Compliance Code: NC-0620-F02 • Check Compliance By Scanning Here ▶

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 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

employees can readily see it. **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

agricultural employment.

make up the difference.

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

NURSING MOTHERS The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA's overtime requirements in order for the employee to express breast milk for her nursing child for one year after the child's birth each time such employee has a need to express breast milk. Employers are also required to provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

ENFORCEMENT The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties

for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child

labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA. **ADDITIONAL INFORMATION** certain work hours restrictions. Different rules apply in

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.





UNEMPLOYMENT INSURANCE

Certificate of Coverage and Notice to Workers as to Benefit Rights

Employers covered by the Employment Security Law of North Carolina (Chapter 96 of the North Carolina General Statutes) contribute to a special fund set aside for the payment of unemployment insurance benefits. No money is withheld from workers' checks for unemployment insurance purposes. If your work hours are substantially reduced or your job is eliminated due to lack of work you may qualify for unemployment insurance

benefits. If you work less than the equivalent of (3) customary scheduled full time days, during any payroll week because work was not available, you may be eligible for unemployment insurance benefits. An employer may file claims for employees through the use of automation in case of partial unemployment. An employer may file an attached claim for an employee only once during a benefit year, and the period of partial unemployment for which the claim is filed may not exceed six consecutive weeks. You must notify the employer of any wages earned from all sources during the payroll week. Unemployment insurance benefit payments are processed in Raleigh, North Carolina. Please be sure that your employer has your correct mailing address.

If you lose your job with this employer, you may contact the Department of Commerce, Division of Workforce Solutions (DWS) at www.nccommerce.com/workforce to assist you in securing suitable work. DWS provides a wide variety of services free of charge. If suitable work is not readily available you may file a claim for unemployment insurance benefits with the Division of Employment Security at des.nc.gov, or by phone at 877-841-9617.

By law, workers who become unemployed for other reasons or who refuse suitable work may be denied unemployment insurance

If you have any questions about unemployment insurance benefits or need more information, contact the Division of Employment Security at the address shown on the bottom of this poster. **During Labor Disputes** [Section 96-14.7(b)]

An individual is disqualified for benefits if the Division determines the individual's total or partial unemployment is caused by a labor

dispute at your place of employment or any location owned by the employer within the state of North Carolina. Once the labor dispute has ended, such workers shall continue to be ineligible for unemployment insurance benefits for the period of time that is reasonably necessary to resume operations in the workers' place of employment

Instructions for Employers

- Benefit claims for attached workers may be filed on-line at des.nc.gov.

DES HIGHLY RECOMMENDS POSTING THIS INFORMATION. For More Information, Contact:

North Carolina Department of Commerce, Division of Employment Security

P.O. Box 25903, Raleigh, N.C. 27611 Telephone: (919) 707-1237

www.ncesc.com





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 or making a statement in connection with a proceeding under leave that job to perform service in the uniformed service and: you ensure that your employer receives advance written or

 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

 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;

verbal notice of your service;

reemployment; retention in employment; • promotion; or

any benefit of employment

because of this status. In addition, an employer may not retaliate against anyone

USERRA, even if that person has no service connection. **HEALTH INSURANCE PROTECTION** • If you leave your job to perform military service, you have the right to elect to continue your existing employer-based

assisting in the enforcement of USERRA rights, including testifying

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. •The U.S. Department of Labor, Veterans Employment and

Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.

• For assistance in filing a complaint, or for any other information on USERRA, contact VETS at **1-866-4-USA-DOL** or visit its website at http://www.dol.gov/vets. An interactive online USERRA Advisor can be viewed at http://www.dol.gov/elaws/userra.htm.

• If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation.

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

Publication Date — April 2017

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.













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 *Special "hours of service" requirements apply to airline flight

covered employer can take up to 12 weeks of unpaid, jobprotected leave in a 12-month period for the following reasons: • The birth of a child or placement of a child for adoption or • 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.

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

· Have worked for the employer for at least 12 months; taking leave;* and • Work at a location where the employer has at least 50 employees

within 75 miles of the employee's worksite.

for FMLA leave. The employee must: • Have at least 1,250 hours of service in the 12 months before

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

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.

continuing medical treatment is necessary. Employees must

inform the employer if the need for leave is for a reason for which

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 the employee is not eligible, the employer must provide a reason

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as **ENFORCEMENT** Employees may file a complaint with the U.S.

