MAINE & FEDERAL LABOR LAW POSTER

VIDEO DISPLAY TERMINALS

**VIDEO DISPLAY TERMINALS** 

The Maine Video Display Terminal (VDT) Law gives certain rights to people who use computers for work.

1. Bureau. "Bureau" means the Department of Labor, Bureau of Every employer shall establish an education and training program

This poster is available online at no charge and may be copied: https://www.maine.gov/labor/posters/

Education and training MRSA Title §252.

for all operators as provided in this section.

The program must include, at a minimum:

workplace a copy of this subchapter.

from extended or improper use.

and annually thereafter.

PAYDAY NOTICE

**Regular Paydays for Employees of** 

Shall be as follows:

WITHHOLDING STATUS

YOU MAY NEED TO CHECK YOUR WITHHOLDING

UNEMPLOYMENT INSURANCE

**Maine Employment Security Law** 

This poster is available online at no charge and may be copied: https://www.maine.gov/labor/posters/

**Full- and Part-Time Workers** 

This poster is designed to notify individuals of their rights regarding the filing of claims for

unemployment benefits. It does not have the force or effect of law. For more information,

1-800-829-3676.

Department of the Treasury

people with disabilities upon request.

Other

See your employer for a copy of Form W-4 or call the IRS at

forms and information on this subject.

Internal Revenue Service www.irs.gov

Now is the time to check your withholding. For more details,

get Publication 919, How Do I Adjust My Tax Withholding?, or

**Employer:** Please post or publish this Bulletin Board Poster so that

your employees will see it. Please indicate where they can get

Basic eligibility requirements Earnings during the base period:

The "base period" is a one-year period that includes four calendar

quarters. To establish a claim, an individual must have earned two

times the annual average weekly wage in Maine in each of two

different calendar quarters, and a total of six times the annual,

average, weekly wage in Maine in the whole base period. In most

cases, the Department of Labor has your wage information on file.

Separation: If you were laid off from your last job due to a lack of

work, no additional investigation is required. If you separated from

your last job for reasons other than lack of work, you will be

scheduled for a fact-finding interview. A determination will then

Weekly requirements: Weekly eligibility requirements include

being able to work and being available for work, making an

active search for work (unless your work search has been

"waived"), not refusing offers of suitable work or referral to

Aliens: If you are not a U.S. Citizen, your Social Security Number

and/or your Alien Permit number will be checked with the United

**Unemployment benefits are taxable:** Unemployment benefits

are taxable and have to be reported when you file your income

Child support: If you owe child support that you pay to the

Department of Health and Human Services (DHHS), up to fifty

percent (50%) of your unemployment check may be withheld and

Benefits for partial unemployment: An employer shall issue a

properly completed partial unemployment claim form to each

employee who is customarily employed full-time and who is given

less than full-time hours during a week due to lack of work, and

• Fail or refuse to hire or otherwise discriminate against an

· Discharge an employee or discriminate with the respect to

hire, tenure, promotion, transfer, compensation, terms,

Retaliate against a person who has filed a charge of

discrimination, participated in a discrimination proceeding,

or opposed a violation of the Maine Human Rights Act.

IF YOU FEEL YOU HAVE BEEN DISCRIMINATED AGAINST, CONTACT:

MAINE HUMAN RIGHTS COMMISSION

51 STATE HOUSE STATION, AUGUSTA, MAINE 04333-0051

PHONE (207) 624-6290 FAX (207) 624-8729 TTY 1-888-577-6690

Me. I-1 (rev. 11/2019)

If it is not on file, the Department will take steps to obtain it.

be made regarding your eligibility for benefits.

suitable job opportunities from the CareerCenters.

States Citizenship and Immigration Services.

sent to DHHS.

Publication 213

(Rev. 8-2009) Cat. No. 11047P

use the Withholding Calculator at **www.irs.gov/individuals** on the

1. Requirements. An employer's education and training program

must be provided both orally and in writing, except that an

employer that uses fewer than 5 terminals at one location may

and the protective measures that the operator may take to

avoid or minimize symptoms or conditions that may result

C. Instruction related to the importance of maintaining proper

The Maine Department of Labor provides equal opportunity in

employment and programs. Auxiliary aids and services are available to

posture during terminal operation and a description of methods

to achieve and maintain this posture, including the use of any

provide the education and training program in writing only.

MAINE

**LABOR** 

Labor Standards.

Video Display Terminals MRSA Title 26 §251.

or doing business in the State.

more terminals at one location.

hours, exclusive of breaks, on a daily basis.

For full text of the statute visit MRSA Title 26 §251, 252.

2. Employ. "Employ" means to employ or permit to work.

3. Employee. "Employee" means any person engaged to work on

4. Employer. "Employer" means any person, partnership, firm,

5. Operator. "Operator" means any employee whose primary

Terminal. "Terminal" means any electronic video screen data

If you have questions about working safely at the computer,

speak to your supervisor or contact the

Maine Department of Labor

**Bureau of Labor Standards** 

Tel: 1-877-SAFE-345 (1-877-723-3345)

TTY users call Maine Relay 711.

