

EMPLOYMENT LAWS 2024

IF YOU HAVE THE RIGHT TO WORK

DON'T LET ANYONE TAKE IT AWAY

If you have the NLRB, experience, and legal right to work, your employer or immigration officials should not take it away. Neither should the place you work be another aspect of your national origin. A general NLRB investigation law protects legally authorized workers from discrimination based on their citizenship status and national origin. You can read this at www.dhs.gov.

The Employment Rights Rights Act (ERCA) may be used to help if your employer treats you unfairly because of the law.

The law that enforces it is U.S. § 1530b. The regulations for this law are 28 CFR Part 44.

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SI USTED TIENE DERECHO A TRABAJAR

NO DEJE QUE NADIE SE LO QUITA

Si usted tiene el derecho a trabajar, nadie puede quitárselo. Si su empleador o alguien que trabaja en su lugar lo trata injustamente por su estatus migratorio, no debe permitir que se lo quiten. Ni el lugar de trabajo debe ser otra parte de su estatus migratorio. Una ley general de investigación de derechos laborales protege a los trabajadores autorizados legalmente de la discriminación basada en su estatus migratorio y su origen nacional. Usted puede leer esto en www.dhs.gov.

La Ley de Derechos de los Trabajadores (ERCA) puede ayudar si su empleador lo trata injustamente por la ley.

La ley que la hace cumplir es el Título 28 del Código de los EE. UU., Sección 1530b. Los reglamentos de esta ley están en el Título 28 del Código de Reglamentos Federales.

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Your Employee Rights Under the Family and Medical Leave Act

What is FMLA leave?

The FMLA allows an eligible employee to take up to 12 workweeks of unpaid leave in a 12-month period for certain family and medical reasons. The FMLA also guarantees that an employee returning from FMLA leave will be restored to the same or an equivalent position.

Am I eligible to take FMLA leave?

You are eligible if you have worked for your employer for at least one year and your employer has at least 50 employees within a 75-mile radius of your workplace.

Where can I find more information?

Visit www.dhs.gov for more information.

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PAY TRANSPARENCY NONDISCRIMINATION PROVISION

The contractor will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to compensation information or other personnel files or databases as a part of their essential job functions cannot disclose the pay of other employees or applicants to their coworkers or other employees or applicants in their organization unless the disclosure is (a) in response to a formal complaint, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with the contractor's legal duty to furnish information.

How do I request FMLA leave?

Employees must provide notice to their employer at least 30 days before the start of the leave, unless the leave is for a medical emergency.

Where can I find more information?

Visit www.dhs.gov for more information.

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EMPLOYEE RIGHTS UNDER THE H-2B PROGRAM

The United States Department of Labor Wage and Hour Division enforces the H-2B program. The program allows employers to hire foreign workers for temporary, non-agricultural jobs. Workers must be paid at least the minimum wage and overtime pay.

WAGES

Employers must pay H-2B workers at least the minimum wage and overtime pay. The minimum wage is \$7.25 per hour.

ADDITIONAL PROVISIONS

Employers must provide H-2B workers with certain benefits, including health insurance and paid sick leave.

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New or Revised SDS

SDS (Safety Data Sheet) provides information on the hazards of a chemical product and how to handle it safely. Employers must provide SDS to their employees.

As Required by the Michigan Right to Know Law

Employers must provide SDS to their employees upon request.

Additional Information

For more information, visit www.dhs.gov.

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EMPLOYEE RIGHTS UNDER THE NATIONAL LABOR RELATIONS ACT

The NLRA guarantees the right of employees to organize and bargain collectively with their employers, and to engage in other protected concerted activity. Employees covered by the NLRA* are protected from certain types of employer and union misconduct. This Notice gives you general information about your rights, and about the obligations of employers and unions under the NLRA. Contact the National Labor Relations Board, the Federal agency that investigates and resolves complaints under the NLRA, using the contact information supplied below, if you have any questions about specific rights that may apply in your particular workplace.

Under the NLRA, you have the right to:

- Organize a union to negotiate with your employer concerning your wages, hours, and other terms of employment.
- Form, join or assist a union.
- Bargain collectively through representatives of employees, union choosing for a contract with your employer setting your wages, benefits, hours, and other working conditions.
- Discuss your terms and conditions of employment or union organizing with your co-workers or a union.
- Take action with one or more co-workers to improve your working conditions by, among other means, raising work-related complaints directly with your employer or with a government agency, and seeking help from a union.
- Strike and picket, depending on the purpose or means of the strike or the picketing.
- Choose not to do any of these activities, including joining or remaining a member of a union.