An employer may not interfere with an individual's FMLA rights 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 For additional information or to file a complaint:



WORKERS' COMPENSATION

N.C. WORKERS' COMPENSATION NOTICE TO INJURED WORKERS AND EMPLOYERS All employees of this business, except specifically excluded executive officers, suffering work-related injuries may be entitled to Workers' Compensation benefits from the employer or its insurance carrier.

IF YOU HAVE A WORK-RELATED INJURY OR AN OCCUPATIONAL DISEASE

The Employee Should:

- Report the injury or occupational disease to the Employer immediately.
- Give written notice to the Employer within 30 days.
- File a claim with the Industrial Commission on a Form 18 immediately, but no later than 2 years from injury date or occupational disease. Give a copy to the Employer. If medical treatment and wage loss compensation are not promptly provided, call the insurance carrier/
- administrator or request a hearing before the Industrial Commission using a Form 33 Request for Hearing. Commission forms are available at website www.ic.nc.gov or by calling the Help Line.
- Your employer's workers' compensation insurance carrier is

The insurance policy number is

FORM 17

Your employer's workers' compensation insurance policy is valid from

For assistance: Call the Industrial Commission HELP LINE—(800) 688-8349. The Employer Should:

Provide all necessary medical services to the Employee.

Report the injury to the carrier/administrator and file a Form 19 Report of Injury within 5 days with the Industrial Commission, if the Employee misses more than 1 day from work or if cumulative medical costs

Give a copy of your completed Form 19 to the Employee along with a copy of a blank Form 18 Notice

 Ensure that compensation is promptly paid as required under the Workers' Compensation Act. For assistance with Safety Education Training contact: Director of Safety Education at (919) 807-2602 or safety@ic.nc.gov

> **NORTH CAROLINA INDUSTRIAL COMMISSION 1235 MAIL SERVICE CENTER** RALEIGH, NORTH CAROLINA 27699-1235 Website: <u>www.ic.nc.gov</u>

QUALIFY AS SELF-INSURED. (N.C. Gen. Stat. §97-93). Revised 10/2017

PAYDAY NOTICE

TO EMPLOYER: THIS FORM MUST BE PROMINENTLY POSTED IF YOU HAVE WORKERS' COMPENSATION INSURANCE OR

Regular Paydays for Employees of

(Company Name) Shall be as follows: Weekly Bi-Weekly

YOU MAY NEED TO CHECK YOUR WITHHOLDING

WITHHOLDING STATUS

Since you last filed form W-4 with your employer See your employer for a copy of Form W-4 or call the IRS at

did you... Marry or divorce? Gain or lose a dependent?

· Change your name? Were there major changes to... **Employer**: Please post or publish this Bulletin Board Poster Your nonwage income (interest, dividends, capital so that your employees will see it. Please indicate where gains, etc.)?

Your family wage income (you or your spouse started or ended a job)? Your itemized deductions?

Your tax credits?

1-800-829-3676. Now is the time to check your withholding. For more details, get Publication 919, How Do I Adjust My Tax Withholding?, or use the Withholding Calculator at www.irs.gov/individuals on the IRS web site.

Publication 213 (Rev. 8-2009)



they can get forms and information on this subject.

EMPLOYEE POLYGRAPH PROTECTION ACT

EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits economic loss to the employer. The law does not preempt most private employers from using lie detector tests any provision of any State or local law or any collective either for pre-employment screening or during the bargaining agreement which is more restrictive with course of employment.

PROHIBITIONS Employers are generally prohibited from take a lie detector test, and from discharging, disciplining, the conduct and length of the test. Examinees have a

to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers. The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace

incident (theft, embezzlement, etc.) that resulted in

respect to lie detector tests. **EXAMINEE RIGHTS** Where polygraph tests are permitted,

or discriminating against an employee or prospective number of specific rights, including the right to a written employee for refusing to take a test or for exercising other notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to **ENFORCEMENT** The Secretary of Labor may bring court

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



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,

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

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

barring undue hardship. AGE The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. **SEX (WAGES)** In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, n the same establishment.

