



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

**Know Your Rights: Workplace Discrimination is Illegal**

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help.

**Who is Protected?**

- Employees (current and former), including managers and temporary employees
- Job applicants
- Union members and applicants for membership in a union

**What Organizations are Covered?**

- State and local governments (as employers)
- Educational institutions (as employers)
- Unions
- Staffing agencies

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

Under the EEOC laws, an employer may not discriminate against you, regardless of your immigration status, on the basis of:

- Race
- Color
- Religion
- National origin
- Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity)
- Age (40 and older)
- Disability
- Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)

**What Employment Practices can be Challenged as Discriminatory?**

- All aspects of employment, including:
  - Recruitment, hiring or lay-off
  - Harassment (including unwelcome verbal or physical conduct)
  - Discharge, firing or lay-off
  - Pay (unequal wages or compensation)
  - Failure to provide reasonable accommodation for a disability, pregnancy, childbirth, or related medical condition or a sincerely-held religious belief, observance or practice
  - Benefits
  - Job training
  - Classification
  - Referral
  - Obtaining or disclosing genetic information of employees
  - Requesting or disclosing medical information of employees

**Employers Holding Federal Contracts or Subcontracts**

The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action commitments of companies doing business with the Federal Government. If you are applying for a job with, or are an employee of, a company with a Federal contract or subcontract, you are protected under Federal law from discrimination on the following bases:

- Race, Religion, Sex, Sexual Orientation, Gender Identity, National Origin

Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

**Age Discrimination, Discharge, or Discusing Pay** Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees.

**Disability** Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination is prohibited under the Rehabilitation Act, as amended, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

**Genetic Information** The Genetic Information Nondiscrimination Act (GINA) prohibits employment discrimination on the basis of genetic information.

**PROGRAMS OF ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE**

Race, Color, National Origin, Sex in addition to the protection 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 on the basis of Title VI of the primary objective of the financial assistance is provision of employment, or where employment discrimination cases or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

**Individuals with Disabilities** Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job. If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

**Religious Discrimination** The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action commitments of companies doing business with the Federal Government. If you are applying for a job with, or are an employee of, a company with a Federal contract or subcontract, you are protected under Federal law from discrimination on the following bases:

- Race, Religion, Sex, Sexual Orientation, Gender Identity, National Origin

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**FLORIDA MINIMUM WAGE**

**FLORIDACOMMERCE**

Ron DeSantis GOVERNOR  
Alex Kelly SECRETARY

**MINIMUM WAGE IN FLORIDA**

**Notice to Employees**

**Effective September 30, 2024, the Florida minimum wage will be \$13.00 per hour, with a minimum wage of at least \$9.98 per hour for tipped employees, in addition to tips, through September 29, 2025.**

On November 3, 2020, Florida voters approved a state constitutional amendment to gradually increase the state's minimum wage each year until reaching \$15.00 per hour on September 30, 2026. On September 30, 2024, Florida's minimum wage will increase to \$13.00 per hour. Each year thereafter, Florida's minimum wage will increase by \$1.00 until the minimum wage reaches \$15.00 per hour on September 30, 2026. Resuming in 2027, the minimum wage will be adjusted annually for inflation.

An employer may not retaliate against an employee for exercising his or her right to receive the minimum wage. Rights protected by the State of Florida Constitution include the right to:

- File a complaint about an employer's alleged noncompliance with lawful minimum wage requirements.
- Inform any person about an employer's alleged noncompliance with lawful minimum wage requirements.
- Inform any person of his or her potential rights under Section 24, Article X of the State Constitution and to assist the individual in asserting such rights.

An employee who has not received the lawful minimum wage after notifying his or her employer and giving the employer 15 days to resolve any claims for unpaid wages may bring a civil action in a court of law against an employer to recover back wages plus damages and attorney's fees.

An employer found liable for intentionally violating minimum wage requirements is subject to a fine of \$1,000 per violation, payable to the State. The Attorney General, or other official designated by the Legislature, may bring a civil action to enforce the minimum wage.

For additional details, see Section 24, Article X of the State of Florida Constitution, and section 448.110, Florida Statutes.

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## FMLA - FAMILY AND MEDICAL LEAVE ACT

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

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

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

An eligible employee who is the spouse, child, parent or next of kin of a covered service member with a serious injury or illness may take up to 26 weeks of FMLA leave in a single 12-month period to care for the service member. You have the right to use FMLA leave in one block of time. When it is medically necessary or otherwise permitted, you may take FMLA leave intermittently in separate blocks of time, or on a reduced schedule by working less hours each day or week. Read Fact Sheet #28(M) for more information. FMLA leave is not paid leave, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave.

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

Airline flight crew employees have different "hours of service" requirements. You work for a covered employer if any of the following applies:

- You work for a private employer that had at least 50 employees during at least 20 weeks in the current or preceding calendar year.
- You work for an elementary or public or private secondary school, or
- You work for a public agency, such as a local, state or federal government.

Most federal employees are covered by Title I of the FMLA, administered by the Office of Personnel Management.

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

- Follow your employer's 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.

**What happens if I don't give advance notice?** If you fail to give advance notice, or have a speech disability please dial 7-1-1 to access telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at <https://ofccphelpdesk.dol.gov/>, or by calling the OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at <https://www.dol.gov/agencies/ofccp/contact>.

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

**YOUR RIGHTS UNDER USERRA**

**THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT**

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

**REEMPLOYMENT RIGHTS**

- You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service; or
- 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 - are obligated to serve in the uniformed service; then an employer may not deny you - initial employment; - reemployment; - retention in employment; - promotion; or - any benefit of employment, because of this status.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

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/userraposter>. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.

