



# FEDERAL MINIMUM WAGE

## EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

# FEDERAL MINIMUM WAGE

# \$7.25

Per hour  
beginning July 24, 2009

### Overtime Pay

At least 1½ times the regular rate of pay for all hours worked over 40 in a workweek.

### Child Labor

An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment.

### Tip Credit

Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.

### Nursing Mothers

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

### Enforcement

The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties

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

### Additional Information

- Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions.
- Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.
- Some state laws provide greater employee protections; employers must comply with both.
- Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not.
- Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

For additional information:

U.S. Department of Labor

Wage and Hour Division

1-866-487-9243

TTY: 1-877-889-5627

[www.dol.gov/whd](http://www.dol.gov/whd)



Revised July 2016



## EMPLOYEE RIGHTS ARE PROTECTED

Specific laws and regulations of the Federal Government and the State have been established to protect the rights of employees. To assist you in your awareness of your rights, as your employer, we post these notices in compliance with these laws and regulations. Should you have any questions or need further clarifications of something you read here, please contact your immediate supervisor or the personnel office.



# FAMILY MEDICAL LEAVE ACT

## Employee Rights and Responsibilities Under the Family and Medical Leave Act

### Leave Entitlements

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

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

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

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

Employees may choose, or an employer may require, use of accrued paid leave while

taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

### Benefits & Protections

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave. Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

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

### Eligibility Requirements

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

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

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



# FAMILY MEDICAL LEAVE ACT

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

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

## Enforcement

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

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



1-866-487-9243  
TTY: 1-877-889-5627  
[www.dol.gov/whd](http://www.dol.gov/whd)



## **Employers Holding Federal Contracts or Sub-contracts**

Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following basis:

### **Race, Color, Religion, Sex, National Origin**

Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

### **Individuals With Disabilities**

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals from discrimination on the basis of disability 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 of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

### **Disabled, Recently Separated, Other Protected and Armed Forces Service Medal Veterans**

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination and requires affirmative action to employ and advance in employment disabled veterans, recently separated veterans (within three years of discharge or release from active duty), other protected veterans (veterans who served during a war or in a campaign or expedition for which a campaign badge has been authorized), and Armed Forces service medal veterans (veterans who, while on active duty, participated in a U.S. military operation for which an Armed Forces service medal was awarded).

### **Retaliation**

Retaliation is prohibited against a person who files a charge 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, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at [OFCCP-Public@dol.gov](mailto:OFCCP-Public@dol.gov), or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor.

## **Private Employment, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations**

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases:

### **Race, Color, Religion, Sex, National Origin**

Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, 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 hardships.

### **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 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 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 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 of 1964, 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, in the same establishment.

## 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' 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 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 charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice.

## What To Do If You Believe Discrimination Has Occurred

There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you

should contact EEOC promptly when discrimination is suspected: The U.S. Equal Employment Opportunity Commission (EEOC) 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at [www.eeoc.gov](http://www.eeoc.gov) 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](http://www.eeoc.gov).

## Programs or Activities Receiving Federal Financial Assistance

### Race, Color, Religion, Sex, National Origin

In addition to the protection of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal assistance.

### Individuals With Disabilities

Section, 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance in the federal government, public or private agency. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of a job. If you believe you have been discriminated against in a program of any institution which receives Federal assistance, you should contact immediately the Federal agency providing such assistance.



# DISCRIMINATION

## Discrimination is Against the Law

The Wyoming Fair Employment Practices Act of 1965, as amended, makes it an unlawful employment practice for an employer to:

- **Refuse to hire**
- **To discharge**
- **Refuse to promote**
- **To demote**

*Or*

To discriminate in matters of compensation or the terms, conditions or privileges of employment against any person otherwise qualified because of:

- **Race**
- **Color**
- **Sex**
- **Creed**
- **Age**
- **Ancestry**
- **National Origin**
- **Disability**

Information and materials pertaining to Equal Employment Opportunity may be obtained in writing at the below address. If you feel that you have been discriminated against in matters of employment, contact the below address.

