DOSH staff must speak with a fair number of employees about the safety and health conditions in the workplace.

Order to Comply

If the Department believes an employer has violated the PESH Act, we will issue an order to comply notice to the employer. The order will list dates by which each violation must be fixed. If violations are not fixed by those dates, the employer may be fined. The order to comply must be posted at or near the place of violation, where it can be easily seen. This is to warn employees that a danger may exist.

Complaint

Any interested person may file a complaint if they believe there are unsafe or unhealthful conditions in a public workplace. This includes:

- An employee
- A representative of an employee
- Groups of employees
- A representative of a group of employees

Make this complaint in writing to the nearest DOSH office or by email to: Ask.SHNYPESH@labor.ny.gov

On request, DOSH will not release the names of any employees who file a complaint. The Department of Labor will evaluate each complaint. The Department will notify the person who made the complaint of the results of the investigation.

These complaints may also be made to the United States Department of Labor, Occupational Safety and Health Administration online at: www.osha.gov.

Discrimination

Employees may not be fired or discriminated against in any way for filing safety and health complaints or otherwise exercising their rights under the Act.

If an employee believes that they have been discriminated against, he or she may file a complaint with the nearest DOSH office. File this complaint within 30 days of the discrimination incident.

Voluntary Activity

The Department of Labor encourages employers and employees to voluntarily:

- reduce workplace hazards, and
- develop and improve safety and health programs in all workplaces.

The Division of Safety and Health can provide free help with identifying and correcting job site hazards. Employers may request this assistance on a voluntary basis by emailing: Ask.SHNYPESH@labor.ny.gov.

Additional information may be obtained from the nearest DOSH District Office below:

Albany District

State Office Campus
Bldg. 12, Rm. 158
Albany, NY 12240
Telephone: **(518) 457-5508**

Binghamton District

44 Hawley St., Rm. 901
Binghamton, NY 13901
Telephone: **(607) 721-8211**

Buffalo District

295 Main Street, Suite 905
Buffalo, New York 14203-2412

Garden City District

400 Oak Street
Garden City, NY 11550
Telephone: **(516) 228-3970**

New York City District

Shirley A. Chisholm State
Office Building
55 Hanson Place, 12th Floor
Brooklyn, New York 11217-1523
Telephone: **(212) 775-3554**

Rochester District

109 S. Union St., Rm. 402
Rochester, NY 14607
Telephone: **(585) 258-8806**

Syracuse District

450 South Salina Street
Syracuse, NY 13202
Telephone: **(315) 479-3212**

Utica District

207 Genesee Street
Utica, NY 13501
Telephone: **(315) 793-2258**

White Plains District

120 Bloomingdale Road
White Plains, NY 10605
Telephone: **(914) 997-9514**

POST CONSPICUOUSLY

YOU HAVE A RIGHT TO KNOW!

