

### WHISTLEBLOWER PROTECTION ACT

#### ATTENTION EMPLOYEES

The Michigan Whistleblowers' Protection Act (469 P.A. 1980) creates certain protections and obligations for employers and employees under Michigan law. **PROTECTION:** It is illegal for employers in Michigan to discharge, threaten or otherwise discriminate against you regarding your compensation, terms, conditions, location or privileges of employment because you or a person acting on your behalf reports or is about to report a violation or a suspected violation of federal, state or local laws, rules, regulations or a public body. It is illegal for employers in Michigan to discharge, threaten or otherwise discriminate against you regarding your compensation, terms, conditions, location or privileges of employment because you or a person acting on your behalf reports or is about to report a violation or a suspected violation of federal, state or local laws, rules, regulations or a public body. **ENFORCEMENT:** If you believe that your employer has violated this Act you may file a civil action in circuit court within 90 days of the alleged violation of the Act. **PENALTIES:** Persons found in violation of this Act may be subject to a civil fine of up to \$500,000. If your employer has violated this Act the court can order you reinstatement, the payment of back wages, full reinstatement of fringe benefits and seniority rights, actual damages, or any combination of these remedies. The court may also award all or a portion of the costs of litigation, including reasonable attorney fees and witness fees to the complainant if the court believes such an award is appropriate. This poster is provided as a courtesy of the Michigan Occupational Safety and Health Administration (MIOSHA). Visit our website at [www.michigan.gov/miosha](http://www.michigan.gov/miosha).

### MICHIGAN MINIMUM WAGE

**State of Michigan  
Wage and Hour Division  
PO Box 30476 Lansing, MI 48909-7976**

**REQUIRED POSTER  
GENERAL REQUIREMENTS - MINIMUM WAGE AND OVERTIME**

**CURTIS COBBIN  
SACING DIRECTOR**

The Improved Worker Opportunity Wage Act (IWOWA), Public Act 337 of 2018, as amended, covers employees who employ 2 or more employees 16 years of age and older.

Employees must be paid at least:

| Effective Date   | Minimum Hourly Wage Rate | Tipped Employee     |                              | Hourly** |
|------------------|--------------------------|---------------------|------------------------------|----------|
|                  |                          | Minimum Hourly Rate | Reported Average Hourly Tips |          |
| January 1, 2018  | \$9.25                   | \$3.52              | \$5.73                       | \$7.86   |
| March 29, 2019   | \$9.45                   | \$3.59              | \$5.86                       | \$8.03   |
| January 1, 2020* | \$9.65                   | \$3.67              | \$5.98                       | \$8.20   |
| January 1, 2021* | \$9.65                   | \$3.67              | \$5.98                       | \$8.20   |

\*An increase in the minimum hourly wage rate as prescribed in subsection (1) does not take effect if the unemployment rate for this state, as determined by the Bureau of Labor Statistics, United States Department of Labor, is 8.5% or greater for the calendar year preceding the calendar year of the prescribed increase. An increase in the minimum hourly wage rate as prescribed in subsection (1) that does not take effect pursuant to this subsection takes effect in the first calendar year following a calendar year for which the unemployment rate for this state, as determined by the Bureau of Labor Statistics, United States Department of Labor, is less than 8.5%.

\*\* Minors 16-17 years of age may be paid 85% of the minimum hourly wage rate.

**Training Wage** - A training wage of \$4.25 per hour may be paid to employees 16 to 19 years of age for the first 90 days of employment.

**Overtime** - Employees covered by the IWOWA must be paid 1-1/2 times their regular rate of pay for hours worked over 40 in a 7-day workweek. The following are exempt from overtime requirements: employees exempt from the minimum wage provisions of the Fair Labor Standards Act of 1938, 29 U.S.C. 201 to 219 (except certain domestic service employees), professional, administrative, or executive employees; elected officials and political campaign employees; employees of amusement and recreation establishments operating less than 7 months of the year; agricultural employees; and any employee not subject to the minimum wage provisions of the act.

**Compensatory Time** - If an employer meets certain conditions, employees may agree to receive compensatory time of 1-1/2 hours for each hour of overtime worked. The agreement must be voluntary, in writing, and obtained before the compensatory time is earned. All compensatory time earned must be paid in full. Accrued compensatory time may not exceed 240 hours. Employees must keep a record of compensatory time earned and paid. Contact the Wage and Hour Division for information on the conditions an employer must meet in order to offer compensatory time off in lieu of overtime compensation.