### **Wyoming Department of Workforce Services Fair Employment Program**

Labor Standards  
5221 Yellowstone Road,  
Cheyenne, WY 82002  
(307) 777-7261



# EMPLOYMENT POLYGRAPH PROTECTION ACT

## NOTICE



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

### Prohibitions

Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

### Exemptions \*

Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities.

The Act permits *polygraph* (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm and guard), and of pharmaceutical manufacturers, distributors and dispensers.

The Act also permits polygraph testing, subject to restrictions, of certain employees in private firms who are reasonably suspected of involved in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.

The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.

### Examinee Rights

Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test and the right not to have test results disclosed to unauthorized persons.

### Enforcement

The Secretary of Labor may bring court actions to restrain violations and assess civil penalties up to \$10,000 against violators. Employees or job applicants may also bring their own court actions.

**The law requires employers to display this poster where employees and job applicants can readily see it.**



1-866-487-9243  
TTY: 1-877-889-5627  
[www.dol.gov/whd](http://www.dol.gov/whd)





# YOUR RIGHTS UNDER USERRA

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

## Reemployment Rights

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

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

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

## Right To Be Free From Discrimination And Retaliation

- If you are a past or present member of the uniformed service;
- If you have applied for membership in the uniformed service; or
- If you are obligated to serve in the uniformed service;

then an employer may not deny you...

- initial employment;
- reemployment;
- retention in employment;
- promotion; or
- any benefit of employment

... because of this status.

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

## Health Insurance Protection

- If you leave your job to perform military service, you

have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military.

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

## Enforcement

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

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:

[www.dol.gov/vets/programs/userra/poster.htm](http://www.dol.gov/vets/programs/userra/poster.htm)

Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.



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



U.S. Department of Justice



Office of Special Counsel



ESGR

1-800-336-4590



# PREGNANT WORKERS FAIRNESS ACT

## **What is the Pregnant Workers Fairness Act?**

The Pregnant Workers Fairness Act (PWFA) is a new law that requires covered employers to provide “reasonable accommodations” to a worker’s known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an “undue hardship.”

The PWFA applies only to accommodations. Existing laws that the EEOC enforces make it illegal to fire or otherwise discriminate against workers on the basis of pregnancy, childbirth, or related medical conditions.

The PWFA does not replace federal, state, or local laws that are more protective of workers affected by pregnancy, childbirth, or related medical conditions. More than 30 states and cities have laws that provide accommodations for pregnant workers.

## **When does the PWFA go into effect, and will the public have input on any regulations?**

The PWFA goes into effect on June 27, 2023. The EEOC is required to issue regulations to carry out the law. The EEOC will issue a proposed version of the PWFA regulations so the public can give their input and offer comments before the regulations become final.

## **Is the EEOC accepting charges under the PWFA?**

The EEOC will start accepting charges under the PWFA on June 27, 2023. For the PWFA to apply, the situation complained about in the charge must have happened on June 27, 2023, or later. A pregnant worker who needs an accommodation before June 27th may, however, have a right to receive an accommodation under another federal or state law.

In some situations, workers affected by pregnancy, childbirth, or a related medical condition may be able to get an accommodation under Title VII of the Civil Rights Act of 1964 or the Americans with Disabilities Act (ADA). Therefore, until June 27, 2023, the EEOC will continue to accept and process Title VII and/or ADA charges involving a lack of accommodation regarding pregnancy, childbirth, or related medical conditions.

After June 27, 2023, the EEOC will analyze charges regarding accommodations for workers affected by pregnancy, childbirth, or related medical conditions under the PWFA (if the violation occurred after June 27, 2023) and, where applicable, under the ADA and/or Title VII.

## **Who does the PWFA protect?**

The PWFA protects employees and applicants of “covered employers” who have known limitations related to pregnancy, childbirth, or related medical conditions.

“Covered employers” include private and public sector employers with at least 15 employees, Congress, Federal agencies, employment agencies, and labor organizations.

## **What are some examples of reasonable accommodations for pregnant workers?**

“Reasonable accommodations” are changes to the work environment or the way things are usually done at work.