Web site: www.maine.gov/labor/bls

Email: bls.mdol@maine.gov

Maine Law (Title 26 M.R.S.A. § 42-B) requires every

employer to place this poster in the workplace where

workers can easily see it.

Since you last filed form W-4 with your employer did you...

Your nonwage income (interest, dividends, capital gains, etc.)?

• Your family wage income (you or your spouse started or ended

To any of these questions or you owed extra tax when you filed

call 1-800-593-7660 toll free.

All new and reactivated claims for unemployment benefits are filed

either online, telephone or by mail. Do not delay in filing your

When filing, you will need to know your Social Security Number. Also,

you should have the names and addresses of all employers for whom

All individuals filing for Unemployment Insurance benefits are

required by law to be registered with the Maine JobLink. Visit

We provide language interpreter services in approximately

140 commonly spoken languages. Arrangements will be made to

have an interpreter assist you when you call the Unemployment

To claim by mail: In some cases, your employer will give you a

The Maine Department of Labor provides equal opportunity in employment

and programs. Auxiliary aids and services are available to people with disabilities

www.mainecareercenter.gov to access Maine JobLink.

you worked, and your dates of employment in the last 18 months.

To file online: www.maine.gov/reemployme

claim once you are out of work. Claims cannot be backdated.

your last return, you may need to file a new form W-4.

How to file a claim for unemployment benefits

This is the fastest, easiest way to file.

To file by phone: 1-800-593-7660

TTY Users Call Maine Relay 711.

Claims Center listed below.

Marry or divorce?

Change your name?

Your tax credits?

**MAINE** 

LABOR

Gain or lose a dependent?

Your itemized deductions?

If you can answer "YES"...

Were there major changes to...

presentation machine, commonly called video display terminals.

task is to operate a terminal for more than four consecutive

association or corporation, public or private that uses 2 or

a steady or regular basis as an operator by an employer located

usual procedures.

Compliance Code: ME-1020-F02 • Check Compliance By Scanning Here ▶

### **EEOC - EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW**

### **EOUAL 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 GENETICS Title II of the Genetic Information Nondiscrimination Act of 2008 of 1964, as amended, protects applicants and employees from discrimination in protects applicants and employees from discrimination based on genetic

making reasonable accommodation to the known physical or mental limitations of against a person who files a charge of discrimination, participates in a discrimination

an otherwise qualified individual with a disability who is an applicant or employee, proceeding, or otherwise opposes an unlawful employment practice.

hiring, promotion, discharge, pay, fringe benefits, job training, classification, information in hiring, promotion, discharge, pay, fringe benefits, job training, referral, and other aspects of employment, on the basis of race, color, religion, sex classification, referral, and other aspects of employment. GINA also restricts (including pregnancy), or national origin. Religious discrimination includes failing employers' acquisition of genetic information and strictly limits disclosure to reasonably accommodate an employee's religious practices where the of genetic information. Genetic information includes information about accommodation does not impose undue hardship. genetic tests of applicants, employees, or their family members; the manifestation DISABILITY Title I and Title V of the Americans with Disabilities Act of 1990, as of diseases or disorders in family members (family medical history); and amended, protect qualified individuals from discrimination on the basis of disability requests for or receipt of genetic services by applicants, employees, or their in hiring, promotion, discharge, pay, fringe benefits, job training, classification, family members. referral, and other aspects of employment. Disability discrimination includes not RETALIATION All of these Federal laws prohibit covered entities from retaliating

barring undue hardship. WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED There are AGE The Age Discrimination in Employment Act of 1967, as amended, protects strict time limits for filing charges of employment discrimination. To preserve applicants and employees 40 years of age or older from discrimination based on the ability of EEOC to act on your behalf and to protect your right to file a private age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, lawsuit, should you ultimately need to, you should contact EEOC promptly when referral, and other aspects of employment. SEX (WAGES) In addition to sex discrimination prohibited by Title VII of the Civil (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex individuals with hearing impairments). EEOC field office information is available at

discrimination is suspected: The U.S. Equal Employment Opportunity Commission discrimination in the payment of wages to women and men performing substantially www.eeoc.gov or in most telephone directories in the U.S. Government or Federal egual work, in jobs that require egual skill, effort, and responsibility, under similar Government section. Additional information about EEOC, including information about charge filing, is available at www.eeoc.gov. working conditions, in the same establishment.

