

LABOR

Since 1953

LAWS

REV. 07/2016

COMPLAINT CONTACT:

MARYLAND DEPARTMENT OF LABOR

SERVICE

BALTIMORE, MD 21201

INFORMATION.

FEDERAL

MARYLAND

EMPLOYEE RIGHTS UNDER THE

FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

ENFORCEMENT

any proceeding under the FLSA.

ADDITIONAL INFORMATION

the Commonwealth of Puerto Rico.

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 11/2 times the regular rate of pay for all hours worked over 40 in a workweel

FED

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

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§3-301

\$3-302.

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.



Some state laws provide greater employee protections; employers must comply with both

The Department has authority to recover back wages and an equal amount in liquidated damages in instances of

Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or

overtime nay 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

Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions.

Some employers incorrectly classify workers as "independent contractors" when they are actually employees

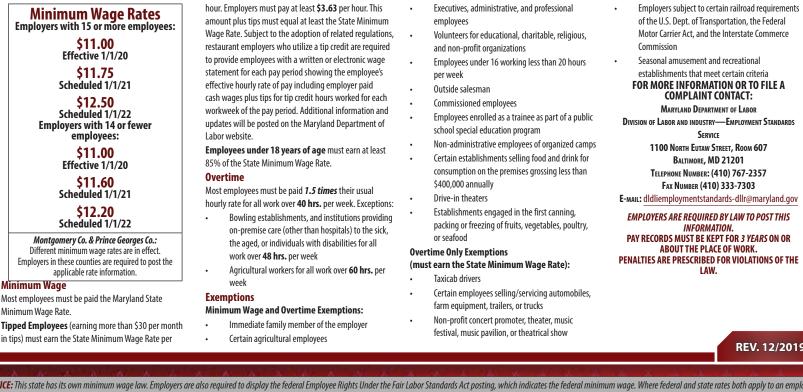
under the FLSA. It is important to know the difference between the two because employees (unless exempt)

are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent

Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and

minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution.

Department of Labor, Division of Labor and Industry Minimum Wage and Overtime Law (Labor and Employment Article, Title 3, Subtitle 4, Annotated Code of Maryland)



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

Department of Labor, Division of Labor and Industry

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

FED

DISABILITY

Equal Employment Opportunity is THE LAW

Subcontracts

INDIVIDUALS WITH DISABILITIES

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

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected WHAT TO DO IF YOU BELIEVE DISCRIMINATION under Federal law from discrimination on the following HAS OCCURRED

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

There are strict time limits for filing charges of employmen discrimination. To preserve the ability of EEOC to act on your Title VII of the Civil Rights Act of 1964, as amended, protects behalf and to protect your right to file a private lawsuit, applicants and employees from discrimination in hiring, should you ultimately need to, you should contact EEOC promotion, discharge, pay, fringe benefits, job training, promptly when discrimination is suspected: classification, referral, and other aspects of employment, or The U.S. Equal Employment Opportunity Commi the basis of race, color, religion, sex (including pregnancy), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free or national origin. Religious discrimination includes failing to TTY number for individuals with hearing impairments). reasonably accommodate an employee's religious practices EEOC field office information is available at www.eeoc.gov where the accommodation does not impose undue hardship. or in most telephone directories in the U.S. Government o Federal Government section. Additional information about Title I and Title V of the Americans with Disabilities EEOC, including information about charge filing, is available at www.eeoc.go

RETALIATION

Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring. promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employme 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.

The Age Discrimination in Employment Act of 1967. as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring. promotion, discharge, pay, fringe benefits, job training classification, referral, and other aspects of employment. SEX (WAGES)

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same

GENETICS

DEPARTMENT OF LABOR

UNITED STATES OF AMERICA



history); and requests for or receipt of genetic services by from active duty), other protected veterans (veterans who applicants, employees, or their family members. served during a war or in a campaign or expedition for which a campaign badge has been authorized), and Armed Forces service medal veterans (veterans who, while on active duty All of these Federal laws prohibit covered entities participated in a U.S. military operation for which an Armed from retaliating against a person who files a charge of es service medal was awarded) discrimination, participates in a discrimination proceeding, of RETALIATION otherwise opposes an unlawful employment practice.

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these leral laws. Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately: The Office of Federal Contract Compliance Programs (OFCCP), ssion (EEOC U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at OFCCP-Public@dol.gov, or by calling an OFCCP

Employers Holding Federal Contracts or RACE, COLOR, NATIONAL ORIGIN, SEX

Applicants to and employees of companies with a Federa nment contract or subcontract are protected under Federal law from discrimination on the following bases: RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national origin, and requires affirmative action to ensure discrimination causes or may cause discrimination in equality of opportunity in all aspects of employment. Education Amendments of 1972 prohibits employr Section 503 of the Rehabilitation Act of 1973, as amended, protects gualified individuals from discrimination on the activities which receive Federal financial assistance.