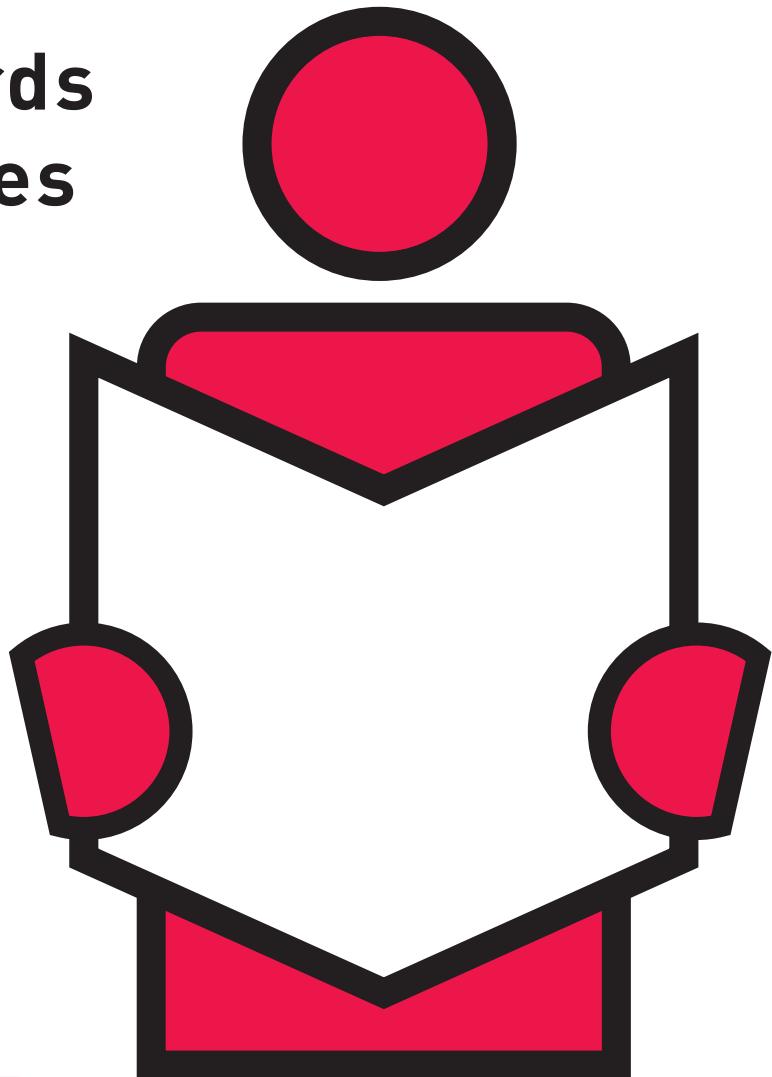
Your employer must inform you of the health effects and hazards of toxic substances at your worksite.

Learn all you can about toxic substances on your job.

For more information, contact:

Name _____

Location & Phone Number _____



THE RIGHT TO KNOW LAW WORKS FOR YOU.
NEW YORK STATE DEPARTMENT OF HEALTH

Sexual Harassment Prevention Notice



Combating Sexual Harassment

Sexual harassment is against the law.

All employees have a legal right to a workplace free from sexual harassment, and [Employer Name] is committed to maintaining a workplace free from sexual harassment.

Per New York State Law, [Employer Name] has a sexual harassment prevention policy in place that protects you. This policy applies to all employees, paid or unpaid interns and non-employees in our workplace, regardless of immigration status. You are receiving this notice, as required by law, either at the time of hiring or during your annual sexual harassment prevention training.

If you believe you have been subjected to or witnessed sexual harassment, you are encouraged to report the harassment to a supervisor, manager or [other person designated] so we can take action.

Our complete policy is enclosed/attached may be found at the link below:

[Link to complete policy]

Our training materials are enclosed/attached may be found at the link below:

[Link to training materials]

Our Complaint Form is enclosed/attached may be found at the link below:

[Link to Complaint Form]

If you have questions or to make a complaint, please contact:

[Person or office designated]

[Contact information for designee or office]

For more information and additional resources, please visit:
www.ny.gov/programs/combating-sexual-harassment-workplace

New York State Election Law (As amended by Chapter 56 of the Laws of 2020)

§ 3-110. Time allowed employees to vote. 1. If a registered voter does not have sufficient time outside of his or her scheduled working hours, within which to vote on any day at which he or she may vote, at any election, he or she may, without loss of pay for up to two hours, take off so much working time as will, when added to his or her voting time outside his or her working hours, enable him or her to vote.

2. If an employee has four consecutive hours either between the opening of the polls and the beginning of his or her working shift, or between the end of his or her working shift and the closing of the polls, he or she shall be deemed to have sufficient time outside his or her working hours within which to vote. If he or she has less than four consecutive hours he or she may take off so much working time as will, when added to his or her voting time outside his or her working hours enable him or her to vote, but not more than two hours of which shall be without loss of pay, provided that he or she shall be allowed time off for voting only at the beginning or end of his or her working shift, as the employer may designate, unless otherwise mutually agreed.

3. If the employee requires working time off to vote the employee shall notify his or her employer not more than ten nor less than two working days before the day of the election that he or she requires time off to vote in accordance with the provisions of this section.

4. Not less than ten working days before every election, every employer shall post conspicuously in the place of work where it can be seen as employees come or go to their place of work, a notice setting forth the provisions of this section. Such notice shall be kept posted until the close of the polls on election day.