#### **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, individuals with disabilities at all levels of employment, including the executive level. NATIONAL ORIGIN Executive Order 11246, as amended, prohibits employment PROTECTED VETERANS The Vietnam Era Veterans' Readjustment Assistance Act discrimination based on race, color, religion, sex, sexual orientation, gender of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, dentity, or national origin, and requires affirmative action to ensure equality of and requires affirmative action to recruit, employ, and advance in employment opportunity in all aspects of employment. PAY SECRECY Executive Order 11246, as amended, protects applicants and or release from active duty), active duty wartime or campaign badge veterans, or employees from discrimination based on inquiring about, disclosing, or discussing Armed Forces service medal veterans. their compensation or the compensation of other applicants or employees. NDIVIDUALS WITH DISABILITIES Section 503 of the Rehabilitation Act of 1973, as of discrimination, participates in an OFCCP proceeding, or otherwise opposes

mended, protects qualified individuals with disabilities from discrimination in discrimination under these Federal laws. Any person who believes a contractor has niring, promotion, discharge, pay, fringe benefits, job training, classification, referral, violated its nondiscrimination or affirmative action obligations under the authorities and other aspects of employment. Disability discrimination includes not making above should contact immediately: The Office of Federal Contract Compliance Programs easonable accommodation to the known physical or mental limitations of an (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. otherwise qualified individual with a disability who is an applicant or employee, 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted parring undue hardship to the employer. Section 503 also requires that Federal by e-mail at OFCCP-Public@dol.gov, or by calling an OFCCP regional or district office, contractors take affirmative action to employ and advance in employment qualified listed in most telephone directories under U.S. Government, Department of Labor. If you believe that you have experienced discrimination contact OFCCP: 1-800-397-6251 TTY 1-877-889-5627 | www.dol.gov.

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

RACE, COLOR, NATIONAL ORIGIN, SEX In addition to the protections of Title activities which receive Federal financial assistance. VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of INDIVIDUALS WITH DISABILITIES Section 504 of the Rehabilitation Act of 1973, as 1964, as amended, prohibits discrimination on the basis of race, color or amended, prohibits employment discrimination on the basis of disability in any national origin in programs or activities receiving Federal financial assistance. program or activity which receives Federal financial assistance. Discrimination is Employment discrimination is covered by Title VI if the primary objective of prohibited in all aspects of employment against persons with disabilities who, with the financial assistance is provision of employment, or where employment or without reasonable accommodation, can perform the essential functions of the discrimination causes or may cause discrimination in providing services under job. If you believe you have been discriminated against in a program of any such programs. Title IX of the Education Amendments of 1972 prohibits institution which receives Federal financial assistance, you should immediately employment discrimination on the basis of sex in educational programs or contact the Federal agency providing such assistance.

EEOC 9/02 and OFCCP 8/08 Versions Useable With 11/09 Supplement

Mandatory Supplement to EEOC P/E-1(Revised 11/09) "EEO is the Law" Poster

### ANTI-DISCRIMINATION NOTICE

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

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

### EMPLOYEE POLYGRAPH PROTECTION ACT

### EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT

the 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

(a kind of lie detector) tests to be administered in the private sector, subject to AND JOB APPLICANTS CAN READILY SEE IT. restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers. The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer. The law does not preempt any provision of any State or local law or any collective

The Employee Polygraph Protection Act prohibits most private employers bargaining agreement which is more restrictive with respect to lie detector tests. from using lie detector tests either for pre-employment screening or during **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

disabled veterans, recently separated veterans (i.e., within three years of discharge

**RETALIATION** Retaliation is prohibited against a person who files a complaint

violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions. individuals engaged in national security-related activities. The Act permits polygraph

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES

WAGE AND HOUR DIVISION



# MAINE MINIMUM WAGE

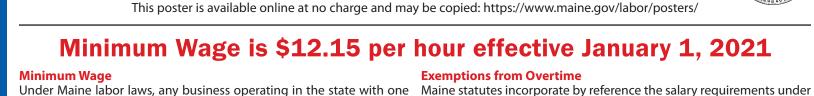
**Exemptions from Overtime** 

### **MINIMUM WAGE**

Labor Laws of the State of Maine provide protection for people who work in Maine. The Maine

Department of Labor administers the laws, which all employers must follow. Department

representatives inspect workplaces to ensure compliance. Citations and penalties may be issued to



and private employers regardless of profit or size. Effective January 1, requirement will be \$700.97 per week as of January 1, 2021. Salary is 2021, the minimum wage in Maine is \$12.15 per hour. Municipal Minimum Wage Ordinances

employers who do not comply.

Employers with employees who work in Bangor and/or Portland or any other municipality that passes a local minimum wage ordinance, may be subject to additional regulations and should check with municipal officials. Service Employee

A service employee is someone who regularly receives more than \$30 Every employer shall give to each employee with the payment of a month in tips. As of January 1, 2021, employers must pay a direct wages a statement clearly showing the date of the pay period, hours wage of at least \$6.08 per hour to service employees. If the employee's worked, total earnings and itemized deductions. direct wage combined with earned tips do not average, on a weekly basis, the state required minimum wage, the employer must pay the difference.

**MAINE** 

**LABOR** 

Overtime Unless specifically exempted, employees must receive overtime pay for The Department of Labor enforces state wage and hour laws. Employers hours worked in excess of 40 in a workweek at a rate not less than time with questions about the law may call 207-623-7900 or may visit the and one-half their regular rates of pay. Employers have the right to allow department's webpage. or deny overtime, but if overtime is worked, it must be paid in accordance with state requirements. Compensatory or "comp" time cannot be used by private-sector employers, although private-sector employers can allow www.maine.gov/labor/labor\_laws/minimum\_wage\_faq.html employees to flex their time within the workweek (but not the pay period legislature.maine.gov/statutes/26/title26sec664.html if the pay period is longer than a seven day cycle in the workweek).