The House Committee on Education and Labor Report on the PWFA provides several examples of possible reasonable accommodations including the ability to sit or drink water; receive closer parking; have flexible hours; receive appropriately sized uniforms and safety apparel; receive additional break time to use the bathroom, eat, and



# PREGNANT WORKERS FAIRNESS ACT

rest; take leave or time off to recover from childbirth; and be excused from strenuous activities and/or activities that involve exposure to compounds not safe for pregnancy. Employers are required to provide reasonable accommodations unless they would cause an “undue hardship” on the employer’s operations. An “undue hardship” is significant difficulty or expense for the employer.

## What else does the PWFA prohibit?

Covered employers cannot:

- Require an employee to accept an accommodation without a discussion about the accommodation between the worker and the employer;
- Deny a job or other employment opportunities to a qualified employee or applicant based on the person's need for a reasonable accommodation;
- Require an employee to take leave if another reasonable accommodation can be provided that would let the employee keep working;
- Retaliate against an individual for reporting or opposing unlawful discrimination under the PWFA or participating in a PWFA proceeding (such as an investigation); or
- Interfere with any individual’s rights under the PWFA.

## What other federal laws may apply to pregnant workers?

Other laws that apply to workers affected by pregnancy, childbirth, or related medical conditions, include:

Title VII (enforced by the EEOC), which:

- Protects an employee from discrimination based on pregnancy, childbirth, or related medical conditions; and
- Requires covered employers to treat a worker affected by pregnancy, childbirth, or related medical conditions the same as other workers similar in their ability or inability to work;

The ADA (enforced by the EEOC), which:

- Protects an employee from discrimination based on disability; and
- Requires covered employers to provide reasonable accommodations to a person with a disability if the reasonable accommodation would not cause an undue hardship for the employer.
- While pregnancy is not a disability under the ADA, some pregnancy-related conditions may be disabilities under the law.

The Family and Medical Leave Act of 1993 (enforced by the U.S. Department of Labor), which provides covered employees with unpaid, job-protected leave for certain family and medical reasons; and

The PUMP Act (Providing Urgent Maternal Protections for Nursing Mothers Act) (enforced by the U.S. Department of Labor), which broadens workplace protections for employees to express breast milk at work.

# FEDERAL EMPLOYEE RIGHTS

## PAID SICK LEAVE AND EXPANDED FAMILY AND MEDICAL LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

The **Families First Coronavirus Response Act (FFCRA or Act)** requires the Federal government to provide all of its employees with paid sick leave and, for employees who are covered under Title I of the Family and Medical Leave Act (FMLA), with expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020.

### ▶ PAID LEAVE ENTITLEMENTS

**Generally, the Federal government must provide Federal employees:**

Up to two weeks (80 hours, or a part-time employee's two-week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at:

- 100% for qualifying reasons #1-3 below, up to \$511 daily and \$5,110 total; and
- ⅔ for qualifying reasons #4 and 6 below, up to \$200 daily and \$2,000 total.

Federal employees including those not covered under Title I of the FMLA can receive either ⅔ of the higher of their regular rate of pay, or the applicable state or Federal minimum wage for the two-week period for qualifying reason #5 below. However, for leave under qualifying reason #5, Federal employees covered under Title I of the FMLA can receive 10 additional weeks of expanded family and medical leave for reason #5 below, up to \$200 daily and \$12,000 total.

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

### ▶ ELIGIBLE EMPLOYEES

All Federal employees are eligible for up to two weeks of fully or partially paid sick leave for COVID-19 related reasons (see below). *Federal employees who are covered under Title I of the FMLA and have been employed for at least 30 days prior to their leave request are eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 below.*

Most federal employees are not covered under Title I of the FMLA and so would not be eligible for partially paid expanded family and medical leave. Please consult with your agency to determine whether you are covered under Title I of the FMLA. The Office of Personnel and Management will issue guidance on this question.

### ▶ QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19

A Federal employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to **telework**, because the employee:

- |   |   |
|---|---|
| 1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;              | 5. is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or |
| 2. has been advised by a health care provider to self-quarantine related to COVID-19;                       | 6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.                           |
| 3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;                                    |   |
| 4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2); |   |

### ▶ ENFORCEMENT

The U.S. Department of Labor's Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA for Federal employers covered under Title I of the FMLA. Employers may not discharge, discipline, or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint, or institutes a proceeding under or related to this Act. Federal employers covered under Title I of the FMLA in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD.