basis of disability in hiring, promotion, discharge, pay, fringe INDIVIDUALS WITH DISABILITIES benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes prohibits employment discrimination on the basis of not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified financial assistance. Discrimination is prohibited in all individual with a disability who is an applicant or employee aspects of employment against persons with disabilities barring undue hardship. Section 503 also requires that who, with or without reasonable accommodation, can Federal contractors take affirmative action to employ and orm the essential functions of the job. If you believe you have been discriminated against in a assistance, you should immediately contact the Federal agency providing such assistance

FFOC-P/F-1 ination and requires affirmative action to employ

separated veterans (within three years of discharge or release



reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more the law. Also, the law does not apply to tests given by the

WAGE AND HOUR DIVISION

UNITED STATES DEPARTMENT OF LABOR

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

regional or district office, listed in most telephone directories under U.S. Government, Department of Labor. **Programs or Activities Receiving Federal Financial Assistance** 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 i covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment iding services under such programs. Title IX of the discrimination on the basis of sex in educational programs or

Section 504 of the Rehabilitation Act of 1973, as amended, disability in any program or activity which receives Federa program of any institution which receives Federal financial EEOC 9/02 and OFCCP 8/08 Versions Useable With 11/09

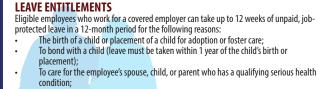
REV. 11/2009



the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized perso restrictions, of certain employees of private firms who are 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

1-866-487-9243

TTY: 1-877-889-5627



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. ble 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. In 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.

DEPARTMENT OF LABOR

UNITED STATES OF

AMERICA

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BENEFITS & PROTECTIONS

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave. Upon return from FMI A 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.

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

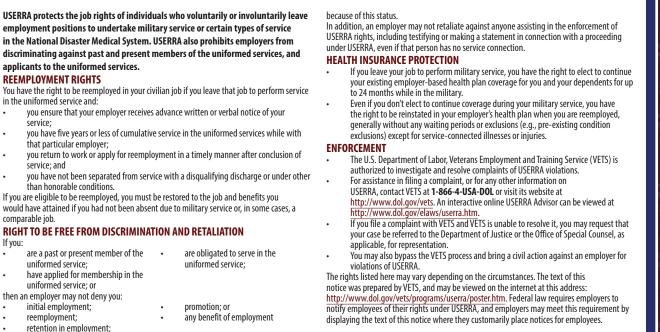
ELIGIBILITY REQUIREMENTS

An employee who works for a covered employer must meet three criteria in order to be eligible for FMI A leave. The employee must: Have worked for the employer for at least 12 months;

WH



THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT



U.S. Department of Labor • 1-866-487-2365 U.S. Department of Justice Office of Special Counsel

ployer Support of the Guard and Reserve • 1-800-336-4590



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 gualify under the FMLA, the employer must notify the employee if he or she is eligible for

POSTER COMPLIANCE DATE 10/2020

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.

Have at least 1.250 hours of service in the 12 months before taking leave:* and

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

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

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

Work at a location where the employer has at least 50 employees within 75 miles of

Employees may file a complaint with the U.S. Department of Labor, Wage <mark>and H</mark>our <mark>Divis</mark>ion, or

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





the employee's worksite.

and, generally, follow the employer's usual procedures.

REQUESTING LEAVE

Minor Fact Sheet (Labor and Employment Article, Section 3-206, Annotated Code of Marvland)