**ATTENTION ALL EMPLOYEES
TIME ALLOWED EMPLOYEES TO VOTE ON ELECTION DAY
N.Y. ELECTION LAW SECTION 3-110¹ STATES THAT:**

- IF YOU DO NOT HAVE 4 CONSECUTIVE HOURS TO VOTE, EITHER FROM THE OPENING OF THE POLLS TO THE BEGINNING OF YOUR WORKING SHIFT, OR BETWEEN THE END OF YOUR WORKING SHIFT AND THE CLOSING OF THE POLLS, YOU MAY TAKE OFF UP TO 2 HOURS, WITHOUT LOSS OF PAY, TO ALLOW YOU TIME TO VOTE IF YOU ARE A REGISTERED VOTER.
- YOU MAY TAKE TIME OFF AT THE BEGINNING OR END OF YOUR WORKING SHIFT, AS YOUR EMPLOYER MAY DESIGNATE, UNLESS OTHERWISE MUTUALLY AGREED.
- YOU MUST NOTIFY YOUR EMPLOYER NOT LESS THAN 2 DAYS, BUT NOT MORE THAN 10 DAYS, BEFORE THE DAY OF THE ELECTION THAT YOU WILL TAKE TIME OFF TO VOTE.

Revised 4.14.2020

¹Employers: Not less than ten working days before any Election Day, every employer shall post conspicuously in the place of work where it can be seen as employees come or go to their place of work, a notice setting forth the provisions of this law. Such notice shall be kept posted until the close of the polls on Election Day.



VETERAN BENEFITS AND SERVICES

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dol.ny.gov/veteran-benefits-and-services

MENTAL HEALTH AND SUBSTANCE ABUSE RESOURCES

All calls and texts are free and confidential

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www.veteranscrisisline.net

Call: 988 Text: 988

Crisis Textline:

Text: 741741 Chat: crisistextline.org

NYS Office of Mental Health (OMH):

www.omh.ny.gov

NYS Office of Addiction Services and Supports (OASAS):

www.oasas.ny.gov/hopeline

Call: 1-877-8-HOPENY (467469)

Text: HOPENY (467369)

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Email: ProblemSolving@courts.state.ny.us

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www.nysda.org/page/AboutVDP

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- Property tax exemptions: tax.ny.gov/pit/property/exemption/vetexempt.htm

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www.cs.ny.gov

ADDITIONAL RESOURCES

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NYS Workplace Sexual Harassment Hotline:

Call: 1-800-HARASS-3

NYS Department of Motor Vehicles:

- Veteran Status Designation Photo Document: dmv.ny.gov/more-info/veteran-status-designation-photo-document
- Veteran License Plate: dmv.ny.gov/plates/military-and-veterans

NEW YORK STATE DIVISION OF VETERANS' SERVICES

Website: veterans.ny.gov
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Services: Legal, education, employment and volunteer, financial, health care, and more.

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Website: dol.ny.gov/services-veterans
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Email: Ask.Vets@labor.ny.gov

Services: Workforce and training resources, unemployment insurance, the Experience Counts program, and more.



**Division of
Veterans' Services**

WE ARE YOUR DOL





Notice of Employee Rights, Protections, and Obligations Under Labor Law Section 740

Prohibited Retaliatory Personnel Action by Employers Effective January 26, 2022

§ 740. Retaliatory action by employers; prohibition.

