



### ANTI-DISCRIMINATION NOTICE

It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination.

For information, please contact  
The Office of Special Counsel for Immigration Related Unfair Employment Practices Office at 800-255-7688.

### FEDERAL MINIMUM WAGE

## 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 1 1/2 times your regular rate of pay for all hours worked over 40 in a workweek.

**CHILD LABOR** An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with 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.

**PUMP AT WORK** The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk and for their nursing child for one year after the child's birth each time the employee needs to express breast milk. Employers must 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  
1-866-487-2343  
www.dol.gov/agencies/whd

### UNEMPLOYMENT INSURANCE

## Certificate of Coverage and Notice to Workers as to Benefit Rights

Employers covered by the Employment Security Law of North Carolina (Chapter 96 of the North Carolina General Statutes) contribute to a special fund set aside for the payment of unemployment insurance benefits. No money is withheld from workers' checks for unemployment insurance purposes.

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

If you lose your job with this employer, you may contact the Department of Commerce, Division of Workforce Solutions (DWS) at [www.nccommerce.com/workforce](http://www.nccommerce.com/workforce) to assist you in securing suitable work. DWS provides a wide variety of services free of charge. If suitable work is not readily available you may file a claim for unemployment insurance benefits with the Division of Employment Security at [des.nc.gov](http://des.nc.gov), or by phone at 877-941-9617.

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

If you have any questions about unemployment insurance benefits or need more information, contact the Division of Employment Security at the address shown on the bottom of this poster.

**During Labor Disputes [Section 96-14.7(b)]**

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

**Instructors for Employers**

- Post this notice on your premises in such a place that all employees may see it. Additional copies may be obtained on-line at [des.nc.gov](http://des.nc.gov).
- You must notify affected workers of a vacation period within a reasonable period of time before it begins.
- Benefit claims for detached workers may be filed on-line at [des.nc.gov](http://des.nc.gov).

**DES HIGHLY RECOMMENDS POSTING THIS INFORMATION.**

For More Information, Contact:  
North Carolina Department of Commerce, Division of Employment Security  
P.O. Box 25903, Raleigh, N.C. 27611  
Telephone: (919) 707-1237  
[www.nccommerce.com](http://www.nccommerce.com)

### USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

## YOUR RIGHTS UNDER USERRA

### THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

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

**REEMPLOYMENT RIGHTS**

- You have the right to be reemployed in your civilian job if you 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**

- 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 or 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.

Publication Date — May 2022

### FMLA - FAMILY AND MEDICAL LEAVE ACT

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

**What is FMLA leave?** The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with job-protected leave for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees. Eligible employees can take up to 12 workweeks of FMLA leave in a 12-month period for:

- The birth, adoption or foster placement of a child with you.
- Your serious mental or physical health condition that makes you unable to work.
- To care for your spouse, child or parent with a serious mental or physical health condition, and
- Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

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

You have the right to use FMLA leave in one block of time. When it is medically necessary or otherwise permitted, you may take FMLA leave intermittently in separate blocks of time, or on a reduced schedule by working less hours each day or week. Read Fact Sheet #28(M) for more information.

FMLA leave is not paid leave, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave.

**Am I eligible to take FMLA leave?** You are an eligible employee if:

- You work for a covered employer.
- You have worked for your employer at least 12 months.
- You have at least 1,250 hours of service for your employer during the 12 months before your leave, and
- Your employer has at least 50 employees within 75 miles of your work location.

Airline flight crew employees have different "hours of service" requirements.

You work for a covered employer if one of the following applies:

- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year.
- You work for an elementary or public or private secondary school, or
- You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management.

**How do I request FMLA leave?** Generally, to request FMLA leave you must:

- Follow your employer's normal policies for requesting leave.
- Give notice at least 30 days before your notice as possible, or
- Advance notice is not possible, give notice as soon as possible.

You do not have to share a medical diagnosis but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You must also inform your employer if FMLA leave was previously taken or approved for the same reason when requesting additional leave. Your employer may request certification from a health care provider to verify medical leave and may request certification of a qualifying exigency.

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.

State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress.

**What does my employer need to do?** If you are eligible for FMLA leave, your employer must:

- Allow you to take job-protected time off work for a qualifying reason.
- Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and
- Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave.

Your employer cannot interfere with your FMLA rights or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation.

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your employer must confirm whether you are eligible or not eligible for FMLA leave. If your employer determines that you are eligible, your employer must notify you in writing:

- About your FMLA rights and responsibilities, and
- How much of your requested leave, if any, will be FMLA-protected leave.

Where can I find more information?  
Call 1-866-487-2343 or visit [www.fmla.com](http://www.fmla.com) to learn more. If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court.

Scan the QR code to learn about the WHD complaint process.

WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR  
1-866-487-2343  
WHD1420 REV 04/23

### WORKERS' COMPENSATION

FORM 17 Revised 12/2020

## N.C. WORKERS' COMPENSATION NOTICE TO INJURED WORKERS AND EMPLOYERS

All employees of this business, except specifically excluded executive officers, suffering work-related injuries may be entitled to Workers' Compensation benefits from the employer or its insurance carrier.

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

The Employer Should:

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

The insurance policy number is \_\_\_\_\_

Your employer's workers' compensation insurance policy is valid from \_\_\_\_\_ until \_\_\_\_\_

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

The Employer Should:

- Provide all necessary medical services to the Employee.
- Report the injury to the carrier/administrator and file a Form 19 Report of Injury within 5 days with the Industrial Commission, if the Employee misses more than 1 day from work or if cumulative medical costs exceed \$4,000.00.
- Give a copy of your completed Form 19 to the Employee along with a copy of a blank Form 18 Notice of Accident. Ensure that compensation is promptly paid as required under the Workers' Compensation Act.

NORTH CAROLINA INDUSTRIAL COMMISSION  
1235 MAIL SERVICE CENTER  
RALEIGH, NORTH CAROLINA 27699-1235  
Website: [www.ic.nc.gov](http://www.ic.nc.gov)

TO EMPLOYER: THIS FORM MUST BE PROMINENTLY POSTED IF YOU HAVE WORKERS' COMPENSATION INSURANCE OR QUALIFY AS SELF-INSURED. (N.C. Gen. Stat. 97-93.)

### PAYDAY NOTICE

## Regular Paydays for Employees of

(Company Name)

Should be as follows:

Weekly  Bi-Weekly  Monthly  Other

By: \_\_\_\_\_ Title: \_\_\_\_\_

### WITHHOLDING STATUS

## YOU MAY NEED TO CHECK YOUR WITHHOLDING

Since you last filed form W-4 with your employer did you...

- Marry or divorce?
- Gain or lose a dependent?
- Change your name?

Were there major changes to...

- Your nonwage income (interest, dividends, capital gains, etc.)?
- Your family wage income (you or your spouse started or ended a job)?
- Your itemized deductions?
- Your tax credits?

If you can answer "YES"...

To any of these questions or you owed extra tax when you filed your last return, you may need to file a new Form W-4.

See your employer for a copy of Form W-4 or call the IRS at 1-800-829-3676. Now is the time to check your withholding. For more details, get Publication 919, How Do I Adjust My Tax Withholding?, or use the Withholding Calculator at [www.irs.gov/individuals](http://www.irs.gov/individuals) on the IRS web site.

Employer: Please post or publish this Bulletin Board Poster so that your employees will see it. Please indicate where they can get forms and information on this subject.

Publication 213 (Rev. 8-2009)  
Cat. No. 110477

Department of the Treasury  
Internal Revenue Service [www.irs.gov](http://www.irs.gov)

### EMPLOYEE POLYGRAPH PROTECTION ACT

## 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 an 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 (armed 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  
1-866-487-2343  
www.dol.gov/agencies/whd

### EEOC - KNOW YOUR RIGHTS: WORKPLACE DISCRIMINATION IS ILLEGAL

## 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 (not independent contractors).
- Educational institutions (as employers).
- Unions.
- Staffing agencies.

**What Types of Employment Discrimination are Illegal?**

- Failure to provide reasonable accommodation for a disability; pregnancy, childbirth, or related medical condition; or a sincerely-held religious belief, observance or practice (i.e., within three years of discharge or release from active duty).
- 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 services, or family medical history).
- Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding.
- Interference with someone exercising their rights, or someone assisting or encouraging someone else to exercise rights, regarding disability discrimination (including accommodation) 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 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/legis.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](http://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](http://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 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.

**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, or other protected individuals with disabilities who (a) are active duty wartime or campaign badge veterans, or Armed Forces service medical 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. 20110 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://ofccp.helphelpdesk.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.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 6/27/2023)

### NORTH CAROLINA MINIMUM WAGE & OCCUPATIONAL SAFETY AND HEALTH PROTECTION

## Wage and Hour Notice to Employees

The wage payment provisions apply to all private-sector employers doing business in North Carolina. The wage payment provisions do not apply to any federal, state or local agency or instrumentality of government.