Annotated Code of Maryland)		
APPLYING FOR A WORK PERMIT Applications for work permits are accepted online at: www.dllr.state.md.us/childworkpermit. Steps: Minor or Parent/Guardian completes required information online and prints work permit <u>TO BE VALID</u> : The Minor, the Minor's Parent/Guardian, and the Employer must sign the permit	NOTE TO EMPLOYERS • A minor under the age of 14 is not permitted to work and may not be employed. • Minors 14 through 17 years of age may only work with a work permit. • The work permit must be in the employer's possession before the minor is permitted to work. • Employers must keep the work permit on file for three years.	 OCCUPATIONS FORBIDDEN TO ALL MINORS: Certain occupations are declared to be hazardous by the U.S. Secretary of Labor and have been adopted by reference by the Commissioner of Labor and Industry for the State of Maryland. All minors are forbidden to be employed at these occupations with certain exceptions including but not limited to Youth Apprenticeship. Occupations in or about plants or establishments manufacturing or storing explosive or articles containing explosive components. Occupations of motor-vehicle driver and outside helper. Coal-mine occupations. Logging occupations and occupations in the operation of apower-driven how ondworking machines. Occupations involved in the operation of power-driven woodworking machines. Occupations involved in the operation of power-driven model in the operation of elevators and other power-driven motel forming, punching, and shearing machines. Occupations involved in the operation of power-driven metal forming, punching, and shearing machines. Occupations involved in the operation of power-driven metal forming, punching, and shearing machines. Occupations involved in the operation of power-driven metal forming, punching, and shearing machines. Occupations involved in the operation of power-driven metal forming, punching, and shearing machines. Occupations involved in the operation of power-driven metal forming, punching, and shearing machines. Daddition to the hazardous occupations as declared by the U.S. Secretary of Labor and adopted by the Commissioner of Labor and industry for the following occupations are forbidden to all minors: Blast furnaces. Docks or wharves, other than marinas where pleasure boats are sold or served. Pilots, firemen, or engineers on any vessel or boat engaged in commerce. Railroads. Erection and repair of electrica
 Permissible Hours of Employment All Minors: May not be employed or permitted to work more than five hours continuously without a non-working period of at least ½ hour. Minors 14 – 15: *Non-school hours; *3 hours on any day when school is in session; 8 hours on any day when school is not in session *18 hours in a school week; 40 hours in any week when school is not in session; *May only work between the hours of 7:00am and 7:00pm. *May work until 9:00pm from June 1 until Labor Day. The hours worked by a minor enrolled in a bona fide work-study or student-learner program when school is normally in session may not be counted towards the permissible hours of work prescribed above. *This is based upon a more restrictive Federal law. 	Non-Employment Activities Activities not considered employment if performed outside of the prescribed school day and the activity does not involve mining, manufacturing or hazardous occupations. The activities include: Farm work performed on a farm. Domestic work performed in or about a home. Work performed in a business owned or operated by a parent or one standing in the place of a parent. Work performed by non-paid volunteers, in a charitable or non-profit organization, employed with the written consent of a parent or one standing in the place of a parent. Caddying on a golf course. Employment as an instructor on an instructional sailboat. Manufacturing of evergreen wreaths in or about a home. Delivery of newspapers to the consumer. Work performed by non-paid volunteers of a volunteer fire department or company or volunteer rescue squad who have completed or are taking a course of study relating to firefighting or rescue and who are 16 years of age or older. Federal Restrictions Restrictions under the child labor provisions of the Federal fair Labor Standards Act may be greater than State Standards. In all cases, the higher or more restrictive standard prevails. Information on Federal Standards is available from the Baltimore office of the U.S. Department of Labor, Wage and Hour Division (410) 962-6211.	
May spend no more than 12 hours in a combination of school hours and work hours each day. Must be allowed at least eight consecutive hours of non-work, non-school time in each 24-hour period Exceptions: Exceptions to hours and occupations may be granted by the Commissioner of Labor and Industry. Applications for exceptions should be addressed to the Commissioner giving specific details. Special Permits Special permits may be issued to minors of any age to be employed as a model, performer, or entertainer. The applications and permits are available only from the Baltimore office of the Division of Labor and Industry (address below) or online at: www.labor.maryland.gov/labor/wages/empm.shtml		 A minor may not be employed to transfer monetary funds in any amount between 8 p.m. and 8 a.m. or in any amount over \$100.00 between 8 a.m. and 8 p.m. unless that minor is the child of the owner or operator or the funds have been received in payment of goods or services delivered by the minor. AREAS OF EMPLOYMENT RESTRICTED FOR MINORS 14 AND 15 YEARS OF AGE Manufacturing, mechanical or processing occupations including occupations in workrooms, workplaces or storage areas where goods are manufactured or processed. Operation, cleaning or adjusting of any power-driven machinery other than office machines. Occupations in, about, or in connection with (except office or sales work not performed on site):
For more information contact: Maryland Department of Labor Division of Industry - Employment Standards Service		the Commissioner after investigation.

MD retary of rland. All l to Youth The Maryland Healthy Working Families Act requires employers with 15 or more employees to provide paid sick and safe leave for certain employees. It also requires that employers who employ ining, othe 14 or fewer employees provide unpaid sick and safe leave for certain employees Earned sick and safe leave begins to accrue on February 11, 2018, or the date on which an ídering. tion of nines.

REV. 11/2020

REV. 12/2019

employee begins employment with the employer, whichever is later. An employee accrues earned sick and safe leave at a rate of at least one hour for every 30 hours the employee works; however an employee is not entitled to earn more than 40 hours of earned sick and safe leave in a year or accrue more than 64 hours of earned sick and safe leave at any time. Leave Usage

WHV

An employee is allowed to use earned sick and safe leave under the following conditions: To care for or treat the employee's mental or physical illness, injury, or condition

Department of Labor **EARNED SICK AND SAFE LEAVE EMPLOYEE NOTICE**

To obtain preventative medical care for the employee or the employee's family member: To care for a family member with a mental or physical illness, injury, or condition; For maternity or paternity leave; or

The absence from work is necessary due to domestic violence, sexual assault, or stalking committed against the employee or the employee's family member and the leave is being used: (1) to obtain medical or mental health attention; (2) to obtain services from a victim services organization; (3) for legal services or proceedings; or (4) because the employee has temporarily relocated as a result of the domestic violence, sexual assault, or stalking. A family member includes a spouse, child, parent, grandparent, grandchild, sibling, the legal quardian or ward of the employee or the employee's spouse, or an individual who acted as a parent or stood in loco parentis to the employee or the employee's spouse when the employee he employee's spouse was a minor.