1. Definitions. For purposes of this section, unless the context specifically indicates otherwise:

- (a) "Employee" means an individual who performs services for and under the control and direction of an employer for wages or other remuneration, including former employees, or natural persons employed as independent contractors to carry out work in furtherance of an employer's business enterprise who are not themselves employers.
- (b) "Employer" means any person, firm, partnership, institution, corporation, or association that employs one or more employees.
- (c) "Law, rule or regulation" includes: (i) any duly enacted federal, state or local statute or ordinance or executive order; (ii) any rule or regulation promulgated pursuant to such statute or ordinance or executive order; or (iii) any judicial or administrative decision, ruling or order.
- (d) "Public body" includes the following:
 - (i) the United States Congress, any state legislature, or any elected local governmental body, or any member or employee thereof;
 - (ii) any federal, state, or local court, or any member or employee thereof, or any grand or petit jury;
 - (iii) any federal, state, or local regulatory, administrative, or public agency or authority, or instrumentality thereof;
 - (iv) any federal, state, or local law enforcement agency, prosecutorial office, or police or peace officer;
 - (v) any federal, state or local department of an executive branch of government; or
 - (vi) any division, board, bureau, office, committee, or commission of any of the public bodies described in subparagraphs (i) through (v) of this paragraph.
- (e) "Retaliatory action" means an adverse action taken by an employer or his or her agent to discharge, threaten, penalize, or in any other manner discriminate against any employee or former employee exercising his or her rights under this section, including (i) adverse employment actions or threats to take such adverse employment actions against an employee in the terms of conditions of employment including but not limited to discharge, suspension, or demotion; (ii) actions or threats to take such actions that would adversely impact a former employee's current or future employment; or (iii) threatening to contact or contacting United States immigration authorities or otherwise reporting or threatening to report an employee's suspected citizenship or immigration status or the suspected citizenship or immigration status of an employee's family or household member, as defined in subdivision two of section four hundred fifty-nine-a of the social services law, to a federal, state, or local agency.

To Be Posted Conspicuously in easily accessible and well-lighted places
customarily frequented by employees and applicants for employment.

(f) "Supervisor" means any individual within an employer's organization who has the authority to direct and control the work performance of the affected employee; or who has managerial authority to take corrective action regarding the violation of the law, rule or regulation of which the employee complains.

2. Prohibitions. An employer shall not take any retaliatory action against an employee, whether or not within the scope of the employee's job duties, because such employee does any of the following:

- discloses, or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the employer that the employee reasonably believes is in violation of law, rule or regulation or that the employee reasonably believes poses a substantial and specific danger to the public health or safety;
- provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any such activity, policy or practice by such employer; or
- objects to, or refuses to participate in any such activity, policy or practice.

3. Application. The protection against retaliatory action provided by paragraph (a) of subdivision two of this section pertaining to disclosure to a public body shall not apply to an employee who makes such disclosure to a public body unless the employee has made a good faith effort to notify his or her employer by bringing the activity, policy or practice to the attention of a supervisor of the employer and has afforded such employer a reasonable opportunity to correct such activity, policy or practice. Such employer notification shall not be required where:

- there is an imminent and serious danger to the public health or safety;
- the employee reasonably believes that reporting to the supervisor would result in a destruction of evidence or other concealment of the activity, policy or practice;
- such activity, policy or practice could reasonably be expected to lead to endangering the welfare of a minor;
- the employee reasonably believes that reporting to the supervisor would result in physical harm to the employee or any other person; or
- the employee reasonably believes that the supervisor is already aware of the activity, policy or practice and will not correct such activity, policy or practice.

4. Violation; remedy.

- An employee who has been the subject of a retaliatory action in violation of this section may institute a civil action in a court of competent jurisdiction for relief as set forth in subdivision five of this section within two years after the alleged retaliatory action was taken.
- Any action authorized by this section may be brought in the county in which the alleged retaliatory action occurred, in the county in which the complainant resides, or in the county in which the employer has its principal place of business. In any such action, the parties shall be entitled to a jury trial.
- It shall be a defense to any action brought pursuant to this section that the retaliatory action was predicated upon grounds other than the employee's exercise of any rights protected by this section.

5. Relief. In any action brought pursuant to subdivision four of this section, the court may order relief as follows:

- an injunction to restrain continued violation of this section;
- the reinstatement of the employee to the same position held before the retaliatory action, or to an equivalent position, or front pay in lieu thereof;
- the reinstatement of full fringe benefits and seniority rights;

- (d) the compensation for lost wages, benefits and other remuneration;
- (e) the payment by the employer of reasonable costs, disbursements, and attorney's fees;
- (f) a civil penalty of an amount not to exceed ten thousand dollars; and/or
- (g) the payment by the employer of punitive damages, if the violation was willful, malicious or wanton.

