

FED

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

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

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

OVERTIME PAY
At least 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 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 employees 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 subject 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.

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd



WHD
U.S. DEPARTMENT OF LABOR
UNITED STATES OF AMERICA

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

REV. 07/2016

WI

Minimum Wage Rates

Effective July 24, 2009

General Minimum Wage Rates		Minimum Wage Rates for Tipped Employees	
Non-Opportunity Employees:	Opportunity Employees:	Non-Opportunity Employees:	Opportunity Employees:
\$7.25 per Hour	\$5.90 per Hour	\$2.33 per Hour	\$2.13 per Hour

Note: "Opportunity employee" means an employee who is not yet 20 years old and who has not been in employment status with a particular employer for 90 or fewer consecutive calendar days from the date of initial employment.

Minimum Wage Rates for All Agricultural Employees

	Minimum Wage Rates for Caddies
Adults	\$7.25 per Hour
Minors	\$7.25 per Hour

For more information contact:


**STATE OF WISCONSIN
DEPARTMENT OF WORKFORCE DEVELOPMENT
EQUAL RIGHTS DIVISION**

201 E WASHINGTON AVE, ROOM A100
PO BOX 8928
MADISON WI 53708
TELEPHONE: (608) 266-6860
TTY: (608) 264-8752
Website: <http://dwd.wisconsin.gov/>

819 N 6TH ST
ROOM 723
MILWAUKEE WI 53203
TELEPHONE: (414) 227-4384
TTY: (414) 227-4081

The Department of Workforce Development is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format or need it translated to another language, please contact us. ERD-9247-P

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd



WHD
U.S. DEPARTMENT OF LABOR
UNITED STATES DEPARTMENT OF LABOR

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

REV. 07/2016

NOTICE: This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under the Fair Labor Standards Act posting, which indicates the federal minimum wage. Where federal and state rates both apply to an employee, the U.S. Department of Labor dictates that the employer is entitled to the higher minimum wage rate. THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

WI

Hours and Times of Day Minors May Work in Wisconsin

State and federal laws do not limit the hours that minors 16 years of age or over may work, except that they may not be employed or permitted to work during hours of required school attendance under Wis. Stat. § 118.15. State and federal laws also permit minors under 16 to work up to seven days per week in the delivery of newspapers and agriculture. In most other types of labor, minors under 16 may only work six days a week.

Most employers must obtain work permits for minors before permitting them to work. For further information, see the Wisconsin Employment of Minors Guide (ERD-4758-P).


Maximum Hours of Work for 14 & 15 year-old minors	After Labor Day through May 31	June 1 through Labor Day
Daily Hours		
Non-School Days	8 hours	8 hours
School Days	3 hours	3 hours
Weekly Hours		
Non-School Weeks	40 hours	40 hours
School Weeks	18 hours	18 hours
Permitted Time of Day	7am-7pm	7am-9pm

Employers subject to both federal and state laws must comply with the more stringent section of the two laws.

State child labor laws prohibit work during times that minors are required to be in school, except for students participating in work experience and career exploration programs operated by the school.

Minors under 16 years of age are limited to the maximum hours and time of day restrictions even though they may work for more than one employer during the same day or week.

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd



WHD
U.S. DEPARTMENT OF LABOR
UNITED STATES DEPARTMENT OF LABOR

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

REV. 12/2011

WI

Employee Protections Against Use of Honesty Testing Devices

Employers who use honesty testing must display this poster in one or more conspicuous places where notices to employees are customarily posted.

Under Wisconsin law, requiring or requesting that an employee or applicant take an honesty test (lie detector) is unlawful or heavily regulated. Further, employers may not discriminate against a person who refuses to take a test or objects to its use.

Exceptions
An employer may request that an employee take a test in connection with an investigation involving economic loss or injury to a business if the employee is a reasonable suspect.

Honesty tests can be used by law enforcement agencies and certain businesses engaged in providing security services, alarm systems, and who manufacture, distribute or sell controlled substances.

Employee & Applicant Rights
Any legally permitted honesty test is subject to strict safeguards, including an examinee's right to proper notice, the right to discontinue a test at any time and the right to advance written notice of the questions to be asked.

Enforcement
Victims of unlawful honesty testing may file a complaint within 300 days after the date the unfair honesty testing occurred, at one of the offices below.


