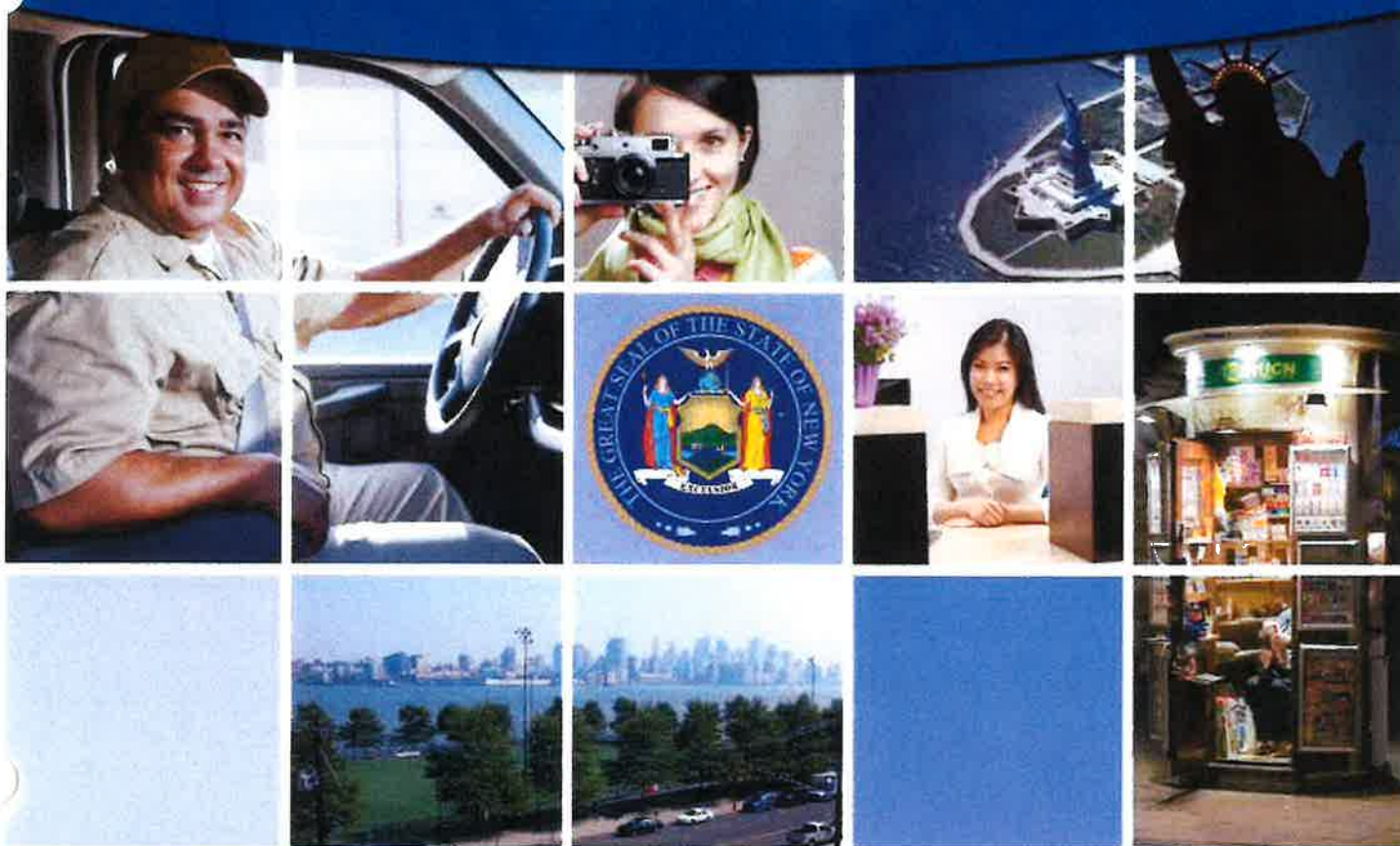


New York



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Revised Jan. 2023

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 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.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

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



WH1088 REV 07/16

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.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

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



WH1462 REV 07/16

FEDERAL PANELS



Know Your Rights: Workplace Discrimination is Illegal

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help.

Who is Protected?

- Employees (current and former), including managers and temporary employees
- Job applicants
- Union members and applicants for membership in a union

What Organizations are Covered?

- Most private employers
- State and local governments (as employers)
- Educational institutions (as employers)
- Unions
- Staffing agencies

What Types of Employment Discrimination are Illegal?

Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of:

- Race
- Color
- Religion
- National origin
- Sex (including pregnancy and related conditions, sexual orientation, or gender identity)
- Age (40 and older)
- Disability
- Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)
- Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding.

What Employment Practices can be Challenged as Discriminatory?

All aspects of employment, including:

- Discharge, firing, or lay-off
- Harassment (including unwelcome verbal or physical conduct)
- Hiring or promotion
- Assignment
- Pay (unequal wages or compensation)
- Failure to provide reasonable accommodation for a disability or a sincerely-held religious belief, observance or practice
- Benefits
- Job training
- Classification
- Referral
- Obtaining or disclosing genetic information of employees
- Requesting or disclosing medical information of employees
- Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or proceeding.

What can You Do if You Believe Discrimination has Occurred?

Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:

Submit an inquiry through the EEOC's public portal:
<https://publicportal.eeoc.gov/Portal/Login.aspx>

Call 1-800-669-4000 (toll free)
1-800-669-6820 (TTY)
1-844-234-5122 (ASL video phone)

Visit an EEOC field office (information at www.eeoc.gov/field-office)

E-Mail info@eeoc.gov

Additional information about the EEOC, including information about filing a charge of discrimination, is available at www.eeoc.gov.



EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action commitments of companies doing business with the Federal Government. If you are applying for a job with, or are an employee of, a company with a Federal contract or subcontract, you are protected under Federal law from discrimination on the following bases:

Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin

Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

Asking About, Disclosing, or Discussing Pay

Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees.

Disability

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. 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 to the employer. 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.

Protected Veteran Status

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release 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 by Federal contractors under these Federal laws.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities 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)

If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at <https://ofccphelpdesk.dol.gov/s/>, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at <https://www.dol.gov/agencies/ofccp/contact>.

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Race, Color, National Origin, Sex

In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, 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 financial assistance.

Individuals with Disabilities

Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

(Revised 10/20/2022)

FEDERAL PANELS



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

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

REEMPLOYMENT RIGHTS

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

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

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

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

If you:

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

then an employer may not deny you:

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

because of this status.

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

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 <https://www.dol.gov/agencies/vets/>. An interactive online USERRA Advisor can be viewed at <https://webapps.dol.gov/elaws/vets/userra>
- ☆ 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: <https://www.dol.gov/agencies/vets/programs/userra/poster>. 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



1-800-336-4590

Publication Date — May 2022

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

LEAVE ENTITLEMENTS

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

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

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

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

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

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.

BENEFITS & PROTECTIONS

ELIGIBILITY REQUIREMENTS

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

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

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

REQUESTING LEAVE

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

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.



For additional information or to file a complaint:

1-866-4-USWAGE

(1-866-487-9243) TTY: 1-877-889-5627

www.dol.gov/whd

U.S. Department of Labor | Wage and Hour Division





Department of the Treasury Internal Revenue Service

Notice 797

(Rev. December 2022)

Possible Federal Tax Refund Due to the Earned Income Credit (EIC)

What Is the EIC?

The EIC is a refundable tax credit for certain workers.

What Is the Purpose of This Notice?

Your employer sent you this notice to make you aware of an important federal tax benefit. Even if you had no income tax withheld from your wages during the year, you may be eligible for the EIC.

How Much Is the EIC?

For 2022, the EIC can be as much as \$3,733 if you have one qualifying child who has a valid SSN; \$6,164 if you have two qualifying children who have valid SSNs; \$6,935 if you have three or more qualifying children who have valid SSNs; and \$560 if you have no qualifying children who have a valid SSN.

How Do You Claim the EIC?

To claim the EIC, you must:

1. Be eligible for the EIC, and
2. File a 2022 tax return (including Schedule EIC if you have a qualifying child).

To figure out if you are eligible, see Pub. 596 or visit [IRS.gov/EITC](https://www.irs.gov/EITC).

If eligible, you can claim the EIC to get a refund even if you had no tax withheld from your pay or owe no tax. For example, if you had no tax withheld in 2022 and owe no tax but are eligible for a credit of \$800, you must file a 2022 income tax return to get the \$800 refund.

Most people qualify for free tax preparation. If you earned less than \$73,000, you can file for free online at [IRS.gov/FreeFile](https://www.irs.gov/FreeFile). In addition, IRS-certified volunteers can prepare your return for free in person if you earned less than \$60,000 or are age 60 or older. To find locations, visit [IRS.gov/VITA](https://www.irs.gov/VITA) or call 800-906-9887.

More Information

Refer to instructions for the tax return you are filing, Pub. 596, or [IRS.gov/EITC](https://www.irs.gov/EITC) for details on the EIC. You can download IRS forms and publications at [IRS.gov/Forms](https://www.irs.gov/Forms), and you can get printed copies mailed to you by going to [IRS.gov/OrderForms](https://www.irs.gov/OrderForms) or by calling 800-829-3676.

Notice **797** (Rev. 12-2022)
Cat. No. 63924Z



Department of the Treasury Internal Revenue Service

Notice 1015

(Rev. December 2022)

Have You Told Your Employees About the Earned Income Credit (EIC)?

What Is the EIC?

The EIC is a refundable tax credit for certain workers.

Which Employees Must I Notify About the EIC?

You must notify each employee who worked for you at any time during the year and from whose wages you did not withhold income tax. However, you do not have to notify any employee who claimed exemption from withholding on Form W-4, Employee's Withholding Certificate.

Note: You are encouraged to notify all employees whose wages for 2022 are less than \$59,187 that they may be eligible for the EIC.

How and When Must I Notify My Employees?

You must give the employee one of the following.

- The IRS Form W-2, Wage and Tax Statement, which has the required information about the EIC on the back of Copy B.
- A substitute Form W-2 with the same EIC information on the back of the employee's copy that is on Copy B of the IRS Form W-2.
- Notice 797, Possible Federal Tax Refund Due to the Earned Income Credit (EIC).
- Your written statement with the same wording as Notice 797.

If you give an employee a Form W-2 on time, no further notice is necessary if the Form W-2 has the required information about the EIC on the back of the employee's copy. If you give an employee a substitute Form W-2, but it does not have the required information, you must notify the employee within 1 week of the date the substitute Form W-2 is given. If Form W-2 is required but is not given on time, you must give the employee Notice 797 or your written statement by the date Form W-2 is required to be given. If Form W-2 is not required, you must notify the employee by February 6, 2023.

You must hand the notice directly to the employee or send it by first-class mail to the employee's last known address. You will not meet the notification requirements by posting Notice 797 on an employee bulletin board or sending it through office mail. However, you may want to post the notice to help inform all employees of the EIC. You can download copies of the notice at www.irs.gov/FormsPubs. Or you can go to www.irs.gov/OrderForms to order it.

How Will My Employees Know if They Can Claim the EIC?

The basic requirements are covered in Notice 797. For more detailed information, the employee needs to see Pub. 596, Earned Income Credit (EIC), or the Instructions for Forms 1040 and 1040-SR.

How Do My Employees Claim the EIC?

Eligible employees claim the EIC on their 2022 tax return. Even an employee who has no tax withheld from wages and owes no tax may claim the EIC and ask for a refund, but they must file a tax return to do so. For example, if an employee has no tax withheld in 2022 and owes no tax but is eligible for a credit of \$800, they must file a 2022 tax return to get the \$800 refund.

Notice **1015** (Rev. 12-2022)
Cat. No. 20599I

FEDERAL PANELS



U.S. Department of Labor



Job Safety and Health IT'S THE LAW!

All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 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.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.
- Provide required training to all workers 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.

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.

Contact OSHA. We can help.



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



THE AMERICAN POLICY IS OUR POLICY.

Anti-Discrimination Notice.

It is illegal to discriminate against work-authorized individuals.

Employers CANNOT specify which document(s) an employee may present to establish employment authorization and identity.

The refusal to hire or continue to employ an individual because the documentation presented has a future expiration date may also constitute illegal discrimination.

If you think discrimination has occurred, call the Immigrant and Employee Rights Section at 1-800-255-7688.

IF YOU HAVE THE RIGHT TO WORK



DON'T LET ANYONE TAKE IT AWAY

If you have the skills, experience, and legal right to work, your citizenship or immigration status shouldn't get in the way. Neither should the place you were born or another aspect of your national origin. A part of U.S. immigration laws protects legally-authorized workers from discrimination based on their citizenship status and national origin. You can read this law at [8 U.S.C. § 1324b](#).

The Immigrant and Employee Rights Section (IER) may be able to help if an employer treats you unfairly in violation of this law.

The law that IER enforces is 8 U.S.C. § 1324b. The regulations for this law are at 28 C.F.R. Part 44.

Call IER if an employer:

Does not hire you or fires you because of your national origin or citizenship status (this may violate a part of the law at 8 U.S.C. § 1324b(a)(1))

Treats you unfairly while checking your right to work in the U.S., including while completing the [Form I-9](#) or using [E-Verify](#) (this may violate the law at 8 U.S.C. § 1324b(a)(1) or (a)(6))

Retaliates against you because you are speaking up for your right to work as protected by this law (the law prohibits retaliation at 8 U.S.C. § 1324b(a)(5))

The law can be complicated. Call IER to get more information on protections from discrimination based on citizenship status and national origin.

Immigrant and Employee Rights Section (IER)

1-800-255-7688

TTY 1-800-237-2515

www.justice.gov/ier

IER@usdoj.gov



U.S. Department of Justice, Civil Rights Division, Immigrant and Employee Rights Section, January 2019

This guidance document is not intended to be a final agency action, has no legally binding effect, and has no force or effect of law. The document may be rescinded or modified at the Department's discretion, in accordance with applicable laws. The Department's guidance documents, including this guidance, do not establish legally enforceable responsibilities beyond what is required by the terms of the applicable statutes, regulations, or binding judicial precedent. For more information, see "Memorandum for All Components: Prohibition of Improper Guidance Documents," from Attorney General Jefferson B. Sessions III, November 16, 2017.



WE ARE YOUR DOL



Attention Apparel Industry Employees

Minimum Wage hourly rates effective 1/1/2024 – 12/31/2024

New York City	
Large Employers (11 or more employees)	Small Employers (10 or less employees)
Minimum Wage \$16.00 Overtime after 40 hours \$24.00	Minimum Wage \$16.00 Overtime after 40 hours \$24.00
Long Island and Westchester County	Remainder of New York State
Minimum Wage \$16.00 Overtime after 40 hours \$24.00	Minimum Wage \$15.00 Overtime after 40 hours \$22.50

If you have questions, need more information or want to file a complaint.

By Phone: (518) 457-9000 | (888) 4-NYSDOL (888-469-7365) | 711 TTY/TDD

Credits and Allowances that may reduce your pay below the minimum wage rates shown above:

- **Meals and lodging** – Your employer may claim a limited amount of your wages for meals and lodging that they provide to you, as long as they do not charge you anything else. The rates and requirements are in wage orders and summaries, which are available online.

Other rules your employer must follow:

- **Safety** – Your employer must comply with local, state and federal safety and health laws and fire codes. Fire exits must be unlocked and easy to get to during work hours.
- **Homework** – No work is to be taken out of the factory to be worked on at home. No work is to be distributed directly to home workers
- **Registration** – Your employer must be registered with the Department of Labor. They must post their annual registration certificate where you can see it.

