

**FED 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 the regular rate of pay for all hours worked over 40 in a workweek.

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

**TIP CREDIT**  
Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employer'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 for their nursing child for one year after the child's birth. The law also requires employers 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.

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**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. Certain narrow exemptions also apply to the pump at work requirements.  
• 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.

DEPARTMENT OF LABOR UNITED STATES OF AMERICA **WHD** WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR **1-866-487-9243** [www.dol.gov/agencies/whd](http://www.dol.gov/agencies/whd)

WH1088 REV. 04/2023

**FED 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 requiring any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

**EXEMPTIONS**  
Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities.

The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers.

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.

The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.

**EXAMINEE RIGHTS**  
Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights under the law to a written notice before testing, the right to refuse or discontinue a test, and the right not to have notes dictated 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.**

DEPARTMENT OF LABOR UNITED STATES OF AMERICA **WHD** WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR **1-866-487-9243** [www.dol.gov/agencies/whd](http://www.dol.gov/agencies/whd)

WH1462 REV. 02/2022

**FED 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 example, you may take FMLA leave **intermittently in separate blocks of time**, or on a **reduced schedule** by working fewer hours each day or week. Read Fact Sheet #28(M) for more information.

**Am I eligible to take FMLA leave?**  
You are an eligible employee if all of the following apply:  
• 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.

**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 need for FMLA leave, or  
• If 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 you 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 and 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 1-866-487-9243 or visit [www.dol.gov](http://www.dol.gov) 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 our WHD complaint process.

DEPARTMENT OF LABOR UNITED STATES OF AMERICA **WHD** WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR **1-866-487-9243** [www.dol.gov/agencies/whd](http://www.dol.gov/agencies/whd)

WH1420 REV. 04/2023

**WI Wisconsin Minimum Wage Rates**

Effective July 24, 2009 (Wis. Stat. ch. 104)

General Minimum Wage Rates		Minimum Wage Rates for Tipped Employees	
Non-Opportunity Employees	Opportunity Employees	Non-Opportunity Employees	Opportunity Employees
\$7.25 per Hour	\$5.90 per Hour	\$2.33 per Hour	\$2.13 per Hour

Note: "Opportunity employee" means an employee who is not yet 20 years old and required to be in employment status with a particular employer for 90 or fewer consecutive calendar days from the date of initial employment.

Minimum Wage Rates for All Agricultural Employees		Minimum Rates for Caddies	
Adults	\$7.25 per Hour	9 Holes	18 Holes
Minors	\$7.25 per Hour	\$5.90	\$10.50

For more information contact: STATE OF WISCONSIN DEPARTMENT OF WORKFORCE DEVELOPMENT EQUAL RIGHTS DIVISION

201 E WASHINGTON AVE, ROOM A100 MADISON WI 53703 819 N 6TH ST, ROOM 723 MILWAUKEE WI 53203

PO BOX 8928 MADISON WI 53708-8928 TELEPHONE: (608) 266-6860 Website: <https://dwd.wisconsin.gov/er/>

The Department of Workforce Development is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format or need it translated to another language, please contact us. ERD-9247-P

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

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

REV. 06/2020

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

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

**REEMPLOYMENT RIGHTS**  
You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:  
• you ensure that your employer receives advance written or verbal notice of your service;  
• you have five years or less of cumulative service in the uniformed services while with that particular employer;  
• you return to work or apply for reemployment in a timely manner after conclusion of service; and  
• you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

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

**RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION**  
If you:  
• are a past or present member of the uniformed service;  
• have applied for membership in the uniformed service; or  
• then an employer may not deny you:  
• initial employment;  
• reemployment;  
• retention in employment;  
• promotion; or  
• any benefit of employment.

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 connection.

**HEALTH INSURANCE PROTECTION**  
If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents up to 24 months while in the military.

Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods (except for pre-existing condition exclusions) except for service-connected illnesses or injuries.