6. Employer relief. A court, in its discretion, may also order that reasonable attorneys' fees and court costs and disbursements be awarded to an employer if the court determines that an action brought by an employee under this section was without basis in law or in fact.

7. Existing rights. Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of any employee under any other law or regulation or under any collective bargaining agreement or employment contract.

8. Publication. Every employer shall inform employees of their protections, rights and obligations under this section, by posting a notice thereof. Such notices shall be posted conspicuously in easily accessible and well-lighted places customarily frequented by employees and applicants for employment.

SECTION 201-D

Discrimination against the engagement in certain activities

Labor (LAB) CHAPTER 31, ARTICLE 7

§ 201-d. Discrimination against the engagement in certain activities.

1. Definitions. As used in this section:

- a. "Political activities" shall mean (i) running for public office, (ii) campaigning for a candidate for public office, or (iii) participating in fund-raising activities for the benefit of a candidate, political party or political advocacy group;
- b. "Recreational activities" shall mean any lawful, leisure-time activity, for which the employee receives no compensation and which is generally engaged in for recreational purposes, including but not limited to sports, games, hobbies, exercise, reading and the viewing of television, movies and similar material;
- c. "Work hours" shall mean, for purposes of this section, all time, including paid and unpaid breaks and meal periods, that the employee is suffered, permitted or expected to be engaged in work, and all time the employee is actually engaged in work. This definition shall not be referred to in determining hours worked for which an employee is entitled to compensation under any law including article nineteen of this chapter;
- d. "Political matters" shall mean matters relating to elections for political office, political parties, legislation, regulation and the decision to join or support any political party or political, civic, community, fraternal or labor organization;
- e. "Religious matters" shall mean matters relating to religious affiliation and practice and the decision to join or support any religious organization or association.

2. Unless otherwise provided by law, it shall be unlawful for any employer or employment agency to refuse to hire, employ or license, or to discharge from employment or otherwise discriminate against an individual in compensation, promotion or terms, conditions or privileges of employment because of:

- a. an individual's political activities outside of working hours, off of the employer's premises and without use of the employer's equipment or other property, if such activities are legal, provided, however, that this paragraph shall not apply to persons whose employment is defined in paragraph six of subdivision (a) of section seventy-nine-h of the civil rights law, and provided further that this paragraph shall not apply to persons who would otherwise be prohibited from engaging in political activity pursuant to chapter 15 of title 5 and subchapter III of chapter 73 of title 5 of the USCA;
- b. an individual's legal use of consumable products, including cannabis in accordance with state law, prior to the beginning or after the conclusion of the employee's work hours, and off of the employer's premises and without use of the employer's equipment or other property;
- c. an individual's legal recreational activities, including cannabis in accordance with state law, outside work hours, off of the employer's premises and without use of the employer's equipment or other property;
- d. an individual's membership in a union or any exercise of rights granted under Title 29, USCA, Chapter 7 or under article fourteen of the civil service law; or
- e. an individual's refusal to: (i) attend an employer-sponsored meeting with the employer or its agent, representative or designee, the primary purpose of which is to communicate the employer's opinion concerning religious or political matters; or (ii) listen to speech or view communications, the primary purpose of which is to communicate the employer's opinion concerning religious or political matters.

3. The provisions of subdivision two of this section shall not be deemed to protect activity which:

- a. creates a material conflict of interest related to the employer's trade secrets, proprietary information or other proprietary or business interest;
- b. with respect to employees of a state agency as defined in sections seventy-three and seventy-four of the public officers law respectively, is in knowing violation of subdivision two, three, four, five, seven, eight or twelve of section seventy-three or of section seventy-four of the public officers law, or of any executive order, policy, directive, or other rule which has been issued by the attorney general regulating outside employment or activities that could conflict with employees' performance of their official duties;
- c. with respect to employees of any employer as defined in section twenty-seven-a of this chapter, is in knowing violation of a

provision of a collective bargaining agreement concerning ethics, conflicts of interest, potential conflicts of interest, or the proper discharge of official duties;