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN Title VII GENETICS Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' history); and requests for or receipt of genetic services by applicants, employees, or their family members. **RETALIATION** All of these Federal laws prohibit covered entities from retaliating against a person who files a

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 based on race, color, religion, sex, sexual orientation, gender ensure equality of opportunity in all aspects of employment. 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 ndividuals 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 accommodation to the known physical or mental limitations $\,$ 200 Constitution Avenue, N.W., Washington, D.C. 20210, of an otherwise qualified individual with a disability who is $\,$ 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP an applicant or employee, barring undue hardship to the may also be contacted by e-mail at employer. Section 503 also requires that Federal contractors OFCCP-Public@dol.gov, or by calling an OFCCP regional take affirmative action to employ and advance in or district office, listed in most telephone directories employment qualified individuals with disabilities at all under U.S. Government, Department of Labor.

evels of employment, including the executive level.

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

PROTECTED VETERANS The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 11246, as amended, prohibits employment discrimination 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance dentity, or national origin, and requires affirmative action to in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release PAY SECRECY Executive Order 11246, as amended, protects from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans. **RETALIATION** Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these Federal laws. Any person who believes a

contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately: The Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor,

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE RACE, COLOR, NATIONAL ORIGIN, SEX In addition to the or activities which receive Federal financial assistance.

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

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

NCDOL

Wage and Hour Act

N.C. Department of Labor

Wage and Hour Notice to Employees

NORTH CAROLINA MINIMUM WAGE & OCCUPATIONAL SAFETY AND HEALTH PROTECTION

Minimum Wage: \$7.25 per hour (effective 7/24/09). Employers in North Carolina are required to pay the higher of the minimum wage rate established by state or federal laws. The federal minimum wage increased to \$7.25 per hour effective July 24, 2009; therefore, employers in North Carolina are required

to pay their employees at least \$7.25 per hour. An employer may pay as little as \$2.13 per hour to tipped employees so long as each employee receives enough in tips to make up the difference between the wages paid and the minimum wage. Employees must be allowed to keep all tips, except that pooling is permitted if no employee's tips are Any worker who is defined as an employee by the N.C. Wage and reduced more than 15 percent. The employer must keep an accurate and complete record of tips as certified by each employee monthly or for each pay period. Without these N.C. Employment Security laws (N.C. Gen. Stat. 96-1(b)(10)), the records, the employer may not be allowed the tip credit. Certain full-time students may be paid 90 percent of the minimum wage, rounded to the lowest nickel.

Time and one-half must be paid after 40 hours of work in any one workweek, except after 45 hours at seasonal recreational and amusement establishments. The state overtime provision does not apply to some employers and employees who are exempt.

Youth Employment Rules for all youths under 18 years old are: Youth employment certificates are required. To obtain a YEC, please visit our website

at www.labor.nc.gov. Hazardous or Detrimental Occupations: State and federal labor laws protect youth workers by making it illegal for employers to hire them in dangerous jobs. For example, non-agricultural workers under 18 years of age may not operate a forklift; operate many types of power equipment such as meat slicers, circular saws, band saws, bakery machinery or woodworking machines; work as an electrician or electrician's helper; or work from any height above 10 feet, including the use of ladders and scaffolds. For a complete list of prohibited jobs, please visit our website at www.labor.nc.gov Additional rules for 16- and 17-year-olds are: No work between 11 p.m. and 5 a.m. when there is school the next day. Exception: When the employer gets written permission from the employer for any reason or no reason at all.

Additional rules for 14- and 15-year-olds are: Where work can be performed: Retail businesses, food service establishments, service stations and offices of other businesses. Work is not permitted in manufacturing, mining or construction, or with power-driven machinery, or on the premises of a business holding an ABC permit for the on-premises sale or consumption of work on the outside arounds of the premises with written consent the preparation, serving, dispensing or sale of alcoholic beverages. Maximum hours per day: Three on school days; eight if a non-

youth's parents and principal.

Maximum hours per week: 18 when school is in session; 40 when school is not in session.

Breaks: 30-minute breaks are required after any period of five consecutive hours of work. Additional rules for youths under 14 years old are: Work is generally not permitted except when working for the youth's parents; in newspaper distribution to consumers; modeling; or

must be mailed. When the amount of wages is in dispute, the employer's payment of the undisputed portion cannot restrict the right of the employee to continue a claim for the rest of the wages. Employees must be notified of paydays, pay rates, policies on vacation and sick leave, and of commission, bonus and other

pay matters. Employers must notify employees in writing or through a posted notice maintained in a place accessible to its employees of any reduction in the rate of promised wages at least 24 hours prior to such change.