Extra Pay you may be owed in addition to the minimum wage rates shown above:

- **Overtime** – You must be paid 1½ times your regular rate of pay (no less than overtime amounts shown above) for weekly hours over 40 (or 44 for residential employees).

Exceptions: Overtime is not required for salaried professionals, or for executives and administrative staff whose weekly salary is more than 75 times the minimum wage rate.

- **Call-in pay** – If you go to work as scheduled and your employer sends you home early, you may be entitled to extra hours of pay at the minimum wage rate for that day.
- **Spread of hours** – If your workday lasts longer than ten hours, you may be entitled to extra daily pay. The daily rate is equal to one hour of pay at the minimum wage rate.
- **Uniform maintenance** – If you clean your own uniform, you may be entitled to additional weekly pay. The weekly rates are available online.

LS 203 (10/23)

Minimum Wage Poster

Post in Plain View



NEW YORK
STATE OF
OPPORTUNITY

Department
of Labor

Unemployment Insurance
Division

Notice to Employees

Employer Registration Number

1/78 ER # 04-61590 6
VILLAGE OF MAMARONECK
123 MAMARONECK AVE
MAMARONECK, NY 10543-3760

Employees of this firm you are covered by the New York State Unemployment Insurance Law.

- Your employer may not deduct from your wages for this purpose.
- If you are laid off, work less than four days a week, or resign:
 - Get a "Record of Employment," form from your employer. Keep it for your records to use if you file for Unemployment Insurance benefits.
 - The "Record of Employment," form must have your employer's name, registration number, and address where payroll records are kept.
- If you file an application for Unemployment Insurance:
 - Call the Telephone Claims Center at (888) 209-8124 (translation services are available) or
 - Go to our website at www.labor.ny.gov
 - Hearing impaired individuals who have telephone Device for the Deaf (TTY/TDD) equipment may file a claim by calling a relay operator at (800) 662-1220 and requesting the operator call (888) 783-1370. Service at this number is provided only to callers using TDD equipment.

Roberta Reardon

Commissioner, New York State Department of Labor

Lars Thompson

Associate Commissioner of Unemployment Insurance

To Employer: You must post this poster conspicuously in each workplace.

For additional posters, write to the: New York State Department of Labor, Liability and Determination Section, Harriman State Office Campus, Albany, NY 12240

STATE PANELS



Division of Human Rights

1-888-392-3644

WWW.DHR.NY.GOV

THIS ESTABLISHMENT IS SUBJECT TO THE NEW YORK
STATE HUMAN RIGHTS LAW (EXECUTIVE LAW, ARTICLE 15)

ESTE ESTABLECIMIENTO ESTÁ SUJETO A LA LEY DE DERECHOS
HUMANOS DEL ESTADO DE NUEVA YORK (LEY EJECUTIVA, SECCIÓN 15)

DISCRIMINATION BASED UPON AGE, RACE, CREED, COLOR, NATIONAL ORIGIN, SEXUAL ORIENTATION, MILITARY STATUS, SEX, PREGNANCY, GENDER IDENTITY OR EXPRESSION, DISABILITY OR MARITAL STATUS IS PROHIBITED BY THE NEW YORK STATE HUMAN RIGHTS LAW. SEXUAL HARASSMENT OR HARASSMENT BASED UPON ANY OF THESE PROTECTED CLASSES ALSO IS PROHIBITED.

LA LEY DE DERECHOS HUMANOS DEL ESTADO DE NUEVA YORK PROHIBE LA DISCRIMINACIÓN POR EDAD, RAZA, CREDO, COLOR, ORIGEN NACIONAL, ORIENTACIÓN SEXUAL, ESTATUS MILITAR, SEXO, EMBARAZO, IDENTIDAD O EXPRESIÓN DE GÉNERO, DISCAPACIDAD O ESTADO CIVIL. TAMBIÉN ESTÁ PROHIBIDO EL ACOSO SEXUAL O EL ACOSO POR CUALQUIERA DE ESTAS CLASES PROTEGIDAS.

ALL EMPLOYERS (until February 8, 2020, only employers with 4 or more employees are covered), EMPLOYMENT AGENCIES, LABOR ORGANIZATIONS AND APPRENTICESHIP TRAINING PROGRAMS

TODOS LOS EMPLEADORES (hasta el 8 de febrero de 2020, solo los empleadores de cuatro o más personas), AGENCIAS DE EMPLEO, ORGANIZACIONES DE TRABAJO Y PROGRAMAS DE CAPACITACIÓN DE APRENDICES

Also prohibited: discrimination in employment on the basis of Sabbath observance or religious practices; hairstyles associated with race (also applies to all areas listed below); prior arrest or conviction record; predisposing genetic characteristics; familial status; pregnancy-related conditions; domestic violence victim status.

Asimismo, está prohibida la discriminación en el empleo sobre la base de la observancia del Shabat o prácticas religiosas; peinados asociados con la raza (también se aplica a las áreas enumeradas a continuación) arresto previo o antecedentes penales; las características genéticas predisponentes; el estado civil; las condiciones relacionadas con el embarazo.

Reasonable accommodations for persons with disabilities and pregnancy-related conditions including lactation may be required. A reasonable accommodation is an adjustment to a job or work environment that enables a person with a disability to perform the essential functions of a job in a reasonable manner.

Es posible que sea necesario hacer acomodos razonables para personas con discapacidades y condiciones relacionadas con el embarazo incluyendo lactación. Un arreglo razonable es una adaptación a un trabajo o entorno laboral que permita que una persona con discapacidad realice las tareas esenciales de un trabajo de manera razonable.

Also covered: domestic workers are protected from harassment and retaliation; interns and nonemployees working in the workplace (for example temp or contract workers) are protected from all discrimination described above.

También están cubiertos: trabajadores domésticos están protegidos en casos acoso y represalias; internos y no empleados cuales trabajan en el lugar de trabajo (por ejemplo trabajadores temporarios o contratantes) están protegidos de toda discriminación descrita arriba.

RENTAL, LEASE OR SALE OF HOUSING, LAND AND COMMERCIAL SPACE, INCLUDING ACTIVITIES OF REAL ESTATE BROKERS AND SALES PEOPLE

ALQUILER, ARRENDAMIENTO O VENTA DE VIVIENDA, TERRENO O ESPACIO COMERCIAL INCLUYENDO ACTIVIDADES DE AGENTE DE BIENES RAÍCES Y VENDEDORES

Also prohibited: discrimination on the basis of lawful source of income (for example housing vouchers, disability benefits, child support); familial status (families with children or being pregnant); prior arrest or sealed conviction; commercial boycotts or blockbusting

También esta prohibido: la discriminación a base de fuente de ingreso legal (por ejemplo vales, beneficios de discapacidad, manutención de niños); estado familiar (familias con niños o en estado de embarazo); arresto previo o condena sellada; boicot comercial o acoso inmobiliario.

Reasonable accommodations and modifications for persons with disabilities may also be required.

También es posible que sea necesario realizar modificaciones y arreglos razonables para personas con discapacidades.

Does not apply to:

Excepciones:

- (1) rental of an apartment in an owner-occupied two-family house
- (2) restrictions of all rooms in a housing accommodation to individuals of the same sex
- (3) rental of a room by the occupant of a house or apartment
- (4) sale, rental, or lease of accommodations of housing exclusively to persons 55 years of age or older, and the spouse of such persons

- (1) alquiler de un apartamento en una casa para dos familias ocupada por el dueño
- (2) restricciones de todas las habitaciones en una vivienda para individuos del mismo sexo
- (3) alquiler de una habitación por parte del ocupante de una casa o apartamento
- (4) venta, alquiler o arrendamiento de alojamiento en una casa exclusivamente a personas mayores de 55 años y al cónyuge de dichas personas

ALL CREDIT TRANSACTIONS INCLUDING FINANCING FOR PURCHASE, MAINTENANCE AND REPAIR OF HOUSING

También se prohíbe: discriminación en vivienda sobre la base del estado civil (por ejemplo, familias con hijos).

PLACES OF PUBLIC ACCOMMODATION SUCH AS RESTAURANTS, HOTELS, HOSPITALS AND MEDICAL OFFICES, CLUBS, PARKS AND GOVERNMENT OFFICES

TODAS TRANSACCIONES CREDITICIAS INCLUYENDO FINANCIAMIENTO PARA LA COMPRA, MANTENIMIENTO Y REPARACION DE VIVIENDAS

Exception:

LUGARES DE ALOJAMIENTO PÚBLICO, COMO RESTAURANTES, HOTELES, HOSPITALES Y CONSULTORIOS MÉDICOS, CLUBS, PARQUES Y OFICINAS DEL GOBIERNO.

Age is not a covered classification relative to public accommodations. Reasonable accommodations for persons with disabilities may also be required.

Excepción:

La edad no es una clasificación cubierta respecto a los alojamientos públicos. Es posible que sea necesario realizar arreglos razonables para personas con discapacidades.

EDUCATION INSTITUTIONS

All public schools and private nonprofit schools, at all education levels, excluding those run by religious organizations.

INSTITUCIONES EDUCATIVAS

Todas las escuelas publicas y escuelas privadas sin ánimo de lucro, en todos los niveles, excluyendo escuelas dirigidas por organizaciones religiosas.

ADVERTISING AND APPLICATIONS RELATING TO EMPLOYMENT, REAL ESTATE, PLACES OF PUBLIC ACCOMMODATION AND CREDIT TRANSACTIONS MAY NOT EXPRESS ANY DISCRIMINATION

PUBLICIDAD Y SOLICITUDES RELACIONADAS CON EL EMPLEO, LOS INMUEBLES, LOS LUGARES DE ALOJAMIENTO PÚBLICO Y LAS TRANSACCIONES CREDITICIAS NO DEBEN EXPRESAR NINGUN ACTO DISCRIMINATORIO

If you wish to file a formal complaint with the Division of Human Rights, you must do so within one year after the discrimination occurred. The Division's services are provided free of charge.

Si desea presentar una demanda formal ante la División de Derechos Humanos, debe hacerlo dentro de un año desde que ocurra la discriminación. Los servicios de la División se ofrecen sin cargo.

If you wish to file a complaint in State Court, you may do so within three years of the discrimination. You may not file both with the Division and the State Court.

Si desea presentar una demanda ante el Tribunal Estatal, puede hacerlo dentro de los tres años desde que ocurriera la discriminación. No puede presentar una demanda ante la División y ante el Tribunal Estatal.

Retaliation for filing a complaint or opposing discriminatory practices is prohibited. You may file a complaint with the Division if you have been retaliated against.

Se prohíben las represalias por presentar una demanda u oponerse a prácticas discriminatorias. Puede presentar una demanda ante la División si sufrió represalias.

FOR FURTHER INFORMATION, WRITE OR CALL THE DIVISION'S NEAREST OFFICE, HEADQUARTERS:
ONE FORDHAM PLAZA, 4TH FLOOR, BRONX, NY 10458

PARA OBTENER MÁS INFORMACIÓN, ESCRIBA O LLAME A LA OFICINA MÁS CERCANA DE LA DIVISIÓN. OFICINA CENTRAL:
ONE FORDHAM PLAZA, 4TH FLOOR, BRONX, NY 10458

STATE PANELS

ATTENTION ALL EMPLOYEES TIME ALLOWED EMPLOYEES TO VOTE ON ELECTION DAY N.Y. ELECTION LAW SECTION 3-110¹ STATES THAT:

- IF YOU DO NOT HAVE 4 CONSECUTIVE HOURS TO VOTE, EITHER FROM THE OPENING OF THE POLLS TO THE BEGINNING OF YOUR WORKING SHIFT, OR BETWEEN THE END OF YOUR WORKING SHIFT AND THE CLOSING OF THE POLLS, YOU MAY TAKE OFF UP TO 2 HOURS, WITHOUT LOSS OF PAY, TO ALLOW YOU TIME TO VOTE IF YOU ARE A REGISTERED VOTER.
- YOU MAY TAKE TIME OFF AT THE BEGINNING OR END OF YOUR WORKING SHIFT, AS YOUR EMPLOYER MAY DESIGNATE, UNLESS OTHERWISE MUTUALLY AGREED.
- YOU MUST NOTIFY YOUR EMPLOYER NOT LESS THAN 2 DAYS, BUT NOT MORE THAN 10 DAYS, BEFORE THE DAY OF THE ELECTION THAT YOU WILL TAKE TIME OFF TO VOTE.

Revised 4.14.2020

¹ Employers: Not less than ten working days before any Election Day, every employer shall post conspicuously in the place of work where it can be seen as employees come or go to their place of work, a notice setting forth the provisions of this law. Such notice shall be kept posted until the close of the polls on Election Day.

AVISO A TODOS LOS EMPLEADOS

Tiempo Permitido a los Empleados Para Votar el Día de las Elecciones

LA LEY DEL ESTADO DE NUEVA YORK
(NYSEL 3-110¹) ESTABLECE QUE

- Si no tiene 4 horas consecutivas para votar, ya sea desde la apertura de las encuestas hasta el comienzo de su turno de trabajo, o entre el final de su turno de trabajo y el cierre de las encuestas, puede despegar hasta 2 horas, sin pérdida de pago, para darle tiempo para votar si es un votante registrado.
- Puede tomarse un tiempo libre al principio o al final de su turno de trabajo, según lo designe su empleador, a menos que se acuerde mutuamente.
- Debe notificar a su empleador no menos de 2 días, pero no más de 10 días, antes del día de la elección, que se tomará un tiempo libre para votar.

Rev 04.14.2020

¹ Empleadores: no menos de diez días hábiles antes de cualquier día de elección, cada empleador deberá publicar de manera visible en el lugar de trabajo donde pueda ser visto como los empleados vienen o van, a su lugar de trabajo, un aviso que establece las disposiciones de esta ley. Dicha notificación se mantendrá publicada hasta el cierre de las urnas día electorales.

STATE OF NEW YORK - WORKERS' COMPENSATION BOARD
ESTADO DE NUEVA YORK - JUNTA DE COMPENSACION OBRERA
NOTICE OF COMPLIANCE

AVISO DE CUMPLIMIENTO

TO EMPLOYEES

IMPORTANT INFORMATION FOR EMPLOYEES WHO ARE INJURED OR SUFFER AN OCCUPATIONAL DISEASE WHILE WORKING.

1. By posting this notice and information concerning your rights as an injured worker, your employer is in compliance with the Workers' Compensation Law.
2. If you do not notify your employer within 30 days of the date of your injury your claim may be disallowed, so do so immediately.
3. You are entitled to obtain any necessary medical treatment and should do so immediately.
4. You may choose any doctor, podiatrist, chiropractor or psychologist referred by a medical doctor that accepts NY State Workers' Compensation patients and is Board authorized. However, if your employer is involved in a certified preferred provider organization (PPO) you must first be treated by a provider chosen by your employer and your employer must give you a written statement of your rights concerning further medical care.
5. You should tell your doctor to file copies of medical reports concerning your claim with the Workers' Compensation Board and with your employer's insurance company, which is indicated at the bottom of this form.
6. You may be entitled to lost time benefits if your work-related injury keeps you from work for more than seven days, compels you to work at lower wages or results in permanent disability to any part of your body. You may be entitled to rehabilitation services if you need help returning to work.
7. You should not pay any medical providers directly. They should send their bills to your employer's insurance carrier. If there is a dispute, the provider must wait until the Board makes a decision before it attempts to collect payment from you. If you do not pursue your claim or the Board rules that your injury is not work-related, you may be responsible for the payment of the bills.
8. You are entitled to be represented by an attorney or licensed representative, but it is not required. If you do hire a representative do not pay him/her directly. Any fee will be set by the Board and will be deducted from your award.
9. If you have difficulty in obtaining a claim form or need help in filling it out, or if you have any other questions or problems about a job-related injury, contact any office of the Workers' Compensation Board.

