

LABOR LAWS

FED

What is FMLA leave?

Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees

Your serious mental or physical health condition that makes you unable to work,

Your employer has at least 50 employees within 75 miles of your work location

To care for your spouse, child or parent with a serious mental or physical health condition, and

Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,

blocks of time, or on a reduced schedule by working less hours each day or week. Read Fact Sheet #28M(c) for more information.

You have at least 1,250 hours of service for your employer during the 12 months before your leave, and

Eligible employees can take up to 12 workweeks of FMLA leave in a 12-month period for:

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

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

the reason for which you need FMLA leave.

Am I eligible to take FMLA leave?

You work for a covered employer.

Office of Personnel Managemen

How do I request FMLA leave?

Generally, to request FMLA leave you must

You are an **eligible employee** if **all** of the following apply:

You have worked for your employer at least 12 months

You work for a **covered employer** if **one** of the following applies:

Airline flight crew employees have different "hours of service" requirements.

Follow your employer's normal policies for requesting leave,

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

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

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

Since 1953

FEDERAL

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with job-protected leave for qualifying family and medical reasons. The U.S.

An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness may take up to 26 workweeks of FMLA

You have the right to use FMLA leave in one block of time. When it is medically necessary or otherwise permitted, you may take FMLA leave intermittently in separate

FMLA leave is not paid leave, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers

You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the

KENTUCKY

YOUR EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

ENFORCEMENT FEDERAL MINIMUM WAGE **\$7.25 PER HOUR**

EMPLOYEE RIGHTS UNDER THE

FAIR LABOR STANDARDS ACT

BEGINNING JULY 24, 2009

The law requires employers to display this poster where employees can readily see it. **OVERTIME PAY**

At least 11/2 times the regular rate of pay for all hours worked over 40 in a workweek.

CHILD LABOR

FED

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.

PUMP AT WORK

DEPARTMENT

UNITED STATES

OF LABOR

OF AMERICA

KY

The ELSA requires employers to provide reasonable break time for a nursing employee to express breast milk for their nursing child for one year after the child's birth each time the employee needs to express breast milk. Employers must provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

WAGE AND HOUR DIVISION

UNITED STATES DEPARTMENT

Labor Cabinet

WAGE AND HOUR LAWS

MINIMUM WAGE = \$7.25 per hour

(Effective July 1, 2009)

WAGES

PAYMENT OF WAGES:

Any employee who leaves or is discharged from employment shall be paid in full all wages or salary earned not later than the next

normal pay period following the date of dismissal or voluntary leaving or fourteen (14) days following such date of dismissal or

voluntary leaving whichever last occurs.

OF LABOR

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.

and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor

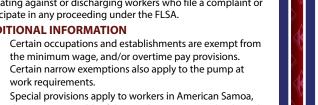
The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation 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 esults 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 narrow exemptions also apply to the pump at work requirements

the Commonwealth of Puerto Rico.

Some state laws provide greater employee protections;



the Commonwealth of the Northern Mariana Islands, and

Certain full-time students, student learners, apprentices,



REV. 04/2023

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.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying

If you leave your job to perform military service, you have the right to elect to continue your existing employer-based

Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your

employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-

The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and

For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL

or visit its website at https://www.dol.gov/agencies/vets/. An interactive online USERRA Advisor can be viewed at

If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the

You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

viewed on the internet at this address: https://www.dol.gov/agencies/vets/programs/userra/poster Federal law requires

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be

employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text

U.S. Department of Labor • 1-866-487-2365 U.S. Department of Justice Office of Special Counsel

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

Labor Cabinet

CHILD LABOR LAWS

HOURS OF WORK PERMITTED FOR MINORS 14 TO 18 YEARS OF AGE

MAXIMUM HOURS WHEN

SCHOOL IS IN SESSION

Three (3) hours per day on

school day

Eight (8) hours per day on non-

school day

Eighteen (18) hours per week

Six (6) hours per day on school

Eight (8) hours per day on non-

school day

Thirty (30) hours per week

Six and one-half (6.5) hours per

day on school day

Eight (8) hours per day on non-

school day

Thirty-two and one-half (32.5) or

forty (40) hours per week

or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

health plan coverage for you and your dependents for up to 24 months while in the military.

existing condition exclusions) except for service-connected illnesses or injuries.