**STATE OF WISCONSIN
DEPARTMENT OF WORKFORCE DEVELOPMENT
EQUAL RIGHTS DIVISION**

201 E WASHINGTON AVE, ROOM A300
PO BOX 8928
MADISON WI 53708
TELEPHONE: (608) 266-6860
TTY: (608) 264-8752
Website: <http://dwd.wisconsin.gov/>

819 N 6TH ST
ROOM 723
MILWAUKEE WI 53203
TELEPHONE: (414) 227-4384
TTY: (414) 227-4081

The Department of Workforce Development is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format or need it translated to another language, please contact us. ERD-10861-P

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd



WHD
U.S. DEPARTMENT OF LABOR
UNITED STATES DEPARTMENT OF LABOR

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

REV. 09/2011

WI

Notice to Employees About Applying for Wisconsin Unemployment Benefits

When to Apply

- You are totally unemployed,
- You are partially unemployed (your weekly earnings are reduced), or
- You expect to be laid off within the next 13 weeks and would like to start your benefit year early.

Important: Your claim begins the week you apply. To avoid any loss of benefits, apply the first week you are unemployed. Do not wait until the week is over.

Have This Information Ready

- Your social security number,
- A username and password for filing online,
- A personal identification number (PIN) if filing by telephone. Your PIN is a 4-digit number you make up before you apply,
- Your Wisconsin Driver's License or State Identification Number,
- The names of everyone for whom you worked in the past 18 months. For each employer you will also need a full address (including zip code), a telephone number, the reason you are no longer working there, and your first and last dates of work,
- If you are not a U.S. citizen, your Alien Registration Number, the document number from which the number is obtained, and the expiration date on that document,
- If you are a union member, the name and local number of your union hall.

For more information about unemployment insurance, visit our website: <http://unemployment.wisconsin.gov>

How to Apply

Apply Online at myunemployment.wisconsin.gov or

Apply by Telephone 414-438-7700 or 608-232-0678

Hours of operation are available online at: <http://dwd.wi.gov/ui/ben/services.htm>

Deaf, hard-of-hearing, and speech-impaired callers may apply online using the Internet address shown above, or by calling our TTY toll-free number: 1-888-393-8914 when Claims Specialists are available. TTY callers must have a telephone typewriter device. Voice calls are not answered on this number.

Questions? Need Help?
Go Online at dwd.wi.gov/ClaimsOnline or

Call a Claims Specialist: 414-438-7710 or 608-232-0624
TTY: 1-888-393-8914

Hours of operation are available online at: <http://dwd.wi.gov/ui/ben/services.htm>

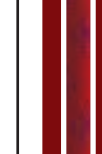
**STATE OF WISCONSIN
DEPARTMENT OF WORKFORCE DEVELOPMENT
EQUAL RIGHTS DIVISION**

201 E WASHINGTON AVE, ROOM A100
PO BOX 8928
MADISON WI 53708
TELEPHONE: (608) 266-6860
TTY: (608) 264-8752
Website: <http://dwd.wisconsin.gov/>

819 N 6TH ST
ROOM 723
MILWAUKEE WI 53203
TELEPHONE: (414) 227-4384
TTY: (414) 227-4081

The Department of Workforce Development is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format or need it translated to another language, please contact us. ERD-7083-P

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd



WHD
U.S. DEPARTMENT OF LABOR
UNITED STATES DEPARTMENT OF LABOR

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

REV. 03/2016

WI

Family and Medical Leave Act

Section 103.10, Wisconsin Statutes, requires that all employers with 50 or more employees display a copy of this poster in the workplace. Employers with 25 or more employees are required to post their particular leave policy. Under state law all employers with 50 or more permanent employees must allow employees of either sex:

- Up to six (6) weeks leave in a calendar year for the birth or adoption of the employee's child, providing the leave begins within sixteen (16) weeks of the birth or placement of that child.
- Up to two (2) weeks of leave in a calendar year for the care of a child, spouse, domestic partner, as defined in § 40.02(2)(c) or 770.01(1) or parent or a parent of a domestic partner with a serious health condition.
- Up to two (2) weeks leave in a calendar year for the employee's own serious health condition.

This law only applies to an employee who has worked for the employer more than 52 consecutive weeks and for at least 1000 hours during that 52-week period. The law also requires that employees be allowed to substitute paid or unpaid leave provided by the employer for Wisconsin Family and Medical Leave. Employers may have leave policies, which are more generous than leaves required by the law.