ovees are permitted to use earned sick and safe leave in increments in certain amounts How to File a Complaint or Obtain Additional Information established by their employer. Employees are required to give notice of the need to use earned If you feel your rights have been violated under this law or you would like additional information sick and safe leave when it is foreseeable. An employer may deny leave in certain circumstances

mployers are required to provide employees with a written statement of the employee's available earned sick and safe leave Prohibitions An employer is prohibited under the law from taking adverse action against an employee who

exercises a right under the Maryland Healthy Working Families Act and an employee is prohibited from making a complaint, bringing an action, or testifying in an action in bad faith

WORKERS' COMPENSATION LA COMPENSACIÓN DEL TRABAJADOR

Job Related Accidental Personal Injury or Occupational Disease? If you are disabled and unable to work for more than three (3) days, your employer's workers' compensation insurance company may pay your medical bills and other expenses and replace two-thirds (2/3) of your salary (limited to the maximum set by law)

If you are injured on the job:

1. Notify your employer or supervisor at once. You cannot receive full benefits unless your employer knows you are injured.

State of the state

Tell the doctor who treats you that you were hurt on the job.

Complete an Employee's Claim Form C-1 (available by phone or on the Commission's website) and send it to us as soon as possible.

Note: Withholding information or giving false information about any work-related activity or return to work could prevent you from receiving benefits and may subject you to fines, imprisonment or both.

Employer/Empleada

Business Address/Dirección

City/State/Zip

MD

Ciudad/Estado/Código Postal Federal Employer ID (FEIN) Indentificación Federal Del Empleado

TO BE POSTED

HEALTH INSURANCE COVERAGE

IMPORTANT:

health insurance policy.

Telephone Number/Número Telefónico

Insurance Company Name a Compañía de Se

Insurance Company Telephone Telefónico de la Compañía de Seauro MD WCC Form C-24 11/2007

rance policy if

For further information about the program, you should

contact your employer, or if necessary, telephone the

ving the entire cost of the

in

¿Accidentes por lesión/daño corporal relacionados con

el Empleo o Enfermedad Profesional?

trabajar por más de tres días, el seguro de trabajadore que tienen las compañías pudiera cubrir las facturas médicas y otros gastos relacionados. También le comp ensarían 2/3 de sus ingresos (Hasta un monto máximo estipulado por la ley).

Si usted sufre una lesión en el trabajo, debe: Informarle a su empleador o supervisor de inmediato. No podría recibir todos sus beneficios a menos que su empleador fuere notificado que sufrió una lesión. Informarle al médico quien le administre tratamiento que usted se lesionó en su trabajo.

teléfono). Diligenciarlo para que las oficinas del Workers' Compensation lo reciban lo antes posible.

Aviso: El suministrar información falsa u ocultar información sobre cualquier actividad relacionada con su trabajo o relacionada con su regreso al trabajo, pudiera afectar los beneficios que recibiera o pudiera acarrearle multas, encarcelamiento o ambas.

Maryland Workers' Compensation Commission 10 East Baltimore Street, Baltimore, Maryland 21202-1641 (410) 864-5100 / Outside Baltimore (800) 492-0479

Webpage - http://www.wcc.state.md.us / TTY Users - 711 in Maryland or (800) 735-2258 This notice must be printed on 8.5 "X 14" gold or yellow paper, display complete employer information and be posted in a conspicuous location at each work site or location in accordance with COMAR 14.09.01.02 and 14.09.01.03.

Safety and health protection on the job

Maryland Occupational Safety and Health Act - Private Sector

(3) take any adverse employment action against an (a) In this subtitle the following words have the employee for meanings indicated. (b)(1) "Employer" means employee's wages; (i) a person engaged in a business, industry, profession, trade, or other enterprise in the State; (ii) the State and its units (iii) a county and its units; and (iv) a municipal government in the State. employee's wages; or (2) "Employer" includes a person who acts directly or indirectly in the interest of another employer with) "Gender identity" has the meaning stated in § 20–101 of the State Government Article (d)(1) "Wage" means all compensation for employment (2) "Wage" includes board, lodging, or other advantage provided to an employee for the convenience of the employer This subtitle applies to an employer of both men and and federal laws women in a lawful enterprise.

1100 North Eutaw Street, Room 607 • Baltimore, MD 21201

E-MAIL: dldlie

EPHONE NUMBER: (410) 767-2357 • FAX NUMBER: (410) 333-7303

ndards-dllr@marvland.go

83-303 In addition to any powers set forth elsewhere, the ommissioner may

(1) use informal methods of conference, conciliation and persuasion to eliminate pay practices that are unlawful under this subtitle: and (2) supervise the payment of a wage owing to a