Department of Justice or the Office of Special Counsel, as applicable, for representation

MAY NOT WORK

AFTER

7:00 P.M.

(9:00 P.M. June 1

through Labor Day)

10:30 P.M. preceding

school day/1:00 A.M.

preceding non-school

day

11:00 P.M. preceding

school day/1:00 A.M.

preceding non-school

day

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

If you: are a past or present member of the uniformed service; • are obligated to serve in the uniformed service; have applied for membership in the uniformed service; then an employer may not deny you: initial employment; promotion; or

reemployment

because of this status.

ENFORCEMENT

KY

AGE

14 & 15 years

16 & 17 years

16 & 17 years

with Parental

Permission

REV. 09/2022

retention in employment;

HEALTH INSURANCE PROTECTION

resolve complaints of USERRA violations.

https://webapps.dol.gov/elaws/vets/userra

MAY NOT

WORK BEFORE

7:00 A.M.

6:00 A.M.

6:00 A.M.

and shearing machines.

of this notice where they customarily place notices for employees.

EMPLOY

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

PROHIBITIONS

FED

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

You do not have to share a medical diagnosis but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You must also inform your employer if FMLA leave was previously taken or approved for the same reason when requesting additional leave.

Your **employer may request certification** from a health care provider to verify medical leave and may request certification of a qualifying exigency.

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

State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress

What does my employer need to do?

If you are eligible for FMLA leave, your employer must

- Allow you to take job-protected time off work for a qualifying reason,
- Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and
- Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of
- Your employer cannot interfere with your FMLA rights or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation.

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your employer must confirm whether you are eligible or not eligible for FMLA leave. If your employer determines that you are eligible, your employer must notify you in writing:

- About your FMLA rights and responsibilities, and
- How much of your requested leave, if any, will be FMLA-protected leave.

Where can I find more information?

Call 1-866-487-9243 or visit dol.gov/fmla to learn more.

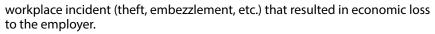
If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. Scan the QR code to learn about our WHD complaint process.

DEPARTMENT OF LABOR UNITED STATES OF AMERICA WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR









REV. 04/2023

REV. 02/2022

The law does not preempt any provision of any State or local law or any

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.

DEPARTMENT OF LABOR WAGE AND HOUR DIVISION 1-866-487-9243 WHD UNITED STATES OF AMERICA www.dol.gov/agencies/who WH1462



EMPLOYEE RIGHTS TEE POLYGRAPH PROTECTION				
private nployment	workplace incident (thef to the employer.			

ACT

collective bargaining agreement which is more restrictive with respect to lie

detector tests.

EXAMINEE RIGHTS

UNLAWFUL FOR EMPLOYER TO WITHHOLD WAGES No employer shall withhold from any employee's wages any No employer shall deduct the following from the wages of emplovees: a) the employer is required to do so by local, state, or federal a) Fines b) Cash shortages in a common money till, cash box or register

c) Breakage;

used by two (2) or more persons;

b) when a deduction is expressly authorized in writing by the employee to cover insurance premiums, hospital, or medical dues; or

part of the agreed wage rate; unless

c) when a deduction is expressly authorized in writing by the employee for other deductions not amounting to a rebate or deduction from the standard wage arrived at by collective bargaining or pursuant to wage agreement or statute; or d) Deductions for union dues where such deductions are authorized by joint wage agreements or collective bargaining contracts negotiated between employers and employees or their representatives.

OVERTIME

No employer shall employ any employee for a workweek longer than forty hours unless such employee receives compensation for employment in excess of forty hours in a workweek. The rate of pay for time in excess of forty hours shall be not less than one and one-half the hourly rate employed.

ON SEVENTH DAY OF WEEK Any employer who permits any employee to work seven days i any one workweek shall pay the rate of time and a half for the time worked on the seventh day. This shall not apply where an employee is not permitted to work more than forty (40) hours during the workweek.