d. with respect to employees of any employer as defined in section twenty-seven-a of this chapter who are not subject to section seventy-three or seventy-four of the public officers law, is in knowing violation of article eighteen of the general municipal law or any local law, administrative code provision, charter provision or rule or directive of the mayor or any agency head of a city having a population of one million or more, where such law, code provision, charter provision, rule or directive concerns ethics, conflicts of interest, potential conflicts of interest, or the proper discharge of official duties and otherwise covers such employees; and

e. with respect to employees other than those of any employer as defined in section twenty-seven-a of this chapter, violates a collective bargaining agreement or a certified or licensed professional's contractual obligation to devote his or her entire compensated working hours to a single employer, provided however that the provisions of this paragraph shall apply only to professionals whose compensation is at least fifty thousand dollars for the year nineteen hundred ninety-two and in subsequent years is an equivalent amount adjusted by the same percentage as the annual increase or decrease in the consumer price index.

4. Notwithstanding the provisions of subdivision three of this section, an employer shall not be in violation of this section where the employer takes action based on the belief either that: (i) the employer's actions were required by statute, regulation, ordinance or other governmental mandate, (ii) the employer's actions were permissible pursuant to an established substance abuse or alcohol program or workplace policy, professional contract or collective bargaining agreement, or (iii) the individual's actions were deemed by an employer or previous employer to be illegal or to constitute habitually poor performance, incompetency or misconduct.

4-a. Notwithstanding the provisions of subdivision three or four of this section, an employer shall not be in violation of this section where the employer takes action related to the use of cannabis based on the following:

(i) the employer's actions were required by state or federal statute, regulation, ordinance, or other state or federal governmental mandate;

(ii) the employee is impaired by the use of cannabis, meaning the employee manifests specific articulable symptoms while working that decrease or lessen the employee's performance of the duties or tasks of the employee's job position, or such specific articulable symptoms interfere with an employer's obligation to provide a safe and healthy work place, free from recognized hazards, as required by state and federal occupational safety and health law; or

(iii) the employer's actions would require such employer to commit any act that would cause the employer to be in violation of federal law or would result in the loss of a federal contract or federal funding.

5. Nothing in this section shall apply to persons who, on an individual basis, have a professional service contract with an employer and the unique nature of the services provided is such that the employer shall be permitted, as part of such professional service contract, to limit the off-duty activities which may be engaged in by such individual.

6. Nothing in this section shall prohibit an organization or employer from offering, imposing or having in effect a health, disability or life insurance policy that makes distinctions between employees for the type of coverage or the price of coverage based upon the employees' recreational activities or use of consumable products, provided that differential premium rates charged employees reflect a differential cost to the employer and that employers provide employees with a statement delineating the differential rates used by the carriers providing insurance for the employer, and provided further that such distinctions in type or price of coverage shall not be utilized to expand, limit or curtail the rights or liabilities of any party with regard to a civil cause of action.

7. a. Where a violation of this section is alleged to have occurred, the attorney general may apply in the name of the people of the state of New York for an order enjoining or restraining the commission or continuance of the alleged unlawful acts. In any such proceeding, the court may impose a civil penalty in the amount of three hundred dollars for the first violation and five hundred dollars for each subsequent violation.

b. In addition to any other penalties or actions otherwise applicable pursuant to this chapter, where a violation of this section is alleged to have occurred, an aggrieved individual may commence an action for equitable relief and damages.

8. Nothing in this section shall prohibit: (i) an employer or its agent, representative or designee from communicating to its employees any information that the employer is required by law to communicate, but only to the extent of such legal requirement; (ii) an employer or its agent, representative or designee from communicating to its employees any information that is necessary for such employees to perform their job duties; (iii) an institution of higher education, or any agent, representative or

designee of such institution, from meeting with or participating in any communications with its employees that are part of coursework, any symposia or an academic program at such institution; (iv) casual conversations between employees or between an employee and an agent, representative or designee of an employer, provided participation in such conversations is not required; or (v) a requirement limited to the employer's managerial and supervisory employees.

9. The provisions of this section shall not apply to a religious corporation, entity, association, educational institution or society that is exempt from the requirements of Title VII of the Civil Rights Act of 1964 pursuant to 42 USC 2000e-1(a) with respect to speech on religious matters to employees who perform work connected with the activities undertaken by such religious corporation, entity, association, educational institution or society.