For more information, contact: Maine Department of Labor Bureau of Labor Standards 45 State House Station Augusta, Maine 04333-0045 Telephone: 207-623-7900 TTY users call Maine Relay 711. Web site: www.maine.gov/labor/bls Email: bls.mdol@maine.gov

employee is automatically covered by state law. This includes all public the Fair Labor Standards Act (FLSA). The new minimum salary only one factor in determining whether a worker is exempt from overtime under federal or state law. The duties of each worker must be considered as part of this analysis. Failure to adhere to both requirements—meeting the duties test and the weekly salary threshold—will result in violations of both federal or state law or of one jurisdiction or the other depending on the discrepancies in the laws. Statements to Employees

Employers shall keep, for three years, accurate records of hours worked and wages paid to all employees.

Minimum Wage Guidance

**Overtime Guidance** 

www.maine.gov/labor/labor\_laws/overtime.html <u>legislature.maine.gov/statutes/26/title26sec664.html</u>

\*Note: Maine employers may also be covered under the federal Fair Labor Standards Act. For more information, contact the U.S. Department of Labor Wage and Hour Office at 603-666-7716.

Not after 7 p.m. during school year.

When School <u>Is Not</u> in Session

No more than 6 days in a row.

When School *Is Not* in Session

When School <u>Is</u> in Session

No more than 50 hours in a week.

and last week of school calendar.

No more than 6 hours on a school day.

When School <u>Is</u> in Session

or workshop)

· Cannot work after 9 p.m. during summer vacation.

• No more than 3 hours on a school day, including Friday.

• Cannot work after 10:15 p.m. the night before a school day.

Can work up to midnight when there is no school the next day.

Work Hours 16 and 17 year olds (enrolled in school)

Cannot work before 7 a.m. on a school day.

Cannot work before 5 a.m. on a non-school day.

• No more than 8 hours in any one day (weekend, holiday, vacation

• Not more than 18 hours in a week that school is in session one or

• No more than 10 hours in any one day (weekend, holiday, vacation, or

• No more than 10 hours on any holiday, vacation, or workshop day.

No more than 24 hours in a week, except may work 50 hours any week

that approved school calendar is less than three days or during the first

• On last day of school week, may work up to 8 hours.

• Not more than 40 hours in a week (school must be out entire week).

Maine Law (Title 26 M.R.S.A. § 42-B) requires every employer to place this

poster in the workplace where workers can easily see it. The Maine Department of Labor provides equal opportunity in employment and programs.

Auxiliary aids and services are available to people with disabilities upon request.

# CHILD LABOR LAWS

# **CHILD LABOR LAWS**



MAINE Child Labor Laws of the State of Maine provide protection for people under the age of 18 in both agricultural and nonagricultural jobs. The Maine Department of Labor administers the laws, which all employers must follow. Department representatives inspect workplaces to ensure compliance. Citations and penalties may be issued to employers who do not comply. This poster describes some important parts of the laws. A copy of the actual laws and formal interpretations may be obtained from the Department of Labor, Bureau of Labor Standards, by calling (207) 623-7900. (The laws are also on the Bureau website.) This poster is available online at no charge and may be copied: https://www.maine.gov/labor/posters/



14 and 15 year olds may work in most businesses, except in occupations Work Hours 14 and 15 year olds declared hazardous and jeopardize their health, well-being or educational • No more than six days in a row. opportunities. **16 and 17 year olds** may work in most businesses, however • Cannot work before 7 a.m. not in hazardous jobs. These provisions also provide limited exemptions. Contact the Bureau of Labor Standards for details.

All minors under 16 years of age need work permits in order to work. • Superintendent of schools certify academic standing. Minor allowed only one permit during the school year but two during summer vacation. Minor cannot work until permit is approved by Bureau of Labor Standards.

Employer keeps Bureau-approved permit on file.

**WORKERS' COMPENSATION** 

**BOARD REGIONAL OFFICES** 

**AUGUSTA** 

442 Civic Center Drive, Suite 225

156 State House Station

Augusta, ME 04333-0156

207-287-2308

1-800-400-6854

LEWISTON

36 Mollison Way

Lewiston, ME 04240-5811

207-753-7700

1-800-400-6857

BANGOR

106 Hogan Road, Suite 1

Bangor, ME 04401

207-941-4550

1-800-400-6856

PORTLAND

1037 Forest Avenue, Suite 11

Portland, ME 04103

207-822-0840

1-800-400-6858

CARIBOU

43 Hatch Drive, Suite 110

Caribou, ME 04736-2347

207-498-6428

1-800-400-6855

Visit our website at:

www.maine.gov/wcb

Statewide TTY: 711

When calling for assistance, please say the name

elephone: (888) 801-9087 or TTY: 711.

All employers must keep accurate payroll records for workers under 18. Records must show what time the minor began work, total hours worked, and what time the minor finished work each day

Note: Maine employers may also be covered under the Federal Fair Labor Standards Act. For more information, contact the U.S. Department of Labor Wage and Hour Office at 603-666-7716 or http://youth.dol.gov/.