employee under this subtitle. **83-304** (a) In this section, "providing less favorable employment under this section if the adverse employment action the reasonable limitation and not for an inquiry, a (1) assigning or directing the employee into a less favorable career track, if career tracks are offered, discussion, or a disclosure of wages in accordance with or position the limitation. (2) failing to provide information about promotions (d)(1) A prohibition established in accordance with or advancement in the full range of career tracks subsection (b)(3) of this section against the discussion or offered by the employer; or (3) limiting or depriving an employee of disclosure of the wages of another employee without ment opportunities that would otherwise be that employee's prior permission may not apply to instances in which an employee who has access to the available to the employee but for the employee's sex or gender identity wage information of other employees as a part of the employee's essential job functions if the discussion (b)(1) An employer may not discriminate between nployees in any occupation by: or disclosure is in response to a complaint or charge (i) paying a wage to employees of one sex or or in furtherance of an investigation, a proceeding, a gender identity at a rate less than the rate paid to hearing, or an action under this subtitle, including ar employees of another sex or gender identity if both vestigation conducted by the employer. employees work in the same establishment and (2) if an employee who has access to wage perform work of comparable character or work on the same operation, in the same business, or of the same type; or (ii) providing less favorable employment opportunities based on sex or gender identity. (2) For purposes of paragraph (1)(i) of this subsection, an employee shall be deemed to work subtitle at the same establishment as another employee if the employees work for the same employer at workplaces located in the same county of the State (c) Except as provided in subsection (d) of this section, subsection (b) of this section does not prohibit a variation in a wage that is based on: (1) a seniority system that does not discriminate or the basis of sex or gender identity; (2) a merit increase system that does not aareement discriminate on the basis of sex or gender identity; (3) jobs that require different abilities or skills (4) jobs that require the regular performance of different duties or services (5) work that is performed on different shifts or at different times of day; (6) a system that measures performance based on a by law; or quality or quantity or production; or (7) a bona fide factor other than sex or gender identity, including education, training, or experience §3-304.2. in which the factor: (i) is not based on or derived from a gender-based differential in compensation; (ii) is job related with respect to the position and consistent with a business necessity; and (iii) accounts for the entire differential. (d) This section does not preclude an employee fron demonstrating that an employer's reliance on an exception listed in subsection (c) of this section is a pretext for discrimination on the basis of sex or gende (e) An employer who is paying a wage in violation of this subtitle may not reduce another wage to comply subsection with this subtitle §3-304.1. (a) An employer may not: (1) prohibit an employee from: (i) inquiring about, discussing, or disclosing the wages of the employee or another employee; or (ii) requesting that the employer provide a reason for why the employee's wages are a condition of (2) require an employee to sign a waiver or any other document that purports to deny the employee the right to disclose or discuss the employee's wages; or

MD

deduction is made from your wages for this purpose.

You are unemployed through no fault of your ow

You have sufficient earnings in your Base Period

listed below

dependence

301-313-8000

Phone Number To File A Claim

1-877-293-4125 (toll free)

NOTE

(i) inquiring about the employee's wages or another (ii) disclosing the employee's own wages; (iii) discussing another employee's wages if those wages have been disclosed voluntarily; (iv) asking the employer to provide a reason for the offered by the employ (v) aiding or encouraging another employee's exercise of rights under this section. (b)(1) Subject to paragraph (2) of this subsection, an employer may, in a written policy provided to each nployee, establish reasonable workday limitations o this subtitle. the time, place, and manner for inquiries about or the discussion or disclosure of employee wages. (2) A limitation established under paragraph (1) of with an employer voluntarily. this subsection shall be consistent with standards §3-305. adopted by the Commissioner and all other State nmissioner requires on: (3) Subject to subsection (d) of this section, (i) wages of employees limitations established under paragraph (1) of this subsection may include prohibiting an employee from discussing or disclosing the wages of another employee without that employee's prior permission (c) Except as provided in subsection (d) of this section, Commissioner requires he failure of an employee to adhere to a reasonable limitation included in a written policy under subsection (b) of this section shall be an affirmative defense to Commissioner requires a claim made against an employer by the employee §3-306.

