

JOBSITE POSTER EXAMPLES

USE WITH MDOT FORM 1967

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EMPLOYEE RIGHTS EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.

PROHIBITIONS Employers are generally prohibited from requiring or 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 (lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security sensitive firms (armed, air, atom, and space), 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 prevent any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.

EXAMINEE RIGHTS Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

ENFORCEMENT The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions.

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



07 - WH 1462
Employee Polygraph Protection Act

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 a non-hazardous occupation and at least 18 to work in any hazardous occupation as determined by the Secretary of Labor. No one under 18 years old may work in a hazardous occupation, or in any occupation listed in the table with certain non-hazardous occupations. Other laws apply to agricultural employment.

TIP CREDIT Employees of "tips" employees who their credit conditions may claim a partial wage based on the amount of tips received. Employers may lawfully reduce a cash wage of at least \$2.13 per hour if the employee has received tips in the same employer. An employer's cash wage plus tips must equal at least the minimum hourly wage. The employer must make up the difference.

NURSING MOTHERS The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA to continue requirements of the employer to express milk for her nursing child. The law also allows the employer to reduce the employee's break time to accommodate the needs of the employer to increase breast milk.

ENFORCEMENT The Department has authority to recover back wages with a liquidated amount or liquidated damages in the case of minimum wage, overtime, and other violations. The Department may file a civil action to recover back wages and liquidated damages, or to recover civil penalties. The Department may also bring a civil action to recover civil penalties. The Department may also bring a civil action to recover civil penalties. The Department may also bring a civil action to recover civil penalties.

ADDITIONAL INFORMATION

- Child labor laws and regulations are always, from the minimum wage, and overtime pay provisions.
- Special law also apply to workers in the United States, the Commonwealth of Puerto Rico, and the District of Columbia.
- Some state laws may be more protective than the FLSA.
- Some employees (commonly called "independent contractors") often may not be eligible for the FLSA's minimum wage and overtime provisions.
- Certain full-time students, student teachers, apprentices, and workers with disabilities may be paid less than the minimum wage under special contracts issued by the Department of Labor.



08 - WHD 1088
Federal Min. Wage

EMPLOYEE RIGHTS

FOR WORKERS WITH DISABILITIES PAID AT SPECIAL MINIMUM WAGES

The United States Department of Labor Wage and Hour Division

The requirement for a certificate authorizing the payment of special minimum wages to workers who are disabled for the work they do is a condition of employment for workers with disabilities who are paid at the special minimum wage rate. The certificate must be issued by the Wage and Hour Division of the U.S. Department of Labor. The certificate must be issued to workers who are disabled for the work they do and who are paid at the special minimum wage rate. The certificate must be issued to workers who are disabled for the work they do and who are paid at the special minimum wage rate. The certificate must be issued to workers who are disabled for the work they do and who are paid at the special minimum wage rate.

WORKERS WITH DISABILITIES The purpose of payment of commensurate wage rates under a certificate, a worker with a disability is defined as:

- A individual whose earnings or production capacity is limited by a physical or mental disability, including those related to age or injury, for the work he or she is performing.
- A disability which may affect production capacity includes blindness, mental illness, mental retardation, cerebral palsy, deafness, and drug addiction. The following do not constitute physical or mental disabilities for purposes of paying commensurate wages: educational disabilities, chronic unemployment, nesting of family members, complications of alcohol abuse, delinquency, and criminal records or convictions.

KEY ELEMENTS OF COMMENSURATE WAGE RATES

- **Nondegradable worker standard.**—The objective gauge (usually a written analysis) of the production of workers who do not have disabilities that impair their productivity for the job placed which the productivity of a worker with a disability is measured.
- **Prevailing wage rate.**—The wage paid to experienced workers who do not have disabilities that impair their productivity for the same or similar work and who are performing such work in the area. Most SCA contracts include a wage determination specifying the prevailing wage rate to be paid for the SCA-covered work.
- **Evaluation of the productivity of the worker with a disability.**—Occasional measurement of the production of the worker with a disability in terms of quantity and quality.

The wages of a worker paid commensurate wages must be reviewed, and adjusted if appropriate, at periodic intervals. If it appears that the productivity of a worker with a disability is increasing at least once every 12 months and a new prevailing wage survey must be conducted at least once every 12 months. In addition, prevailing wages must be reviewed and adjusted as appropriate whenever the applicable state or federal minimum wage is increased.

OVERTIME Generally, if you are performing work subject to the FLSA, SCA, and/or PCA, you must be paid at least 1 1/2 times your regular rate of pay for all hours worked over 40 in a workweek.

CHILD LABOR Minimum younger than 18 years of age must be employed in accordance with the child labor provisions of FLSA. No persons under 18 may be employed in occupations on a PCA contract.