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

For additional information  
or to file a complaint:  
1-866-487-9243  
TTY: 1-877-889-5627  
[dol.gov/agencies/whd](https://dol.gov/agencies/whd)



# EMPLOYEE RIGHTS

## PAID SICK LEAVE AND EXPANDED FAMILY AND MEDICAL LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

The **Families First Coronavirus Response Act (FFCRA or Act)** requires certain employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020.

### ▶ PAID LEAVE ENTITLEMENTS

**Generally, employers covered under the Act must provide employees:**

Up to two weeks (80 hours, or a part-time employee's two-week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at:

- 100% for qualifying reasons #1-3 below, up to \$511 daily and \$5,110 total;
- ⅔ for qualifying reasons #4 and 6 below, up to \$200 daily and \$2,000 total; and
- Up to 12 weeks of paid sick leave and expanded family and medical leave paid at ⅔ for qualifying reason #5 below for up to \$200 daily and \$12,000 total.

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

### ▶ ELIGIBLE EMPLOYEES

In general, employees of private sector employers with fewer than 500 employees, and certain public sector employers, are eligible for up to two weeks of fully or partially paid sick leave for COVID-19 related reasons (see below). *Employees who have been employed for at least 30 days prior to their leave request may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 below.*

### ▶ QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19

An employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to **telework**, because the employee:

- |   |   |
|---|---|
| <ol style="list-style-type: none"><li>1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;</li><li>2. has been advised by a health care provider to self-quarantine related to COVID-19;</li><li>3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;</li><li>4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);</li></ol> | <ol style="list-style-type: none"><li>5. is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or</li><li>6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.</li></ol> |
|---|---|

### ▶ ENFORCEMENT

The U.S. Department of Labor's Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA. Employers may not discharge, discipline, or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint, or institutes a proceeding under or related to this Act. Employers in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD.



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

For additional information  
or to file a complaint:  
1-866-487-9243  
TTY: 1-877-889-5627  
[dol.gov/agencies/whd](https://dol.gov/agencies/whd)





# HEALTH AND SAFETY PROTECTION ON THE JOB

Page 1 of 2

## Wyoming Department of Workforce Services Notice to Employees Health and Safety Protection on the Job

The Wyoming Occupational Health and Safety Act provides job health and safety protection for workers employed by general business and industry throughout the state as well as for all employees of the state and its political sub-divisions.

The Wyoming Department of Workforce Services, OSHA Division, created by the Act, has primary responsibility for administering the Act, and the Occupational Health and Safety Commission promulgates rules and regulations for workplace health and safety standards as authorized by the Act.

Safety on the job is everybody's responsibility!

### Employers

Each employer shall provide a place of employment which are free from recognized hazards that are causing or that are likely to cause death or serious physical harm.

### Employees

Each employee shall comply with occupational safety and health standards and all rules, regulations and orders issued pursuant to this Act, which are applicable to their own action and conduct.

### Employer Reporting Requirements

Report to OSHA all work-related fatalities within 8 hours, and all inpatient hospitalizations, amputations and losses of an eye within 24 hours.

### Inspection

The Act requires that a representative or representatives of the employers and a representative or representatives authorized by the employees shall be given an opportunity to accompany the Compliance Officer before or during the physical inspection of any workplace for the purpose of aiding such inspection.

Where there is no authorized employee representative, the authorized Compliance Officer shall consult

with a reasonable number of employees concerning matters of safety and health.

### Violation

If upon inspection Wyoming OSHA Division determines that an employer has violated the Act, a citation and notification of penalty will be issued to the employer within 180 days following the occurrence of the violation. Each notice of violation will specify a time period within which the violation must be corrected.

The notice of violation must be prominently posted in a conspicuous place at or near the site of the violation until the violation is corrected, or for three working days, whichever period is longer.

### Voluntary Action

Consultative Services is responsible for providing free technical assistance to all employers, associations, state and local governments working within the boundaries of Wyoming. These services are available upon a written request from employers. These services include but are not limited to courtesy visits (without assessment of penalties), health and safety training and consultative services.