Department of Labor

Equal Pay for Equal Work

(Labor and Employment Article Title 3, Subtitle 3) (I) Subject to paragraph (3) of this subsection rely on the wage history voluntarily provided by the applicant for employment to support a wage offer higher than the initial wage offered by the (II) Seek to confirm the wage history voluntarily rovided by the applicant for employment to upport a wage offer higher than the initial wage (3) An employer may rely on wage history under paragraph (2) of this subsection only if the higher wage does not create an unlawful pay differential based on protected characteristics under §3-304 of (ii) job classifications of employees; and (iii) other conditions of employment. (2) An employer shall keep the records required under this subsection for the period of time that the (a) On request of an employer, the Commissioner shall this section mploye (b) Each employer shall keep posted conspicuously in each place of employment a copy of this subtitle. (c) The Commissioner, in consultation with the Maryland Commission on Civil Rights, shall develop educational materials and make training available to assist employers in adopting training, policies, and procedures that comply with the requirements of this §3-306.1. (a) Whenever the Commissioner determines that this subtitle has been violated, the Commissioner shall: (1) try to resolve any issue involved in the violation informally by mediation; or (2) ask the Attorney General to bring an action on behalf of the applicant or employee (b) The Attorney General may bring an action under this section in the county where the violation allegedly occurred for injunctive relief, damages, or other relief. §3-307. (a)(1) If an employer knew or reasonably should have known that the employer's action violates § 3-304 of this subtitle, an affected employee may bring an action against the employer for injunctive relief and to recover the difference between the wages paid to employees of one sex or gender identity and the wages paid to employees of another sex or gender identity who do the same type work and an additional equal amount as iquidated damages. (2) If an employer knew or reasonably should have known that the employer's action violates § 3-304.1 of this subtitle, an affected employee may bring an action against the employer for injunctive relief and to recover actual damages and an additional equal amount as liquidated damages. (3) An employee may bring an action on behalf of the employee and other employees similarly affected. (b) On the written request of an employee who is entitled to bring an action under this section, the nmissioner ma (1) take an assignment of the claim in trust for the (2) ask the Attorney General to bring an action contact: in accordance with this section on behalf of the employee; and (3) consolidate 2 or more claims against an employei (c) An action under this section shall be filed within 3 years after the employee receives from the employer the wages paid on the termination of employment under § 3-505(a) of this title. (d) The agreement of an employee to work for less than the wage to which the employee is entitled under this subtitle is not a defense to an action under this section (e) If a court determines that an employee is entitled to judgment in an action under this section, the court shall allow against the employer reasonable counsel fees and other costs of the action, as well as prejudgment interest in accordance with the Maryland Rules. §3-308. (a) An employer may not (1) willfully violate any provision of this subtitle; (2) hinder, delay, or otherwise interfere with the Commissioner or an authorized representative of the

(C) This section may not be construed to prohibit an applicant for employment from sharing wage history (a)(1) Each employer shall keep each record that the (b) On the basis of the records required under this section, an employer shall make each report that the

(3) refuse entry to the Commissioner or an authorized representative of the Commissioner into a place of employment that the Commissioner is authorized under this subtitle to inspect; or (4) discharge or otherwise discriminate against an employee or applicant for employment because the employee or applicant for employment (i) makes a complaint to the employer, the this subtitle: or

Commissioner, or another person; (ii) brings an action under this subtitle or a proceeding that relates to the subject of this subtitle or causes the action or proceeding to be brought; or (iii) has testified or will testify in an action under this subtitle or a proceeding that relates to the subject of 5) Violate §3-304.2 of this subtitle (b) An employee or an applicant for employment may (1) make a groundless or malicious complaint to the Commissioner or an authorized representative of the (2) in bad faith, bring an action under this subtitle; (3) in bad faith, bring a proceeding that relates to the subject of this subtitle; or (4) in bad faith, testify in an action under this subtitle or a proceeding that relates to the subject of this subtitle.

exceeding \$300. of §304.2. violation had occurred. this subtitle paragraph FOR MORE INFORMATION CONTACT: DEPARTMENT OF LABOR DIVISION OF LABOR AND INDUSTRY **EMPLOYMENT STANDARDS SERVICE** 1100 N. EUTAW ST. Rm. 607 BALTIMORE, MD 21201 PHONE: 410-767-2357

www.mdunemployment.com

IMPORTANT NOTICE

Unemployment insurance is intended for persons who are unemployed through no fault of their own and who are ready,

willing and able to work. Persons who receive benefits through false statements or fail to report ALL earnings will be

The Civil Rights Act of 1964 states that no person shall be discriminated against on the basis of race, color, religion, age,

sex, or national origin. If you feel you have been discriminated against in the unemployment insurance process because of any of these factors, you may file a complaint with the Office of Fair Practices, 1100 North Eutaw Street, Room 613,