**Equal Pay** - An employer shall not discriminate on the basis of sex by paying employees a rate which is less than the rate paid to employees of the opposite sex for equal work or substantially similar work performed under similar working conditions under similar payment and benefit plans pursuant to a seniority system, merit system or system measuring earnings on the basis of quantity or quality of production or a differential other than sex.

**Enforcement** - An employer may either file civil action for recovery of unpaid minimum wages or overtime, or they may file a complaint with the Department of Labor and Economic Opportunity. The department may investigate a complaint and file civil action to collect unpaid wages or overtime due the employee and all employees of an establishment. Recovery under this act can include unpaid minimum wages or overtime, plus an equal additional amount as liquidated damages, costs, and reasonable attorney fees. A civil fine of \$1,000 can be assessed to an employer who does not pay minimum wage or overtime.

LEO is an equal opportunity employer/program. Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities. [www.michigan.gov/wagehour](http://www.michigan.gov/wagehour) TTY: 1-855-AMI-WAGE (1-855-464-9243) WHD 9904 (Revised - 12/2020)

### RIGHT TO KNOW LAW

### This Workplace Covered by the Michigan Right to Know Law

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

Employees cannot be discharged or discriminated against for exercising their rights including the request for information on hazardous chemicals.

Employees must be notified and given direction (by employer posting) for locating Safety Data Sheets and the receipt of new or revised SDS(s).

When the employer has not provided a SDS, employees may request assistance in obtaining SDS from the:

Michigan Department of Labor and Economic Opportunity (LEO) Michigan Occupational Safety and Health Administration General Industry Safety and Health Division (517) 284-7750 Construction Safety and Health Division and Asbestos Licensing (517) 284-7680 [www.michigan.gov/miosha](http://www.michigan.gov/miosha)

MIOSHACT #2105 (Rev. 12/19)

LEO is an equal opportunity employer/program.

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

| New or Revised | Receipt Date | Posting Date | Locations of New or Revised SDS |
|----------------|--------------|--------------|---------------------------------|
|                |              |              |                                 |

### ANTI-DISCRIMINATION NOTICE

It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which documents they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination.

For information, please contact  
The Office of Special Counsel for Immigration Related Unfair Employment Practices Office at 800-255-7688.

### OCCUPATIONAL SAFETY AND HEALTH PROTECTION

## MICHIGAN SAFETY AND HEALTH PROTECTION ON THE JOB

THE MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ACT, 1974 P.A. 154, AS AMENDED, REQUIRES POSTING OF THIS DOCUMENT IN A CENTRAL AND CONSPICUOUS LOCATION. FAILURE TO DO SO MAY RESULT IN A PENALTY

The Michigan Occupational Safety and Health Act (MIOSHA) Act No. 154 of the Public Acts of 1974, as amended, provides job safety and health protection for Michigan employees through the maintenance of a safe and healthful working conditions. Under the MIOSHA Act and a state plan approved in September 1973 by the U.S. Department of Labor, the Michigan Department of Labor and Economic Opportunity is responsible for administering the Act. Department representatives conduct job site inspections and investigations to ensure compliance with the Act and with safety and health standards.

The contents of this poster describe many important provisions of the Act. These provisions apply equally to employers and employees in either private industry or the public sector.