### Complaint

Employees or their representatives have the right to file a complaint with Wyoming OSHA requesting an inspection if they believe unsafe or unhealthful conditions exist in their workplace. Wyoming OSHA will withhold complainant names.

The Act provides that employees may not be discharged or discriminated against in any way for filing safety and health complaints or otherwise exercising their rights under the Act. Note: Discrimination cases do not have a set number of days to issue a citation for protected activity.

An employee who believes he or she has been discriminated against through retaliatory action by



your employer may file a complaint with Wyoming OSHA Division, Cheyenne, Wyoming 82002 and/or the Regional Office of OSHA, U.S. Department of Labor, at the Address listed below this notice within 30 days of the alleged discrimination.

## Penalty

Any willful violation resulting in the death of an employee, upon conviction of an employer, is punishable by fines, by imprisonment for not more than six (6) months, or both. Conviction of an employer after a first conviction doubles these maximum penalties.

## All Workers have the right to...

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request an OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. OSHA will keep your name confidential. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

## 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.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations for a minimum of 3 days or until all the citations are abated.

Note: Additional information may be obtained from...

Wyoming OSHA  
Cheyenne, Wyoming 82002  
(307) 777-7786 | [dws.wyo.gov](https://dws.wyo.gov)

## **THIS NOTICE SHALL BE CONSPICUOUSLY POSTED IN EACH PLACE OF EMPLOYMENT IN THE STATE OF WYOMING AS REQUIRED BY THE RULES OF PRACTICE AND PROCEDURE.**

Under a plan approved by the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA), the State of Wyoming is providing job safety and health protection for workers throughout the state. OSHA will monitor the operation of this plan to assure that continued approval is merited. Any person may make a complaint regarding the state administration of this plan directly to the Regional Office of OSHA, U.S. Department of Labor, Occupational Safety and Health Administration, 1999 Broadway #1690, Denver, CO 80202-5716, Phone: (303) 844-1600.



## WYOMING STATE MINIMUM WAGE

# \$5.15

*Per Hour*

A training wage of \$4.25 per hour is allowed for employees under age 20 during the first 90 days of employment.



# WYOMING UNEMPLOYMENT INSURANCE

Claims may be filed by unemployed workers by telephone or by the Internet. Unemployment insurance taxes are paid by employers.

**You are insured under the law**

**Department of Workforce Services  
Unemployment Insurance  
Division**

PO Box 2760  
Casper, WY 82602

**Wyoming Claims Center**  
In-State (307) 473-3789;  
Out-of-State (866) 729-7799

**Internet Claims**  
[dws.wyo.gov](http://dws.wyo.gov)

**Unemployment Insurance Information**  
[dws.wyo.gov](http://dws.wyo.gov)

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**HireWYO**  
(find a job in Wyoming)  
[HireWYO.com](http://HireWYO.com)



## WORKERS RIGHTS

# Attention Employees

**YOUR RIGHTS ARE PROTECTED!**

The State of Wyoming requires labor law to be displayed in a conspicuous location accessible to all employees.



## ATTENTION EMPLOYEES AND APPLICANTS

This information must be posted at all times and available for your review. If you have any questions about these postings, please call the Wyoming Department of Workforce Services at (307) 777-8650 or 877-WORK-WYO.

*This workforce product was funded by a grant awarded by the U.S. Department of Labor's Employment and Training Administration. The product was created by the recipient and does not necessarily reflect the official position of the U.S. Department of Labor. The Department of Labor makes no guarantees, warranties, or assurances of any kind, express or implied, with respect to such information, including any information on linked sites and including, but not limited to, accuracy of the information or its completeness, timeliness, usefulness, adequacy, continued availability, or ownership. This product is copyrighted by the institution that created it.*



# WYOMING WORKERS' COMPENSATION ACT

Your employer may have qualified with the Workers' Compensation Division for the coverage of injuries arising out of and in the course of employment. While at work in or about the premises occupied, used or controlled by the employer. This coverage is required for extra hazardous industries and occupations. Employers in non-extra hazardous industries may opt for this coverage level, as well.