TIME AND ONE HALF FOR WORK DONE

d) Losses due to acceptance by an employee of checks which

e) Losses due to defective or faulty workmanship, lost or stolen

property, damage to property, default of customer credit or

nonpayment for goods or services received by the customer

if such losses are not attributable to employee's willful or

are subsequently dishonored if such employee is given

discretion to accept or reject any check; or

intentional disregard of employer's interest

TIPPED EMPLOYEES

- Any employee engaged in an occupation in which more than \$30 dollars per month is customarily and regularly received in tips, the employer may pay a minimum of \$2.13 per hour if the employer' records can establish for each week where credit is taken, when adding the tips received to wages paid, not less than the minimum wage is received by the employee. No employer shall:
- Use all or part of any tips or gratuities received by employees toward the payment of the minimum wage Require an employee to remit to the employer any gratuity, or any portion thereof, except for the purpose of withholding amounts required by federal or state law.
- Employees may enter into an agreement to divide tips among themselves. If employees enter into this type of agreement, the amounts retained by the employees shall be considered tips of the individuals who retain them. If an employer requires the use of a tip pool, then the account used to hold the tip pool shall be segregated from the employer's other business records and the employer shall make the account open to the pool's participants.

PERFORMANCE BONDS: Performance Bonds must be kept on file for employers in the construction and mining industries (including the transportation of minerals) who have conducted business within the Commonwealth for less than five (5) consecutive years. For more information, see KRS 337.200.

Certain exemptions from minimum wage and overtime apply. For questions, please call (502)564-3534.

BREAKS

REST PERIODS: No employer shall require any employee to work without a rest period of at least ten (10) minutes during each four (4) hours worked. This shall be in addition to the regularly scheduled lunch period. No reduction in compensation shall be made for hourly or salaried employees.

LUNCH PERIODS: Employers shall grant their employees a reasonable period for lunch, and such time shall be as close to the middle of the employee's scheduled work shift as possible. In no case shall an employee be required to take a lunch period sooner than three (3) hours after the work shift commences. nor more than five (5) hours from the time the work shift commences. This section shall not be construed to negate any provision of a collective bargaining agreement or mutual agreement between the employee and employer.

RECORDS **RECORD RETENTION: ONE (1) YEAR AFTER ENTRY** Every employer subject to the provisions of the Kentucky Minimum Wage Law shall make and preserve records containing the following information

(a) Name, address, and Social Security Number of each employee (b) Hours worked each day and each week by each employee;

(c) Regular hourly rate of pay;

(d) Overtime hourly rate of pay for hours in excess of forty hours in a workweek

(e) Additions to cash wages at cost, or deductions (meals, board, lodging, etc.) from stipulated wages in the amount deducted, or at cost of the item for which deductions are made;

(f) Total wages paid for each workweek and date of payment.

POST THIS ORDER WHERE ALL EMPLOYEES MAY READ

NOTICE: This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under

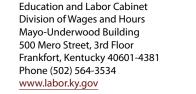
mployee, the U.S. Department of Labor dictates that the employee is entitled to the higher minimum wage rate.

the Fair Labor Standards Act posting, which indicates the federal minimum wage. Where federal and state rates both apply to an

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

Workers' Compensation Notice

Employees of this business are covered by the Kentucky Workers' Compensation Act (KRS Chapter 342). Conspicuous posting of this



KY

Notice is required by law.

Workers Compensation Carrier (or third party administrator):

Employer Name:

"No individual in the United States shall, on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any program or activity under the jurisdiction of the Education and Labor Cabinet."

> 'School in session" means the time established by local school district authorities, pursuant to KRS 160.290. Parental or guardian permission must be in writing and shall remain at the employer's place of business. A minor may work up to thirty-two and one-half (32.5) hours in any one (1) workweek if a parent or legal guardian gives permission in writing. A minor may work up to forty (40) hours in any one (1) work week if a parent or legal guardian gives permission in writing and the principal or head of the school the minor attends certifies in writing that the minor has maintained at least a 2.0 grade point average in the most recent grading period. School certification shall be valid for one (1) year unless revoked sooner by the school authority. The parental permission and school certification shall remain at the employer's place of business.