**STATE OF WISCONSIN
DEPARTMENT OF WORKFORCE DEVELOPMENT
EQUAL RIGHTS DIVISION**

201 E WASHINGTON AVE, ROOM A100
PO BOX 8928
MADISON WI 53708
TELEPHONE: (608) 266-6860
TTY: (608) 264-8752
Website: <http://dwd.wisconsin.gov/>

819 N 6TH ST
ROOM 723
MILWAUKEE WI 53203
TELEPHONE: (414) 227-4384
TTY: (414) 227-4081

The Department of Workforce Development is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format or need it translated to another language, please contact us. ERD-7083-P

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd



WHD
U.S. DEPARTMENT OF LABOR
UNITED STATES DEPARTMENT OF LABOR

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

REV. 06/2014

FED

EMPLOYEE RIGHTS EMPLOYEE POLYGRAPH PROTECTION ACT

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

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

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

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

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

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

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


ENFORCEMENT
The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions.

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

**U.S. DEPARTMENT OF LABOR
UNITED STATES OF AMERICA**

WHD

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd



WHD
U.S. DEPARTMENT OF LABOR
UNITED STATES DEPARTMENT OF LABOR

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

REV. 07/2016

FED

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

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

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

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

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

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION
If you:

- are a past or present member of the uniformed service;
- have applied for membership in the uniformed service; or
- then an employer may not deny you:

- initial employment;
- reemployment;
- retention in employment;
- because of this status.
- are obligated to serve in the uniformed service;
- promotion; or
- any benefit of employment

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.

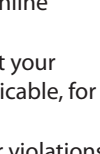
ENFORCEMENT

- 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 <http://www.dol.gov/vets>. An interactive online USERRA Adjudicator can be viewed at <http://www.dol.gov/vets/adjudicator.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: <http://www.dol.gov/vets/programs/userrarights.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 • 1-866-487-3265 • U.S. Department of Justice
Office of Special Counsel • Employer Support of the Guard and Reserve • 1-800-336-4590**

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd



WHD
U.S. DEPARTMENT OF LABOR
UNITED STATES DEPARTMENT OF LABOR

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

REV. 10/2008

The Department of Workforce Development is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format or need it translated to another language, please contact us. ERD-9212-P

WI

Fair Employment Law

Section 111.31-111.395 Wisconsin Statutes and DWD 218 Wisconsin Administrative Code requires that all employers prominently display this Poster in all places of employment.

It is unlawful to discriminate against employees and job applicants because of their:

- Sex
- Color
- Ancestry
- Disability
- Marital Status
- Race
- Creed (Religion)
- Age (40 or Over)
- Declining to Attend a Meeting or Participate in any Communication About Religious or Political Matters
- Use of Lawful Products
- Arrest or Conviction
- Honesty Testing
- National Origin
- Pregnancy or Childbirth
- Sexual Orientation
- Genetic Testing
- Military Service

This law applies to employers, employment agencies, labor unions and licensing agencies.

Employers may not require certain types of honesty testing or genetic testing as a condition of employment, nor discipline an employee because of the results.

Employers may not be harassed in the workplace based on their protected status nor retaliated against for filing a complaint, for assisting with a complaint, or for opposing discrimination in the workplace.

There is a 300-day time limit for filing a discrimination complaint.

For more information or a copy of the law and the administrative rules contact:

**STATE OF WISCONSIN
DEPARTMENT OF WORKFORCE DEVELOPMENT
EQUAL RIGHTS DIVISION**

201 E WASHINGTON AVE, ROOM A100
PO BOX 8928
MADISON WI 53708
TELEPHONE: (608) 266-6860
TTY: (608) 264-8752
Website: <http://dwd.wisconsin.gov/>

819 N 6TH ST
ROOM 723
MILWAUKEE WI 53203
TELEPHONE: (414) 227-4384
TTY: (414) 227-4081

The Department of Workforce Development is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format or need it translated to another language, please contact us. ERD-4531-P

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd



WHD
U.S. DEPARTMENT OF LABOR
UNITED STATES DEPARTMENT OF LABOR

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

REV. 05/2014

WI

Employee Rights under Wisconsin's Business Closing/ Mass Layoff Notification Law

Under Wisconsin law, employees have certain rights and employers have certain obligations to give proper notice to their employees and others before taking certain actions.

What is a "business closing" or "mass layoff?"
"Business closing" requires notice if there is a permanent or temporary shutdown of an employment site or of one or more facilities or operating units at an employment site or within a single municipality that affects 25 or more employees (not including "new" or "low-hour" employees).

"Mass layoff" requires notice if there is a reduction in the workforce that is not a "business closing" and which affects the following number of employees (excluding new or low-hour employees) at an employment site or within a single municipality:

- At least 25% of the employer's workforce or 25 employees, whichever is greater or
- At least 500 employees.