- Prohibit you from soliciting for a union during non-work time, such as before or after work or during break times; or from distributing union literature during non-work time, in non-work areas, such as parking lots or break rooms.
- Question you about your union support or activities in a manner that discourages you from engaging in that activity.
- Fire, demote, or transfer you, or reduce your hours or change your shift, or otherwise take adverse action against you, or threaten to take any of these actions, because you join or support a union, or because you engage in concerted activity for mutual aid and protection, or because you choose not to engage in any such activity.
- Threaten to close your workplace if workers choose a union to represent them.
- Promote or grant promotions, pay raises, or other benefits to discourage or encourage union support.
- Prohibit you from wearing union hats, buttons, t-shirts, and pins in the workplace except under special circumstances.
- Spy on or videotape peaceful union activities and gatherings or pretend to do so.

If you and your coworkers select a union to act as your collective bargaining representative, your employer and the union are required to bargain in good faith in a genuine effort to reach a written, binding agreement setting your terms and conditions of employment. The union is required to fairly represent you in bargaining and enforcing the agreement.

You can also contact the NLRB by calling toll-free: 1-844-762-NLRB (6572). Language assistance is available. Hearing impaired callers who wish to speak to an NLRB representative should send an email to relay.service@nlrb.gov. An NLRB representative will make the request with instructions on how to schedule a relay service call.

If an employer has violated your rights, you may be fined by any person and need not be fined by the employer directly affected by the violation. The NLRB may order an employer to rehire a worker fired in violation of the law and to pay lost wages and benefits, and may order an employer or union to cease violating the law. Employees should seek assistance from the nearest regional NLRB office, which can be found on the Agency's website: www.nlrb.gov.

Michigan Workers' Disability Compensation Rights & Responsibilities

Each party involved in the workers' compensation system has rights and responsibilities that help ensure the successful operation of the system.

Michigan Law Prohibits Discrimination

Based on: race, color, religion, sex, sexual orientation, gender identity, national origin, ancestry, marital status, pregnancy, genetic information, age, disability, and any other characteristic protected by law.

Workers' Compensation Agency Rights & Responsibilities

Workers' compensation system provides compensation for work-related injuries and illnesses.

Notice To All Employees: Information about Unemployment Benefits

This employer is covered by the MICHIGAN EMPLOYMENT SECURITY ACT. Unemployment benefits are qualified and eligible workers of this employer through Michigan's Unemployment Insurance Agency.

File an unemployment claim online

If you become unemployed, you can file your new unemployment claim or reopen an established claim online through the Michigan Web Account Manager (MWAM) at michigan.gov. Click on MWAM for Workers.

For complete information about your benefits rights and responsibilities, review the Handbook for Unemployed Workers at michigan.gov.

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PREGNANT WORKERS FAIRNESS ACT (PWFA)

WHAT IS PWFA?

The Pregnant Workers Fairness Act (PWFA) is a federal law that, starting June 7, 2023, requires covered employers to provide "reasonable accommodations" to a qualified worker's known limitations related to pregnancy, childbirth, or related medical conditions unless the accommodation will cause the employer an "undue hardship." An undue hardship is defined as causing significant difficulty or expense.

WHAT ARE SOME POSSIBLE ACCOMMODATIONS FOR PREGNANT WORKERS?

- Being able to sit or drink water
- Using the bathroom and break areas
- Having flexible hours
- Receiving appropriately sized uniforms and safety apparel
- Receiving additional break time to use bathroom and break areas
- Taking leave on time to recover from childbirth
- Being excused from strenuous activities and/or exposure to chemicals not safe for pregnancy

WHAT FEDERAL EMPLOYMENT LAWS MAY APPLY TO PREGNANT WORKERS?

Other laws that apply to pregnant workers, including anti-discrimination laws, are not affected by the PWFA. These laws include:

- The Equal Employment Opportunity Commission (EEOC) anti-discrimination laws
- The Family and Medical Leave Act (FMLA)
- The Fair Labor Standards Act (FLSA)
- The Americans with Disabilities Act (ADA)
- The Pregnancy Discrimination Act (PDA)

CONTACT OSHA. We can help.

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