**ENFORCEMENT**  
• The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.  
• For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL or visit its website at <https://www.dol.gov/agencies/vets>. An interactive online USERRA Advisor can be found at <https://webtools.dol.gov/whd/userrad/>.  
• If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation.  
• You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: <https://www.dol.gov/agencies/vets/programs/userrad/poster>

U.S. Department of Labor, Veterans Employment and Training Service  
U.S. Department of Justice, Office of Special Counsel  
Employer Support of the Guard and Reserve - 1-800-336-4590

REV. 05/2022

**WI Hours and Times of Day Minors May Work in Wisconsin**

State and federal laws do not limit the hours that minors 16 years of age or over may work, except that they may not be employed or permitted to work during hours of required school attendance under Wis. Stat. § 118.15.

State and federal laws also permit minors under 16 to work up to seven days a week in the delivery of newspapers and agriculture. In most other types of labor, minors under 16 may only work six days a week.

Most employers must obtain work permits for minors under 16 before permitting them to work. For further information, see the Wisconsin Employment of Minors Guide (ERD-4758-P).

Maximum Hours of Work for 14-15 year-old minors	After Labor Day through May 31	June 1 through Labor Day
Daily Hours	8 hours	8 hours
Non-School Days	3 hours	3 hours

Weekly Hours	Non-School Weeks	School Weeks
40 hours	18 hours	18 hours
Permitted Time of Day	7am-7pm	7am-9pm

Employers subject to both federal and state laws must comply with the more stringent section of the two laws.

Under Wisconsin law, required work during times that minors are required to be in school, except for students participating in work experience and career exploration programs operated by the school.

**Minors under 16 years of age** are limited to the maximum hours and time of day restrictions, even though they may work for more than one employer during the same day or week.

Minors under 14 years of age are allowed to work in certain occupations (e.g., street trades, agriculture, and work in school lunch programs. See the Wisconsin Employment of Minors Guide, ERD-4758-P for more details). These minors are subject to the same hourly and time of day restrictions as minors who are 14 to 15 years of age.

**Minors under 18 years of age** may not work more than 6 consecutive hours without having a 30-minute, duty free meal period.

**Minors 16 & 17 years of age** who are employed after 11:00pm must have 8 hours of rest between the end of one shift and the start of the next shift.

**Minimum Wage** for minors is \$7.25 per hour. Employers may pay an "Opportunity Wage" of \$5.90 per hour for the first 90 days of employment.

On the 91<sup>st</sup> day, the wage must increase to \$7.25 per hour.

For further information about the federal child labor laws call (608) 441-5221, or write to U.S. Department of Labor, Wage & Hour, 740 Regent Street, Suite 102, Madison, WI 53715.

For further information about the state child labor laws, call the Equal Rights Division in Madison (608) 266-6860 or Milwaukee (414) 227-4384.

DEPARTMENT OF WORKFORCE DEVELOPMENT - EQUAL RIGHTS DIVISION PO BOX 8928 MADISON WI 53708 TELEPHONE: (608) 266-6860 Website: <https://dwd.wisconsin.gov/er/>

DWD is an equal opportunity employer and service provider. If you have a disability and need assistance with this information, please dial 7-1-1 for Wisconsin Relay Service. Please contact the Equal Rights Division at (608) 266-6860 to request information in an alternate format, including translated to another language. ERD-9212-P

REV. 06/2020

**WI Wisconsin Fair Employment Law**

Section 11.131-111.395 Wisconsin Statutes and DWD 218 Wisconsin Administrative Code requires that all employers prominently display this Poster in all places of employment.

It is unlawful to discriminate against employees and job applicants because of their:

- Sex
- Color
- Ancestry
- Disability
- Marital Status
- Race
- Creed (Religion)
- Age (40 or Over)
- Declining to Attend a Meeting or Participate in any Communication About Religious or Political Matters
- Use of Lawful Products
- Arrest or Conviction
- Honesty Testing
- National Origin
- Pregnancy or Childbirth
- Sexual Orientation
- Genetic Testing
- Military Service

This law applies to employers, employment agencies, labor unions and licensing agencies. Employers may not require certain types of honesty testing or genetic testing as a condition of employment, nor discipline an employee because of the results. Employers may not be harassed in the workplace based on their protected status nor retaliated against for filing a complaint, for assisting with a complaint, or for opposing discrimination in the workplace.