Employees are counted if their employment is terminated (not including discharges for cause, voluntary departures or retirements), if they are laid off for more than 6 months, or if their hours are reduced more than 50 percent during each month of any 6-month period, as the result of a business closing or mass layoff. New or low-hour employees - who have been employed for fewer than 6 of the 12 months preceding the date on which a notice is required or who average fewer than 20 hours of work per week - are not counted.

Who must provide notice and when?
With certain exceptions, businesses employing 50 or more persons in the State of Wisconsin must provide written notice 60 days before implementing "business closing" or "mass layoff" in this state. The federal or state government (and their political subdivisions), charitable, or tax exempt institutions and organizations and independent contractors are not covered under this law and do not have to provide notice. Additional exceptions exist in various situations involving strikes or lockouts, sales, relocations, temporary or seasonal employment, unforeseeable circumstances, natural or man-made disasters, temporary cessation in operations, or businesses in financial trouble.

What employees are entitled to receive notice?
Employees are entitled to receive notice if they are counted as part of "business closing" or "mass layoff." New or low-hour employees may also be entitled to receive notice in situations where there is a "business closing" or "mass layoff."

What can employees recover if notice is required and not given?
If an employer implements a "business closing" or "mass layoff" without providing required notice, an affected employee may recover back pay and benefits for each day that reduced pay was not provided up to a maximum of 60 days. An affected employee may also recover attorney fees and costs in a lawsuit.

If you have questions regarding this law or wish to file a complaint, call or write us at:

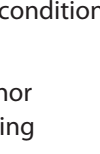
**STATE OF WISCONSIN
DEPARTMENT OF WORKFORCE DEVELOPMENT
EQUAL RIGHTS DIVISION**

201 E WASHINGTON AVE, ROOM A300
PO BOX 8928
MADISON WI 53708
TELEPHONE: (608) 266-6860
TTY: (608) 264-8752
Website: <http://dwd.wisconsin.gov/>

819 N 6TH ST
ROOM 723
MILWAUKEE WI 53203
TELEPHONE: (414) 227-4384
TTY: (414) 227-4081

The Department of Workforce Development is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format or need it translated to another language, please contact us. ERD-9006-P

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd



WHD
U.S. DEPARTMENT OF LABOR
UNITED STATES DEPARTMENT OF LABOR

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

REV. 09/2011

WI

Job Safety and Health IT'S THE LAW!

OSHA Occupational Safety and Health Administration

U.S. Department of Labor

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



OSHA
U.S. DEPARTMENT OF LABOR

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

REV. 06/2016

WI

Employee Protections Against Use of Honesty Testing Devices

Employers who use honesty testing must display this poster in one or more conspicuous places where notices to employees are customarily posted.

Under Wisconsin law, requiring or requesting that an employee or applicant take an honesty test (lie detector) is unlawful or heavily regulated. Further, employers may not discriminate against a person who refuses to take a test or objects to its use.

Exceptions
An employer may request that an employee take a test in connection with an investigation involving economic loss or injury to a business if the employee is a reasonable suspect.

Honesty tests can be used by law enforcement agencies and certain businesses engaged in providing security services, alarm systems, and who manufacture, distribute or sell controlled substances.

Employee & Applicant Rights
Any legally permitted honesty test is subject to strict safeguards, including an examinee's right to proper notice, the right to discontinue a test at any time and the right to advance written notice of the questions to be asked.

Enforcement
Victims of unlawful honesty testing may file a complaint within 300 days after the date the unfair honesty testing occurred, at one of the offices below.


**STATE OF WISCONSIN
DEPARTMENT OF WORKFORCE DEVELOPMENT
EQUAL RIGHTS DIVISION**

201 E WASHINGTON AVE, ROOM A300
PO BOX 8928
MADISON WI 53708
TELEPHONE: (608) 266-6860
TTY: (608) 264-8752
Website: <http://dwd.wisconsin.gov/>

819 N 6TH ST
ROOM 723
MILWAUKEE WI 53203
TELEPHONE: (414) 227-4384
TTY: (414) 227-4081

The Department of Workforce Development is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format or need it translated to another language, please contact us. ERD-10861-P

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd



WHD
U.S. DEPARTMENT OF LABOR
UNITED STATES DEPARTMENT OF LABOR

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

REV. 09/2011

This poster is in compliance with federal and state posting requirements.

FED

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

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

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

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

An employee does not also 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 workplace.

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

REQUIRING 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 contract bargaining agreement that provides greater family or medical leave rights.

U.S. Department of Labor • Wage and Hour Division • WHI-420

WHD

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd