

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 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, childbirth, and related medical 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 testing, or family medical history)

Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding

Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation

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 to 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:

Call an inquiry through the EEOC public portal:
<https://publicportal.eeoc.gov/Portal/Login.aspx>
1-800-669-4000 (toll free)
1-800-669-6820 (TTY)
1-844-234-5122 (TAS, video phone)

Visit an EEOC field office (information at <https://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

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 employers from discriminating 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 military, 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 EEOC 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, DC 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 <https://helpdesk.offccp.dhs.gov>, 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.offccp.gov>

<ul style="list-style-type: none"> State and local governments (as employers) Educational institutions (as employers) Unions Staffing agencies 	<p>Compliance Programs (OFCPP) 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 basis of:</p> <p>Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin</p> <p>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.</p>	<p>PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE</p> <p>Race, Color, National Origin, Sex</p> <p>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 that receive Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is to provide education, 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.</p>
<p>What Employment Practices can be Challenged as Discriminatory?</p>	<p>Asking About, Disclosing, or Discussing Pay</p> <p>Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination on the basis of 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.</p>	<p>Individuals with Disabilities</p> <p>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 for persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.</p>
<p>All aspects of employment, including:</p> <ul style="list-style-type: none"> Discharge, firing, or lay-off Harcassment (including unwelcome verbal or physical conduct) Hiring or promotion Assignment Pay (unequal wages or compensation) Failure to provide reasonable accommodation for a disability: pregnancy, childbirth, or related medical conditions Refusal to sincerely held religious belief, observance or practice Benefits Job training Referral Obtaining or disclosing genetic information of employees Obtaining or disclosing medical information of employees 	<p>Disability</p> <p>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</p>	<p>If you are not being discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.</p>

FED	YOUR RIGHTS UNDER USERRA
THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT	
USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Relief System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.	
REEMPLOYMENT RIGHTS	HEALTH INSURANCE PROTECTION
You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:	• 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.
• you ensure that your employer receives advance written or verbal notice of your service;	• 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.
• you have five years or less of cumulative service in the uniformed services while with that particular employer;	ENFORCEMENT
• you return to work or apply for reemployment in a timely manner after conclusion of service; and	• 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/usera/ .
• you have not been separated from service with a disqualifying discharge or under other than honorable conditions.	• 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.
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.	• You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.
RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION	The rights listed here vary much depending on the circumstances. The text of this document 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 document where they customarily place notices for employees.
If you:	
• are a past or present member of the uniformed service;	• are obligated to serve in the uniformed service;
• have applied for membership in the uniformed service; or	
then an employer may not deny you:	
• initial employment;	• promotion; or
• reemployment;	• any benefit of employment
• retention in 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.	

U.S. Department of Homeland Security

Employer Support of the Guard and Reserve

1-800-336-4590

Special Counsel

REV. 05/2022

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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

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.

EXAMINER RIGHTS

When 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

DEPARTMENT OF LABOR
 UNITED STATES OF AMERICA



WHD

WAGE AND HOUR DIVISION
 UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243
www.dol.gov/agencies/whd

WHI-462

REV. 02/2022



OSHA®
Occupational Safety
and Health Administration

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.

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 violation.

- Fill 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.

This poster is available free from OSHA.

Contact OSHA. We can help.

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

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

TWO ways to verify poster compliance!

OR CODE Scan with phone camera

To update your labor law posters contact
J. J. Keller & Associates, Inc.
JJKeller.com/laborlaw

OR
 ONLINE Go to: JJKeller.com/LLPverify
 Enter this code: 69470-012025