There is a 300-day time limit for filing a discrimination complaint. For more information or a copy of the law and the administrative rules contact:

STATE OF WISCONSIN DEPARTMENT OF WORKFORCE DEVELOPMENT EQUAL RIGHTS DIVISION 201 E WASHINGTON AVE ROOM A100 PO BOX 8928 MADISON WI 53708 TELEPHONE: (608) 266-6860 Website: <https://dwd.wisconsin.gov/er/>

819 N 6TH ST ROOM 723 MILWAUKEE WI 53203 TELEPHONE: (414) 227-4384

REV. 06/2020

**WI Employee Protections Against Use of Honesty Testing Devices (Wis. Stat. § 111.37)**

Employers who use honesty testing must display this poster in one or more conspicuous places that are visible to employees who are customarily posted.

Under Wisconsin law, requiring or requesting that an employee or applicant take an honesty test (detector) is unlawful or heavily regulated. Further, employers may not discriminate against a person who refuses to take a test or objects to its use.

**Exceptions**  
An employer may request that an employee take a test in connection with an investigation involving economic loss or injury to a business if the employee is a reasonable suspect.

Honesty tests can be used by law enforcement agencies and certain businesses engaged in providing security services, alarm systems, and other manufacturing, distribution or self-control services.

**Employee & Applicant Rights**  
Any legally permitted honesty test is subject to strict safeguards, including an examinee's right to proper notice, the right to discontinue a test at any time and the right to advance written notice of the questions to be asked.

**Enforcement**  
Victims of unlawful honesty testing may file a complaint within 300 days after the date the unfair honesty testing occurred, at one of the offices below.

STATE OF WISCONSIN DEPARTMENT OF WORKFORCE DEVELOPMENT EQUAL RIGHTS DIVISION STREET ADDRESS: 201 E WASHINGTON AVE ROOM A100 MADISON WI 53703 TELEPHONE: (608) 266-6860 Website: <https://dwd.wisconsin.gov/er/>

819 N 6TH ST ROOM 723 MILWAUKEE WI 53203 TELEPHONE: (414) 227-4384

REV. 06/2020

**WI Notice to Employees About Applying for WISCONSIN UNEMPLOYMENT BENEFITS**

Go to [myunemploymentbenefits.wisconsin.gov/](https://myunemploymentbenefits.wisconsin.gov/) to apply online.

When to Apply  
• You are totally unemployed.  
• Your weekly earnings are reduced.  
• You expect to be laid off within the next 13 weeks, or  
• You are participating in the Trade Adjustment Assistance (TAA) program.

Useful Information  
• You will need your Social Security number to apply for unemployment benefits.  
• You will need your driver's license or identification number (if you have one).  
• You must have worked for the last 18 months, including:  
• Employer's business names,  
• Employer's addresses (including zip code),  
• Employer's phone number,  
• First and last dates of work with each employer.  
Reason for no longer working with each employer.  
• If you are not a U.S. citizen, your alien registration number, document number and expiration date.

Apply online during these times:  
Monday 9:00 AM - Midnight  
Sunday Available 24 hours  
Saturday Midnight - 3:00 PM

Need Help?  
For access to a computer and workforce services:  
• Visit your closest Job Center  
• Visit [wisconsinjobscenter.org/directory](http://wisconsinjobscenter.org/directory)

STATE OF WISCONSIN DEPARTMENT OF WORKFORCE DEVELOPMENT EQUAL RIGHTS DIVISION 201 E WASHINGTON AVE ROOM A100 PO BOX 8928 MADISON WI 53708 TELEPHONE: (608) 266-6860 Website: <https://dwd.wisconsin.gov/er/>

819 N 6TH ST ROOM 723 MILWAUKEE WI 53203 TELEPHONE: (414) 227-4384

REV. 01/04/2024

**WI Wisconsin Family and Medical Leave Act**

Section 103.10, Wisconsin Statutes, requires that all employers with 50 or more employees display a copy of this poster in the workplace. Employers with 25 or more employees are required to post their particular leave act.