**Complaints**

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

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

**Employee Classification**

Any worker who is defined as an employee by the N.C. Wage and Hour Act (N.C. Gen. Stat. 95-25.2(4)), the N.C. Employee Fair Classification Act, the Internal Revenue Code as adopted under N.C. Employment Security Laws (N.C. Gen. Stat. 96-1(b)(10)), the N.C. Workers' Compensation Act (N.C. Gen. Stat. 97-2(2)), or the N.C. Revenue Act (N.C. Gen. Stat. 105-163.1(4)) shall be treated as an employee.

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

Employee Classification Section  
N.C. Industrial Commission  
1233 Mail Service Center  
Raleigh, NC 27699-4333  
Email: [employee\\_classification@ic.nc.gov](mailto:employee_classification@ic.nc.gov)  
Phone: 919-807-2582  
Fax: 919-715-0282

**Employment at Will**

North Carolina is an employment-at-will state. The term "employment-at-will" simply means that unless there is a specific law to protect employees or an employment contract providing otherwise, then an employer can treat its employees as it sees fit and the employer can discharge an employee at the will of the employer for any reason or no reason at all.

**Right-to-Work Laws**

North Carolina is a "right-to-work" state. Right-to-work applies to collective bargaining or labor unions. The right of persons to work cannot be denied or reduced in any way because they are either members of a labor union (including labor organization or labor association) or chose not to be a member of any such labor union. An employer cannot require any person, as a condition of employment or continuation of employment, to pay any dues or other fees of any kind to a labor union. Also, an employer cannot enter into an agreement with a labor union whereby (1) non-union members are denied the right to work for the employer, (2) membership is made a condition of employment or continuation of employment, or (3) the labor union acquires an employment monopoly in any enterprise.

NCOL has no enforcement authority regarding labor union laws. For employee concerns regarding labor unions, contact the Regional Office of the National Labor Relations Board. The NLRB is an independent federal agency that protects the rights of private sector employees to join together, with or without a union, to improve their wages and working conditions. Regional office contact:

- NLRB—Region 11 Office  
Republic Square  
4035 University Parkway, Suite 200  
Winston-Salem, NC 27106-3325  
336-631-5201

**Retaliatory Employment Discrimination**

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

- Workers' Compensation Claims
- Wage and Hour Complaints
- Occupational Safety and Health Complaints
- Mine Safety Health Complaints
- Genetic Testing Discrimination
- Sickle Cell or Hemoglobin C Carriers Discrimination
- N.C. National Guard Service Discrimination
- Participation in the Juvenile Justice System
- Exercising Rights Under Domestic Violence Laws
- Pesticide Regulation Complaints
- Drug Paraphernalia Complaints

Employees who believe they have been retaliated against in their employment because of activities under the above statutes, or employees who have questions about the application of REDA, may call:

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

A REDA complaint must be filed with the bureau within 180 days of the date of retaliation.

[www.labor.nc.gov](http://www.labor.nc.gov)

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25,000 copies of this public document were printed at a cost of \$3,750.00, or \$1.5 per copy.

### OSHA NOTICE TO EMPLOYEES

Education, Training and Technical Assistance Bureau, N.C. Department of Labor. Call 1-800-625-2267 or 919-707-7876.

**Accident and Fatality Reporting**—An employer must report the following:

- Within eight hours: Any work-related fatality.
- Within 24 hours:
  - Any work-related in-patient hospitalization of one or more employees.
  - Any work-related amputation.
  - Any work-related loss of an eye.

To report an accident, call the OSH Division at 1-800-625-2267 or 919-707-8560.

**Employee Rights and Responsibilities**

Public and private sector employees must comply with occupational safety and health standards, rules, regulations, and those orders issued under OSHA that relate to their own actions and conduct.

**Complaints**—An employee has a right to make a complaint regarding workplace conditions he or she believes are unsafe, unhealthy or in violation of OSHA standards. When an OSH inspector is in an employee's workplace, that employee has a right to point out unsafe or unhealthy conditions and to freely answer any questions asked by the inspector. When making a complaint, the employee may request that his or her name be kept confidential.

**To make a complaint, call 1-800-625-2267 or 919-779-8560. Complaints also can be made online at [www.labor.nc.gov](http://www.labor.nc.gov).**

**Contesting Abatement**—Employees may contest any abatement period set as a result of an OSH inspection at their workplace. An employee has the right to appear before the Review Commission to contest the abatement period and seek judicial review.