10. Every employer shall post a sign in every workplace at the location or locations where notices to employees are normally posted, to inform employees of their rights pursuant to this section.

Sexual Harassment Prevention Policy Notice



Combating
Sexual Harassment

Sexual harassment is against the law.

All employees have a legal right to a workplace free from sexual harassment, and Needham Risk Management Resource Group, LLC is committed to maintaining a workplace free from sexual harassment.

Per New York State Law, Needham Risk Management Resource Group, LLC has a sexual harassment prevention policy in place that protects you. This policy applies to all employees, paid or unpaid interns and non-employees in our workplace, regardless of immigration status.

If you believe you have been subjected to or witnessed sexual harassment, you are encouraged to report the harassment to a supervisor, manager or Human Resources so we can take action.

Our complete policy may be found: Public Doc/NRMRG Admin/Policies/
sexual Harassment

Our Complaint Form may be found: Same

If you have questions and to make a complaint, please contact:

Tracy Needham

Cell: (518) 527-2978
heykiddo@msn.com

For more information and additional resources, please visit:

www.ny.gov/programs/combating-sexual-harassment-workplace

STATE OF NEW YORK - WORKERS' COMPENSATION BOARD
ESTADO DE NUEVA YORK - JUNTA DE COMPENSACION OBRERA

NOTICE OF COMPLIANCE

TO EMPLOYEES

IMPORTANT INFORMATION FOR EMPLOYEES WHO ARE INJURED OR SUFFER AN OCCUPATIONAL DISEASE WHILE WORKING.

1. By posting this notice and information concerning your rights as an injured worker, your employer is in compliance with the Workers' Compensation Law.
2. If you do not notify your employer within 30 days of the date of your injury your claim may be disallowed, so do so immediately.
3. You are entitled to obtain any necessary medical treatment and should do so immediately.
4. You may choose any doctor, podiatrist, chiropractor or psychologist referred by a medical doctor that accepts NY State Workers' Compensation patients and is Board authorized. However, if your employer is involved in a certified preferred provider organization (PPO) you must first be treated by a provider chosen by your employer and your employer must give you a written statement of your rights concerning further medical care.
5. You should tell your doctor to file copies of medical reports concerning your claim with the Workers' Compensation Board and with your employer's insurance company, which is indicated at the bottom of this form.
6. You may be entitled to lost time benefits if your work-related injury keeps you from work for more than seven days, compels you to work at lower wages or results in permanent disability to any part of your body. You may be entitled to rehabilitation services if you need help returning to work.
7. You should not pay any medical providers directly. They should send their bills to your employer's insurance carrier. If there is a dispute, the provider must wait until the Board makes a decision before it attempts to collect payment from you. If you do not pursue your claim or the Board rules that your injury is not work-related, you may be responsible for the payment of the bills.
8. You are entitled to be represented by an attorney or licensed representative, but it is not required. If you do hire a representative do not pay him/her directly. Any fee will be set by the Board and will be deducted from your award.
9. If you have difficulty in obtaining a claim form or need help in filling it out, or if you have any other questions or problems about a job-related injury, contact any office of the Workers' Compensation Board.

WORKERS' COMPENSATION BOARD OFFICES

Albany, 12241 - 100 Broadway-Menands - (866) 750-5157
"Brooklyn, 11201 - 111 Livingston St. - Brooklyn - (800) 877-1373
Binghamton, 13901 - State Office Bldg. - 44 Hawley St. - (866) 802-3604
Buffalo, 14203 - 295 Main Street, Suite 400 - (866) 211-0645
"Hauppauge, 11788 - 220 Rabro Drive - Suite 100 - (866) 681-5354
"Hempstead, 11550 - 175 Fulton Avenue - (866) 805-3630
"New York, 10027 - 215 W.125th St., Manhattan - (800)-877-1373
"Peekskill, 10566 - 41 North Division St. - (866) 746-0552
"Queens, 11432 - 168-46 91st Ave., Jamaica (800) 877-1373
Rochester, 14614 - 130 Main Street West - (866) 211-0644
Syracuse, 13203 - 935 James St. - (866) 802-3730