General Statutes) are met. The withholding or diversion of wages owed for the employer's benefit may not be taken if they reduce wages below the minimum wage. No reductions may be made to overtime wages owed. Deductions for cash or inventory shortages or for loss or damage to an employer's property may not be taken unless the employee receives seven days' advance notice. This seven-day rule does not apply to these deductions made at termination. An employer

be notified in writing or through a posted notice of any company policy or practice that results in the loss or forfeiture of vacation time or pay. Employees not so notified are not subject to such loss or forfeiture. The wage payment provisions apply to all private-sector employers doing business in North Carolina. The wage payment

The department's Wage and Hour Bureau investigates complaints and may collect back wages plus interest if they are due to the employee. The state of North Carolina may bring civil or criminal actions against the employer for violations of the law. The employee may also sue the employer for back wages. The court $may\,aw ard\,attorney's\,fees, costs, liquidated\,damages\,and\,interest.$ Anyone having a question about the Wage and Hour Act may call:

1-800-NC-LABOR (1-800-625-2267)

Employee Classification Hour Act (N.C. Gen Stat. 95-25.2(4)), the N.C. Employee Fair Classification Act, the Internal Revenue Code as adopted under N.C. Workers' Compensation Act (N.C. Gen. Stat. 97-2(2)), or the N.C. Revenue Act (N.C. Gen. Stat. 105-163.1(4)) shall be treated

Any employee who believes that he or she has been misclassified

as an independent contractor by his or her employer may report the suspected misclassification to the N.C. Industrial Commission's Employee Classification Section by phone, email or fax. When filing a complaint, please provide the physical location, mailing address, and if available, the telephone number and email address for the employer suspected of employee misclassification: **Employee Classification Section**

> 1233 Mail Service Center Raleigh, NC 27699-4333

N.C. Industrial Commission

Email: emp.classification@ic.nc.gov Phone: 919-807-2582 Fax: 919-715-0282

Employment at Will

North Carolina is an employment-at-will state. The term "employment-at-will" simply means that unless there is a specific law to protect employees or an employment contract providing otherwise, then an employer can treat its employees as it sees fit and the employer can discharge an employee at the will of the

collective bargaining or labor unions. The right of persons to

work cannot be denied or reduced in any way because they are

Riaht-to-Work Laws North Carolina is a "right-to-work" state. Right-to-work applies to

either members of a labor union (including labor organization or labor association) or chose not to be a member of any such labor union. An employer cannot require any person, as a alcoholic beverages; except that youths at least 14 years of age can condition of employment or continuation of employment, to pay any dues or other fees of any kind to a labor union. Also, an from a parent or guardian as long as the youth is not involved with employer cannot enter into an agreement with a labor union whereby (1) non-union members are denied the right to work for the employer, (2) membership is made a condition of employment or continuation of employment, or (3) the labor union acquires an employment monopoly in any enterprise. NCDOL has no enforcement authority regarding labor union

> laws. For employee concerns regarding labor unions, contact the Regional Office of the National Labor Relations Board. The NLRB is an independent federal agency that protects the rights of private sector employees to join together, with or without a union, to improve their wages and working conditions. Regional office contact: NLRB—Region 11 Office Republic Square

The department's Retaliatory Employment Discrimination Bureau

4035 University Parkway, Suite 200

Winston-Salem, NC 27106-3325

336-631-5201

investigates complaints filed by employees against their employers for alleged violations of the N.C. Retaliatory Employment Discrimination Act (REDA). Under REDA, an employer may not retaliate against an employee for engaging in REDA-protected activities, such as filing a claim or initiating an inquiry, related to certain rights under the following:

 Occupational Safety and Health Complaints • Mine Safety and Health Complaints Genetic Testing Discrimination

Workers' Compensation Claims

• Drug Paraphernalia Complaints

Wage and Hour Complaints

• N.C. National Guard Service Discrimination Participation in the Juvenile Justice System Exercising Rights Under Domestic Violence Laws Pesticide Regulation Complaints

• Sickle Cell or Hemoglobin C Carriers Discrimination

their employment because of activities under the above statutes, or employers who have questions about the application of REDA, may call:

Employees who believe they have been retaliated against in

1-800-NC-LABOR (1-800-625-2267) A REDA complaint must be filed with the bureau within 180 days of the date of retaliation.

www.labor.nc.gov

Follow NCDOL on

To find out more information about this poster and to download all of the required state and federal posters, please visit our website at: www.labor.nc.gov/labor-law-posters

instrumentality of government. 25,000 copies of this public document were printed at a cost of \$3,750, or \$.15 per copy.