Under state law all employers with 50 or more permanent employees must allow employees of either sex:  
• Up to six weeks leave in a calendar year for the birth or adoption of the employee's child, providing the leave begins within sixteen (16) weeks of the birth or placement of that child.  
• Up to two (2) weeks of leave in a calendar year for the care of a child, spouse, domestic partner or parent with a serious health condition.  
• Up to two (2) weeks leave in a calendar year for the employee's own serious health condition.

This law only applies to an employee who has worked for the employer more than 52 consecutive weeks and for at least 1000 hours during that 52-week period. The law also requires that employees be allowed to substitute paid or unpaid leave provided by the employer for Wisconsin Family and Medical Leave. Employers may have leave policies, which are more generous than leaves required by the law.

A complaint concerning a denial of rights under this law must be filed within 30 days after the violation occurs or the employee should have reasonably known that the violation occurred, whichever is later.

For answers to questions about the law, a complete copy of the law, or to make a complaint about a denial of rights under the law contact:

STATE OF WISCONSIN DEPARTMENT OF WORKFORCE DEVELOPMENT EQUAL RIGHTS DIVISION 201 E WASHINGTON AVE ROOM A100 PO BOX 8928 MADISON WI 53708 TELEPHONE: (608) 266-6860 Website: <https://dwd.wisconsin.gov/er/>

819 N 6TH ST ROOM 723 MILWAUKEE WI 53203 TELEPHONE: (414) 227-4384

REV. 06/2020

**WI Employee Rights under Wisconsin's Business Closing/Mass Layoff Notification Law**

Under Wisconsin law, employees have certain rights and employers have certain obligations to give proper notice to their employees and others before taking certain actions.

**What is a "business closing" or "mass layoff"?**  
A "business closing" requires notice if there is a permanent or temporary shutdown of an employment site or of one or more facilities or operating units at an employment site or within a single municipality that affects 25 or more employees (not including "new" or "low-hour" employees).

A "mass layoff" requires notice if there is a reduction in the workforce that is not a "business closing" and which affects the following number of employees (excluding new or low-hour employees) at an employment site or within a single municipality:  
1. At least 25% of the employer's workforce or 25 employees, whichever is greater or  
2. At least 500 employees.

Employees are counted if their employment is terminated (not including discharges for cause, voluntary departures, or retirements), if they are laid off for more than 6 months, or if their hours are reduced more than 50 percent during each month of a 6-month period, as the result of a business closing or mass layoff. New or low-hour employees - who have been employed for fewer than 6 of the 12 months preceding the date on which a notice is required or who average fewer than 20 hours of work per week - are not counted.

**Who must provide notice and when?**  
With certain exceptions, businesses employing 50 or more persons in the State of Wisconsin must provide written notice 60 days before implementing a "business closing" or "mass layoff" in this state. The federal or state government (and their political subdivisions), charitable or tax exempt institutions and organizations, and independent contractors are not covered under this law and do not have to provide notice. Additional exceptions exist in various situations involving strikes or lockouts, sales, relocations, temporary or seasonal employment, unforeseeable circumstances, natural or man-made disasters, temporary cessation in operations, or businesses in financial trouble.

**What employees are entitled to receive notice?**  
Employees are entitled to receive notice if they are counted as part of "business closing" or "mass layoff." New or low-hour employees may also be entitled to receive notice in situations where there is a "business closing" or "mass layoff."

**What can employees recover if notice is required and not given?**  
If an employer implements a "business closing" or "mass layoff" without providing required notice, an affected employee may recover back pay and benefits for each day that required notice was not provided, plus attorney's fees and costs. An affected employee may also recover attorney fees and costs in a lawsuit.

If you have questions regarding this law or wish to file a complaint, call or write us at:

STATE OF WISCONSIN DEPARTMENT OF WORKFORCE DEVELOPMENT EQUAL RIGHTS DIVISION 201 E WASHINGTON AVE ROOM A100 PO BOX 8928 MADISON WI 53708 TELEPHONE: (608) 266-6860 Website: <https://dwd.wisconsin.gov/er/>

819 N 6TH ST ROOM 723 MILWAUKEE WI 53203 TELEPHONE: (414) 227-4384

REV. 06/2020

**WI WISCONSIN BONE MARROW AND ORGAN DONATION LEAVE ACT**

Section 103.11