## In the event of a work-related injury

1. Notify your employer how and when you were injured within 72 hours of the incident.
2. Submit a written report of your injury to Wyoming Workers' Compensation within 10 days of the incident. You must complete and sign the "Wyoming Report of Injury" form. If your employer does not have any forms, call (307) 777-7441, or contact your nearest Workforce Center, for information on how or where to obtain an injury report form. This form can also be found on our website at [dws.wyo.gov](https://dws.wyo.gov).
3. Submit the form to a local Workers' Compensation office or representative, or mail it to:

Wyoming Workers' Compensation  
PO Box 20207  
Cheyenne, WY 82002

The filing of an injury report is not a claim for lost wages or any other Workers' Compensation benefit. You must apply for benefits. To obtain the appropriate application form, contact Workers' Compensation. For more detailed information or assistance concerning benefits and procedures, call the Wyoming Workers' Compensation Division at (307) 777-7441 or visit [dws.wyo.gov](https://dws.wyo.gov).

## **Wyoming-Specific Labor Law Posters**

Last Updated: December 21, 2023



# PROTECCIÓN DE SALUD Y SEGURIDAD EN EL TRABAJO

Página 1 de 2

## Aviso del Departamento de Servicios de la Fuerza Laboral de Wyoming a todos los empleados Protección de salud y seguridad en el trabajo

La Ley para la Seguridad y Salud Ocupacional de Wyoming (Wyoming Occupational Health and Safety Act) da protección en salud y seguridad para los trabajadores empleados por una empresa e industria en general en todo el estado y para todos los empleados del estado y sus subdivisiones políticas.

El Departamento de Servicios de la Fuerza Laboral de Wyoming (Wyoming Department of Workforce Services), División de OSHA, creada por la Ley, tiene la responsabilidad primaria de administrar la Ley y la Comisión de Salud y Seguridad Ocupacional (Occupational Health and Safety Commission) promulga las normas y el reglamento para los estándares de salud y seguridad en el lugar de trabajo según lo autoriza la Ley.

¡La seguridad en el trabajo es la responsabilidad de todos!

### Empleadores

Cada empleador dará un lugar de empleo libre de peligros reconocidos que causen o puedan causar la muerte o daño físico grave.

### Empleados

Cada empleado cumplirá los estándares de seguridad y salud ocupacional y todas las normas, reglamentos y órdenes extendidas según esta Ley, que corresponden a sus propias acciones y conducta.

### Requisitos de reporte del empleador

Reporte a OSHA todas las muertes relacionadas con el trabajo en el plazo de 8 horas, y todos los ingresos como paciente hospitalizado, amputaciones o pérdidas de un ojo en el plazo de 24 horas.

### Inspección

La Ley exige que se dé a un representante o representantes de los empleadores y un representante o representantes autorizados de los empleados una oportunidad de acompañar al representante de Cumplimiento antes o durante la inspección física de cualquier lugar de trabajo con el propósito de ayudar a dicha inspección.

Cuando no haya un representante autorizado del empleado, el representante de cumplimiento autorizado deberá consultar con un número razonable de

empleados relacionados con asuntos de seguridad y salud.

### Infracción

Si durante la inspección la División de OSHA de Wyoming determina que un empleador infringió la Ley, se expedirá una citación y aviso de multa al empleador en el plazo de 180 días después de que ocurra la infracción. Cada aviso de infracción especificará el período en el que debe corregirse la infracción.

El aviso de la infracción debe publicarse prominentemente en un lugar visible en o cerca del lugar de la infracción hasta que esta se corrija, o por tres días laborables, el período que sea más largo.

### Acción voluntaria

Los Servicios de Consulta son responsables por dar ayuda técnica gratuita a todos los empleadores, asociaciones, gobiernos estatales y locales que trabajan en los límites de Wyoming. Estos servicios están disponibles con una solicitud por escrito de los empleadores. Estos servicios incluyen, entre otros, las visitas de cortesía (sin evaluación de multas), capacitación de salud y seguridad y servicios de consulta.

### Queja

Los empleados o sus representantes tienen el derecho de presentar una queja con OSHA de Wyoming haciendo una solicitud para una inspección si creen que existen condiciones inseguras o insalubres en su lugar de trabajo. OSHA de Wyoming no revelará los nombres de los denunciantes.