Wage and Hour Notice to Employees and OSH Notice to Employees must be posted together.

Safety and Health N.C. Department of Labor Responsibilities The state of North Carolina has a federally approved program to administer the Occupational Safety and Health Act in North Carolina. This program is administered by the N.C. Department of

Labor, Occupational Safety and Health (OSH) Division. The OSH Division has the following responsibilities and powers: • Inspections—The OSH Division conducts workplace inspections that can be triggered by complaints, accidents or because the workplace has been randomly selected for an inspection. • Citations—Following an inspection, the employer may be

avoid further action. **Penalties**—An employer can be fined up to \$7,000 for each "serious" violation. Serious violations that involve injury to a person under 18 years of age could result in fines up to \$14,000 per violation. An additional maximum \$7,000 penalty can be assessed for each day an employer fails to correct or abate a

cited for one or more violations of the OSHA standards. The

employer will be given a timetable to correct the violation to

violation after the allotted time to do so has passed. A penalty of up to \$70,000 may be issued for each willful or repeat violation of an OSHA standard. Criminal penalties of up to \$10,000 may apply against employers who are found guilty of willfully violating any standard, rule or

regulation that has resulted in an employee's death.

cost by calling 1-800-625-2267 or 919-807- 2875.

standards adopted by the Labor Department.

prosecute employers who take such action.

OSHA standards verbatim or can rewrite them to meet state conditions, as long as the new version is at least as strict as the federal standard. A copy of any specific standard adopted by the OSH Division is available free of charge. The entire "General Industry" or

"Construction Industry" standards are available for a nominal

• OSHA Standards—The division adopts all federally mandated

Employer Rights and Responsibilities Public and private sector employers have a "general duty" to provide their employees with workplaces that are free of recognized hazards likely to cause serious injury or death. Employers must comply with the OSHA safety and health

• Inspections—An employer has the legal right to refuse to allow

an inspector to enter the workplace without an administrative

inspection warrant. If this occurs, the inspector will obtain a warrant to conduct the inspection. The employer has the right to accompany the inspector during the physical inspection. • **Discrimination**—It is illegal to retaliate in any way against an employee for raising a health or safety concern, filing a complaint, reporting a work-related injury or illness, or assisting

an inspector. The department will investigate and may

Citations—If an OSH inspection results in one or more citations,

the employer is required to promptly and prominently display the citation(s) at or near the place where the violation allegedly occurred. It must remain posted for three working days or until the violation has been corrected or abated, whichever is longer. • Contesting Penalties—Once an employer has been cited, he or she may request an "informal conference" with OSH officials to discuss the penalty, abatement or other issues related to the citation. This request must be made within 15 working days after the citation is received.

The employer may formally contest (by filing a "Notice of

Contest") the citation(s) or proposed penalty to the N.C. Occupational Safety and Health Review Commission. The Review Commission is an independent body that hears and decides contestments by employers and employees concerning citations, abatement periods and penalties. Employers wishing to know more about the procedures for filing a "Notice of Contest" should contact the Review Commission.

Telephone: 919-733-3589. Website: www.oshrb.state.nc.us. Injury and Illness Records—Employers with 11 or more employees, unless specifically exempted, are required to maintain updated occupational injury and illness records of Education, Training and Technical Assistance Bureau, N.C. and print the current version of Form 17, visit www.ic.nc.gov. Unemployment Insurance NCDOL does not handle matters relating to unemployment insurance. If you would like information about

the following: Within eight hours: Any work-related fatality. Within 24 hours:

• Any work-related in-patient hospitalization of one or more Any work-related amputation.