WORKERS' COMPENSATION BOARD OFFICES

Albany, 12241 - 100 Broadway-Menands - (866) 750-5157
 *Brooklyn, 11201 - 111 Livingston St. - Brooklyn - (800) 877-1373
 Binghamton, 13901 - State Office Bldg.-44 Hawley St.- (866) 802-3604
 Buffalo, 14202 - 369 Franklin Street - (866) 211-0645
 *Hauppauge, 11788 - 220 Rabro Drive - Suite 100 - (866) 681-5354
 *Hempstead, 11550 - 175 Fulton Avenue - (866) 805-3630
 *New York, 10027 - 215 W.125th St. - Manhattan - (800) 877-1373
 *Peekskill, 10566 - 41 North Division St. - (866) 746-0552
 *Queens, 11432 - 168-46 91st Ave. - Jamaica (800) 877-1373
 Rochester, 14614 - 130 Main Street West - (866) 211-0644
 Syracuse, 13203 - 935 James St. - (866) 802-3730

***DOWNSTATE MAIL ADDRESS**

Claims-related mail for the Hauppauge, Hempstead, Peekskill and all NYC offices should be mailed to:

PO Box 5205 Binghamton, NY 13902-5205

A EMPLEADOS

INFORMACION IMPORTANTE PARA EMPLEADOS QUE SEAN LESIONADOS O SUFRAN UNA ENFERMEDAD OCUPACIONAL MIENTRAS TRABAJAN.

1. Su patrono está cumpliendo la Ley de Compensación Obrera cuando despliega este comunicado concerniente a sus derechos como trabajador lesionado.
2. Si usted no notifica a su patrono dentro del término de 30 días de haber sufrido su lesión su reclamación podría ser desestimada, por eso notifique inmediatamente.
3. Usted tiene derecho a recibir cualquier tratamiento médico necesario relacionado con su lesión y debe gestionarlo inmediatamente.
4. Para el tratamiento de cualquier lesión o enfermedad relacionada con el trabajo, usted puede escoger cualquier médico, podiatra, quiropractico o psicologo (si es referido por un médico autorizado) que esté autorizado y acepte pacientes de la Juntade Compensacion Obrera. Sin embargo, si su patrono está autorizado a participar una organizacion certificada de proveedores preferidos (PPO) usted deberá obtener tratamiento inicial para cualquier lesión o enfermedad relacionada con el trabajo de la correspondiente entidad. Patronos que participen en cualquier de estos programas establecidos por ley estan obligados a proveer a sus empleados notificacion escrita explicando sus derechos y obligaciones bajo el programa a que esté acogido.
5. Usted deberá requerir de su Médico que radique copias de los informes médicos de su caso en la Junta de Compensación Obrera y en la compañía de seguros de su patrono, que se indica al final de esta forma.
6. Usted tiene derecho a compensación si su lesión relacionada con el trabajo le impide trabajar por más de siete días, le obliga a trabajar a sueldo más bajo o resulta en incapacidad permanente de cualquier parte de su cuerpo. Usted puede tener derecho a servicios de rehabilitación si necesita ayuda para regresar al trabajo.
7. No pague a ningún proveedor médico directamente por tratamiento de su lesión o enfermedad relacionada con el trabajo. Ellos deben enviar sus facturas al asegurador de su patrono. Si el caso es cuestionado, el proveedor deberá esperar hasta que la Junta decida el caso, antes de iniciar gestión de cobro alguna contra usted. Si usted no tramita su caso o la Junta falla que su lesión o enfermedad no está relacionada con el trabajo, usted podría ser responsable del pago de las facturas.
8. No es obligatorio el estar representado en ninguno de los procedimientos de la Junta, pero es un derecho que usted tiene, el estar representado por abogado o por representante licenciado si usted así lo desea. Si es representado, no pague al abogado o al representante licenciado. Cuando la Junta decida su caso, los honorarios serán determinados por la Junta y descontados de sus beneficios.
9. Si tiene dificultad en conseguir un formulario de reclamación o necesita ayuda para llenarlo o tiene dudas sobre cualquier situación relacionada con una lesión o enfermedad comuníquese con la oficina mas cercana de la Junta.

Robert E. Beloten

Robert E. Beloten
 Chair (Presidente)

Workers' Compensation Benefits, when due, will be paid by (Los beneficios de Compensación Obrera, cuando debidos, serán pagados por):

THE STATE INSURANCE FUND
 199 Church Street, New York, N. Y. 10007
 (212) 312-9000

Effective From 7/01/2010 To cancellation
 (Vigor Desde) (Hasta cancellation)

Policy No. G 2102 680-2
 (Poliza No.)

Name of employer (Nombre de patrono)

VILLAGE OF MAMARONECK
123 MAMARONECK AVENUE
MAMARONECK NY 10543

**THIS NOTICE MUST BE POSTED CONSPICUOUSLY
 IN AND ABOUT THE EMPLOYER'S PLACE OR
 PLACES OF BUSINESS.**

Failure by an employer to post this notice in and about the employer's place or places of business may result in a \$250 penalty for each violation.

STATE OF NEW YORK - WORKERS' COMPENSATION BOARD
ESTADO DE NUEVA YORK - JUNTA DE COMPENSACION OBRERA
NOTICE OF COMPLIANCE

AVISO DE CUMPLIMIENTO

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1. By posting this notice and information concerning your rights as an injured worker, your employer is in compliance with the Workers' Compensation Law.
2. If you do not notify your employer within 30 days of the date of your injury your claim may be disallowed, so do so immediately.
3. You are entitled to obtain any necessary medical treatment and should do so immediately.
4. You may choose any doctor, podiatrist, chiropractor or psychologist referred by a medical doctor that accepts NY State Workers' Compensation patients and is Board authorized. However, if your employer is involved in a certified preferred provider organization (PPO) you must first be treated by a provider chosen by your employer and your employer must give you a written statement of your rights concerning further medical care.
5. You should tell your doctor to file copies of medical reports concerning your claim with the Workers' Compensation Board and with your employer's insurance company, which is indicated at the bottom of this form.
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8. You are entitled to be represented by an attorney or licensed representative, but it is not required. If you do hire a representative do not pay him/her directly. Any fee will be set by the Board and will be deducted from your award.
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2. Si usted no notifica a su patrono dentro del término de 30 días de haber sufrido su lesión su reclamación podría ser desestimada, por eso notifique inmediatamente.
3. Usted tiene derecho a recibir cualquier tratamiento médico necesario relacionado con su lesión y debe gestionarlo inmediatamente.
4. Para el tratamiento de cualquier lesión o enfermedad relacionada con el trabajo, usted puede escoger cualquier médico, podiatra, quiropráctico o psicólogo (si es referido por un médico autorizado) que esté autorizado y acepte pacientes de la Junta de Compensación Obrera. Sin embargo, si su patrono está autorizado a participar una organización certificada de proveedores preferidos (PPO) usted deberá obtener tratamiento inicial para cualquier lesión o enfermedad relacionada con el trabajo de la correspondiente entidad. Patronos que participen en cualquier de estos programas establecidos por ley están obligados a proveer a sus empleados notificación escrita explicando sus derechos y obligaciones bajo el programa a que esté acogido.
5. Usted deberá requerir de su Médico que radique copias de los informes médicos de su caso en la Junta de Compensación Obrera y en la compañía de seguros de su patrono, que se indica al final de esta forma.
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7. No pague a ningún proveedor médico directamente por tratamiento de su lesión o enfermedad relacionada con el trabajo. Ellos deben enviar sus facturas al asegurador de su patrono. Si el caso es cuestionado, el proveedor deberá esperar hasta que la Junta decida el caso, antes de iniciar gestión de cobro alguna contra usted. Si usted no tramita su caso o la Junta falla que su lesión o enfermedad no está relacionada con el trabajo, usted podría ser responsable del pago de las facturas.
8. No es obligatorio el estar representado en ninguno de los procedimientos de la Junta, pero es un derecho que usted tiene, el estar representado por abogado o por representante licenciado si usted así lo desea. Si es representado, no pague al abogado o al representante licenciado. Cuando la Junta decida su caso, los honorarios serán determinados por la Junta y descontados de sus beneficios.
9. Si tiene dificultad en conseguir un formulario de reclamación o necesita ayuda para llenarlo o tiene dudas sobre cualquier situación relacionada con una lesión o enfermedad comuníquese con la oficina mas cercana de la Junta.

Robert E. Beloten

Robert E. Beloten
Chair (Presidente)

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 199 Church Street, New York, N. Y. 10007
 (212) 312-9000

Effective From 6/01/2010 To cancellation
 (En Vigor Desde) (Hasta cancellation)

Policy No. G 2102 680-2
 (Poliza No.)

Name of employer (Nombre de patrono)

VILLAGE OF MAMARONECK
 123 MAMARONECK AVENUE
 MAMARONECK NY 10543

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 IN AND ABOUT THE EMPLOYER'S PLACE OR
 PLACES OF BUSINESS.**

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NOTICE OF COMPLIANCE
VOLUNTEER FIREFIGHTERS'
BENEFIT LAW

TO VOLUNTEER FIREFIGHTER

If you have disablement as a result of injury or disease incurred IN LINE OF DUTY, observe the following:

1. Report your injury promptly and, in any event, within 90 days, in writing to the home area political subdivision (county, city, town, village or fire district) on Form VF-1.
2. If you wish to claim benefits, Form VF-3, Claim for Benefits, must be filed with the same officer of the home area political subdivision with whom you filed report of injury, and with the Workers' Compensation Board within two years of injury, or death. Form VF-1, Notice of Injury or Death, and VF-3, Claim for Benefits, may be obtained from your local fire officials, home area political subdivision or the Workers' Compensation Board.
3. If you are a volunteer member of an incorporated fire company, inquire of your company officer concerning the liable political subdivision to which notice should be given and with which claim should be filed as described above.
4. Obtain medical care immediately.
5. You are entitled to be treated by a physician, psychologist (upon referral from an authorized physician), podiatrist or chiropractor of your choice if (s)he is authorized by the Chairman of the Workers' Compensation Board.
6. Tell your doctor to file medical reports with the Board and with the liable political subdivision or its insurance carrier.
7. DO NOT pay your doctor or hospital. Their bills will be paid by the liable political subdivision, or its insurance carrier if your case is not disputed. If your case is disputed, the doctor must wait for payment until the Board decides your case. In the event you fail to prosecute your case or the Board decides against you, you will have to pay the doctor or hospital.
8. You are not required to have anyone represent you in any workers' compensation proceeding, but you have the right to be represented by an attorney or licensed representative, if you so choose. If you obtain representation, do not pay your attorney or representative directly. When the Workers' Compensation Board rules on your case, the attorney's or representative's fee will be set by the Board and the amount will be deducted from your award.
9. If you have difficulty in obtaining Forms VF-1 or VF-3, or need help in filling them out, or if you have any other questions or problems about an injury or disease incurred in the line of duty, contact any office of the Workers' Compensation Board.

WORKERS' COMPENSATION BOARD OFFICES

Albany, 12241 - 100 Broadway-Menands - (866) 750-5157
 Brooklyn, 11201 - 111 Livingston St. - Brooklyn - (800) 877-1373
 Binghamton, 13901 - State Office Bldg.-44 Hawley St. - (866) 802-3604
 Buffalo, 14202 - 369 Franklin Street - (866) 211-0645
 Hauppauge, 11788 - 220 Rabro Drive - Suite 100 - (866) 681-5354
 Hempstead, 11550 - 175 Fulton Avenue - (866) 805-3630
 New York, 10027 - 215 W.125th St. - Manhattan - (800) 877-1373
 Peekskill, 10566 - 41 North Division St. - (866) 746-0552
 Queens, 11432 - 168-46 91st Ave. - Jamaica (800) 877-1373
 Rochester, 14614 - 130 Main Street West - (866) 211-0644
 Syracuse, 13203 - 935 James St. - (866) 802-3730

DOWNSSTATE MAIL ADDRESS

Claims-related mail for the Hauppauge, Hempstead, Peekskill and all NYC offices should be mailed to:

PO Box 5205 Binghamton, NY 13902-5205

The undersigned political subdivision hereby gives notice that it has complied with all the rules and regulations of the Chair and the Workers' Compensation Board pursuant to the Volunteer Firefighters' Benefit Law, and that it has secured the payment of benefits to its volunteer firefighters when engaged in firefighting duties enumerated in or brought within the provisions of said law and the dependents of volunteer firefighters in accordance with the Volunteer Firefighters' Benefit Law by: (Insert words "Insurance Policy" or "Self-Insurance")

THE STATE INSURANCE FUND

199 Church Street, New York, N. Y. 10007
 (212) 312-9000

Effective From 6/01/2010 To cancellation
 (Efectivo de) (Hasta cancelación)

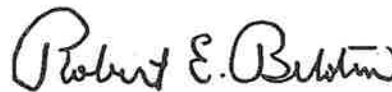
Policy No. G 2102 666-1
 (Poliza No.)

REQUISITOS EXIGIDOS POR LA LEY DE
BENEFICIOS PARA LOS BOMBEROS
VOLUNTARIOS

A LOS BOMBEROS VOLUNTARIOS

Si resultas incapacitado como resultado de lesión o enfermedad ocurrida en el EJERCICIO DE TUS FUNCIONES, cumple con los siguiente requisitos:

1. Informe de su condición inmediatamente por escrito a la entidad gubernamental donde esté localizada su residencia (condado, ciudad, pueblo, o estación de bomberos) en la forma VF-1. Hay un término limite de 90 días.
2. Si interesa reclamar beneficios, debe llenar la forma VF-3 (Claim for Benefits) y presentarla al mismo funcionario a quien le presento la forma VF-1. También deberá notificarse a la Junta de Compensación Obrera dentro del término de dos años de ocurrida la lesión o muerte. Todas estas formas pueden conseguirse en su oficina de bomberos, entidades gubernamentales cercanas a su residencia o en la Junta de Compensación Obrera.
3. Si usted es un bombero voluntario de una compañía independiente, pregúntele a los oficiales sobre a que entidad gubernamental y con cual forma se le debe notificar lesiones o enfermedad.
4. Obtenga atención médica inmediatamente.
5. Usted tiene derecho a ser atendido por un médico, psicólogo (cuando es referido por un médico autorizado), podiatra o quiroprático que usted seleccione para ser tratado de una lesión o enfermedad, siempre y cuando la persona que provea el servicio esté validado por el Presidente de la Junta de Compensación Obrera.
6. Digale a su doctor que presente los informes médicos a la Junta, la entidad gubernamental o a su compañía de seguros.
7. NO PAGUE ni al médico ni al hospital. Sus facturas serán pagadas directamente si su caso no es impugnado. Si lo es, el médico tendrá que esperar hasta que la Junta decida el caso. Si usted no procede con su caso o si la Junta decide en su contra, entonces usted tendrá que pagar al médico y al hospital.
8. Aunque no es obligatorio, usted tiene el derecho de estar representado legalmente o por representante autorizado. No pague por ese servicio. Cuando el caso se decida la Junta determinará la tarifa que se la pagará al abogado/a o al representante autorizado y la misma será descontada de su compensación.
9. Si usted tiene dificultad en obtener los formularios o tiene dudas o necesita ayuda para llenarlos comuníquese con la oficina mas cercana de la Junta de Compensación Obrera.