La Ley establece que no se puede despedir o discriminar de cualquier forma a los empleados por presentar quejas de seguridad y salud o por ejercer de otra manera sus derechos según la Ley. Nota: Los casos de discriminación no tienen un número establecido de días para expedir una citación por actividad protegida.

Un empleado que crea que su empleador lo ha discriminado por medio de represalias puede presentar una queja a Wyoming OSHA Division, Cheyenne, Wyoming 82002 o a Regional Office of OSHA, U.S. Department of Labor, a la dirección listada abajo en este aviso en el plazo de 30 días desde la presunta discriminación.



## Multa

Cualquier infracción deliberada que dé como resultado la muerte de un empleado, en el momento de la sentencia de un empleador, es sancionable con multas, con prisión por no más de seis (6) meses o con las dos. La sentencia de un empleador después de una primera sentencia duplica estas multas máximas.

## Todos los trabajadores tienen derecho a...

- Un lugar de trabajo seguro.
- Presentar una preocupación de seguridad o salud a su empleador o a OSHA, o reportar una lesión o enfermedad relacionada con el trabajo, sin represalias en su contra.
- Recibir información y capacitación sobre los peligros en el trabajo, incluyendo todas las sustancias peligrosas en su lugar de trabajo.
- Pedir una inspección de su lugar de trabajo por OSHA si cree que hay condiciones que son inseguras o insalubres. OSHA mantendrá confidencial su nombre. Tiene el derecho de que un representante se comuniquen con OSHA en su nombre.
- Participar (o que su representante participe) en una inspección de OSHA y hablar en privado con el inspector.
- Presentar una queja con OSHA en el plazo de 30 días (por teléfono, en línea o por correo) si se han tomado represalias en su contra por usar sus derechos.
- Ver cualquier aplazamiento de OSHA extendido a su empleador.
- Pedir copias de su expediente médico, pruebas que midan los peligros en el lugar de trabajo y el registro de lesiones y enfermedades en el lugar de trabajo.

## Los empleadores deben...

- Dar a los empleados un lugar de trabajo libre de peligros reconocidos. Es ilegal tomar represalias en contra de un empleado por usar cualquiera de sus derechos según la ley, incluyendo presentar la preocupación de salud y seguridad con usted o con OSHA, o reportar una lesión o enfermedad relacionada con el trabajo.

- Cumplir todos los estándares aplicables de OSHA.
- Dar la capacitación necesaria a todos los trabajadores en un lenguaje y vocabulario que puedan comprender.
- Mostrar prominentemente este cartel en el lugar de trabajo.
- Publicar los aplazamientos de OSHA en o cerca del lugar de las presuntas infracciones por un mínimo de 3 días o hasta que se disminuyan todos los aplazamientos.

Nota: Puede encontrar más información en...

Wyoming OSHA  
Cheyenne, Wyoming 82002  
(307) 777-7786 | [dws.wyo.gov](https://dws.wyo.gov)

## ESTE AVISO SE PUBLICARÁ VISIBLEMENTE EN CADA LUGAR DE EMPLEO EN EL ESTADO DE WYOMING, SEGÚN LAS NORMAS DE PRÁCTICA Y PROCEDIMIENTO.

Según un lugar aprobado por el Departamento de Trabajo de EE. UU. (U.S. Department of Labor), Administración de Seguridad y Salud Ocupacional (OSHA), el estado de Wyoming da protección de seguridad y salud en el trabajo para los trabajadores en todo el estado. OSHA monitoreará la operación de este plan para asegurar que amerite la aprobación continua. Cualquier persona puede presentar una queja relacionada con la administración del estado de este lugar directamente a la Regional Office of OSHA, U.S. Department of Labor, Occupational Safety and Health Administration, 1999 Broadway #1690, Denver, CO 80202-5716, Teléfono: (303) 844-1600.



## SALARIO MÍNIMO DEL ESTADO DE WYOMING

# \$5.15

*Por hora*

Se permite un sueldo de capacitación de \$4.25 por hora para los empleados menores de 20 años durante los primeros 90 días de empleo.