Lunch Break. Minors under 18 years of age shall not be permitted to work more than five (5) hours continuously without an interval of at least thirty (30) minutes for a lunch period. The beginning and ending of the lunch period shall be documented by the employe

OCCUPATIONS PROHIBITED FOR MINORS UNDER 18 YEARS OF AGE

Occupations in or about Plants or Establishr Manufacturing or Storing Explosives or Artic	
Containing Explosive Components.	 Power-driven paper products machines including
Motor-vehicle Driver and outside helper on	a motor scrap paper baler and cardboard box compactors.
vehicle.	 Manufacturing bricks, tile, and kindred products.
Coal Mine Occupations.	Power-driven circular saws, band saws, and Guillotine
 Logging or Sawmill Operations. 	shears.
Operation of Power-Driven Woodworking m	achines. • Wrecking, demolition, and shipbreaking operations.
Exposure to Radioactive Substances.	 Roofing operations and all work on or about a roof.
Power-driven hoisting apparatus, including	forklifts. • Excavating Operations.
Operation of Power-Driven Metal Forming,	ounching, • In, about or in connection with any establishment



U.S. Equal Employment Opportunity Commission 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.

Conduct that coerces, intimidates, threatens, or

Who is Protected?

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

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

REV. 05/2022

MAXIMUM HOURS

WHEN SCHOOL IS NOT

IN SESSION

Eight (8) hours per day

Forty (40) hours per weel

NO RESTRICTIONS

NO RESTRICTIONS

with any establishment

REV. 09/2022

where alcoholic liquors are distilled, rectified

- Color Religion
- National origin
 - Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender
 - identity)
- Age (40 and older)
- Disability
- Genetic information (including employer requests for, 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
- Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodatior

What Organizations are Covered?

- Most private employers
- State and local governments (as employers) Educational institutions (as employers)
- Staffing agencies
- 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
- Assianment Pay (unequal wages or compensation)
- Failure to provide reasonable accommodation for a disability; pregnancy, childbirth, or related medical condition; 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
- participating in an investigation or proceeding

interferes with someone exercising their rights, or of employment, including the executive level. someone assisting or encouraging someone else to **Protected Veteran Status** exercise rights, regarding disability discrimination (including accommodation) or pregnancy accommodation

What can You Do if You Believe

Discrimination has Occurred?

Visit

E-Mail

- following ways Submit

 - Call 1-800-669-6820 (TTY)

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

opportunity in all aspects of 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

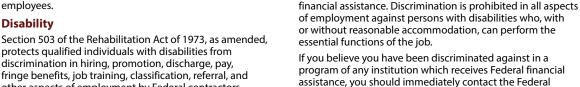
Asking About, Disclosing, or Discussing Pay

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

employees

Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or



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 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

employment gualified individuals with disabilities at all levels

veterans, recently separated veterans (i.e., within three years

of discharge or release from active duty), active duty wartime

contractors under these Federal laws.

U.S. Department of Labor

Washington, D.C. 20210

1-800-397-6251 (toll-free)

200 Constitution Avenue, N.W.

Any person who believes a contractor has violated its

OFCCP's authorities should contact immediately:

If you are deaf, hard of hearing, or have a speech

relay services. OFCCP may also be contacted by

nondiscrimination or affirmative action obligations under

The Office of Federal Contract Compliance Programs (OFCCP)

disability, please dial 7-1-1 to access telecommunications

PROGRAMS OR ACTIVITIES RECEIVING

FEDERAL FINANCIAL ASSISTANCE

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

discrimination causes or may cause discrimination in

activities which receive Federal financial assistance.

providing services under such programs. Title IX of the

Education Amendments of 1972 prohibits employment

Section 504 of the Rehabilitation Act of 1973, as amended,

disability in any program or activity which receives Federal

REV. 06/27/2023

prohibits employment discrimination on the basis of

assistance is provision of employment, or where employment

discrimination on the basis of sex in educational programs or

submitting a guestion 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

https://www.dol.gov/agencies/ofccp/contact

Race, Color, National Origin, Sex

Individuals with Disabilities

agency providing such assistance.

of Labor and on OFCCP's "Contact Us" webpage at

Contact the EEOC promptly if you suspect discrimination.

or campaign badge veterans, or Armed Forces service medal Do not delay, because there are strict time limits for filing veterans a charge of discrimination (180 or 300 days, depending on Retaliation where you live/work). You can reach the EEOC in any of the Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP an inquiry through the EEOC's public portal: proceeding, or otherwise opposes discrimination by Federal

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

1-800-669-4000 (toll free) 1-844-234-5122 (ASL video phone)

an EEOC field office (information at www.eeoc.gov/field-office)