Robert E. Beloten
 Chair (Presidente)

Name of political subdivision in full. (Nombre completo de la entidad gubernamental:)

VILLAGE OF MAMARONECK - VF
 123 MAMARONECK AVENUE
 MAMARONECK NY 10543

THIS NOTICE MUST BE POSTED AND MAINTAINED IN A CONSPICUOUS PLACE IN AND ABOUT THE FIRE HOUSE AND FIRE COMPANY HEADQUARTERS, AND SHOULD ALSO BE POSTED AT EACH PRINCIPAL ENTRANCE USED BY VOLUNTEER FIREFIGHTERS.

Failure by an employer to post this notice in and about the employer's place or places of business may result in a \$250 penalty for each violation.

STATE PANELS



Department
of Labor

Division of Labor Standards

www.labor.ny.gov

Equal Pay Provision of the New York State Labor Law

Article 6, Section 194

§ 194. Differential in rate of pay because of protected class status prohibited.

1. No employee with status within one or more protected class or classes shall be paid a wage at a rate less than the rate at which an employee without status within the same protected class or classes in the same establishment is paid for: (a) equal work on a job the performance of which requires equal skill, effort and responsibility, and which is performed under similar working conditions, or (b) substantially similar work, when viewed as a composite of skill, effort, and responsibility, and performed under similar working conditions; except where payment is made pursuant to a differential based on:

- (i) a seniority system;
- (ii) a merit system;
- (iii) a system which measures earnings by quantity or quality of production;
- (iv) a bona fide factor other than status within one or more protected class or classes, such as education, training, or experience. Such factor:
 - (A) shall not be based upon or derived from a differential in compensation based on status within one or more protected class or classes and
 - (B) shall be job-related with respect to the position in question and shall be consistent with business necessity. Such exception under this paragraph shall not apply when the employee demonstrates
 - (1) that an employer uses a particular employment practice that causes a disparate impact on the basis of status within one or more protected class or classes,
 - (2) that an alternative employment practice exists that would serve the same business purpose and not produce such differential, and
 - (3) that the employer has refused to adopt such alternative practice.

2. For the purpose of subdivision one of this section:

(a) "business necessity" shall be defined as a factor that bears a manifest relationship to the employment in question, and

(b) "protected class" shall include age, race, creed, color, national origin, sexual orientation, gender identity or expression, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, or domestic violence victim status, and any employee protected from discrimination pursuant to paragraphs (a), (b), and (c) of subdivision one of section two hundred ninety-six and any intern protected from discrimination pursuant to section two hundred ninety-six-c of the executive law.

3. For the purposes of subdivision one of this section, employees shall be deemed to work in the same establishment if the employees work for the same employer at workplaces located in the same geographical region, no larger than a county, taking into account population distribution, economic activity, and/or the presence of municipalities.

4. (a) No employer shall prohibit an employee from inquiring about, discussing, or disclosing the wages of such employee or another employee.

(b) An employer may, in a written policy provided to all employees, establish reasonable workplace and workday limitations on the time, place and manner for inquiries about, discussion of, or the disclosure of wages. Such limitations shall be consistent with standards promulgated by the commissioner and shall be consistent with all other state and federal laws. Such limitations may include prohibiting an employee from discussing or disclosing the wages of another employee without such employee's prior permission.

(c) Nothing in this subdivision shall require an employee to disclose his or her wages. The failure of an employee to adhere to such reasonable limitations in such written policy shall be an affirmative defense to any claims made against an employer under this subdivision, provided that any adverse employment action taken by the employer was for failure to adhere to such reasonable limitations and not for mere inquiry, discussion or disclosure of wages in accordance with such reasonable limitations in such written policy.

(d) This prohibition shall not apply to instances in which an employee who has access to the wage information of other employees as a part of such employee's essential job functions discloses the wages of such other employees to individuals who do not otherwise have access to such information, unless such disclosure is in response to a complaint or charge, or in furtherance of an investigation, proceeding, hearing, or action under this chapter, including an investigation conducted by the employer.

(e) Nothing in this section shall be construed to limit the rights of an employee provided under any other provision of law or collective bargaining agreement.

For questions, write or call your nearest office, (listed below), of the:

**New York State Department of Labor
Division of Labor Standards**

Albany District
State Office Campus
Bldg. 12, Rm. 185A
Albany, NY 12240
(518) 457-2730

Buffalo District
290 Main Street, Rm. 226
Buffalo, NY 14202
(716) 847-7141

Garden City District
400 Oak Street, Suite 101
Garden City, NY 11530
(516) 794-8195

New York City District
75 Varick Street, 7th Floor
New York, NY 10013
(212) 775-3880

Rochester Sub-District
276 Waring Road, Rm. 104
Rochester, NY 14609
(585) 258-4550

Syracuse District
333 East Washington Street,
Rm. 121
Syracuse, NY 13202
(315) 428-4057

White Plains District
120 Bloomingdale Road
White Plains, NY 10605
(914) 997-9521

Disposición de Igualdad de Remuneración de la Ley de Trabajo del Estado de Nueva York

Artículo 6, Sección 194

§ 194. Prohibición de las diferencias en remuneración por condición de clase protegida.

1. A ningún empleado con condición dentro de una o más clases protegidas se le pagará un salario a una tasa inferior a la tasa a la que se le paga a un empleado sin condición dentro de la misma clase o clases protegidas en el mismo establecimiento por: (a) un trabajo igual en un puesto de trabajo cuyo desempeño requiere la misma habilidad, esfuerzo y responsabilidad, y que se realiza en condiciones de trabajo similares, o (b) un trabajo sustancialmente similar en cuanto a una combinación de habilidades, esfuerzo y responsabilidad, y realizado en condiciones laborales similares; excepto cuando el pago se realice conforme a un diferencial basado en:

(i) un sistema de antigüedad;

(ii) un sistema de méritos;

(iii) un sistema que mide los ingresos por cantidad o calidad de la producción;

(iv) un factor de buena fe que no sea una condición dentro de una o más clases protegidas, como la educación, la capacitación o la experiencia. Tal factor:

(A) no se basará en o derivará de una compensación diferencial basada en una condición dentro de una o más clases protegidas y

(B) estará relacionado con el puesto de trabajo en cuestión y será coherente con las necesidades empresariales. Dicha excepción en virtud del presente párrafo no se aplicará cuando el empleado demuestre

(1) que un empleador utiliza una práctica laboral particular que causa un impacto dispar según una condición dentro de una o más clases protegidas,

(2) que existe una práctica alternativa de empleo que serviría para el mismo propósito empresarial y no produciría tal diferencia, y

(3) que el empleador se ha negado a adoptar esta práctica alternativa.

2. A los efectos de la subdivisión uno de esta sección:

(a) se entenderá por "necesidades empresariales" un factor que guarda una relación manifiesta con el empleo en cuestión, y

(b) "clase protegida" incluye edad, raza, credo, color, origen nacional, orientación sexual, identidad o expresión de género, estado militar, sexo, discapacidad, características genéticas de predisposición, estado familiar, estado civil o condición de víctima de violencia doméstica, y cualquier empleado protegido de la discriminación de conformidad con los párrafos (a), (b) y (c) de la subdivisión uno de la sección doscientos noventa y seis y cualquier pasante protegido contra la discriminación de conformidad con la sección doscientos noventa y seis-c de la ley ejecutiva.

3. A los efectos de la subdivisión uno de esta sección, se considerará que los empleados trabajan en el mismo establecimiento si los empleados trabajan para el mismo empleador en lugares de trabajo ubicados en la misma región geográfica, no más grande que un condado, teniendo en cuenta la distribución de la población, la actividad económica y/o la presencia de municipios.

4.(a) Ningún empleador prohibirá a un empleado preguntar, discutir o divulgar los salarios de dicho empleado u otro empleado.

(b) Un empleador puede, en una política escrita proporcionada a todos los empleados, establecer limitaciones razonables en el lugar de trabajo y la jornada laboral acerca del tiempo, el lugar y la manera de consultar, discutir o divulgar los salarios. Dichas limitaciones serán consistentes con los estándares promulgados por el comisionado y serán consistentes con todas las demás leyes estatales y federales. Dichas limitaciones pueden incluir la prohibición de un empleado de discutir o divulgar los salarios de otro empleado sin el permiso previo de dicho empleado.

(c) Nada en esta subdivisión requerirá que un empleado revele su salario. La falta de adhesión de un empleado a tales limitaciones razonables en dicha política escrita será una defensa justificativa en cualquier reclamación realizada contra un empleador bajo esta subdivisión, siempre que cualquier acción adversa de empleo tomada por el empleador sea por el incumplimiento de tales limitaciones razonables y no por la mera indagación, discusión o divulgación de los salarios de acuerdo con tales limitaciones razonables en dicha política escrita.

(d) Esta prohibición no se aplicará a los casos en que un empleado que tenga acceso a la información salarial de otros empleados, como parte de las funciones esenciales del trabajo de dicho empleado, divulgue los salarios de dichos otros empleados a individuos que de otro modo no tienen acceso a dicha información, a menos que dicha divulgación sea en respuesta a una queja o acusación, o en apoyo de una investigación, procedimiento, audiencia o acción bajo este capítulo, incluida una investigación realizada por el empleador.

(e) Nada de lo dispuesto en esta sección se interpretará en el sentido de limitar los derechos de un empleado previstos en cualquier otra disposición de ley o acuerdo de negociación colectiva.

Si tiene preguntas, escriba o llame a su oficina más cercana (enumeradas a continuación) del:

Departamento de Trabajo del Estado de Nueva York División de Derecho Laboral

Albany District

State Office Campus Bldg. 12, Rm. 185A Albany, NY 12240 (518) 457-2730

Buffalo District

290 Main Street, Rm. 226 Buffalo, NY 14202 (716) 847-7141

Garden City District

400 Oak Street, Suite 101 Garden City, NY 11530 (516) 794-8195

New York City District

75 Varick Street, 7th Floor New York, NY 10013 (212) 775-3880

Rochester Sub-District

276 Waring Road, Rm. 104 Rochester, NY 14609 (585) 258-4550

Syracuse District

333 East Washington Street, Rm. 121 Syracuse, NY 13202 (315) 428-4057

White Plains District

120 Bloomingdale Road White Plains, NY 10605 (914) 997-9521

LS 603 (08/20)

STATE PANELS

NEW YORK CORRECTION LAW - ARTICLE 23-A

LICENSURE AND EMPLOYMENT OF PERSONS PREVIOUSLY CONVICTED OF ONE OR MORE CRIMINAL OFFENSES

§750. Definitions.

For the purposes of this article, the following terms shall have the following meanings:

- (1) "Public agency" means the state or any local subdivision thereof, or any state or local department, agency, board or commission.
- (2) "Private employer" means any person, company, corporation, labor organization or association which employs ten or more persons.
- (3) "Direct relationship" means that the nature of criminal conduct for which the person was convicted has a direct bearing on his fitness or ability to perform one or more of the duties or responsibilities necessarily related to the license, opportunity, or job in question.
- (4) "License" means any certificate, license, permit or grant of permission required by the laws of this state, its political subdivisions or instrumentalities as a condition for the lawful practice of any occupation, employment, trade, vocation, business, or profession. Provided, however, that "license" shall not, for the purposes of this article, include any license or permit to own, possess, carry, or fire any explosive, pistol, handgun, rifle, shotgun, or other firearm.
- (5) "Employment" means any occupation, vocation or employment, or any form of vocational or educational training. Provided, however, that "employment" shall not, for the purposes of this article, include membership in any law enforcement agency.

§751. Applicability.

The provisions of this article shall apply to any application by any person for a license or employment at any public or private employer, who has previously been convicted of one or more criminal offenses in this state or in any other jurisdiction, and to any license or employment held by any person whose conviction of one or more criminal offenses in this state or in any other jurisdiction preceded such employment or granting of a license, except where a mandatory forfeiture, disability or bar to employment is imposed by law, and has not been removed by an executive pardon, certificate of relief from disabilities or certificate of good conduct. Nothing in this article shall be construed to affect any right an employer may have with respect to an intentional misrepresentation in connection with an application for employment made by a prospective employee or previously made by a current employee.

§752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited.

No application for any license or employment, and no employment or license held by an individual, to which the provisions of this article are applicable, shall be denied or acted upon adversely by reason of the individual's having been previously convicted of one or more criminal offenses, or by reason of a finding of lack of "good moral character" when such finding is based upon the fact that the individual has previously been convicted of one or more criminal offenses, unless:

- (1) There is a direct relationship between one or more of the previous criminal offenses and the specific license or employment sought or held by the individual; or
- (2) The issuance or continuation of the license or the granting or continuation of the employment would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public.

§753. Factors to be considered concerning a previous criminal conviction; presumption.

1. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall consider the following factors:

- (a) The public policy of this state, as expressed in this act, to encourage the licensure and employment of persons previously convicted of one or more criminal offenses.
- (b) The specific duties and responsibilities necessarily related to the license or employment sought or held by the person.
- (c) The bearing, if any, the criminal offense or offenses for which the person was previously convicted will have on his fitness or ability to perform one or more such duties or responsibilities.
- (d) The time which has elapsed since the occurrence of the criminal offense or offenses.
- (e) The age of the person at the time of occurrence of the criminal offense or offenses.
- (f) The seriousness of the offense or offenses.
- (g) Any information produced by the person, or produced on his behalf, in regard to his rehabilitation and good conduct.
- (h) The legitimate interest of the public agency or private employer in protecting property, and the safety and welfare of specific individuals or the general public.

2. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall also give consideration to a certificate of relief from disabilities or a certificate of good conduct issued to the applicant, which certificate shall create a presumption of rehabilitation in regard to the offense or offenses specified therein.

§754. Written statement upon denial of license or employment.

At the request of any person previously convicted of one or more criminal offenses who has been denied a license or employment, a public agency or private employer shall provide, within thirty days of a request, a written statement setting forth the reasons for such denial.

§755. Enforcement.

1. In relation to actions by public agencies, the provisions of this article shall be enforceable by a proceeding brought pursuant to article seventy-eight of the civil practice law and rules.
2. In relation to actions by private employers, the provisions of this article shall be enforceable by the division of human rights pursuant to the powers and procedures set forth in article fifteen of the executive law, and, concurrently, by the New York city commission on human rights.

**Effective February 1, 2009, employers must post a copy of the Correction Law relating to the use of prior convictions.*

continued from previous page

LEY CORRECCIONAL DE NUEVA YORK (NEW YORK CORRECTION LAW)

ARTÍCULO 23-A

OTORGAMIENTO DE LICENCIAS Y EMPLEO A PERSONAS PREVIAMENTE CONDENADAS POR UNO O MÁS DELITOS PENALES

Sección 750. Definiciones.

751. Aplicabilidad.

752. Prohibición contra la discriminación injusta de personas previamente condenadas por uno o más delitos penales

753. Factores que deben tenerse en cuenta con respecto a una condena penal previa; presunción.

754. Declaración escrita en caso de denegación de licencia o empleo.

755. Ejecución del cumplimiento.

§750. Definiciones. A los efectos de este artículo, las siguientes expresiones tendrán los significados que se indican a continuación:

(1) "Entidad pública" significa el estado o cualquiera de sus subdivisiones locales, o bien cualquier estado o departamento, entidad, junta o comité local.

(2) "Empleador privado" significa cualquier persona, empresa, corporación, sindicato o asociación que tenga diez o más empleados.