**EMPLOYER REQUIREMENTS:** MIOSHA requires that each employer:

- Furnish to each employee employment and a place of employment which is free from recognized hazards that are causing or are likely to cause death or serious physical harm to the employee.
- Comply with promulgated rules and standards and with orders issued pursuant to the Act.
- Post this and other notices and use other appropriate measures to keep his or her employees informed of their protection and obligations under the Act, including the provisions of applicable rules and standards.
- Notify the Michigan Department of Labor and Economic Opportunity within 8 hours of any work-related fatality. Notification may be accomplished by calling 1-800-858-0397.
- Notify the Michigan Department of Labor and Economic Opportunity within 24 hours of all work-related inpatient hospitalizations, amputations and losses of an eye. Notification may be accomplished by calling 844-664-6742 (MIOSHA).
- Make available to each employee, for inspection and copying, all medical records and health data in the employer's possession pertaining to that employee.
- Afford an employee an opportunity with or without compensation to attend all meetings between the Department of Labor and Economic Opportunity and the employer relative to any appeal of a citation by the employer.
- Give the representative of employees the opportunity to accompany the department during the inspection or investigation of a place of employment and to prohibit the suffering of any loss of wages or fringe benefits or discriminate against the representative of employees for time spent participating in the inspection, investigation, or opening and closing conferences.
- Provide a personal protective equipment, at the employer's expense, when it is specifically required by a MIOSHA standard.
- Not permit an employee, other than an employee whose presence is necessary to avoid, correct or remove an imminent danger, to operate equipment or engage in a process which has been tagged by the Department and which is the subject of an order issued by the Department identifying that an imminent danger exists.
- To promptly notify an employee who was or is being exposed to toxic materials or harmful physical agents in concentrations or at levels which exceed those prescribed by a MIOSHA standard.

**EMPLOYEE REQUIREMENTS:** MIOSHA requires that each employee:

- Comply with promulgated rules and standards and with orders issued pursuant to the Act.
- Not remove, displace, destroy, or carry off a safeguard furnished or provided for use in a place of employment, or interfere in any way with the use thereof by any other person.

**INSPECTIONS/INVESTIGATIONS:** Inspections and investigations are conducted by trained personnel. The Act requires that an employer representative and a representative of employees be given an opportunity to accompany the department representative for the purpose of aiding in the inspection or investigation.

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

MIOSHA Complaint Hotline 1-800-866-4674  
Fatality Hotline 1-800-858-0397  
MIOSHA Injury/Illness Reporting 1-844-664-6742  
Consultation and Training Assistance 1-517-284-7720

The Michigan Department of Labor and Economic Opportunity (LEO) is an equal opportunity employer/program. Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities. MIOSHACT 2010 (1/20)

### EMPLOYEE POLYGRAPH PROTECTION ACT

#### EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT

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

**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 (armed car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers. The Act also permits polygraph testing, subject to restrictions, of 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 EMPLOYERS AND JOB APPLICANTS CAN READILY SEE IT.**

WH1462 REV 07/16  
WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR  
1-866-487-9243  
TTY: 1-877-889-5627  
[www.dol.gov/whd](http://www.dol.gov/whd)

### USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

#### YOUR RIGHTS UNDER USERRA

### THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

**REEMPLOYMENT RIGHTS**  
You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:  

- you ensure that your employer receives advance written or verbal notice of your service;
- you have five years or less of cumulative service in the uniformed services while with that particular employer;
- you return to work or apply for reemployment in a timely manner after conclusion of service; and
- you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

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

**RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION**  
If you-  

- are a past or present member of the uniformed service;
- have applied for membership in the uniformed service; or- are obligated to serve in the uniformed service; then an employer may not deny you -
- initial employment -
- reemployment;
- retention in employment; promotion; or -
- any benefit of employment, because of this status.

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

Publication Date - April 2017

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

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

**ENFORCEMENT**  

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

### WORKERS' COMPENSATION

State of Michigan  
Workers' Compensation Agency  
**Employees -- Know Your Rights!**

**• Remember - It is important to report your injury to your employer.**

**Medical Care**  
You are entitled to reasonable and necessary medical care for work-related injuries or diseases. Employers or their insurance carriers are required by law to provide these services. During the first 28 days of treatment, your employer has the right to choose the physician. After 28 days you are free to change physicians, but you must notify your employer of the change.

If you receive treatment from a physician of your choice, you should also promptly furnish a report to your employer. If your employer refuses to provide medical care, you should contact Michigan's Workers' Compensation Agency at its toll-free telephone number: 1-888-396-5041.

You should not receive a bill from a health care provider for treatment of a covered work-related injury or illness. If you do receive such a bill, you should contact your employer or the employer's insurance carrier.

**• Wage Loss Benefits**  
You are entitled to weekly workers' compensation benefits if you suffer a wage loss for more than seven consecutive days. These benefits may be claimed as long as a disability and wage loss continue. Generally, the benefit rate is 80% of your after-tax average weekly wage, subject to a maximum rate.