FRINGE BENEFITS Neither the FLSA nor the PCA has provisions regarding retirement, health, or any pay or other fringe benefits such as profit sharing, pension, or stock options. Workers with disabilities may require such fringe benefit programs for a work adjustment. Workers with disabilities on a certificate commensurate wage rates must receive the full fringe benefits based on the wage determination.

WORKER NOTIFICATION Each worker with a disability and, where appropriate, the parent or guardian of each worker, must be notified of the certificate by the employer at the time of the certificate and each time the certificate is renewed.

PETITION PROCESS Workers with disabilities paid at special minimum wages may petition the Administrator of the Wage and Hour Division of the Department of Labor for a review of their wage rate to the Administrative Law Judge. The particular form of petition is required, except that it must be signed by the worker with a disability or his or her parent or guardian and should contain the name and address of the employee. Petitions should be mailed to Administrator, Wage and Hour Division, U.S. Department of Labor, Room 5300, 200 Constitution Avenue, N.W., Washington, D.C. 20503.

Employers should display this poster where employees and the parents and guardians of workers with disabilities can readily see it.



09 - WH 1284
Disab. Paid Min. Wage

MICHIGAN LAW PROHIBITS DISCRIMINATION

IN EMPLOYMENT, EDUCATION, HOUSING, PUBLIC ACCOMMODATION, LAW ENFORCEMENT OR PUBLIC SERVICE

BASED ON religion, race, color, national origin, sex, disability, age¹, marital status², height², weight², arrest record², genetic information³, and familial status³

Persons with disabilities needing accommodations for employment must notify their employers in writing within 182 days.

¹Under the education rules, age and marital status are prohibited considerations for admission only in housing only.



10 - Michigan Civil Rights

CONTRACTOR NOTICE REQUIRING TITLE VI COMPLIANCE

Title VI of the Civil Rights Act of 1964, and related statutes and regulations provide that no person in the United States shall on the ground of race, color, national origin, gender, age, or disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program, service, or activity receiving Federal financial assistance. The Civil Rights Restoration Act of 1987 amended Title VI to include the entire company, institution, or organization receiving Federal aid (not limited to funding). Therefore, private employers including contractors and sub-contractors must comply with Federal civil rights laws.

As a recipient of Federal financial assistance your company is required to ensure non-discrimination on the project and in all of your programs, services, or activities, including employment, training, promotion and retention. The Michigan Department of Transportation (MDOT) will conduct contractor compliance reviews to ensure non-discrimination and compliance with Title VI of the Civil Rights Act of 1964 and related statutes. Complaints of discrimination will be investigated promptly by the contractor, and/or in conjunction with the MDOT EEO Officer.

If an employee, applicant for employment, or member of the general public believes that she has been subjected to discrimination because of race, color, national origin, gender, age, or disability, in connection with a project, program, service, or activity, she may contact the company's EEO Officer and/or:

Cheryl Redburn
Michigan Department of Transportation
Equal Employment Opportunity Officer
425 E. Jackson St.
Lansing, MI 48201
313-773-2889
Michigan@mdot.gov

Complaints should be filed within 180 days of the alleged discrimination. If you have filed a complaint with the EEO Officer, you may also file a complaint with the EEOC. You should not wait until you have filed a complaint with the EEOC before filing a complaint with the EEOC.

Retaliation: Retaliation against anyone for making a complaint, acting as a witness, or participating in an investigation is illegal under Federal and State law. Retaliation shall be considered as a separate complaint, and if a violation is substantiated, corrective action will be taken and may include discharge or other disciplinary actions, or other appropriate remedies.

11 - Michigan Title VI Compliance

MDOT Fraud & Abuse HOTLINE

Toll Free
1-866-460-6368

MDOT has established a HOTLINE, and offers to report suspected fraud or abuse, such as:

- Prevailing wage non-compliance
- Theft
- Kickbacks
- Wrongful claims
- Contract fraud
- Use of materials that do not comply with specifications
- Unapproved substitution of materials, commodities, or test samples
- Failure to follow contract procedures

Call the HOTLINE at 1-866-460-6368 or 517-241-3256. Do your part to stop fraud and abuse.

DO NOT REMOVE - MUST BE PERMANENTLY DISPLAYED

12 - Michigan Fraud and Abuse Hotline

- NOTES:
- For a current list of job site posters including revisions please visit the FHWA and USDOL websites.
 - o FHWA: <http://www.fhwa.dot.gov/programadmin/contracts/poster.cfm>
 - o U.S. Dept. of Labor: <http://www.dol.gov/oasam/boc/osdbu/sbrefa/poster/matrix.htm>
 - Posters in languages other than English are not required but should be encouraged where applicable.