Policy #:, effective	to	Mining, other than coal mining.	compounded, brewed, manufactured, bottled, sold
		Operating power-driven meat processing equipment,	for consumption or dispensed unless permitted by the rules and regulations of the Alcoholic Beverage
Address:		including meat slicers and other food slicers, in retail establishments (such as grocery stores, restaurants,	Control Board (except they may be employed in places
Telephone:, Contact Pers	on	kitchens and Delis), wholesale establishments, and	where the sale of alcoholic beverages by the package
EMPLOYEES: IF INJURED – NOTIFY your supervisor IMMEDIATELY; v	when repeating a Nettice should be in uniting. FAULURE to reptify your	most occupations in meat slaughtering, packing,	is merely incidental to the main business actually
supervisor could result in denial of benefits. OBTAIN MEDICAL CAP		processing, or rendering.	conducted).
to treat a workplace injury. The employee may select the physiciar			Pool or Billiard Room.
an approved Managed Care Plan employee selection of physicians			and student-learners may apply. For questions, please call
emergencies. FOR INJURIES REQUIRING CONTINUING CARE the EM will be furnished by your employer or its insurance carrier.	APLOYEE MUST DESIGNATE A TREATING PHYSICIAN, a form to do so	Minors fourteen (14) but not yet sixteen (16) years of age may	64-3534. NOT be employed in: manufacturing mining or processing
This employer IS I IS NOT I participating in a Managed Care	Plan for medical care.	occupations, including occupations requiring the performance	
The name of the Managed Care Plan is	, its representative is	manufactured, mined, or otherwise processed; occupations whether the second sec	nich involve the operation or tending of hoisting apparatus or
, phone numb	ber	any power-driven machinery other than office machines; oper	
, prote tuttic			transportation of persons or property by rail, highway, air, water,
	ury are payable under the Workers Compensation Act after seven	pipeline, or other means, (2) warehousing and storage, (3) com demolition and repair).	infuncations and public utilities, or (4) construction (including
(7) day of disability. A CLAIM MUST BE filed with the Department of payment of temporary total disability benefits.	of Workers' Claim WITHIN TWO YEARS of the date of injury, or last		
NEED ASSISTANCE? Contact your employer's claim representative.	. If your guestions about workers' compensation rights are not		DRS 14 BUT NOT YET 18 YEARS OF AGE vernment Document with Date of Birth
promptly answered call THE KENTUCKY DEPARTMENT OF WORKER	RS CLAIMS at 1-800-554-8601 to speak to an Ombudsman or Workers'		
Compensation Specialist.		"No individual in the United States shall, on the grounds of political affiliation or belief, be excluded from participation	
EMPLOYER SUPERVISORS – NOTIFY MANAGEMENT IMMEDI	IATELY OF ALL INJURIES SO THAT TIMELY REPORT CAN BE	discrimination under any program or activity under the jur	
MADE AS REQUIRED BY LAW.		Education and Labor Cabinet	
	REV. 04/09/2009		
WE	Y NY	Mayo-Underwood Building	
		500 Mero Street, 3rd Floor Frankfort, Kentucky 40601	
KY		PHONE: (502) 564-3534	
Information about Unemp	oloyment Insurance Benefits	www.labor.ky.gov	
EMPLOYERS ARE SUBJECT TO KENTUCKY	paid in the case of reduction in hours due to total disability,		
UNEMPLOYMENT INSURANCE LAW.	vacation or personal reasons.	POST THIS ORDER WHERE	ALL EMPLOYEES MAY READ
YOU MAY BE ELIGIBLE FOR UNEMPLOYMENT	WORKERS' COMPENSATION RECIPIENTS		REV. 09/2022
BENEFITS IF YOU LOSE YOUR JOB, ARE LAID OFF	If you missed at least seven weeks of earnings due to injury		K K K K K K K K K K K K
OR YOUR HOURS ARE REDUCED.	in any quarter during your base period, and were eligible for	KY	
TO QUALIFY FOR BENEFITS, YOU MUST	Workers' Compensation (whether or not you drew it), you may be able to use wages earned before your injury to qualify for	Labor	Cabinet
Be unemployed through no fault of your own;	unemployment benefits. To qualify, you must file your claim	Wage Discriminat	ion Because of Sex
 Be able and available to work and making a reasonable 	within the first four weeks that you are unemployed following		
effort to obtain new work; and	the period covered by Workers' Compensation. Contact your	DEFINITIONS	COLLECTION OF UNPAID WAGES:
Register for work when you file your claim.	nearest Unemployment Insurance office for more information.	(KRS 337.420 to 337.433 and KRS 337.990 (11))	Any employer who discriminates based on sex is liable to the
You must also meet monetary eligibility requirements based on your earnings in the "base period," the first four of the five	CONTRIBUTIONS TO THE UNEMPLOYMENT	EMPLOYEE	employee or employees affected in the amount of the unpaid wages. If the employer is in willful violation, he is liable for an
completed calendar quarters preceding your claim. These	BENEFIT FUND ARE PAID BY EMPLOYERS.	Any individual employed by any employer, including but not	additional equal amount as liquidated damages. The court
earnings also determine the amount of benefits you may be	NO DEDUCTIONS ARE MADE FROM EMPLOYEE	limited to individuals employed by the State or any of its political subdivisions, instrumentalities, or instrumentalities of political	may order other appropriate action, including reinstatement of
entitled to draw. Generally, if you have worked for more than a	WAGES FOR THAT PURPOSE!	subdivisions.	employees discharged in violation of KRS 337.420 – 337.433.
year and earned at least \$1500 during your base period, you may meet the monetary requirements for a claim.		EMPLOYER	The employee or employees affected may maintain an action to collect the amount due. At the written request of any employee,
	If you make a false statement in claiming benefits, you can be disqualified for up to 52 weeks.	A person who has two or more employees within the State	the Commissioner may bring any legal action necessary to