(3) "Relación directa" significa que la naturaleza de la conducta penal por la cual la persona fue condenada influye directamente sobre la aptitud o capacidad de esa persona para cumplir uno o más de los deberes o responsabilidades necesariamente relacionados con la licencia, oportunidad o puesto de trabajo en cuestión.

(4) "Licencia" significa cualquier certificado, licencia, permiso u otorgamiento de autorización que requieran las leyes de este estado, sus subdivisiones políticas u organismos, como condición para la práctica lícita de cualquier ocupación, empleo, oficio, vocación, negocio o profesión. No obstante, debe tenerse en cuenta que la expresión "licencia" no incluye, a los efectos de este artículo, ninguna licencia o permiso para tener, poseer, portar, disparar o detonar ningún tipo de explosivo, pistola, revólver, rifle, escopeta u otro tipo de arma de fuego.

(5) "Empleo" significa cualquier ocupación, vocación o empleo, o bien cualquier forma de capacitación vocacional o educacional. No obstante, debe tenerse en cuenta que la expresión "empleo" no incluye, a los efectos de este artículo, la pertenencia en calidad de miembro a ninguna institución de aplicación de la ley.

§751. Aplicabilidad. Las disposiciones de este artículo serán aplicables a cualquier solicitud de licencia o empleo presentada ante cualquier empleador público o privado por una persona condenada previamente por uno o más delitos penales en este estado o en cualquier otra jurisdicción, así como también a cualquier licencia o empleo mantenidos por una persona cuya condena por uno o más delitos penales en este estado o en cualquier otra jurisdicción hubiese sido anterior a dicho empleo u otorgamiento de licencia, excepto en el caso de que, por ley, se le haya impuesto con carácter obligatorio una pérdida de derechos, situación de discapacidad o inhabilitación para el empleo, y esta no hubiese sido retirada por absolución del poder ejecutivo, certificado de superación de la situación de discapacidad o certificado de buena conducta. No podrá interpretarse que ninguna de las disposiciones de este artículo afecta los derechos que un empleador pudiera tener con respecto a declaraciones falsas realizadas intencionalmente en relación con una solicitud de empleo presentada por un candidato a empleo o por un empleado actual antes de su contratación.

§752. Prohibición contra la discriminación injusta de personas previamente condenadas por uno o más delitos penales. No podrá rechazarse ninguna solicitud de licencia o empleo ni quitarse ninguna

licencia o empleo a un individuo al cual se apliquen las disposiciones de este artículo, así como tampoco podrán tomarse medidas adversas con respecto a tal solicitud, licencia o empleo, a causa de la condena previa del individuo por uno o más delitos penales, o a causa de decidirse que el individuo carece de "integridad moral", si tal decisión se basa en la condena previa del individuo por uno o más delitos penales, a menos que:

(1) exista una relación directa entre uno o más de los delitos penales previos y la licencia o el empleo específicamente solicitados o mantenidos por ese individuo; o

(2) el otorgamiento o mantenimiento en vigor de la licencia o el empleo conlleve un riesgo poco razonable para los bienes, la seguridad o el bienestar de determinados individuos o del público en general.

§753. Factores que deben tenerse en cuenta con respecto a una condena penal previa; presunción. 1. Al realizar una determinación conforme a la sección 752 de este capítulo, la entidad pública o el empleador privado deberán tener en cuenta los siguientes factores:

(a) La política pública de este estado, tal como se expresa en la presente ley, de fomentar el otorgamiento de licencias y empleo a personas previamente condenadas por uno o más delitos penales.

(b) Los deberes y responsabilidades específicos necesariamente relacionados con la licencia o el empleo solicitados o mantenidos por la persona en cuestión.

(c) La influencia, si la hubiere, que el delito o delitos penales por los cuales esa persona haya sido condenada previamente tenga sobre su aptitud o capacidad para cumplir uno o más de dichos deberes o responsabilidades.

(d) El tiempo transcurrido desde la perpetración del delito o los delitos penales.

(e) La edad de la persona en el momento de la perpetración del delito o los delitos penales.

(f) La gravedad del delito o los delitos.

(g) Toda información proporcionada por la persona o en su representación con respecto a su rehabilitación y buena conducta.

(h) El interés legítimo de la entidad pública o el empleador privado de proteger los bienes, la seguridad y el bienestar de determinados individuos o del público en general.

2. Al realizar una determinación conforme a la sección 752 de este capítulo, la entidad pública o el empleador privado también deberán tomar en cuenta cualquier certificado de superación de la situación de discapacidad o certificado de buena conducta emitido a favor del solicitante, certificados que crearán una presunción de rehabilitación con respecto al delito o delitos en ellos especificados.

§754. Declaración escrita en caso de denegación de licencia o empleo. A solicitud de cualquier persona previamente condenada por uno o más delitos penales a la que se le haya negado una licencia o empleo, la entidad pública o el empleador privado deberán proporcionar, dentro de los treinta días de presentada la solicitud, una declaración por escrito en la que se establezcan las razones de dicha denegación.

§755. Ejecución del cumplimiento. 1. En lo que respecta a las acciones de las entidades públicas, puede exigirse el cumplimiento de las disposiciones de este artículo mediante un proceso judicial iniciado conforme al artículo 78 de la ley y reglamento de procedimiento civil (Civil Practice Law and Rules).

2. En cuanto a las acciones de los empleadores privados, el cumplimiento de las disposiciones de este artículo es exigible por la división de derechos humanos conforme a las facultades y procedimientos que se establecen en el artículo 15 de la ley de derechos humanos (Executive Law) y, concurrentemente, por la comisión de derechos humanos de la ciudad de Nueva York.

STATE PANELS

WE ARE YOUR DOL

Division of Labor Standards
Harriman State Office Campus
Building 12, Albany, NY 12226



Notice of Employee Rights, Protections, and Obligations Under Labor Law Section 740 Prohibited Retaliatory Personnel Action by Employers Effective January 26, 2022

§ 740. Retaliatory action by employers; prohibition.

1. Definitions. For purposes of this section, unless the context specifically indicates otherwise:

a. "Employee" means an individual who performs services for and under the control and direction of an employer for wages or other remuneration, including former employees, or natural persons employed as independent contractors to carry out work in furtherance of an employer's business enterprise who are not themselves employers.

b. "Employer" means any person, firm, partnership, institution, corporation, or association that employs one or more employees.

c. "Law, rule or regulation" includes: (i) any duly enacted federal, state or local statute or ordinance or executive order; (ii) any rule or regulation promulgated pursuant to such statute or ordinance or executive order; or (iii) any judicial or administrative decision, ruling or order.

d. "Public body" includes the following:

- i. the United States Congress, any state legislature, or any elected local governmental body, or any member or employee thereof;
- ii. any federal, state, or local court, or any member or employee thereof, or any grand or petit jury;
- iii. any federal, state, or local regulatory, administrative, or public agency or authority, or instrumentality thereof;
- iv. any federal, state, or local law enforcement agency, prosecutorial office, or police or peace officer;
- v. any federal, state or local department of an executive branch of government; or
- vi. any division, board, bureau, office, committee, or commission of any of the public bodies described in subparagraphs (i) through (v) of this paragraph.

e. "Retaliatory action" means an adverse action taken by an employer or his or her agent to discharge, threaten, penalize, or in any other manner discriminate against any employee or former employee exercising his or her rights under this section, including (i) adverse employment actions or threats to take such adverse employment actions against an employee in the terms of conditions of employment including but not limited to discharge, suspension, or demotion; (ii) actions or threats to take such actions that would adversely impact a former employee's current or future employment; or (iii) threatening to contact or contacting United States immigration authorities or otherwise

reporting or threatening to report an employee's suspected citizenship or immigration status or the suspected citizenship or immigration status of an employee's family or household member, as defined in subdivision two of section four hundred fifty-nine-a of the social services law, to a federal, state, or local agency.

f. "Supervisor" means any individual within an employer's organization who has the authority to direct and control the work performance of the affected employee; or who has managerial authority to take corrective action regarding the violation of the law, rule or regulation of which the employee complains.

2. Prohibitions. An employer shall not take any retaliatory action against an employee, whether or not within the scope of the employee's job duties, because such employee does any of the following:

- a. discloses, or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the employer that the employee reasonably believes is in violation of law, rule or regulation or that the employee reasonably believes poses a substantial and specific danger to the public health or safety;
- b. provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any such activity, policy or practice by such employer; or
- c. objects to, or refuses to participate in any such activity, policy or practice.

3. Application. The protection against retaliatory action provided by paragraph (a) of subdivision two of this section pertaining to disclosure to a public body shall not apply to an employee who makes such disclosure to a public body unless the employee has made a good faith effort to notify his or her employer by bringing the activity, policy or practice to the attention of a supervisor of the employer and has afforded such employer a reasonable opportunity to correct such activity, policy or practice. Such employer notification shall not be required where:

- a. there is an imminent and serious danger to the public health or safety;
- b. the employee reasonably believes that reporting to the supervisor would result in a destruction of evidence or other concealment of the activity, policy or practice;
- c. such activity, policy or practice could reasonably be expected to lead to endangering the welfare of a minor;
- d. the employee reasonably believes that reporting to the supervisor would result in physical harm to the employee or any other person; or
- e. the employee reasonably believes that the supervisor is already aware of the activity, policy or practice and will not correct such activity, policy or practice.

4. Violation; remedy.

- a. An employee who has been the subject of a retaliatory action in violation of this section may institute a civil action in a court of competent jurisdiction for relief as set forth in subdivision five of this section within two years after the alleged retaliatory action was taken.
- b. Any action authorized by this section may be brought in the county in which the alleged retaliatory action occurred, in the county in which the complainant resides, or in the county in which the employer has its principal place of business. In any such action, the parties shall be entitled to a jury trial.
- c. It shall be a defense to any action brought pursuant to this section that the retaliatory action was predicated upon grounds other than the employee's exercise of any rights protected by this section.

5. Relief. In any action brought pursuant to subdivision four of this section, the court may order relief as follows:

- a. an injunction to restrain continued violation of this section;
- b. the reinstatement of the employee to the same position held before the retaliatory action, or to an equivalent position, or front pay in lieu thereof;
- c. the reinstatement of full fringe benefits and seniority rights;
- d. the compensation for lost wages, benefits and other remuneration;
- e. the payment by the employer of reasonable costs, disbursements, and attorney's fees;
- f. a civil penalty of an amount not to exceed ten thousand dollars; and/or
- g. the payment by the employer of punitive damages, if the violation was willful, malicious or wanton.

6. Employer relief. A court, in its discretion, may also order that reasonable attorneys' fees and court costs and disbursements be awarded to an employer if the court determines that an action brought by an employee under this section was without basis in law or in fact.

7. Existing rights. Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of any employee under any other law or regulation or under any collective bargaining agreement or employment contract.

8. Publication. Every employer shall inform employees of their protections, rights and obligations under this section, by posting a notice thereof. Such notices shall be posted conspicuously in easily accessible and well-lighted places customarily frequented by employees and applicants for employment.

To Be Posted Conspicuously in easily accessible and well-lighted places
customarily frequented by employees and applicants for employment.

División de Normas Laborales
Harriman State Office Campus
Building 12, Albany, NY 12226

WE ARE YOUR DOL



www.labor.ny.gov

Aviso de Derechos, Protecciones y Obligaciones de los Empleados En Virtud de la Sección 740 de la Ley Laboral Prohibición de los Actos de Represalia Contra el Personal por los Empleadores Vigente a partir del 26 de enero de 2022

§ 740. Actos de represalia por parte de los empleadores; prohibición.

1. Definiciones. Para los fines de esta sección, a menos que el contexto indique específicamente lo contrario:

(a) "Empleado" significa una persona que presta servicios para un empleador, bajo el control y dirección del empleador, a cambio de salarios u otra remuneración, incluyendo ex empleados; o personas físicas empleadas como contratistas independientes para llevar a cabo trabajos en apoyo de la empresa comercial de un empleador que no son en sí mismos empleadores.

(b) "Empleador" significa cualquier persona, empresa, sociedad, institución, corporación o asociación que emplee a uno o más empleados.

(c) "Ley, norma o reglamento" incluye: (i) cualquier ley federal, estatal o local, ordenanza u orden ejecutiva debidamente promulgada; (ii) cualquier norma o reglamento promulgado de conformidad con dicha ley, ordenanza u orden ejecutiva; o (iii) cualquier decisión, fallo u orden judicial o administrativa.

(d) "Organismo público" incluye lo siguiente:

(i) el Congreso de los Estados Unidos, cualquier asamblea legislativa estatal, o cualquier organismo gubernamental local elegido, o cualquier miembro o empleado del mismo;

(ii) cualquier tribunal federal, estatal o local, o cualquier miembro o empleado del mismo, o cualquier gran jurado o jurado ordinario;

(iii) cualquier agencia o autoridad reguladora, administrativa o pública federal, estatal o local, o instrumento de la misma;

(iv) cualquier agencia federal, estatal o local encargada de hacer cumplir la ley, oficina fiscal, agente de la policía o agente de las fuerzas del orden;

(v) cualquier departamento federal, estatal o local de una rama ejecutiva del gobierno

(vi) cualquier división, junta, agencia, oficina, comité o comisión de cualquiera de los organismos públicos descritos en los subpárrafos (i) a (v) de este párrafo.

(e) "Acto de represalia" significa una medida adversa tomada por un empleador o su agente para despedir, amenazar, penalizar, o discriminar de cualquier otra manera, a cualquier empleado o ex empleado que ejerza sus derechos en virtud de esta sección, incluidas (i) medidas laborales adversas o amenazas de tomar tales medidas laborales adversas contra un empleado en los términos de las condiciones de empleo, incluidos, entre otros, el despido, la suspensión o el descenso de categoría; (ii) medidas o amenazas de tomar medidas que afectarían adversamente el empleo actual o futuro de un ex empleado; o (iii) amenazar con contactar a las autoridades de inmigración de los Estados Unidos o informar o amenazar con informar sobre una ciudadanía o estatus migratorio sospechosos de un empleado, o sobre una

ciudadanía o estatus migratorio sospechosos de la familia o miembro del hogar de un empleado, como se define en la subdivisión dos de la sección cuatrocientos cincuenta y nueve A de la ley de servicios sociales, a una agencia federal, estatal o local.

(f) "Supervisor" significa cualquier persona dentro de la organización de un empleador que tenga la autoridad para dirigir y controlar el desempeño laboral del empleado afectado; o que tenga la autoridad directiva para tomar medidas correctivas con respecto a la violación de la ley, norma o regulación de la que el empleado se queja.

2. Prohibiciones. Un empleador no puede llevar a cabo ningún acto de represalia contra un empleado, ya sea dentro o fuera del alcance de las obligaciones laborales del empleado, porque dicho empleado realice cualquiera de las siguientes acciones:

(a) revele o amenace con revelar a un supervisor o a un organismo público una actividad, política o práctica del empleador que el empleado razonablemente considere que viola la ley, las normas o los reglamentos, o que el empleado razonablemente considere que representa un peligro sustancial y específico para la salud o la seguridad públicas;

(b) proporcione información a un organismo público que lleve a cabo una investigación, audiencia o indagación sobre cualquier actividad, política o práctica de ese empleador, o testifique ante él; o

(c) se oponga a cualquiera de esas actividades, políticas o prácticas, o se niegue a participar en ellas.