MARYLAND DEPARTMENT OF LABOR - DIVISION OF UNEMPLOYMENT INSURANCE

THIS CARD MUST BE POSTED IN A CONSPICUOUS PLACE

Maryland Department of Labor - Employment Article, Title 8, Sec. 8-603

alified and will be subject to criminal prosecution

ore, Maryland 2120

DLLR/DUI 328

(c) The Commissioner may bring an action for injunctive relief and damages against a person who violates subsection (a)(1), (4) or subsection (b)(1), (3), or (4) of You and other members of your family may be eligible under Maryland law to continue to be covered by your subsection, an employer who violates any provision You quit your job or you were terminated from of subsection (a)(2) or (3) of this section is guilty of a your employment for a reason other than for misdemeanor and on conviction is subject to a fine not cause: and (2) (i) This paragraph does not apply to a violation (ii) If an employer is found to have violated this subtitle two or more times within a 3-year period, the Commissioner or a court may require the employer to pay a civil penalty equal to 10% of the five (45) davs after your last day of work. amount of damages owed by the employer. (iii) Each civil penalty assessed under this paragraph shall be paid to the General Fund of the State to PUB/DUI 6116 offset the cost of enforcing this subtitle. (E)(1) If the Commissioner determines that an mployer has violated §3-304.2 of this subtitle, th MD (I) shall issue an order compelling compliance; and (II) may, in the Commissioner's discretion 1. for a first violation, issue a letter to the employer compelling compliance; 2. for a second violation, assess a civil penalty of up to \$300 for each applicant for employment each month in tips or gratuities. for whom the employer is not in compliance; or 3. for each subsequent violation, assess a civil penalty of up to \$600 for each applicant for employment for whom the employer is not in compliance if the violation occurred within 3 years after a previous determination that a (2) In determining the amount of the penalty, if or beverage if the customer leaves the employer' sessed, the Commissioner shall conside (I) the gravity of the violation' beverages. (II) the size of the employer's business; (III) the employer's good faith; and (IV) the employer's history of violations under (3) If the Commissioner assesses a penalty under (1)(II) of this subsection, the penalty shall be subject to the notice and hearing requirements of Title 10, MD Subtitle 2 of the State Government Article. For additional information or to file a complaint, please in employment regardless of: Race Age Ethnicity Ancestry or National Origin Religior ollowing employment-related practices: programs. Commissioner in the enforcement of this subtitle; imits employment REV. 09/2020 advertisements that discriminate SOLICITUD DE BENFEICIOS INSIDE THE STATE OF MARYLAND **OUTSIDE THE STATE O** DEL DESEMPLEO PARA (DENTRO DEL ESTADO DE MARYLAND MD LA POBLACIÓN DE HABLE MARYLAND) (FUERA DEL ESTADO D HISPANA Maryland Relay Dial 711 MARYLAND) 301-313-8000 TTY: 1-800-735-2258 TTY: 1-800-735-2258 Speech to Speech: 1-800-785-5630 If you are pregnant, you have a legal right to a Para Relevos en Speech to Speech Maryland presione 711 d 1-800-785-5630 1-800-877-1264 (U.S.) Para Relevos en Maryland presione 1-800-877-1264 (U.S.) ment Article, §20-609(b What Does That Mean? If you have a disability that is contributed to or **TO FILE A CLAIM VIA THE INTERNET:**



Si usted se encuentra incapacitado o inhabilitado para

COMMISSIONER OF LABOR AND INDUSTRY

1100 North Eutaw Street, Room 607 • Baltimore, MD 21201

ssl.assistance@maryland.gov

REV. 04/201

REV. 09/2020

Llenar el formulario Employee's Claim Form C-1 (disponible

consultando la página del Internet para el Workers' Compensation o solicitándo uno por

information as part of the essential functions of the employee's job discloses the employee's own wages or wage information about another employe obtained outside the performance of the essential functions of the employee's job, the employee shall be entitled to all the protections afforded under this (e) Nothing in this section shall be construed to: (1) require an employee to disclose the employee's (2) diminish employees' rights to negotiate the terms and conditions of employment under federal State, or local law; (3) limit the rights of an employee provided under any other provision of law or collective bargaining (4) create an obligation on any employer or employee to disclose wages; (5) permit an employee, without the written consent of an employer, to disclose proprietary information, trade secret information, or information that is otherwise subject to a legal privilege or protected (6) permit an employee to disclose wage information to a competitor of the employer. (A) On request, an employer shall provide to an applicant for employment the wage range for the osition for which the applicant applied. (B)(1) An employer may not: (I) Retaliate against or refuse to interview, hire, or employ an applicant for employment because the 1. Did not provide wage history; or 2. Requested the wage range in accordance with this section for the position for which the applicant applied; and (II) Except a provided in paragraph (2) of this 1. Rely on the wage history of an applicant for employment in screening or considering the applicant for employment or in determining the wages for the applicant; or 2. Seek the wage history for an applicant for employment orally, in writing, or through an employee or an agent or from a current or forme (2) After an employer makes an initial offer of employment with an offer of compensation to an applicant for employment, an employer may:

TO EMPLOYEES

IF YOU ARE LAID OFF or otherwise become unemployed, immediately file a claim by callling the telephone number for

IF YOU ARE WORKING LESS THAN FULL TIME, you may be eligible for partial benefits. If your regular hours of work

YOU ARE ENTITLED TO BENEFITS IF:

You have registered for work and filed a claim for benefits with a Maryland Department of Labor claim center

To ensure prompt handling of your claim, it is necessary to have your Social Security number available.

If you claim dependents under sixteen (16) years of age, you must know the Social Security number of

with instructions on how to provide a copy of the dependents' birth certificates or other forms of proof of

Area Served

Prince Georges

St. Mary's

each dependent when you file. If you do not know the Social Security numbers, you will be provided

IF YOU ARE TOTALLY OR PARTIALLY UNEMPLOYED CALL:

Calvert

Charles

Montgomery

IF YOU HAVE BEEN FILING FOR BENEFITS AND RETURN TO WORK, you must report your gross wages before

YOUR EMPLOYER IS SUBJECT TO the Maryland Unemployment Insurance Law and pays taxes under this law. No