IF YOU LOSE YOUR JOB OR ARE LAID OFF: 1. File your claim within the first week after you become	You could face other penalties as well including felony	in each of twenty or more calendar weeks in the current or	collect the claim for unpaid wages in behalf of the employee.
unemployed, by filing on the internet at www.oet.ky.gov,	charges, fines and possible imprisonment.	preceding calendar year and an agent of such a person.	An agreement between an employer and employee to work for
or by telephone at 502-875-0442 Monday through	Also, all benefits fraudulently received must be repaid to the	WAGE RATE	less than the wage to which such employee is entitled will not bar any legal action or voluntary wage restitution.
Friday, 7:30am-5:30pm ET (this is not a toll-free number).	Division of Unemployment Insurance.	All compensation for employment, including payment in kind	STATUTE OF LIMITATIONS:
2. After filing your claim, file continuing claims bi-weekly	Interest will accrue and there may be a lien filing fee as well	and amounts paid by employers for employee benefits, as defined by the Commissioner in regulations issued under KRS	Court action may be commenced no later than six months after
while you are unemployed, through the web site or by	as a lien release fee.	337.425.	the cause of action occurs.
toll-free telephone at 877-369-5984 or 877-3MY-KYUI	EDUCATION AND WORKFORCE DEVELOPMENT CABINET		POSTING OF LAW:
IF YOUR HOURS ARE REDUCED	DEPARTMENT FOR WORKFORCE INVESTMENT OFFICE OF EMPLOYMENT AND TRAINING	PROHIBITION OF THE PAYMENT OF WAGES BASED ON SEX:	All employers shall post this abstract in a conspicuous place in or
You may be eligible for partial benefits if you are still employed	OFFICE OF EMPLOYMENT AND I RAINING Division of Unemployment Insurance	The employer is prohibited from discriminating between	about the premises wherein any employee is employed.
by your regular employer but are working less than your normal	275 East Main Street	employees of opposite sexes in the same establishment by	PENALTIES:
full-time hours due to lack of available work. Benefits are not	Frankfort, KY 40621	paying different wage rates for comparable work on jobs which	Any person who discharges or in any other manner discriminates
	POS-UI-5.1	have comparable requirements. This prohibition covers any employee in any occupation in Kentucky. Any employer in	against an employee because such employee has:
	REV. 11/2012	violation shall not reduce the wages of any employee in order to	(a) made any complaint related to KRS 337.420 –
		comply with KRS 337.420 – 337.433.	to his employer, the 337.433, or Commissioner or any (c) testified or is about
V V		No employer can discharge or discriminate against any employee	other person, or to testified or is about
KY Kentucky I	_aw Requires	for the reason that the employee sought to invoke or assist in the enforcement of KRS 337.423.	(b) instituted or caused proceedings, shall be
			to be instituted any assessed a civil penalty
EQUAL EMPLOYMENT OPPORTUNITY		EXEMPTIONS FROM COVERAGE:	proceeding under or of not less than \$100 nor more than \$1,000.
The Kentucky Civil Rights Act prohibits employment	Kentucky Pregnant Workers Act, (eff. 6/27/2019)	A differential paid through an established seniority system or merit increase system is permitted by KRS 337.423 if it does not	
discrimination regarding:	The Kentucky Pregnant Workers Act, (KPWA), (KRS 344.030 to	discriminate on the basis of sex.	FOR FURTHER INFORMATION CONTACT:
Recruitment Training and	344.110), expressly prohibits employment discrimination in	Employers subject to the Fair Labor Standards Act of 1938, as	Education and Labor Cabinet
Advertising Apprenticeship	relation to an employee's pregnancy, childbirth, and related	amended, are excluded "when that act imposes comparable or	Division of Wages and Hours
Hiring Compensation	medical conditions.	greater requirements than contained" in KRS 337.420 – 337.433. However, to be excluded, the employer must file with the	Mayo-Underwood Building
Placement Termination or Layoff	In addition, under the KPWA it is unlawful for an employer to fail	Commissioner of the Kentucky Office of Workplace Standards a	500 MERO STREET, 3RD FLOOR
Promotion Physical Facilities	to make reasonable accommodations for any employee with	statement that he is covered by the Fair Labor Standards Act of	FRANKFORT, KENTUCKY 40601
Transfer Any other terms, conditions or privileges of	limitations related to pregnancy, childbirth, or a related medical	1938, as amended.	Рноме: (502) 564-3534
conditions or privileges of employment	conditions who requests an accommodation, <i>including but not</i> <i>limited to</i> : (1) the need for more frequent or longer breaks; (2)	ENFORCEMENT OF LAW AND POWER TO INSPECT:	www.labor.ky.gov
	time off to recover from childbirth; (3) acquisition or modification	The Commissioner or his authorized agent has the power to	"No individual in the United States shall, on the grounds of
The Kentucky Civil Rights Act prohibits employment discrimination based on:	of equipment; (4) appropriate seating; (5) temporary transfer to	enter the employer's premises to inspect records, compare	race, color, religion, sex, national origin, age, disability, political
Oisability Sex	a less strenuous or less hazardous position; (6) job restructuring;	character of work and operations of employees, question employees, and to obtain any information necessary	affiliation or belief, be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any
•	(7) light duty; modified work schedule; and (8) private space that is not a bathroom for expressing breast milk.	to administer and enforce KRS 337.420 – 337.433. The	program or activity under the jurisdiction of the Education and
Race Age (40 Years Old and Over)	is not a pathroom for expressing preast mllk.	Commissioner or his authorized representative may examine	Labor Cabinet."
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Occupational Safety and Health