For more information, contact: Maine Department of Labor Bureau of Labor Standards 45 State House Station, Augusta, Maine 04333-0045 Tel: 207-623-7900 or 207-623-7930 TTY users call Maine Relay 711 Website: www.maine.gov/labor/bls

Email: bls.mdol@maine.gov Maine Law (Title 26, M.R.S.A. § 42-B) requires every employer to place this poster in the workplace where workers can easily see it.

# The Maine Department of Labor provides equal opportunity in employment and programs. Auxiliary aids and services are available to people with disabilities upon request

**WORKERS' COMPENSATION AFTER JANUARY 1, 2020** 

FOR DATES OF INJURY ON AND

workshop).

# **WORKERS' COMPENSATION**

Notice to Employees: State law requires your employer to provide workers' compensation insurance for its employees. Workers' compensation insurance provides benefits to employees who are injured at work. If you are injured at work, NOTIFY YOUR EMPLOYER AT ONCE. You may lose your right to receive benefits unless your employer is notified within 60 days of your injury. Your claim is also subject to a two year statute of limitations. Worker advocates are available at the Workers' Compensation Board to help injured workers. It is against the law for employers to misclassify employees as independent contractors for the purposes of avoiding workers' compensation insurance, unemployment coverage, or other employer paid taxes and withholdings. For more information on laws pertaining to the hiring of independent contractors, visit the Worker Misclassification Task Force website at www.maine.gov/labor/misclass. If you have any questions about your rights, please contact one of the regional offices. A l'intention des Employes: D'après les lois de l'Etat du Maine, votre employeur est tenu de souscrire à une assurance

indemnisant ses employés victimes d'un accident du travail. Si vous êtes victime d'un accident du travail, PREVENEZ VOTRE EMPLOYEUR IMMEDIATEMENT. Passé un délai de 60 jours, vous risquez de perdre vos droits à l'indemnisation. Au-delà de deux ans, votre déclaration n'est plus recevable. Pour aider les victimes d'un accident du travail, le Workers'Compensation Board met des conseillers juridiques à leur disposition. La loi interdit aux employeurs de classifier fallacieusement leurs salariés comme étant des contractants privés aux fins d'échapper a l'assurance compensatriceemployé, aux indemnités de chômage, ou aux autres charges et retenues dues par employeur. Pour plus de détails sur la législation relative a l'utilisation des services privés, visitez le site internet de Worker Misclassification Task Force (Unité anti-fraude en matière de classification des salariés): www.maine.gov/labor/misclass. Si vous n'êtes pas sûr de vos droits, veuillez contacter l'un des bureaux régionaux.

Aviso a los Trabajadores: La ley del estado de Maine requiere que su empresario proporcione el seguro de compensaciones para el trabajador a todos los trabajadores. El seguro de compensaciones para el trabajador proporciona beneficios a los trabajadores accidentados en el trabajo. En caso de sufrir accidente o daño laboral, NOTIFÍQUELO INMEDIATAMENTE A SU EMPRESARIO. Podría perder el derecho a recibir compensación a menos que su empresario sea notificado de este accidente o daño en el plazo de 60 días. Así mismo esta reclamación debe hacer referencia a un accidente o daño que no hava ocurrido hace más de dos años. Los defensores del trabajador están disponibles para proporcionar ayuda a los trabajadores accidentados en el Consejo de Administración de Compensaciones para el Trabajador (Workers' Compensation Board). El hecho de no clasificar a los empleados como contratistas independientes. con el propósito de evitar el seguro por compensación al trabajador, cobertura para desempleados, ú otros impuestos pagados y retenidos por el empleador; está en contra de la ley del empleador. Para mayor información acerca de las leyes pertenecientes a la contratación de contratistas independientes, visite el Worker Misclassification Task Force en la página web de www.maine.gov/labor/misclass. En caso de tener cualquier pregunta sobre sus derechos, favor de dirigirse a una de las oficinas regionales de compensaciones para el trabajador.

通訳サービスをご利用いただけます

Lorsque vous appelez pour demander de l'aide, noncez le mot "French" et nous mettrons un Fłumacze dostepni na życzenie

This poster is available in alternative format. For further assistance, contact the Maine Workers' Compensation Board, ADA Coordinator,

Fenemos intérpretes a su disposición Si necesita que le atiendan en español por favor di angielsku "Polish" i czekać na linii. "Spanish" y le conectaremos con un intérprete. Por пожалуйста скажите, что Вы говорите по-русски Se precisar de atendimento em Português, por favor (произнесите "РАШН"), и мы обеспечим Вас

提供口譯服務 Se avete bisogno di assistenza in Italiano, Vi preghiamo 塑 打電話請求幫助時,請用英語说"挾音呢斯"

be called for you. Please stay on the line. 'К вашим услугам имеются переводчики'

diga "Portuguese" e um intérprete será pronta di dire "Italian" e un intèrprete sará messo a Vostra (CHINESE)-- 我們將爲您提供口譯人員。請不 isposizione. Vi preghiamo di rimanere in linea.

he basis of disability in admission to, access to, or operation of its programs, services or activities.