3. Aplicación. La protección contra los actos de represalia prevista en el párrafo (a) de la subdivisión dos de esta sección, relativa a la divulgación a un organismo público, no se aplicará a un empleado que haga dicha divulgación a un organismo público, a menos que el empleado haya hecho un esfuerzo de buena fe para notificar a su empleador informando acerca de la actividad, política o práctica a un supervisor del empleador y le haya brindado a dicho empleador una oportunidad razonable para corregir dicha actividad, política o práctica. Dicha notificación al empleador no será necesaria cuando:

(a) existe un peligro inminente y grave para la salud o la seguridad públicas;

(b) el empleado cree razonablemente que informar al supervisor resultaría en la destrucción de pruebas u otra ocultación de la actividad, la política o la práctica; such activity, policy or practice could reasonably be expected to lead to endangering the welfare of a minor;

(c) razonablemente se considera que esa actividad, política o práctica pone en peligro el bienestar de un menor;

(d) el empleado cree razonablemente que informar al supervisor resultaría en un daño físico al empleado o a cualquier otra persona; o

(e) el empleado cree razonablemente que el supervisor ya está al tanto de la actividad, política o práctica y no corregirá dicha actividad, política o práctica.

4. Violación: remedio

(a) Un empleado que ha sido objeto de un acto de represalia en violación de esta sección puede iniciar una acción civil en un tribunal de jurisdicción competente para obtener una reparación, como se establece en la subdivisión cinco de esta sección, en un transcurso de dos años a partir del momento del supuesto acto de represalia.

(b) Cualquier acción autorizada por esta sección se puede iniciar en el condado en el que se produjo el supuesto acto de represalia, en el condado en el que reside el demandante, o en el condado en el que el empleador tiene la sede de su negocio. En cualquier acción de este tipo, las partes tendrán derecho a un juicio con jurado.

(c) Será una defensa ante cualquier acción presentada de conformidad con esta sección que el acto de represalia se basó en motivos distintos al ejercicio de cualquier derecho protegido por esta sección por parte del empleado.

5. Reparación. En cualquier acción entablada de conformidad con la subdivisión cuatro de esta sección, el tribunal puede ordenar la reparación de la siguiente manera:

(a) una orden para impedir que se siga violando la presente sección;

(b) la reincorporación del empleado al mismo puesto que ocupaba antes del acto de represalia, o a un puesto equivalente, o pago por adelantado en su lugar;

(c) restablecimiento de la totalidad de las prestaciones complementarias y los derechos de antigüedad;

(d) la indemnización por pérdida de salarios, beneficios y otras remuneraciones;

(e) el pago por el empleador de los costos, desembolsos y honorarios razonables de abogados;

(f) una multa civil de una cantidad que no exceda los diez mil dólares; y/o

(g) el pago por parte del empleador de daños punitivos, si la violación fue intencional, maliciosa o sin sentido.

6. Reparación al empleador. Un tribunal, a su discreción, también puede ordenar que se otorguen honorarios de abogados y gastos y desembolsos judiciales razonables a un empleador, si el tribunal determina que una acción presentada por un empleado en virtud de esta sección carecía de fundamento de hecho o de derecho.

7. Derechos existentes. Nada de lo dispuesto en esta sección se considerará que disminuye los derechos, privilegios o recursos de cualquier empleado en virtud de cualquier otra ley o reglamento o en virtud de cualquier convenio colectivo o contrato de trabajo.

8. Publicación. Todo empleador deberá informar a los empleados de sus protecciones, derechos y obligaciones en virtud de esta sección, publicando un aviso al respecto. Dichos avisos se colocarán de forma visible en lugares de fácil acceso y bien iluminados que habitualmente frecuentan los empleados y los solicitantes de empleo.

LS 740 (02/22)

Colocarse de manera visible en lugares de fácil acceso y bien iluminados, frecuentados habitualmente por empleados y solicitantes de empleo.

STATE PANELS



VETERAN BENEFITS AND SERVICES

The following resources and hotlines are available at no-cost to help veterans understand their rights, protections, benefits, and accommodations:

dol.ny.gov/veteran-benefits-and-services

MENTAL HEALTH AND SUBSTANCE ABUSE RESOURCES

All calls and texts are free and confidential

U.S. Department of Veterans Affairs Veterans Crisis Line: www.veteranscrisisline.net

Call: 988, press 1 Text: 838255

Suicide and Crisis Lifeline: www.veteranscrisisline.net

Call: 988 Text: 988

Crisis Textline:

Text: 741741

Chat: crisistextline.org

NYS Office of Mental Health (OMH):

www.omh.ny.gov

NYS Office of Addiction Services and Supports (OASAS): www.oasas.ny.gov/hopeline

Call: 1-877-8-HOPENY (467469)

Text: HOPENY (467369)

LEGAL SERVICES

Veterans Treatment Courts (VTC): ww2.nycourts.gov/courts/problem_solving/vet/courts.shtml

Email: ProblemSolving@courts.state.ny.us

NYS Defenders Association Veteran Defense Program:

www.nysda.org/page/AboutVDP

TAX BENEFITS

NYS Department of Tax and Finance

- Information for military personnel and veterans: tax.ny.gov/pit/file/military_page.htm
- Property tax exemptions: tax.ny.gov/pit/property/exemption/vetexempt.htm

EDUCATION, WORKFORCE, AND TRAINING RESOURCES

Veteran Readiness and Employment (VR&E) Program: www.benefits.va.gov/vocrehab

New York State Civil Service Credits for Veterans Program: www.cs.ny.gov

ADDITIONAL RESOURCES

NYS Domestic and Sexual Violence Hotline:

Call: 800-942-6906 Text: 844-997-2121

NYS Workplace Sexual Harassment Hotline:

Call: 1-800-HARASS-3

NYS Department of Motor Vehicles:

- Veteran Status Designation Photo Document: dmv.ny.gov/more-info/veteran-status-designation-photo-document
- Veteran License Plate: dmv.ny.gov/plates/military-and-veterans

NEW YORK STATE DIVISION OF VETERANS' SERVICES

Website: veterans.ny.gov

Help Line: 1-888-838-7697

Email: DVSInfo@veterans.ny.gov

Services: Legal, education, employment and volunteer, financial, health care, and more.

NEW YORK STATE DEPARTMENT OF LABOR VETERANS' PROGRAM

Website: dol.ny.gov/services-veterans

Help Line: 1-888-469-7365

Email: Ask.Vets@labor.ny.gov

Services: Workforce and training resources, unemployment insurance, the Experience Counts program, and more.



Division of
Veterans' Services



Department
of Labor

WE ARE YOUR DOL

The New York State Department of Labor is an Equal Opportunity Employer/Program. Auxiliary aides and services are available upon request and free of charge to individuals with disabilities TTY/TDD 711 or 1-800-662-1220 (English) 1-877-662-4886.

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BENEFICIOS Y SERVICIOS PARA VETERANOS

Los siguientes recursos y líneas directas están disponibles sin costo para ayudar a los veteranos a comprender sus derechos, protecciones, beneficios y adaptaciones:

dol.ny.gov/veteran-benefits-and-services

RECURSOS PARA LA SALUD MENTAL Y EL ABUSO DE SUSTANCIAS

Todas las llamadas y mensajes de texto son gratis y confidenciales

Línea de Crisis para Veteranos del Departamento de Asuntos de Veteranos de los Estados Unidos:
www.veteranscrisisline.net

Llame al: 988, oprima 1 Mensajes de texto: 838255

Línea de Prevención del Suicidio y las Crisis:
www.veteranscrisisline.net

Llamadas: 988 Mensajes de texto: 988

Línea de Crisis por Mensaje de Texto:
Mensajes de texto: 741741 Chat: crisistextline.org

Oficina de Salud Mental del Estado de NY (OMH):
www.omh.ny.gov

Oficina de Servicios y Apoyo para las Adicciones del Estado de NY (OASAS): www.oasas.ny.gov/hopeline
Llamadas: 1-877-8-HOPENY (467469)
Mensajes de texto: HOPENY (467369)

SERVICIOS LEGALES

Tribunales de Tratamiento de Veteranos (VTC):
ww2.nycourts.gov/courts/problem_solving/vet/courts.shtml

Email: ProblemSolving@courts.state.ny.us

Programa de Defensa de Veteranos de la Asociación de Defensores Públicos del Estado de NY:
www.nysda.org/page/AboutVDP

DIVISIÓN DE SERVICIOS PARA VETERANOS DEL ESTADO DE NUEVA YORK

Sitio web: veterans.ny.gov
Línea de ayuda: 1-888-838-7697
Email: DVSInfo@veterans.ny.gov

Servicios: legales, educativos, laborales y voluntarios, financieros, atención médica y más.



División de Servicios para Veteranos

BENEFICIOS FISCALES

Departamento de Impuestos y Finanzas de NY

- Información para personal militar y veteranos: tax.ny.gov/pit/file/military_page.htm
- Exenciones fiscales sobre la propiedad: tax.ny.gov/pit/property/exemption/vetexempt.htm

RECURSOS PARA LA EDUCACIÓN, FUERZA LABORAL Y CAPACITACIÓN

Programa de Capacitación y Empleo para Veteranos (VR&E): www.benefits.va.gov/vocrehab

Programa de Créditos de la Administración Pública para Veteranos del Estado de NY: www.cs.ny.gov

RECURSOS ADICIONALES

Línea Directa para la Violencia Doméstica y Sexual de NYS:

Llamadas: 800-942-6906 Mensajes de texto: 844-997-2121

Línea Directa para el Acoso Sexual en el Trabajo del de NYS:

Llamadas: 1-800-HARASS-3

Departamento de Vehículos de Motor de NY:

- Identificación con foto con designación de veterano: dmv.ny.gov/more-info/veteran-status-designation-photo-document
- Placa de veterano: dmv.ny.gov/plates/military-and-veterans

PROGRAMA DE VETERANOS DEL DEPARTAMENTO DE TRABAJO DEL ESTADO DE NUEVA YORK

Sitio web: dol.ny.gov/services-veterans
Línea de ayuda: 1-888-469-7365
Email: Ask.Vets@labor.ny.gov

Servicios: recursos para capacitación y fuerza laboral, seguro de desempleo, programa Experience Counts y más.

SOMOS SU DOL



Department of Labor

El Departamento de Trabajo del Estado de Nueva York es un Empleador/Programa de Igualdad de Oportunidades. Hay ayudas y servicios auxiliares disponibles a solicitud para personas con discapacidades TTY/TDD 711 o 1-800-662-1220 (Inglés) / 1-877-662-4886.

Labor Law Information Relating to



**Public Employee
Safety and Health**

Public Employees Job Safety & Health Protection

The New York State Public Employee Safety and Health Act of 1980 provides job safety and health protection for workers through the promotion of safe and healthful working conditions throughout the State. Requirements of the Act include the following:

Employers

Employers must provide employees with a workplace that is:

- free from recognized hazards,
- in compliance with the safety and health standards that apply to the workplace, and
- in compliance with any other regulations issued under the PESH Act by the Commissioner of Labor.

Employees

Employees must comply with all safety and health standards that apply to their actions on the job. Employees must also comply with any regulations issued under the PESH Act that apply to their job.

Enforcement

The New York State Department of Labor administers and enforces the PESH Act. The Commissioner of Labor issues safety and health standards. The Department's Division of Safety and Health (DOSH) has Inspectors and Hygienists who inspect workplaces to make sure they are following the PESH Act.

Inspection

When DOSH staff inspect a workplace, a representative of the employer and a representative approved by the employees must be allowed to help with the inspection. When there is no employee-approved representative, DOSH staff must speak with a fair number of employees about the safety and health conditions in the workplace.

Order to Comply

If the Department believes an employer has violated the PESH Act, we will issue an order to comply notice to the employer. The order will list dates by which each violation must be fixed. If violations are not fixed by those dates, the employer may be fined.

The order to comply must be posted at or near the place of violation, where it can be easily seen. This is to warn employees that a danger may exist.

Complaint

Any interested person may file a complaint if they believe there are unsafe or unhealthful conditions in a public workplace. This includes:

- An employee
- A representative of an employee
- Groups of employees
- A representative of a group of employees

Make this complaint in writing to the nearest DOSH office or by email to: Ask.SHNYPESH@labor.ny.gov. On request, DOSH will not release the names of any employees who file a complaint. The Department of Labor will evaluate each complaint. The Department will notify the person who made the complaint of the results of the investigation.

These complaints may also be made to the United States Department of Labor, Occupational Safety and Health Administration online at: www.osha.gov.

Discrimination

Employees may not be fired or discriminated against in any way for filing safety and health complaints or otherwise exercising their rights under the Act.

If an employee believes that they have been discriminated against, he or she may file a complaint with the nearest DOSH office. File this complaint within 30 days of the discrimination incident.

Voluntary Activity

The Department of Labor encourages employers and employees to voluntarily:

- reduce workplace hazards, and
- develop and improve safety and health programs in all workplaces.

The Division of Safety and Health can provide free help with identifying and correcting job site hazards. Employers may request this assistance on a voluntary basis by emailing: Ask.SHNYPESH@labor.ny.gov.

Additional information may be obtained from the nearest DOSH District Office below:

Albany District

State Office Campus
Bldg. 12, Rm. 158
Albany, NY 12240
Tel: (518) 457-5508

Binghamton District

44 Hawley St., Rm. 901
Binghamton, NY 13901
Tel: (607) 721-8211

Buffalo District

65 Court Street
Buffalo, NY 14202
Tel: (716) 847-7133

Garden City District

400 Oak Street
Garden City, NY 11550
Tel: (516) 228-3970

New York City District

75 Varick St., 7th Floor
New York, NY 10013
Tel: (212) 775-3554

Rochester District

109 S. Union St., Rm. 402
Rochester, NY 14607
Tel: (585) 258-8806

Syracuse District

450 South Salina Street
Syracuse, NY 13202
Tel: (315) 479-3212

Utica District

207 Genesee Street
Utica, NY 13501
Tel: (315) 793-2258

White Plains District

120 Bloomingdale Road
White Plains, NY 10605
Tel: (914) 997-9514

Post Conspicuously

A Division of the New York State Department of Labor

The New York State Department of Labor is an Equal Opportunity Employer/Program. Auxiliary aids and services are available upon request to individuals with disabilities.

Compliance Service Subscription

Compliance Certificate of Purchase • Valid For One Year From Date of Purchase

2024

When posted, this certificate validates that the bearer has in good faith purchased a Personnel Concepts Compliance Service Subscription. This certificate is valid for one full year, provided that automatic updates are posted when received.

Serial Number: CS1-C4A72

This certificate must be posted next to your Space Saver-1™ All-On-One State and Federal Labor Law Poster. Failure to do so may void your coverage under our \$40,000 "We Pay the Fine" Reimbursement Guarantee against penalties for posting violations. When posted, this certificate validates that the bearer has in good faith purchased a Personnel Concepts Compliance Service Subscription and Space Saver-1™ All-On-One State and Federal Labor Law Poster containing required employee labor law notices. To ensure continued compliance, the bearer should contact a Compliance Specialist at 800-333-3795 at least one month before this certificate's expiration date to obtain a new certificate and an updated poster, where necessary.

If requirements change, Personnel Concepts will automatically send you any updates needed to remain in compliance. If updates are posted when received, this guarantee will continue to remain in force for one full year.

It is the responsibility of the bearer to properly display the poster(s) in accordance with government regulations. Mandatory labor law notices must be displayed at eye level in a conspicuous area frequented by employees during the normal course of the workday. This certificate alone does not warrant that the bearer has displayed the posters correctly.



PC personnel
concepts



2024 Employee Tax Information

Notice 797

(Rev. November 2023)

Possible Federal Tax Refund Due to the Earned Income Credit (EIC)

What Is the EIC?

The EIC is a refundable tax credit for certain workers.

What Is the Purpose of This Notice?