Education and Labor Cabinet

Safety and Health on the Job

Kentucky Revised Statute (KRS) Chapter 338 establishes a program for protecting occupational safety and health. This notice details the safety and health protections for public and private sector employees working in the Commonwealth of Kentucky and must be prominently displayed in the workplace.

Employer Responsibilities: Employers shall furnish employment and places of employment which are free from recognized hazards that are causing, or are likely to cause, death or serious physical harm to employees; and comply with the occupational safety and health regulations, standards, and rules issued pursuant to KRS 338. Employers must provide information and training on hazards in the workplace including all hazardous substances. Required training must be provided to all employees in a language and vocabulary they understand. It is illegal to retaliate against an employee for exercising any of their rights under the law, including raising a safety and health concern or reporting a work-related injury or illness.

Employee Responsibilities: Employees shall comply with the occupational safety and health regulations, standards, and rules issued pursuant to KRS 338 which are applicable to their own actions and conduct.

Records: Employees may request from their employer copies of their medical records, tests that measure hazards in the workplace, as well as the injury and illness log.

Standards: Kentucky's occupational safety and health standards are adopted by the Kentucky Occupational Safety and Health Standards Board. The Board consists of 13 members, comprised of the Secretary of Education and Labor who serves as Chair, and 12 other members equally representing agriculture, industry, labor, and the safety and health profession. The Board meets annually and additionally as needed. All meetings are open to the public.

Inspections: The Division of Occupational Safety and Health Compliance conducts workplace inspections to determine the cause or prevent the occurrence of occupational injuries and illnesses. During an inspection a representative of the employer and a representative authorized by the employees are given an opportunity to accompany the Compliance Officer for the purpose of aiding the inspection. Where there is no authorized employee representative, the Compliance Officer must consult with a reasonable number of employees regarding safety and health at the workplace.