通訳を必要とされる場合は「ジャパニーズ」と っしゃり、通訳がでるまでそのままでお待ちく 한국어 통역을 이용하실 수 있습니다. 도움이 필요하여 전화를 거실 때 영어로 코리언 (KOREAN)이라고 말씀하시면 홍 역자를 연결해 드릴

To the employer: This notice must be posted in a conspicuous place upon your premises accessible to employees. 39-A MRSA §406. The State of Maine does not discriminate on

"Khi gọi điện thoại để được giúp đỡ, xin quý vị hãy nói "VIETNAMESE" để chúng tôi cho thông dịch ên giúp quý vị. Xin quý vị chờ trên đường dây.

luqaddaada af Ingiriisi inoogu sheeg turjubaan ayaa

것입니다. 전화를 끊지 마시고 기다리십시오. Marka aad caawinaad inoogu soo yeeraneysid, fadhlan

افراد مترجم در دسترس مي باشند را که بدان صحبت می کنید به انگلیسی ذکر کنید تا راجع به امري به ما تلفن مي كنيد، لطفأ نام زباني قطّع نكنيد. هنگاميكه براي درخواست كمك يا شما تماس گرفته شود. لطفاً روي خط منتظر بمانيد.

عند إتصالكم للمساعدة أو لطلب خدمة معينة نرجو منكم أن تذكروا

(أ-رُ-بِ-ك ')ونحن سنقدَم لكم مترجما شفهيا . ابقوا على الخط من

مترجمون شفهيون متيشرون لخدمتكم

WCB-90 (1/20)

claim form. Mail your initial claim form to the Unemployment **Maine Department of Labor Bureau of Unemployment Compensation** 97 State House Station, Augusta, ME 04333-0097 **Rules Governing The Administration of the Employment Security Law states every employer** shall post and maintain such notices to its workers.

> **HUMAN RIGHTS ACT EQUAL OPPORTUNITY IS THE LAW** Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations

> > conditions or privileges of employment.

who is not separated from that employer.

The Maine Human Rights Act prohibits discrimination because of because of previous actions taken that are protected under the race, color, sex, sexual orientation, age, physical or mental Whistleblowers' Protection Act, to: disability, genetic information, religion, ancestry or national origin. The Maine Human Rights Act also prohibits discrimination because of filing a claim or asserting a right against a prior employer under the Workers' Compensation Act or retaliation under the Whistlehlowers' Protection Act **EQUAL EMPLOYMENT RIGHTS** The opportunity for an individual

to secure employment without discrimination because of race, color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin is a civil right. UNLAWFUL EMPLOYMENT DISCRIMINATION It is unlawful

employment discrimination for any employer, because of race, color, sex, sexual orientation, age, physical or mental disability, genetic information, religion, ancestry or national origin, or because of an individual's previous assertion of a claim or right against a prior employer under the Workers' Compensation Act, or

www.maine.gov/mhrc

applicant for employment.

Printed under appropriation: 01094H1010012 (2011 REV)

# EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

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

FEDERAL MINIMUM WAGE

The law requires employers to display this poster where assessed civil money penalties for each willful or repeated violation of OVERTIME PAY At least 1 ½ times your regular rate of pay for all

hours worked over 40 in a workweek. CHILD LABOR An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment. TIP CREDIT Employers of "tipped employees" who meet certain

conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference. **NURSING MOTHERS** The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA's overtime requirements in order for the employee to express breast milk for her nursing child for one year after the child's birth each time such employee has a need to express breast milk. Employers are also required to provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk. **ENFORCEMENT** The Department has authority to recover back

minimum wage, overtime, and other violations. The Department may

litigate and/or recommend criminal prosecution. Employers may be

wages and an equal amount in liquidated damages in instances of

the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA. ADDITIONAL INFORMATION Certain occupations and establishments are exempt from the

minimum wage, and/or overtime pay provisions. Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico. Some state laws provide greater employee protections; employers must comply with both.

Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not. Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.



Leave for Victims of Violence, Assault, Sexual Assault or

Stalking Must be allowed upon request if an employee (or a child,

parent or spouse of an employee) is a victim of violence, assault,

sexual assault or stalking or any act that would support an order for

protection under Title 19-A M.R.S.A., c. 101 and the employee needs

If the employer's policy provides for paid time off, the employee

must be allowed to use up to 40 hours in a 12-month period to

An employer that employs more than 10 employees in the usual

and regular course of business for more than 120 days in any

calendar year shall permit each employee to earn paid leave based

on the employee's base pay. An employee is entitled to earn one

hour of paid leave from a single employer for every 40 hours

worked, up to 40 hours in one year of employment. Accrual of

leave begins at the start of employment, but the employer is not

required to permit use of the leave before the employee has been

employed by that employer for 120 days during a one-year period.

Employees may be eligible for federal and state earned income tax

credits. Employees may apply for the tax credits on the employee's

Note: Maine employers may also be covered under the Federal Fair

Labor Standards Act. For more information, contact the U.S.