issued under OSHA that relate to their own actions and conduct. • **Complaints**—An employee has a right to make a complaint

complaint, the employee may request that his or her name be kept confidential. To make a complaint, call 1-800-625-2267 or 919-779-8560. Complaints also can be made online at www.labor.nc.gov. Contesting Abatement—Employees may contest any abatement

employee has the right to appear before the Review Commission to contest the abatement period and seek judicial review. **Other OSHA Information** • Federal Monitoring—The OSH Division is monitored by the U.S. Department of Labor. Federal authorities ensure that continued state administration is merited. Any person who has a complaint about the state's administration of OSHA may

question about any of the above information may write or call: **N.C.** Department of Labor Occupational Safety and Health Division 1101 Mail Service Center, Raleigh, NC 27699-1101 Phone: 1-800-625-2267 or 919-807-2796

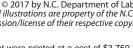
Forsyth St. S.W., Suite 6T50, Atlanta, GA 30303.











N.C. Workers' Compensation Notice to Injured Workers and Employers (Form 17) NCDOL does not handle matters relating to workers' compensation. If you would like information about workers'

compensation policies or procedures, please contact the N.C. Industrial Commission at N.C. Industrial Commission, 4340 Mail Service Center, Raleigh, NC 27699-4340; 919-807-2500; www.ic.nc.gov. Form 17 must their employees. Recordkeeping forms and information | be prominently posted and must be printed in the same colors and concerning these requirements may be obtained from the | format that appear on the Industrial Commission website. To download

unemployment insurance policies or procedures, please contact the Department of Commerce, Division of Employment Security, P.O. Box 25903, Raleigh, NC 27611-5903, 1-888-737-0259; www.des.nc.gov. NC-0620-F02



requiring or requesting any employee or job applicant to they are subject to numerous strict standards concerning 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 bring their own court actions.

actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also

UNITED STATES DEPARTMENT OF LABOR

employment agencies and labor organizations are protected under Federal law from discrimination on the following bases:

acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical

charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment 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 (tollfree TTY number for individuals with hearing impairments) EEOC field office information is available at www.eeoc.gov or in most telephone directories in the U.S. Government or

Federal Government section. Additional information about

EEOC, including information about charge filing, is available

at www.eeoc.gov.

If you believe that you have experienced discrimination contact OFCCP: 1-800-397-6251 | TTY 1-877-889-5627 | www.dol.gov.

Hours of the day: May work only between 7 a.m. and 7 p.m. (9 p.m. from June 1 through Labor Day when school is not in session).

acting in movie, television, radio or theater production. These state youth employment provisions do not apply to farm, domestic or government work. **Wage Payment** Wages are due on the regular payday. If requested, final paychecks Retaliatory Employment Discrimination

Deductions from paychecks are limited to those required by law and those agreed to in writing on or before payday. If the written authorization that the employee signs does not specify a dollar amount, the employee must receive prior to payday (1) written notice of the actual amount to be deducted, (2) written notice of their right to withdraw the authorization, and (3) be given a reasonable opportunity to withdraw the authorization. The written authorization or written notice may be given in an

electronic format, provided the requirements of the Uniform

Electronic Transactions Act (Chapter 66, Article 40 of the N.C.

may not use fraud or duress to require employees to pay back protected amounts. If the employer provides vacation pay plans to employees, the employer shall give vacation time off or payment in lieu of time off, as required by company policy or practice. Employees must

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provisions do not apply to any federal, state or local agency or

OSH Notice to Employees Department of Labor. Call 1-800-625-2267 or 919-807-2875.

Accident and Fatality Reporting—An employer must report

 Any work-related loss of an eye. To report an accident, call the OSH Division at 1-800-625-2267 or **919-779-8560**. **Employee Rights and Responsibilities** Public and private sector employees must comply with occupational safety and health standards, rules, regulations, and those orders

inspector is in an employee's workplace, that employee has a right to point out unsafe or unhealthy conditions and to freely answer any questions asked by the inspector. When making a

contact the Regional Office of the U.S. Department of Labor, 61

Additional Information or Questions—Anyone having a

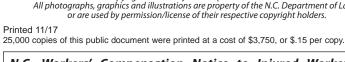
period set as a result of an OSH inspection at their workplace. An







1-800-NC-LABOR



regarding workplace conditions he or she believes are unsafe, unhealthy or in violation of OSHA standards. When an OSH