Your employer sent you this notice to make you aware of an important federal tax benefit. Even if you had no income tax withheld from your wage during the year, you may be eligible for the EIC.

How Much Is the EIC?

For 2023, the EIC can be as much as \$3,995 if you have one qualifying child who has a valid SSN; \$6,604 if you have two qualifying children who have valid SSNs; \$7,430 if you have three or more qualifying children who have valid SSNs; and \$600 if you have no qualifying children who have a valid SSN.

How Do You Claim the EIC?

To claim the EIC, you must:

1. Be eligible for the EIC, and
2. File a 2023 tax return (including Schedule EIC if you have a qualifying child).

To figure out if you are eligible, see Pub. 596 or visit [IRS.gov/EITC](https://www.irs.gov/EITC).

If eligible, you can claim the EIC to get a refund even if you had no tax withheld from your pay or owe no tax. For example, if you had no tax withheld in 2023 and owe no tax but are eligible for a credit of \$800, you must file a 2023 income tax return to get the \$800 refund.

Most people qualify for free tax preparation. If you earned less than \$79,000, you can file for free online at [IRS.gov/FreeFile](https://www.irs.gov/FreeFile). In addition, IRS-certified volunteers can prepare your return for free in person if you have earned less than \$64,000 or are age 60 or older. To find locations, visit [IRS.gov/VITA](https://www.irs.gov/VITA) or call 800-906-9887.

More Information

Refer to instructions for the tax return you are filing, Pub. 596, or [IRS.gov/EITC](https://www.irs.gov/EITC) for details on the EIC. You can download IRS forms and publications at [IRS.gov/Forms](https://www.irs.gov/Forms), and you can get printed copies mailed to you by going to [IRS.gov/OrderForms](https://www.irs.gov/OrderForms) or by calling 800-829-3676.

Notice 797 (Rev. 11-2023)

Cat. No. 63924Z

Notice 1015 (Rev. December 2023)

Have You Told Your Employees About the Earned Income Credit (EIC)?

What Is the EIC?

The EIC is a refundable tax credit for certain workers.

Which Employees Must I Notify About the EIC?

You must notify each employee who worked for you at any time during the year and from whose wages you did not withhold income tax. However, you do not have to notify any employee who claimed exemption from withholding on Form W-4, Employee's Withholding Certificate.

Note: You are encouraged to notify all employees whose wages for 2023 are less than \$63,398 that they may be eligible for the EIC.

How and When Must I Notify My Employees?

You must give the employee one of the following.

- The IRS Form W-2, Wage and Tax Statement, which has the required information about the EIC on the back of Copy B.
- A substitute Form W-2 with the same EIC information on the back of the employee's copy that is on Copy B of the IRS Form W-2.
- Notice 797, Possible Federal Tax Refund Due to the Earned Income Credit (EIC).
- Your written statement with the same wording as Notice 797.

If you give an employee a Form W-2 on time, no further notice is necessary if the Form W-2 has the required information about the EIC on the back of the employee's copy. If you give an employee a substitute Form W-2, but it does not have the required information, you must notify the employee within 1 week of the date the substitute Form W-2 is given. If Form W-2 is required but is not given on time, you must give the employee Notice 797 or your written statement by the date Form W-2 is required to be given. If Form W-2 is not required, you must notify the employee by February 5, 2024.

You must hand the notice directly to the employee or send it by first-class mail to the employee's last known address. You will not meet the notification requirements by posting Notice 797 on an employee bulletin board or sending it through office mail. However, you may want to post the notice to help inform all employees of the EIC. You can download copies of the notice at www.irs.gov/Forms. Or you can go to www.irs.gov/OrderForms to order it.

How Will My Employees Know If They Can Claim the EIC?

The basic requirements are covered in Notice 797. For more detailed information, the employee needs to see Pub. 596, Earned Income Credit (EIC), or the instructions for Form 1040 and 1040-SR.

How Do My Employees Claim the EIC?

Eligible employees claim the EIC on their 2023 tax return. Even an employee who has no tax withheld from wages and owes no tax may claim the EIC and ask for a refund, but they must file a tax return to do so. For example, if an employee has no tax withheld in 2023 and owes no tax but is eligible for a credit of \$800, they must file a 2022 tax return to get the \$800 refund.

Notice 1015 (Rev. 12-2023) Cat. No. 205991

Item# Y889924 FD-IRS 0124 © 2004-2024 AIO Acquisiton, Inc.

For Emergencies
call **911** or

PAYDAY NOTICE

REGULAR PAYDAYS FOR EMPLOYEES OF:

Village of Mamaroneck
(firm name)

shall be as follows:

☐ Weekly

☒ Bi-weekly

☐ Monthly

☐ Other

By

Payroll

Title

HR Manager

Location

Day/Time

Friday

(f) "Supervisor" means any individual within an employer's organization who has the authority to direct and control the work performance of the affected employee; or who has managerial authority to take corrective action regarding the violation of the law, rule or regulation of which the employee complains.

2. Prohibitions. An employer shall not take any retaliatory action against an employee, whether or not within the scope of the employee's job duties, because such employee does any of the following:

- (a) discloses, or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the employer that the employee reasonably believes is in violation of law, rule or regulation or that the employee reasonably believes poses a substantial and specific danger to the public health or safety;
- (b) provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any such activity, policy or practice by such employer; or
- (c) objects to, or refuses to participate in any such activity, policy or practice.

3. Application. The protection against retaliatory action provided by paragraph (a) of subdivision two of this section pertaining to disclosure to a public body shall not apply to an employee who makes such disclosure to a public body unless the employee has made a good faith effort to notify his or her employer by bringing the activity, policy or practice to the attention of a supervisor of the employer and has afforded such employer a reasonable opportunity to correct such activity, policy or practice. Such employer notification shall not be required where:

- (a) there is an imminent and serious danger to the public health or safety;
- (b) the employee reasonably believes that reporting to the supervisor would result in a destruction of evidence or other concealment of the activity, policy or practice;
- (c) such activity, policy or practice could reasonably be expected to lead to endangering the welfare of a minor;
- (d) the employee reasonably believes that reporting to the supervisor would result in physical harm to the employee or any other person; or
- (e) the employee reasonably believes that the supervisor is already aware of the activity, policy or practice and will not correct such activity, policy or practice.

4. Violation; remedy.

- (a) An employee who has been the subject of a retaliatory action in violation of this section may institute a civil action in a court of competent jurisdiction for relief as set forth in subdivision five of this section within two years after the alleged retaliatory action was taken.
- (b) Any action authorized by this section may be brought in the county in which the alleged retaliatory action occurred, in the county in which the complainant resides, or in the county in which the employer has its principal place of business. In any such action, the parties shall be entitled to a jury trial.
- (c) It shall be a defense to any action brought pursuant to this section that the retaliatory action was predicated upon grounds other than the employee's exercise of any rights protected by this section.

5. Relief. In any action brought pursuant to subdivision four of this section, the court may order relief as follows:

- (a) an injunction to restrain continued violation of this section;
- (b) the reinstatement of the employee to the same position held before the retaliatory action, or to an equivalent position, or front pay in lieu thereof;
- (c) the reinstatement of full fringe benefits and seniority rights;

- (d) the compensation for lost wages, benefits and other remuneration;
 - (e) the payment by the employer of reasonable costs, disbursements, and attorney's fees;
 - (f) a civil penalty of an amount not to exceed ten thousand dollars; and/or
 - (g) the payment by the employer of punitive damages, if the violation was willful, malicious or wanton.
6. Employer relief. A court, in its discretion, may also order that reasonable attorneys' fees and court costs and disbursements be awarded to an employer if the court determines that an action brought by an employee under this section was without basis in law or in fact.
7. Existing rights. Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of any employee under any other law or regulation or under any collective bargaining agreement or employment contract.
8. Publication. Every employer shall inform employees of their protections, rights and obligations under this section, by posting a notice thereof. Such notices shall be posted conspicuously in easily accessible and well-lighted places customarily frequented by employees and applicants for employment.

Village of



Mamaroneck

OFFICE OF
DANIELLE GILLIARD
HUMAN RESOURCES DIRECTOR

*Village Hall At The Regatta
P.O. Box 369*

*123 Mamaroneck Avenue
Mamaroneck, N.Y. 10543*

<http://www.villageofmamaroneck.org>

Tel (914) 777-7705
Fax (914) 777-7787

NYS COVID-19 Paid Sick Leave

Employees may be entitled to COVID-19 Paid Sick Leave if they are under a mandatory or precautionary order of quarantine or isolation by a health care professional or governmental entity authorized to issue a COVID-19 order or if they obtain a positive PCR test result. The Village of Mamaroneck will pay an employee for up to three (3) separate incidences of COVID-19 during their entire employment with the Village of Mamaroneck. The Village of Mamaroneck will pay up to 14 working days of COVID-19 Paid Sick Leave for each instance provided the employee presented a positive PCR test or appropriate documentation from a licensed health care professional.

If you meet the following criteria, you will be entitled to COVID-19 Paid Sick Leave:

- If an employee has an order of mandatory or precautionary quarantine or order of isolation for the employee themselves or a covered family member. This mandatory of quarantine must be in the form of documentation from a licensed health care provider or state or authorized government agency issued quarantine order. If the employee uses this option for the covered family member, this option type can only be used one (1) time out of the three (3) allowable incidences.
- Orders to quarantine must be based on a positive COVID-19 test and the employee must submit a positive PCR test result and/or documentation for a licensed health care provider.
- The Human Resources Director or the Police Chief must certify that the employee is eligible and entitled to the COVID-19 Paid Sick Leave. Submission of your positive PCR test result or documentation from a licensed medical provider in a timely fashion will ensure that there is not a lapse in eligibility, determination, and compensation.

If an employee finds that they are out for an extended period past the 14 working days, an employee may be eligible for other benefits such as disability benefits related to COVID-19 or unpaid FMLA. Please contact Danielle Gilliard, Human Resources Director, at (914) 777-7705 or dgilliard@vomny.org to discuss the available options including disability and/or Family Medical Leave of Absence (FMLA).

Please Note – You will not be entitled to the COVID-19 Paid Sick Leave

- If you are an employee that is required to quarantine, and your position enables you to can work from home, you would not be entitled to the COVID-19 Paid Sick Leave.
- If you are an employee traveled to an area where you were not allowed to be and you contracted COVID, you would not be entitled to the COVID-19 Paid Sick Leave.
- Employees will not be eligible for COVID-19 Paid Sick Leave if they independently decide to self-quarantine or self-isolation in the absence of a COVID-19 order.

If you are not qualified to receive the COVID-19 Paid Sick Leave time, the employee can take this time off without pay and/or use their accrued off time and/or apply for the other leave benefits options. Please contact Danielle Gilliard, Human Resources Director, at (914) 777-7705 or dgilliard@vomny.org if you should have any questions.

Employer's Name: Village of Mamaroneck, NY

Appendix 1 Part 800.6(e)(1)

Workplace Violence Prevention Policy Statement

The Village of Mamaroneck is committed to the safety and security of our employees. Workplace violence presents a serious occupational safety hazard to our agency, staff, and clients. Workplace Violence is defined as any physical assault or acts of aggressive behavior occurring where a public employee performs any work-related duty in the course of his or her employment including but not limited to:

- An attempt or threat, whether verbal or physical, to inflict physical injury upon an employee;
- Any intentional display of force which would give an employee reason to fear or expect bodily harm;
- Intentional and wrongful physical contact with a person without his or her consent that entails some injury;
- Stalking an employee with the intent of causing fear of material harm to the physical safety and health of such employee when such stalking has arisen through and in the course of employment.

Acts of violence against **Village of Mamaroneck** employees where any work related duty is performed will be thoroughly investigated and appropriate action will be taken, including summoning criminal justice authorities when warranted. All employees are responsible for helping to create an environment of mutual respect for each other as well as clients and visitors, following all policies, procedures and program requirements, and for assisting in maintaining a safe and secure work environment.

This policy is designed to meet the requirements of NYS Labor Law 27b and highlights some of the elements that are found within our Workplace Violence Prevention Program. The process involved in complying with this law included a workplace evaluation that is designed to identify the workplace violence hazards our employees could be exposed to. Authorized Employee Representative(s) will, at a minimum, be involved in:

- The evaluation of the physical environment;
- The development of the Workplace Violence Prevention Program and;
- The review of workplace violence incident reports at least annually to identify trends in the types of incidents in the workplace and review of the effectiveness of the mitigating actions taken.
- All employees will participate in the annual Workplace Violence Prevention Training Program.
- The goal of this policy is to promote the safety and well-being of all people in our workplace. All incidents of violence or threatening behavior will be responded to immediately upon notification.
- All **Village of Mamaroneck** personnel are responsible for notifying the contact person designated below of any violent incidents, threatening behavior, including threats they have witnessed, received, or have been told that another person has witnessed or received.

Designated contact persons	Village Manager's Office & All Depts.	Village Manager's Office & All Depts.	Human Resources Department	Police Department	Public Works Department
Name	Jerry Barberio	Dan Sarnoff	Danielle Gilliard	Sandra DiRuzza	James Barney
Title	Village Manager	Deputy Village Manager	Human Resources Director	Police Chief	DPW General Foreman

Department	Manager's Off. / All Depts	Manager's Off. / All Depts	All Depts	Police Dept	Public Works Dept.
Phone	914-777-7703	914-777-7703	914-777-7705	914-777- 1122, ext. 3	914-777-7745
E-mail	jbarberio@vomny.org	dsarnoff@vomny.org	dgilliard@vomny.org	sdiruzza@vompd.com	JAMES.BARNEY@vmfd.org

Date: January 12, 2023

Employer's Name Village of Mamaroneck, NY

APPENDIX 5 Part 800.6(i)(3)

Workplace Violence Incident Report

1. Date of Incident _____
2. Time of day/shift when incident occurred _____
3. Workplace location where incident occurred _____
4. Provide a detailed description of the incident including:
Events leading up to the incident and how the incident ended;
Name and job title of involved employee(s);
Name or other identifier of other individuals involved and;
Name(s) of witnesses

Name of Employee Reporting the Incident (Optional)

Note: Refer to 12 NYCRR Part 800.6 Section (i)(3)(ii) for special instruction on privacy concern cases. Print additional sheets if necessary.

Date _____

SEXUAL HARASSMENT PREVENTION POLICY

The Village of Mamaroneck ("Village") is committed to maintaining a work environment free from unlawful sexual harassment, which is a form of employment discrimination. **Unlawful sexual harassment is strictly prohibited and will not be tolerated by the Village.**

This Policy applies to all employees, appointed and elected officials, interns, temporary workers, individuals providing services to the Village in the workplace, as well as everyone with whom the Village does business (e.g., outside vendors, consultants, members of the public, independent contractors). All such individuals are prohibited from engaging in unlawful sexual harassment. Anyone who engages in sexual harassment in violation of this Policy will be subject to discipline or other corrective action in accordance with applicable law.

No person covered by this Policy shall be subject to adverse employment action because he/she makes a good faith report of an incident of sexual harassment, or provides information or otherwise assists in any investigation of a sexual harassment complaint. Any person covered by this Policy who engages in retaliation prohibited by this Policy will be subject to disciplinary or other corrective action in accordance with applicable law.

The Village will conduct a prompt, thorough and impartial investigation, consistent with this Policy, in response to any complaint about sexual harassment, and will take appropriate disciplinary or other corrective action against the harasser whenever prohibited sexual harassment is found to have occurred. All employees, interns, and temporary workers are required to cooperate with any investigation of sexual harassment conducted by the Village.

What Is "Sexual Harassment"?