**• Vocational Rehabilitation**  
If you are unable to perform the work that you have done previously, you are entitled to vocational rehabilitation. The number one goal is your return to work with your employer. If you cannot do this or require assistance in finding a new job, vocational rehabilitation services can help.

To be completed by the employer

Employer Name \_\_\_\_\_  
Employer Contact Person and Telephone Number \_\_\_\_\_  
Workers' Compensation Insurance Carrier Name \_\_\_\_\_

If you have questions, please call the State of Michigan Workers' Compensation Agency Toll-Free 1-888-396-5041  
Additional information is on the agency's website at [www.michigan.gov/wca](http://www.michigan.gov/wca).

WC-PUB-005 (5/12)

### EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

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

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

**OVERTIME PAY** At least 1 1/2 times your regular rate of pay for all hours worked over 40 workweek hours.

**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 in certain non-hazardous jobs with certain work hour restrictions. Different rules apply for agricultural employment.

**PAID REST AND SLEEPING TIME** Employees who meet certain conditions may claim a partial wage credit based on tips received by their employers. Employees must pay tipped employees a cash wage of at least \$2.13 per hour. If the employer's minimum wage obligation is less than \$2.13 per hour, 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.

**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 bring criminal actions. Employees 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 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 violation is determined to be willful or repeated. The law also prohibits retaliating against or discriminating against any employee who complains or participates 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 District of Columbia.
- 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 teachers, 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](http://www.dol.gov/whd)

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

#### 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 1 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.

**BENEFITS & PROTECTIONS** 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.

**ELIGIBILITY REQUIREMENTS** 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.

**REQUESTING LEAVE** 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.  
Employers 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.  
**EMPLOYER RESPONSIBILITIES** Once an employer becomes aware that an employee's need for leave is for a reason that qualifies 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. Employees must notify their employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.  
**ENFORCEMENT** 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.

WH1426 REV 04/16  
Additional information on how to file a complaint:  
1-866-4-USA-DOL  
TTY: 1-877-889-5627  
[WWW.WHOUR.DOL.GOV](http://WWW.WHOUR.DOL.GOV)  
U.S. Department of Labor  
Wage and Hour Division

### EEOC - EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW

#### EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW

**PRIVATE EMPLOYERS, STATE AND LOCAL GOVERNMENTS, EDUCATIONAL INSTITUTIONS, EMPLOYMENT AGENCIES AND LABOR ORGANIZATIONS** Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases:  
**RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN** Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Family information includes information about genetic test applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for genetic services by applicants, employees, or their family members.  
**RETALIATION** All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or opposes an employer's unlawful employment practice.  
**WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED** There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is suspected. The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at [www.eeoc.gov](http://www.eeoc.gov). In most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at [www.eeoc.gov](http://www.eeoc.gov).

**EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS** Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases:  
**RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, NATIONAL ORIGIN** Executive Order 11246, as amended, prohibits employment discrimination on the basis of race, color, religion, sex, sexual orientation, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.  
**PAY SECRECY** Executive Order 11246, as amended, protects applicants and employees from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees.  
**INDIVIDUALS WITH DISABILITIES** 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. Disability discrimination includes not making reasonable accommodations to the known physical or mental limitations of an otherwise qualified individual who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to ensure equal employment opportunities.  
**IF YOU BELIEVE THAT YOU HAVE EXPERIENCED DISCRIMINATION** If you believe that you have experienced discrimination that is prohibited by these laws, you should contact the Federal Financial Assistance (FFA) office of the Department of Labor. FFA offices are located in all 50 States and Puerto Rico. You may also contact the EEOC at 1-800-373-6211 (toll-free) or 1-877-889-5627 (toll-free TTY number for individuals with hearing impairments). Additional information about FFA 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 kind that receives Federal financial assistance, you should immediately contact the Federal Agency providing such assistance.  
**MANDATORY SUPPLEMENT TO EEOC P-16 (Revised 11/09) "EEOC Is the Law" Poster**