**Other OSHA Information**

- Federal Monitoring**—The OSH Division is monitored by the U.S. Department of Labor. Federal authorities ensure that continued state administration is merited. Any person who has a complaint about the state's administration of OSHA may contact the Regional Office of the U.S. Department of Labor, 61 Forsyth St. S.W., Suite 6750, Atlanta, GA 30303.
- Additional Information or Questions**—Anyone having a question about any of the above information may write or call:

**N.C. Department of Labor  
Occupational Safety and Health Division  
1101 Mail Service Center  
Raleigh, NC 27699-1101  
Phone: 1-800-625-2267  
Fax: 919-707-7964  
E-mail: [ask.osh@labor.nc.gov](mailto:ask.osh@labor.nc.gov)  
[www.labor.nc.gov](http://www.labor.nc.gov)**

Josh Dobson  
Commissioner of Labor

This notice must be posted conspicuously. This poster is available free of charge to all North Carolina workplaces.  
Call 1-800-625-2267 or 919-707-7876 for order online.

**1-800-NC-LABOR (1-800-625-2267)**  
[www.labor.nc.gov](http://www.labor.nc.gov)

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

**OSHA Notice to Employees**

**Safety and Health**

**N.C. Department of Labor Responsibilities**

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

**The OSH Division has the following responsibilities and powers:**

- Inspections**—The OSH Division conducts workplace inspections that can be triggered by complaints, accidents or because the workplace has been randomly selected for an inspection.
- Citations**—Following an inspection, the employer may be cited for one or more violations of the OSHA standards. The employer will be given a timetable to correct the violation to avoid further action.
- Penalties**—The Commissioner shall have the authority to assess penalties against any employer who violates the requirements of the OSH Act. The Commissioner shall adjust minimum and maximum civil penalties in accordance with the requirements set forth in the U.S. Consumer Price Index for All Urban Consumers published by the U.S. Department of Labor as necessary to comply with federal law. The Commissioner shall have a period of 60 calendar days from the date a final rule is published in the Federal Register to publish the civil penalties in the North Carolina Register under 13 NCAC 07A .0301 or any related or subsequent regulations setting penalty standards in compliance with Part 1903 of Title 29 of the Code of Federal Regulations, and on its website.
- OSHA Standards**—The division adopts all federally mandated OSHA standards verbatim or can rewrite them to meet state conditions, as long as the new version is at least as strict as the federal standard.

A copy of any specific standard adopted by the OSH Division is available free of charge. The entire "General Industry" or "Construction Industry" standards are available for a nominal cost by calling 1-800-625-2267 or 919-707-7876.

**Employer Rights and Responsibilities**

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

- Inspections**—An employer has the legal right to refuse to allow an inspector to enter the workplace without an administrative inspection warrant. If this occurs, the inspector will obtain a warrant to conduct the inspection. The employer has the right to accompany the inspector during the physical inspection.
- Discrimination**—It is illegal to retaliate in any way against an employee for raising a health or safety concern, filing a complaint, reporting a work-related injury or illness, or assisting an inspector. The department will investigate and may prosecute employers who take such action.
- Citations**—If an OSH inspection results in one or more citations, the employer is required to promptly and prominently display the citation(s) at or near the place where the violation allegedly occurred. It must remain posted for three working days or until the violation has been corrected or abated, whichever is longer.
- Contesting Penalties**—Once an employer has been cited, he or she may request an "informal conference" with OSH officials to discuss the penalty, abatement or other issues related to the citation. This request must be made within 15 working days after the citation is received.

The employer may formally contest (by filing a "Notice of Contest") the citation(s) or proposed penalty to the N.C. Occupational Safety and Health Review Commission. The Review Commission is an independent body that hears and decides controversies by employers and employees concerning citations, abatement periods and penalties.

Employers wishing to know more about the procedures for filing a "Notice of Contest" should contact the Review Commission. Telephone: 919-733-3589. Website: [www.oshb.state.nc.us](http://www.oshb.state.nc.us).

- Injury and Illness Records**—Employers with 11 or more employees, unless specifically exempted, are required to maintain updated occupational injury and illness records of their employees. Recordkeeping forms and information concerning these requirements may be obtained from the

**Unemployment Insurance** NCDOOL does not handle matters relating to unemployment insurance or procedures; please contact the Department of Commerce, Division of Employment Security, P.O. Box 25903, Raleigh, NC 27611-5903, 1-888-732-0259; [www.ncssc.com](http://www.ncssc.com).