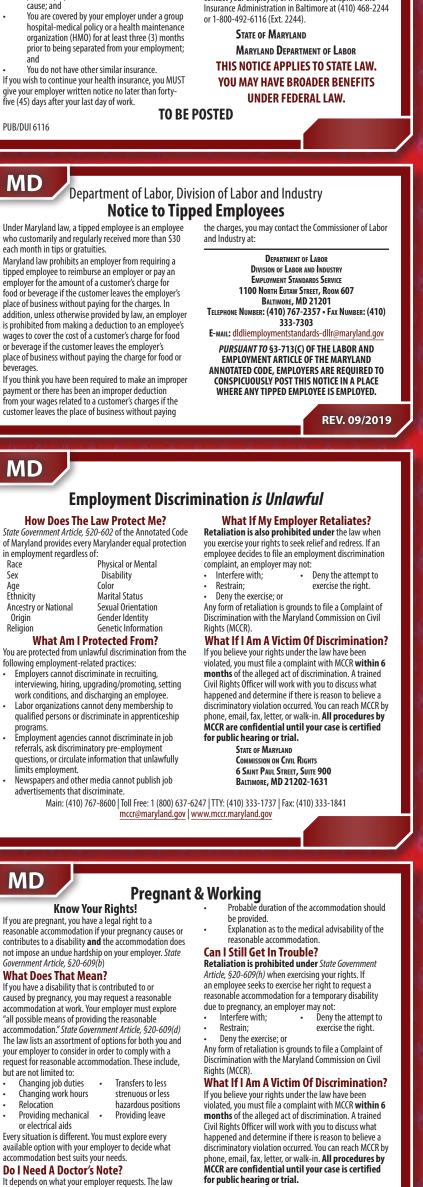
the area in which you reside or you may file a claim on the internet at the web site address indicated below

IF YOU ARE ELIGIBLE, you may be entitled to unemployment insurance benefits for as many as 26 weeks.

have been reduced, promptly file a claim as instructed above, to determine your benefit rights.

deductions during the week you return to work regardless of whether or not you have been paid

You are able to work, available for work, and actively seeking work.



Proposed

Penalty:

Activity:

The Maryland Occupational Safety and Health Act of 1973 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:

Each employer shall furnish to each of his or her employees employment and a place of employment free from recognized hazards that are **Employers:** causing or are likely to cause death or serious harm to employees; and shall comply with occupational safety and health standards issued under the Act.

Each employee shall comply with all occupational safety and health standards, rules, regulations and orders issued under the Act that apply **Employees:** to his or her own actions and conduct on the job.

> The Commissioner of Labor and Industry has the primary responsibility for administering the Act and issuing occupational safety and health standards. MOSH Safety and Health Inspectors conduct jobsite inspections to ensure compliance with the Act.

Inspection: The Act requires that a representative authorized by the employees be given an opportunity to accompany the MOSH Inspector for the purpose of aiding the inspection.

> Where there is no authorized employee representative, the MOSH Inspector shall consult with a reasonable number of employees concerning safety and health conditions in the workplace.

Employees or their representatives have the right to file a complaint with the Commissioner requesting an inspection if they believe unsafe **Complaint:** or unhealthful conditions exist in their workplace. The Commissioner will withhold names of employees complaining on request. The Act provides that employees may not be discharged or discriminated against in any way for filing safety and health complaints or otherwise exercising their rights under the Act.

> An employee who believes he or she has been discriminated against may file a complaint with the Commissioner and/or the Federal Occupational Safety and Health Administration Regional Office within 30 days of the alleged discrimination.

If upon an inspection the Commissioner believes an employer has violated the Act, a citation alleging such violations shall be issued to the Citation: employer. Each citation shall specify a time period within which the alleged violation must be corrected.

> The MOSH citation must be prominently displayed at or near the place of alleged violation for three days, or until it is corrected, whichever is later, to warn employees of dangers that may exist there.

The Act provides for mandatory civil penalties against employers of up to \$7,000 for each serious violation and for optional penalties of up to \$7,000 for each nonserious violation. Civil penalties of up to \$7,000 per day may be proposed for failure to correct violations within the proposed time period. Also, any employer who willfully or repeatedly violates the Act may be assessed civil penalties of up to \$70,000 for each such violation.

Criminal penalties are also provided for in the Act. Any willful violation resulting in death of an employee, upon conviction, is punishable by a fine of not more that \$10,000 or by imprisonment for not more than six months, or by both. Conviction of an employer after a first conviction doubles these maximum penalties.

While providing penalties for violation, the Act also encourages efforts by labor and management to reduce injuries and illnesses arising out Voluntary of employment. The Commissioner of Labor and Industry encourages employers and employees to reduce workplace hazards voluntarily and to develop and improve safety and health programs in all workplaces and industries.

> Such cooperative action would initially focus on the identification and elimination of hazards that could cause death, injury, or illness to employees and supervisors. There are many public and private organizations that can provide information and assistance in this effort, if requested.

> > ADDITIONAL INFORMATION AND COPIES OF THE ACT, SPECIFIC MARYLAND OCCUPATIONAL SAFETY AND HEALTH STANDARDS AND OTHER APPLICABLE REGULATIONS MAY BE OBTAINED FROM

> > > Mosh Training and Education 10946 GOLDEN WEST DRIVE, SUITE 160 HUNT VALLEY, MARYLAND 21031 PHONE: 410-527-2091



Relocation