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender.

Sexual harassment includes unwelcome conduct which is of a sexual nature or directed at an individual because of that individual's sex when:

- such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating a hostile work environment, even if the complaining individual is not the intended target of the sexual harassment;
- such conduct is made either explicitly or implicitly a term or condition of employment; or
- submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

regardless of whether the person engaging in the harassing conduct is a co-worker, intern, temporary worker, subordinate, supervisor or Village officer or elected official, anyone else providing services to the Village in the workplace or anyone else with whom the Village does business (e.g., outside vendors, consultants, members of the public, independent contractors).

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business, at employer-sponsored events, or other occasions outside work. Calls, texts, emails, and social media usage containing inappropriate messages, language, or graphics may also constitute sexual harassment or contribute to a sexually hostile work environment for anyone covered by this Policy, even if such things occur away from the workplace, on personal devices, or during non-work hours.

No Retaliation

Retaliation includes any conduct which might deter a reasonable person from making or supporting a charge of sexual harassment. Retaliation against an individual who makes a good-faith complaint about sexual harassment or what they believe to be a violation of this Policy, or who participates in an investigation into alleged sexual harassment is strictly prohibited and will not be tolerated. Anyone who engages in retaliation prohibited by this Policy will be subject to disciplinary or other corrective action in accordance with applicable law.

Reporting Sexual Harassment

Preventing sexual harassment is everyone's responsibility. The Village cannot prevent or remedy sexual harassment unless it knows about it. Any employee or other person covered by this Policy, who believes the actions or words of a co-worker, supervisor, manager, officer, elected official, intern, temporary worker, anyone else providing services to the Village in the workplace or anyone else with whom the Village does business, or other incident(s) involving such individual(s), constitutes sexual harassment must take the following actions:

- If possible, tell the harasser that his/her actions are not welcome and must stop.
- Promptly report the harassing action(s), word(s) and/or incident(s) to the Department Head or Village Manager. If you feel uncomfortable speaking with either the Department Head or Village Manager, or if you feel a complaint you previously made has not been adequately addressed, report the harassing action(s), word(s) and/or incident(s) to the Mayor or Board of Trustees.

Reports of sexual harassment may be made verbally or in writing. A form for submitting a written complaint is attached at the end of this Policy. Individuals are strongly encouraged to use this complaint form, but using the form is not required. Regardless of whether being made verbally or in writing, a report of sexual harassment should be as detailed as possible and include the names of the individual(s) involved, any witness(es)

taken in accordance with applicable law and the terms of any applicable collective bargaining agreement.

Once the investigation is complete and a determination has been made, such determination will be communicated to the individual who complained, the victim of the harassment (if the victim is not the individual who made the complaint), and the accused harasser. Follow-up interview(s) or other communication with the individual who complained, the victim of the harassment (if the victim is not the individual who made the complaint) and/or any individual that participated in the Village's investigation into a complaint of unlawful harassment may be conducted where appropriate, to ensure that the sexual harassment has not resumed and that no retaliation has occurred.

Legal Protections and External Remedies

Sexual harassment is not only prohibited by the Village but is also prohibited by state, federal, and, where applicable, local law.

In addition to the procedures described in this Policy, if the sexual harassment involves potential criminal conduct such as rape or sexual assault, such conduct should be reported to the local police department.

Individuals may also bring complaints to the U.S. Equal Employment Opportunity Commission ("EEOC"), the New York State Division of Human Rights ("NYSDHR"), the Westchester County Commission on Human Rights or in court within the time periods required by law.

The NYSDHR enforces the New York State Human Rights Law (N.Y. Executive Law, art. 15, § 290 *et seq.*), which prohibits sexual harassment in employment in New York State and protects employees and other individuals working in an employer's workplace. A complaint alleging a violation of the Human Rights Law may be filed either with the NYSDHR subject to a one-year statute of limitations, or in New York State Supreme Court subject to a three-year statute of limitations. If unlawful discrimination is found, the NYSDHR or the court may award relief, which may include requiring the employer to take action to stop the harassment, to redress the damage caused, including reversing an unlawful employment action, and paying monetary damages, attorneys' fees, and civil fines. The NYSDHR can be contacted at (888) 392-3644 or at its website www.dhr.ny.gov.

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 Civil Rights Act (42 U.S.C. § 2000e *et seq.*). A discrimination complaint can be filed with the EEOC within 300 days from the conduct giving rise to the complaint. The EEOC investigates complaints, and may pursue a claim in federal court on behalf of the complaining party or issue a Right to Sue Letter that allows an individual to pursue his/her claims in federal court. Federal courts may award remedies if discrimination is found to have occurred. The EEOC can be contacted by calling 1-800-669-4000 (1-800-669-6820 (TTY)) or at its website www.eeoc.gov.

VILLAGE OF MAMARONECK
SEXUAL HARASSMENT COMPLAINT FORM

YOUR INFORMATION

Name: _____
Home Address: _____ Work Address: _____

Personal Phone: _____ Work Phone: _____
Job Title: _____ Email: _____
Preferred Communication Method: _____

INFORMATION CONCERNING SUSPECTED HARASSMENT

1. The name of the person(s) you believe is engaging in harassment

Name: _____ Title: _____
Work Address: _____ Work Phone: _____
Other identifying information: _____
Relationship to you: ☐ Supervisor ☐ Subordinate ☐ Co-Worker ☐ Other: _____

2. Please describe the conduct or incident(s) that are the basis of this report and your reasons for believing the conduct is harassment. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

MEMORANDUM

To: All employees and volunteers of the
Village of Mamaroneck

From: Jerry Barberio, Village Manager

Re: Policy of Non-Discrimination

Date: April 1, 2019

Village of Mamaroneck



P 914-777-7703

F 914-777-7760

www.villageofmamaroneck.org

The Village of Mamaroneck is bound by applicable laws and committed to the principle of equal opportunity as provided under and protected by the United States Constitution.

The Village of Mamaroneck does not discriminate against individuals on the basis of race, color, religion, sex, sexual orientation, gender identity, disability, age or national or ethnic origin, or any other such classification protected by law.

All employees and volunteers of the Village are advised that such behavior and comments are inappropriate, intolerable, and they reflect poorly on the Village of Mamaroneck as well as on the Mamaroneck community. This memorandum and order reminds everyone who is an employee or volunteer of the Village that you are prohibited against any such behavior and comments while you are acting in an official capacity representing the Village, either during or after your regular hours.

Failure to comply with such laws will result in immediate applicable and appropriate action by the Village.

Notice

Migrant and Seasonal Agricultural Worker Protection Act

This federal law requires agricultural employers, agricultural associations, farm labor contractors and their employees to observe certain labor standards when employing migrant and seasonal farmworkers unless specific exemptions apply. Further, farm labor contractors are required to register with the U.S. Department of Labor.

Migrant and Seasonal Farmworkers Have These Rights

- To receive accurate information about wages and working conditions for the prospective employment
- To receive this information in writing and in English, Spanish or other languages, as appropriate
- To have the terms of the working arrangement upheld
- To have farm labor contractors show proof of registration at the time of recruitment
- To be paid wages when due
- To receive itemized, written statements of earnings for each pay period
- To purchase goods from the source of their choice
- To be transported in vehicles which are properly insured and operated by licensed drivers, and which meet federal and state safety standards
- For migrant farmworkers who are provided housing
 - * To be housed in property which meets federal and state safety and health standards
 - * To have the housing information presented to them in writing at the time of recruitment
 - * To have posted in a conspicuous place at the housing site or presented to them a statement of the terms and conditions of occupancy, if any

Workers who believe their rights under the act have been violated may file complaints with the department's Wage and Hour Division or may file suit directly in federal district court. The law prohibits employers from discriminating against workers who file complaints, testify or in any way exercise their rights on their own behalf or on behalf of others. Complaints of such discrimination must be filed with the division within 180 days of the alleged event.

For further information, get in touch with the nearest office of the Wage and Hour Division, listed in most telephone directories under the U.S. Government, Department of Labor.

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR
1-866-487-9243
www.dol.gov/whd



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

Aviso

Ley de Protección de Trabajadores Migrantes y Temporales en la Agricultura

Esta ley federal exige que los patrones agrícolas, las asociaciones agrícolas, los contratistas de mano de obra agrícola (o troqueros), y sus empleados cumplan con ciertas normas laborales cuando ocupan a los trabajadores migrantes y temporales en la agricultura, a menos que se apliquen excepciones específicas. Los contratistas, o troqueros, tienen además la obligación de registrarse con el Departamento del Trabajo.

Los Trabajadores Migrantes y Temporales en la Agricultura Tienen los Derechos Siguietes

- Recibir detalles exactos sobre el salario y las condiciones de trabajo del empleo futuro
- Recibir estos datos por escrito en inglés, en español, o en otro idioma que sea apropiado
- Cumplimiento de todas las condiciones de trabajo como fueron presentadas cuando se les hizo la oferta de trabajo
- Al ser reclutados para un trabajo, ver una prueba de que el contratista se haya registrado con el Departamento del Trabajo
- Cobrar el salario en la fecha fijada
- Recibir cada día de pago un recibo indicando el salario y la razón de cualquier deducción
- Comprar mercancías al comerciante que ellos escojan
- Ser transportados en vehículos que tengan seguros adecuados y que hayan pasado las inspecciones federales y estatales de seguridad, y conducidos por choferes que tengan permisos de manejar
- Las garantías para los trabajadores migrantes a quienes se les proporcionen viviendas o alojamiento
 - * Viviendas que satisfagan los requisitos federales y estatales de seguridad y de sanidad
 - * Al ser reclutados, recibir por escrito informes sobre las viviendas y su costo
 - * Recibir de su patron un aviso escrito explicando las condiciones de ocupación de la vivienda, o que tal aviso esté colocado en un lugar visible de la vivienda

Los trabajadores que crean haber sufrido una violación de sus derechos pueden presentar sus quejas a la División de Salarios y Horas o pueden presentar una demanda directamente a los tribunales federales. La ley prohíbe cualquier discriminación o sanción hacia los trabajadores que presenten tales quejas, que hagan declaraciones, o que reclamen de cualquier manera sus derechos, sea a beneficio de sí mismos o a beneficio de otros. Hay que presentar las quejas de discriminación o de sanción a la división dentro de 180 días del suceso.

En caso de que necesite más información, comuníquense con la oficina de la División de Salarios y Horas más cercana, que aparece en la mayoría de los directorios telefónicos bajo el título U.S. Government, Department of Labor.

DIVISIÓN DE HORAS Y SALARIOS
DEPARTAMENTO DE TRABAJO DE LOS EE.UU.
1-866-487-9243
www.dol.gov/whd



La ley exige que los patrones fijen este aviso en un lugar donde puedan verlo fácilmente los trabajadores.

WH1376
REV 0483
PRINT 0718

WE ARE YOUR DOL



Atención, Empleados de Industrias Diversas

Salario mínimo por hora vigente para el período comprendido entre el 12/31/2022 y el 12/30/2023

Ciudad de Nueva York			
Grandes empleadores (11 o más empleados)		Pequeños empleadores (10 o menos empleados)	
Salario mínimo		Salario mínimo	
\$15.00		\$15.00	
Horas extras después de las 40 horas		\$22.50	
Trabajadores con propina		\$15.00	
Horas extras después de las 40 horas		\$22.50	
Long Island y Condado de Westchester		Resto del Estado de Nueva York	
Salario mínimo		Salario mínimo	
\$15.00		\$14.20	
Horas extras después de las 40 horas		\$22.50	
Trabajadores con propina		\$14.20	
Horas extras después de las 40 horas		\$22.50	
		Horas extras después de las 40 horas	
		\$21.30	

Si tiene alguna pregunta, necesita más información o desea presentar una reclamación, visite www.labor.ny.gov/minimumwage o llame al: **1-888-469-7365**.

Créditos y subsidios que podrían hacer que el pago sea inferior a las tarifas mínimas que se muestran arriba:

- **Consejos** – A partir del 31 de diciembre de 2020, su empleador debe pagar el salario mínimo aplicable en su totalidad, y no puede aplicar un crédito por propinas.
- **Comidas y alojamiento:** el empleador podría reclamar una cantidad limitada de su salario si le provee comidas y alojamiento, siempre y cuando no le cobre un monto por adelantado por esto. Las tarifas y los requisitos se encuentran en las órdenes y en los resúmenes de salarios, los cuales están disponibles en línea.

Pagos extras que se le pudieran deber además de las tarifas mínimas que se muestran arriba:

- **Horas extras:** se le debe pagar 1½ veces la tarifa regular por hora (no menos de las tarifas de horas extras que figuran arriba) cuando se superen las 40 horas semanales (o las 44 horas para los empleados residenciales).
Excepciones: el pago de horas extras no es obligatorio para profesionales asalariados ni para ejecutivos y personal administrativo cuyo salario semanal supere 75 veces el salario mínimo.
- **Pago por disponibilidad:** si usted se presenta a trabajar en el horario estipulado y su empleador lo envía a casa más temprano, podría tener derecho al pago de horas extras a la tarifa del salario mínimo por ese día.
- **Difusión de Horas:** si el día laboral dura más de diez horas, usted podría tener derecho a un pago diario extra. La tarifa diaria equivale a una hora de pago a la tarifa del salario mínimo.
- **Mantenimiento del uniforme:** si usted lava/mantiene su propio uniforme, podría tener derecho a un pago semanal adicional. Las tarifas semanales están disponibles en línea.

Notice of Employee Rights, Protections, and Obligations Under Labor Law Section 740

Prohibited Retaliatory Personnel Action by Employers Effective January 26, 2022

§ 740. Retaliatory action by employers; prohibition.

1. Definitions. For purposes of this section, unless the context specifically indicates otherwise:

- (a) "Employee" means an individual who performs services for and under the control and direction of an employer for wages or other remuneration, including former employees, or natural persons employed as independent contractors to carry out work in furtherance of an employer's business enterprise who are not themselves employers.
- (b) "Employer" means any person, firm, partnership, institution, corporation, or association that employs one or more employees.
- (c) "Law, rule or regulation" includes: (i) any duly enacted federal, state or local statute or ordinance or executive order; (ii) any rule or regulation promulgated pursuant to such statute or ordinance or executive order; or (iii) any judicial or administrative decision, ruling or order.
- (d) "Public body" includes the following:
 - (i) the United States Congress, any state legislature, or any elected local governmental body, or any member or employee thereof;
 - (ii) any federal, state, or local court, or any member or employee thereof, or any grand or petit jury;
 - (iii) any federal, state, or local regulatory, administrative, or public agency or authority, or instrumentality thereof;
 - (iv) any federal, state, or local law enforcement agency, prosecutorial office, or police or peace officer;
 - (v) any federal, state or local department of an executive branch of government; or
 - (vi) any division, board, bureau, office, committee, or commission of any of the public bodies described in subparagraphs (i) through (v) of this paragraph.
- (e) "Retaliatory action" means an adverse action taken by an employer or his or her agent to discharge, threaten, penalize, or in any other manner discriminate against any employee or former employee exercising his or her rights under this section, including (i) adverse employment actions or threats to take such adverse employment actions against an employee in the terms of conditions of employment including but not limited to discharge, suspension, or demotion; (ii) actions or threats to take such actions that would adversely impact a former employee's current or future employment; or (iii) threatening to contact or contacting United States immigration authorities or otherwise reporting or threatening to report an employee's suspected citizenship or immigration status or the suspected citizenship or immigration status of an employee's family or household member, as defined in subdivision two of section four hundred fifty-nine-a of the social services law, to a federal, state, or local agency.