### PAID MEDICAL LEAVE ACT

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

**REQUIRED POSTER  
GENERAL REQUIREMENTS - PAID MEDICAL LEAVE ACT\***

JEFF DONOFRIO  
DIRECTOR

**Coverage** - The Paid Medical Leave Act, Public Act 338, as amended by PA 2018-036, effective March 29, 2019, covers employees who employ 50 or more individuals. The act covers individuals engaged in service to an employer in the business of the employer and from whom an employer is required to withhold for federal income tax purposes. An eligible employee does not include executive, administrative, and professional overtime exempt employees, employees covered by a private collective bargaining agreement that is in effect, employees of the United States government, another state, or a political subdivision of another state, individuals whose primary work location is not in this state, individuals 16-19 years of age being paid the youth training wage in accordance with the Improved Worker Opportunity Wage Act, temporary employees as described in the Michigan Employment Security Act, variable hour employees as defined by CTR 4.690001-1, employees covered by the Railway Labor Act and Railroad Unemployment Insurance Act, individuals employed by an employer for 25 weeks or fewer in a calendar year for a job scheduled for 25 weeks or fewer, individuals who worked, on average, fewer than 25 hours per week during the immediately preceding calendar year. See section 2 of The Paid Medical Leave Act, 2018 Public Act 338.

**PAID MEDICAL LEAVE** - Paid medical leave accrual begins on March 29, 2019, or upon commencement of the employee's employment, whichever is later. Paid medical leave is accrued at a rate of 1 hour for every 35 actual hours worked; however, an employer is not required to accrue all of one hour in a calendar week more than 40 hours in a benefit year. A benefit year is any consecutive 12-month period used by an employer to calculate an eligible employee's benefits. Employees may carry over up to 40 hours of accrued paid medical leave from one benefit year to the next benefit year. Employees may use accrued paid medical leave for more than 40 hours in a single benefit year. An employer may provide the total amount of paid medical leave all at once by providing at least 40 hours at the beginning of the benefit year or on the date that the individual becomes eligible during the benefit year on a prorated basis. If an employer adopts this practice, it does not have to provide the total amount of accrued paid medical leave at the beginning of the benefit year. See section 3 of The Paid Medical Leave Act, 2018 Public Act 338.

**PAID MEDICAL LEAVE Usage** - An employer may use accrued paid medical leave as it is accrued except an employer may require an employee to wait until the 90<sup>th</sup> calendar day after commencing employment before using accrued paid medical leave. Paid medical leave must be used in 1-hour increments unless the employer has a written policy that sets forth in writing the employer's handbook or other employee benefit document. Employees must follow the employer's usual customary notice, procedural, and documentation requirements for requesting leave. The employee must be allowed at least 3 days to provide documentation. Employees may take paid medical leave for any of the following:  

- Physical or mental illness, injury or health condition of the employee or his or her family member
- Medical diagnosis, care, or treatment of the employee or employee's family member
- Preventative care of the employee or his or her family member
- Closure of the employee's primary workplace by order of a public official due to a public health emergency
- The care of his or her child whose school or place of care has been closed by order of a public official due to a public health emergency
- The employee's or his or her family member's exposure to a communicable disease that would jeopardize the health of others as determined by health authorities of a health care provider

For domestic violence and sexual assault situations, employees may use paid medical leave for any of the following:  

- Medical care or psychological or other counseling
- Recovery services from a victim of domestic violence
- Relocation and obtaining legal services
- Participation in civil or criminal proceedings related to or resulting from the domestic violence or sexual assault

**Employee Rights** - An employee may file a complaint with the Department of Licensing and Regulatory Affairs within 6 months of the alleged violation. LARA shall investigate a complaint and attempt mediation, where appropriate.  
**Penalties** - If informal resolution is unsuccessful and a violation found, payment of paid medical leave (improperly withheld) will be requested and penalties may be imposed. An employer who fails to provide paid medical leave to an eligible employee may be assessed an administrative fine of not more than \$100,000. An employer who willfully violates the posting requirement is subject to an administrative fine of not more than \$100 for each separate violation.

\*For precise language of the statute, see Public Act 338 of 2018, as amended

LEO is an equal opportunity employer/program. Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities. [www.michigan.gov/wagehour](http://www.michigan.gov/wagehour) TTY: 1-855-AMI-WAGE (1-855-464-9243) WHD 9904 (Revised - 10/2019)

### CHILD LABOR LAWS

Informational Sheet  
Youth Employment Standards Act of 1978, as amended

#### POSTING REQUIREMENT

is not required between 2 a.m. and 5:30 a.m. (d) The agricultural processing employer maintains on file a written acknowledgment of the minor's parent or guardian consenting to the period of employment authorized under this subsection.