* DOWNTSTATE MAILING ADDRESS

Claims-related mail for the Hauppauge, Hempstead, Peekskill and all NYC offices should be mailed to: PO Box 5205 Binghamton, NY 13902-5205

Statewide Fax: 877-533-0337

Workers' Compensation benefits, when due, will be paid by (Los beneficios de Compensación Obrera, cuando debidos, serán pagados por):

FLAGSHIP CITY INSURANCE COMPANY

100 ERIE INSURANCE PLACE
ERIE, PA 16530
(800) 458-0811

For Insurance Carriers ONLY: Policy No. Q896600343

Policy in Force from 5-16-2025 to 5-16-2026

Workers' Compensation Board
Prescribed by Chairman
State New York

AVISO DE CUMPLIMIENTO

A EMPLEADOS

INFORMACION IMPORTANTE PARA EMPLEADOS QUE SEAN LESIONADOS O SUFRAN UNA ENFERMEDAD OCUPACIONAL MIENTRAS TRABAJAN.

1. Su patrono está cumpliendo la Ley de Compensación Obrera cuando despliega este comunicado concerniente a sus derechos como trabajador lesionado.
2. Si usted no notifica a su patrono dentro del término de 30 días de haber sufrido su lesión su reclamación podría ser desestimada, por eso notifique inmediatamente.
3. Usted tiene derecho a recibir cualquier tratamiento médico necesario relacionado con su lesión y debe gestionarlo inmediatamente.
4. Para el tratamiento de cualquier lesión o enfermedad relacionada con el trabajo, usted puede escoger cualquier médico, podiatra, quiropráctico ó psicólogo (si es referido por un médico autorizado) que esté autorizado y acepte pacientes de la Junta de Compensación Obrera. Sin embargo, si su patrono está autorizado a participar en una organización certificada de proveedores preferidos (PPO), usted deberá obtener tratamiento inicial para cualquier lesión o enfermedad relacionada con el trabajo de la correspondiente entidad. Patronos que participen en cualquiera de estos programas establecidos por ley están obligados a proveer a sus empleados notificación escrita explicando sus derechos y obligaciones bajo el programa a que esté acogido.
5. Usted deberá requerir de su Médico que radique copias de los informes médicos de su caso en la Junta de Compensación Obrera y en la compañía de seguros de su patrono, que se indica al final de esta forma.
6. Usted tiene derecho a compensación si su lesión relacionada con el trabajo le impide trabajar por más de siete días, le obliga a trabajar a sueldo más bajo ó resulta en incapacidad permanente de cualquier parte de su cuerpo. Usted puede tener derecho a servicios de rehabilitación si necesita ayuda para regresar al trabajo.
7. No pague a ningún proveedor médico directamente por tratamiento de su lesión o enfermedad relacionada con el trabajo. Ellos deben enviar sus facturas al asegurador de su patrono. Si el caso es cuestionado, el proveedor deberá esperar hasta que la Junta decida el caso, antes de iniciar gestión de cobro alguna contra usted. Si usted no tramita su caso ó la Junta falla que su lesión o enfermedad no está relacionada con el trabajo, usted podría ser responsable del pago de las facturas. No es obligatorio el estar representado en ninguno de los
8. procedimientos de la Junta, pero es un derecho que usted tiene, el estar representado por abogado ó por representante licenciado si usted así lo desea. Si es representado, no pague al abogado ó al representante licenciado. Cuando la Junta decide su caso, los honorarios serán determinados por la Junta y descontados de sus beneficios.
9. Si tiene dificultad en conseguir un formulario de reclamación o necesita ayuda para llenarlo ó tiene dudas sobre cualquier situación relacionada con una lesión o enfermedad comuníquese con la oficina más cercana de la Junta.

Robert E. Beloten

ROBERT E. BELOTEN, CHAIR/PRESIDENTE

Name of employer (Nombre del patrono)

THIS NOTICE MUST BE POSTED CONSPIGUOUSLY IN AND ABOUT THE EMPLOYER'S PLACE OR PLACES OF BUSINESS.

Failure by an employer to post this notice in and about the employer's place or places of business may result in a \$250 penalty for each violation.