For more information, contact:

Department of Labor Wage and Hour Office at 866-487-9243.

♦ Prepare for and attend court proceedings; or

Obtain necessary services to remedy crisis.

care for an immediate family member who is ill.

Earned Paid Leave (Effective 01.01.2021)

♦ Receive medical treatment; or

Leave to Care for Family

**Earned Income Tax Credit** 

ncome tax return

# **REGULATION OF EMPLOYMENT**

### Regulation of Employment Labor Laws of the State of Maine provide protection for people who work in Maine. The Maine Department of Labor

administers the laws, which all employers must follow. Department representatives inspect workplaces to ensure compliance. Citations and penalties may be issued to employers who do not comply. This poster describes some nportant parts of the laws. A copy of the actual laws or formal interpretations may be obtained from the Department of Labor, Bureau of Labor Standards, by calling 207-623-7900. (The laws are also on the Bureau's web site.) This poster is available online at no charge and may be copied: https://www.maine.gov/labor/posters/

Employees must be paid in full at least every 16 days. Employees must be notified of any decrease in wages or salary at least one Employees who leave a job must be paid in full on the next pavdav

or within two weeks, whichever is earlier. This may also include the payment of accrued vacation pay and/or Earned Paid Leave if established in company policy or in practice. Employers cannot require that an employee pay for losses such as broken merchandise, bad checks, or bills not paid by customers,

nor for special uniforms and certain tools of the trade.

Most employees must be offered a 30-minute paid or unpaid rest break after 6 hours of work. Nursing mothers must be provided with unpaid break time or be permitted to use their paid break or meal time to express milk. The employer must make reasonable efforts to provide a clean room or location, other than a bathroom, where the milk can be expressed.

An employee who has worked for the last 12 months at a workplace with 15 or more employees can have leave for up to 10 paid or unpaid weeks in 2 years for: Birth or adoption of a child or domestic partner's child; ♦ Serious illness of the employee or immediate family member, including domestic partner:

Organ donation

♦ Death or serious health condition of the employee's spouse, domestic partner, parent or child if it occurs while the spouse, domestic partner, parent or child is on active duty; ♦ Serious illness or death of a sibling who shares joint living and financial arrangements with the worker.

Maine Department of Labor Bureau of Labor Standards 45 State House Station, Augusta, Maine 04333-0045 located at: 45 Commerce Drive (Federal family medical leave is different, call 866-487-9243 for more information.) Telephone: 207-623-7900 | TTY users call Maine Relay 711. Maine Law (Title 26 M.R.S.A. § 42-B) requires every employer to Web site: www.maine.gov/labor/bls Email: bls.mdol@maine.gov place this poster in the workplace where workers can easily see it.

At-Will Employment - Under Maine law, an at-will employee may be terminated for any reason not specifically prohibited by law. In most instances, you are an at-will employee unless you are covered by a collective bargaining agreement or other contract that limits termination. If you have questions about at-will employment, contact your human resources department or the Bureau of Labor Standards. The Maine Department of Labor provides equal opportunity in employment and programs. Auxiliary aids and services are available to people with disabilities upon request. rev. 10/20

### FMLA - 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 of the employee's worksite. take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the

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 health condition

To care for the employee's spouse, child, or parent who has a qualifying serious 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. n eligible employee who is a covered servicemember's spouse, child, parent, or A. Notification of the rights and duties created under this next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period subchapter by posting in a prominent location in the 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 B. An explanation or description of the proper use of terminals

necessary or otherwise permitted, employees may take leave intermittently or on a 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

adjustable work station equipment used by the operator. 2. Literature; clearinghouse. The bureau shall recommend An employer may not interfere with an individual's FMLA rights or retaliate against to employers, for use in education and training programs, occupational safety literature that provides appropriate, current by the FMLA, or being involved in any proceeding under or related to the FMLA. and pertinent data on terminal use. 3. Training schedule. Employers shall provide operators with this Have worked for the employer for at least 12 months: education and training program within 30 days of employment

someone for using or trying to use FMLA leave, opposing any practice made unlawful **LIGIBILITY 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 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

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 may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If

or one nearly identical to it with equivalent pay, benefits, and other employment 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. For additional information or to file a complaint: 1-866-4-USWAGE (1-866-487-9243) WWW.WAGEHOUR.DOL.GOV

if so, how much leave will be designated as FMLA leave.

\*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

Employees do not have to share a medical diagnosis, but must provide enough

nformation to the employer so it can determine if the leave qualifies for FMLA

protection. Sufficient information could include informing an employer that the

the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and

**ENFORCEMENT** Employees may file a complaint with the U.S. Department of

\_abor, Wage and Hour Division, or may bring a private lawsuit against an employer.