# SEGURO POR DESEMPLEO DE WYOMING

Los trabajadores desempleados pueden presentar los reclamos por teléfono o por Internet. Los impuestos por seguros de desempleo los pagan los empleadores.

## **Usted está asegurado según la ley**

**Department of Workforce Services  
Unemployment Insurance  
Division**

PO Box 2760  
Casper, WY 82602

### **Wyoming Claims Center**

En el estado (307) 473-3789;  
Fuera del estado (866) 729-7799

### **Reclamos por Internet**

[dws.wyo.gov](http://dws.wyo.gov)

### **Información de seguros por desempleo**

[dws.wyo.gov](http://dws.wyo.gov)

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### **HireWYO**

(busque un empleo en Wyoming)

[HireWYO.com](http://HireWYO.com)



# Atención empleados

**¡SUS DERECHOS ESTÁN  
PROTEGIDOS!**

El estado de Wyoming exige que la ley de trabajo esté visible y en un lugar accesible para todos los empleados.



## ATENCIÓN EMPLEADOS Y SOLICITANTES

Esta información se debe publicar en todo momento y estar disponible para su revisión. Si tiene alguna pregunta sobre estas publicaciones, llame al Departamento de Servicios de la Fuerza Laboral de Wyoming al (307) 777-8650 o al 877-WORK-WYO.

*Este producto para la fuerza laboral se financió por medio de una subvención de la Administración de Empleo y Capacitación del Departamento de Trabajo de EE. UU. (U.S. Department of Labor's Employment and Training Administration). El producto se creó por el destinatario y no refleja necesariamente la postura oficial del Departamento de Trabajo de EE. UU. El Departamento de Trabajo no ofrece garantías, promesas ni certezas de ningún tipo, expresas o implícitas, con respecto a esa información, incluyendo cualquier información de los sitios enlazados e incluyendo, entre otros, la exactitud o integridad, puntualidad, utilidad, idoneidad, disponibilidad continua o propiedad de la información. Este producto está protegido por los derechos de autor de la institución que lo creó.*



# LEY DE COMPENSACIÓN DE LOS TRABAJADORES

Su empleador puede haber calificado con la División de Compensación de los Trabajadores (Workers' Compensation Division) para la cobertura de lesiones que se presenten fuera y dentro del curso del empleo. Mientras trabaja en o alrededor de los lugares que ocupa, usa o controla el empleador. Esta cobertura es necesaria para industrias y ocupaciones con más peligros. Los empleadores en industrias que no tienen más peligros también pueden optar por este nivel de cobertura.

## En caso de una lesión relacionada con el trabajo

1. Avise a su empleador cómo y cuándo se lesionó en el plazo de 72 horas desde el incidente.
2. Envíe un reporte por escrito de su lesión a Compensación de los Trabajadores de Wyoming (Wyoming Workers' Compensation) en el plazo de 10 días desde el incidente. Debe completar y firmar el formulario "Reporte de lesión de Wyoming" (Wyoming Report of Injury). Si su empleador no tiene formularios, llame al (307) 777-7441 o comuníquese con su Centro de la Fuerza Laboral (Workforce Center), para obtener más información de cómo o dónde obtener un formulario de reporte de lesión. También puede encontrar este formulario en nuestro sitio web en [dws.wyo.gov](https://dws.wyo.gov).
3. Envíe el formulario a una oficina o representante de Compensación de los Trabajadores o envíelo por correo a:

Wyoming Workers' Compensation  
PO Box 20207  
Cheyenne, WY 82002

Presentar un reporte de lesión no es un reclamo por salarios perdidos o cualquier otro beneficio de Compensación de los Trabajadores. Debe enviar una solicitud para los beneficios. Para obtener el formulario de solicitud adecuado, comuníquese con Compensación de los trabajadores. Para obtener más información o ayuda relacionada con los beneficios o procedimientos, llame a la División de Compensación de los Trabajadores de Wyoming al (307) 777-7441 o visite [dws.wyo.gov](https://dws.wyo.gov).

**Carteles sobre las leyes de trabajo  
específicas a Wyoming**

Última actualización: 21 de diciembre de 2023