(4) As used in this section: (a) "Agricultural processing" means the cleaning, sorting or packaging of fruits or vegetables. (b) Farming operations involving the production of seed, including farming activities and research involved in the production of seed, including plant detasseling, hand-pollination, roguing, or hoeing, and any other similar farming activity required for commercial seed production.

HISTORY: AM. 1978, Act 90, EFCR, June 1, 1978 - AM. 1995, Act 251, EFCR, June 28, 1996 - AM. 1996, Act 499, IMD, EFCR, Jan. 9, 1997 - AM. 2000, Act 418, IMD, EFCR, Jan. 8, 2001 - AM. 2011, Act 211, IMD, EFCR, Oct. 18, 2011

**MCL 409.112a Prohibition of minors working alone in occupation involving a cash transaction after sunset or 8 p.m. at fixed location.**  
**Sec. 12a.** A minor who would otherwise be permitted under this act to be employed in an occupation subject to this act shall not be employed in an occupation that involves a cash transaction subject to this act after sunset or 8 p.m., whichever is earlier, at a fixed location unless an employer or other employee 18 years of age or older is present at the fixed location during those hours.

HISTORY: ADD. 1980, Act 436, EFCR, Mar. 31, 1981. IMPORTANT: ADMINISTRATIVE RULE, R408.6207 REQUIRES A MINOR SUBJECT TO ACT 90 TO BE SUPERVISED BY THE EMPLOYER OR ANOTHER EMPLOYEE 18 YEARS OF AGE OR OLDER

**MCL 409.110 Minor under 16 years; days and hours of employment.**  
**Sec. 10.** A minor under 16 years shall not be employed in an occupation subject to this act for more than 6 days in 1 week, nor for a period longer than a weekly average of 8 hours per day or 48 hours in 1 week, nor more than 10 hours in 1 day. The minor shall not be employed between the hours of 9 a.m. and 7 a.m. A minor who is a student in school shall not be employed more than a combined school and work week of 48 hours during the period when school is in session.

**MCL 409.111 Minor 16 years and over; days and hours of employment; employment in agricultural processing.**  
**Sec. 11.** (1) Except as provided in subsection (3), a person shall not employ a minor 16 years of age or older in an occupation subject to this act for more than any of the following periods: (a) Six days in 1 week. (b) An average of 8 hours per day in 1 week. (c) Ten hours in 1 day. (d) Subject to subdivision (4), 48 hours in 1 week. (e) If the minor is a student in school and school is in session, 24 hours in 1 week.  
(2) Except as provided in subsection (3), a person shall employ a minor 16 years of age or older between 10:30 p.m. and 6 a.m. However, except as provided in subsection (3), a person may employ a minor 16 years of age or older who is a student in school until 11:30 p.m. on any day that follows:  
(a) On Fridays and Saturdays. (b) During school vacation periods. (c) During periods when the minor is not regularly enrolled in school.  
(3) A person may employ a minor 16 years of age or older in farming operations involved in the production of seed or in agricultural processing for a period greater than the periods described in subsections (1) and (2) if all of the following conditions are met: If a minor is a student in school, the period greater than the periods described in subsections (1) and (2) occurs when school is not in session. (a) The minor is employed for not more than 11 hours in 1 day. (b) The minor is employed for not more than 62 hours during any week. However, the employer shall not require the minor to work more than 48 hours during any week without the consent of the minor. (c) The minor

### FEDERAL MINIMUM WAGE

#### EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

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

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

**OVERTIME PAY** At least 1 1/2 times your regular rate of pay for all hours worked over 40 workweek hours.

**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 in certain non-hazardous jobs with certain work hour restrictions. Different rules apply for agricultural employment.

**PAID REST AND SLEEPING TIME** Employees who meet certain conditions may claim a partial wage credit based on tips received by their employers. Employees must pay tipped employees a cash wage of at least \$2.13 per hour. If the employer's minimum wage obligation is less than \$2.13 per hour, 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.

**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 bring criminal actions. Employees 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 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 violation is determined to be willful or repeated. The law also prohibits retaliating against or discriminating against any employee who complains or participates 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 District of Columbia.
- 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