#### THE MAINE HUMAN RIGHTS ACT PROHIBITS SEX DISCRIMINATION SEXUAL HARASSMENT ON THE JOB IS ILLEGAL

UNWELCOME SEXUAL ADVANCES

SUGGESTIVE OR LEWD REMARKS

• REQUESTS FOR SEXUAL FAVORS RETALIATION FOR COMPLAINING ABOUT SEXUAL HARASSMENT

 UNWANTED HUGS, TOUCHES, KISSES IF YOU FEEL YOU HAVE BEEN DISCRIMINATED AGAINST, CONTACT:

SEXUAL HARASSMENT ACT

MAINE HUMAN RIGHTS COMMISSION - 51 STATE HOUSE STATION, AUGUSTA, MAINE 04333-0051 Phone: (207) 624-6290 - Fax: (207) 624-8729 • TTY: MAINE RELAY 711 • www.maine.gov/mhrc

#### OR CONTACT YOUR PERSONNEL DEPARTMENT: DEPARTMENT / AGENCY CONTACT Printed under appropriation: 01094H1010012 (102012 REV)

### WHISTLEBLOWER'S PROTECTION ACT

#### **MAINE** DEPARTMENT OF **LABOR**

(Name)

### WHISTLEBLOWER'S PROTECTION ACT

**Protection of Employees Who Report or Refuse to Commit Illegal Acts** This poster describes some important parts of the law. A copy of the actual law or formal interpretations may be obtained from the Department of Labor, Bureau of Labor Standards by calling 207-623-7900. (The laws are also on the Bureau's web site.)

This poster is available online at no charge and may be copied: https://www.maine.gov/labor/posters/

It is illegal for your boss to fire you, threaten you, retaliate against you or treat you differently because:

1. You reported a violation of the law; 2. You are a healthcare worker and you reported a medical error; 3. You reported something that risks someone's health or safety;

4. You have refused to do something that will endanger your life or someone else's life and you have asked your employer 5. You have been involved in an investigation or hearing held by the government.

You are protected by this law ONLY if: 1. You tell your boss about the problem and allow a reasonable time for it to be corrected; or

2. You have good reason to believe that your boss will not correct the problem. To report a violation, unsafe condition or practice or an illegal act in your workplace, contact: (This information should be filled in by the employer)

(Title)

The Maine Human Rights Commission 51 State House Station Augusta, Maine 04333 Tel: 207-624-6290 TTY users call Maine Relay 711 www.Maine.gov/mhrc

The following agencies may provide useful information on workplace safety and labor laws: Maine Department of Labor

**Bureau of Labor Standards** 45 State House Station Augusta, Maine 04333-0045 Tel: 207-623-7900 TTY users call Maine Relay 711.

Web site: www.maine.gov/labor/bls

Email: bls.mdol@maine.gov

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

For more information or to file a complaint under this law, contact:

U.S. Department of Labor/OSHA 40 Western Avenue Augusta, Maine 04330 Tel: 207-626-9160 www. osha.gov

(Location or Phone)

Maine Law (Title 26 M.R.S.A. § 839) requires every employer to place this poster in the workplace where workers can easily see it.

U.S. Department of Labor

Wage and Hour Division

P.O. Box 554

Portland, Maine 04112

Tel: 207-780-3344

www. dol.gov

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

YOUR RIGHTS UNDER USERRA THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

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 You have the right to be reemployed in your civilian job if you leave that job to • If you leave your job to perform military service, you have the right to elect to perform service in the uniformed service and: continue your existing employer-based health plan coverage for you and your

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. f 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 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

exclusions) except for service-connected illnesses or injuries. • The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations. • For assistance in filing a complaint, or for any other information on USERRA, contact VETS at **1-866-4-USA-DOL** or visit its website at http://www.dol.gov/vets. An interactive online USERRA Advisor can be viewed at http://www.dol.gov/elaws/userra.htm.

• 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

dependents for up to 24 months while in the military.

The Maine Department of Labor provides equal opportunity in employment and

programs. Auxiliary aids and services are available to people with disabilities

• 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.

Employer Support Of The Guard And Reserve 1-800-336-4590

proceeding under USERRA, even if that person has no service connection. The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: http://www.dol.gov/vets/programs/userra/poster.htm. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.

Office of Special Counsel

# OSHA - THE OCCUPATIONAL SAFETY AND HEALTH ACT

U.S. Department of Justice



**OSHA**®

# Job Safety and Health IT'S THE LAW!

# All workers have the right to:

A safe workplace.

 Raise a safety or health concern with your employer or OSHA, or report a workrelated injury or illness, without being retaliated against.

Receive information and training on job hazards, including all hazardous substances in your workplace.

Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf. Participate (or have your representative

participate) in an OSHA inspection and speak in private to the inspector. • File a complaint with OSHA within 30

have been retaliated against for using your See any OSHA citations issued to your employer.

days (by phone, online or by mail) if you

 Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

This poster is available free from OSHA.

Contact OSHA. We can help.

### **Employers must:** Provide employees a workplace free from

recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.

 Comply with all applicable OSHA standards.

Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye. Provide required training to all workers

understand. Prominently display this poster in the workplace.

in a language and vocabulary they can

Post OSHA citations at or near the place

of the alleged violations. On-Site Consultation services are available

to small and medium-sized employers, without citation or penalty, through OSHAsupported consultation programs in every state.



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

ME-1020-F02