Complaints: Employees or their authorized representative have the right to file a complaint with the Division of Occupational Safety and Health Compliance requesting an inspection if they believe a hazardous condition(s) exists in their workplace. The name of the complainant will be kept confidential upon request.

Discrimination Protections: Employees are protected against discharge and other discriminatory actions for having filed complaints and exercising any other right provided by the occupational safety and health laws. Employees who feel they have been so discriminated against may file a complaint with the Education and Labor Cabinet within 120 days of the alleged discrimination. Private sector employees also have the option of filing discrimination complaints with the U.S. Department of Labor at <u>osha.gov</u> within 30 days of the alleged discrimination. Complaint forms are available at <u>elc.ky.gov</u>.

Citations: A citation(s) alleging violation of a Kentucky occupational safety and health law(s) or regulation(s) may be issued to an employer following an inspection. The citation(s) is provided to the employer and specifies an abatement date by which the alleged violation must be corrected. To inform employees, the employer must post each citation at or near the location of the alleged violation for three (3) days or until the violation is corrected, whichever is longer.

Proposed Penalties: An employer may be assessed a penalty up to \$7,000 for each serious violation and up to \$7,000 for each other-thanserious violation. Failure to correct a violation within the specified

who commits a willful or repeat violation(s) may be assessed a penalty up to \$70,000 for each violation and not less than \$5,000 for each willful violation.

Contesting Procedures: An employer who has been cited may contest the action before the Kentucky Occupational Safety and Health Review Commission. Equally, any employee or employee representative of an employer who has been cited may also contest the action. Any party wishing to contest a citation(s) must notify the Division of Occupational Safety and Health Compliance in writing of its intent to do so. Notices of contest must be postmarked within 15 working days of receipt by the employer of the citation(s). Notices of contest will be transmitted to the Review Commission in accordance with its rules.

Recordkeeping: Employers are required to maintain records of occupational fatalities, injuries, and illnesses experienced by their employees. Records must be kept using OSHA 300, 300-A, 301, or equivalent forms. Certain employers are required to submit injury and illness data electronically at osha.gov/injuryreporting/ita. Unless requested to do so by the U.S. Bureau of Labor Statistics, employers with 10 or fewer employees, or whose establishment(s) fall within an exempted North American Industry Classification System code are exempt from recordkeeping requirements.

Reporting: Employers must report to the Division of Occupational Safety and Health Compliance the work-related death of an employee, including death resulting from a heart attack, within 8 hours from when the incident is reported to the employer, the employer's agent, or another employee. Work-related incidents resulting in the loss of an eye, an amputation, or the in-patient hospitalization of an employee, including hospitalization resulting from a heart attack, must be reported to the Division of Occupational Safety and Health Compliance within 72 hours from when the incident is reported to the employer, the employer's agent, or another employee. Mechanical power press point-of-operation injuries must be reported to the Division of Occupational Safety and Health Compliance within 30 days of the occurrence. Employees have a right to report a safety and health concern or report a work-related injury or illness without being retaliated against.

Education and Training Services: The Division of Occupational Safety and Health Education and Training assists employers who are interested in preventing workplace injuries and illnesses by developing and improving their workplace safety management programs. All assistance, such as on-site audits, consultation, and training, is provided **cost-free** upon request.

Kentucky provides occupational safety and health protections under a plan approved in 1973 by the U.S. Department of Labor. Questions and concerns regarding Kentucky's program may be addressed to the Education and Labor Cabinet, Office of Federal-State Coordinator. The U.S. Department of Labor monitors Kentucky's program. Any person who has a complaint regarding the administration of the Kentucky program may contact the U.S. Department of Labor, OSHA, Atlanta Federal Center, 61 Forsyth Street SW, Atlanta, Georgia, 30303; (678) 237-0400.

KENTUCKY EDUCATION AND LABOR CABINET MAYO-UNDERWOOD BUILDING **500 MERO STREET, 3RD FLOOR** FRANKFORT, KY 40601 (502) 564-3070 ELC.KY.GOV

No individual in the United States shall, on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any program or activity under the jurisdiction of the Education and Labor Cabinet.