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**PAYDAY NOTICE**

**Regular Paydays for Employees of**

**Power Soom Energy Cooperative**

Shall be as follows:

☐ Weekly ☒ Bi Weekly ☐ Monthly ☐ Other

By: **Lynda Cernley** Title: **HR Manager**

**UNEMPLOYMENT COMPENSATION - REEMPLOYMENT ASSISTANCE**

**To Employees:**

- Your Employer is registered with the Florida Department of Revenue as an employer who is liable under the Florida Reemployment Assistance Law. This means that **You**, as employees, are covered by the Reemployment Assistance Program, formerly known as Unemployment Compensation Program.
- Reemployment assistance taxes finance the benefits paid to eligible unemployed workers. **Those taxes are paid by your employer and, by law, cannot be deducted from employee's wages.**
- You may be eligible to receive reemployment assistance benefits if you meet the following requirements:
  - You must be totally or partially unemployed through no fault of your own.
  - You must apply for benefits at <https://connect.mylflorida.com>.
  - You must register for work at [www.floridajobs.org](http://www.floridajobs.org).
  - You must have a history of sufficient employment and wages.
  - You must be **able** to work and **available** for work.
- You may file a claim for partial unemployment for any week you work less than full time due to lack of work if your wages during that week are less than your weekly benefit amount.

**Florida Department of Commerce  
Division of Workforce Services  
Reemployment Assistance Program  
1-800-204-2418  
[www.floridajobs.org](http://www.floridajobs.org)**

This notice must be posted in accordance with Sections 448.151(1) Florida Statutes, of the Florida Reemployment Assistance Program Law.

**WITHHOLDING STATUS**

**YOU MAY NEED TO CHECK YOUR WITHHOLDING**

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

- Married or divorced?
- Gain or lose a dependent?
- Change your name?
- Were there major changes to...
- Your non-wage income (interest, dividends, capital gains, etc.)?
- Your family wage income (you or your spouse started or ended a job)?
- Your itemized deductions?
- Your tax credits?

If you can answer "YES" to any of these questions or you owed extra tax when you filed your last return, you may need to file a new form W-4.

See your employer for a copy of Form W-4 or the IRS at 1-800-829-3676. Now is the time to check your withholding. For more details, get Publication 915, How Do I Adjust My Tax? Change your name? [www.irs.gov/individuals](http://www.irs.gov/individuals) on the IRS website. Employer: Please post this Notice in the Bulletin Board Poster so that your employees will see it. Please indicate where they can get forms and information on this subject.

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

Publication 213 (Rev. 2009)  
Cat. No. 11047P

**FEDERAL MINIMUM WAGE**

**EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT**

**FEDERAL MINIMUM WAGE \$7.25**

The law requires employers to display this poster where employees can readily see it.

**OVERTIME PAY** At least 1 1/2 times your regular rate of pay for all hours worked over 40 in a workweek.

**CHILD LABOR** An employer 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 to agricultural employment.

**TIP CREDIT** Employers of "tipped employees" who meet certain conditions may claim a partial 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 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 each time the employee needs to express breast milk. Employers must provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

**ENFORCEMENT** The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law prohibits retaliation 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.

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

**EQUAL OPPORTUNITY IS THE LAW**

**FLORIDACOMMERCE**

**Equal Opportunity is the Law**

It is against the law for this recipient of Federal financial assistance to discriminate on the following bases:

- against any individual in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief; and
- against any beneficiary of programs financially assisted under Title I of the Workforce Innovation and Opportunity Act (WIOA), on the basis of the beneficiary's citizenship status, or his/her participation in any WIOA Title I-financially assisted program or activity.

The recipient must not discriminate in any of the following areas:

- deciding who will be admitted, or have access to, any WIOA Title I-financially assisted program or activity;
- providing opportunities in, or treating any person with regard to, such a program or activity; or
- making employment decisions in the administration of, or in connection with, such a program or activity.

**WHAT TO DO IF YOU BELIEVE YOU HAVE EXPERIENCED DISCRIMINATION**

If you think that you have been subjected to discrimination under a WIOA Title I-financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either:

**Julius N. Brown, Equal Opportunity Officer for Civil Rights (OCR)**  
Florida Department of Commerce  
Caldwell Building - MSC 150  
107 East Madison Street  
Tallahassee, Florida 32399-4129

**The Director, Civil Rights Center (CRC)**  
U.S. Department of Labor  
200 Constitution Avenue NW  
Room 8-N-123  
Washington, DC 20210

If you file your complaint with the Office for Civil Rights (OCR), you must wait either until the OCR issues its written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (CRC). See the address above.

If the OCR does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you do not have to wait for the OCR to issue that Notice before filing a complaint with the CRC.

However, you must file your OCR complaint within 30 days of the 90-day deadline in other words, within 120 days after the day on which you filed your complaint with the OCR.

If the OCR gives you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with the CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.

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- against any beneficiary of programs financially assisted under Title I of the Workforce Innovation and Opportunity Act (WIOA), on the basis of the beneficiary's citizenship status, or his/her participation in any WIOA Title I-financially assisted program or activity.

The recipient must not discriminate in any of the following areas:

- deciding who will be admitted, or have access to, any WIOA Title I-financially assisted program or activity;
- providing opportunities in, or treating any person with regard to, such a program or activity; or
- making employment decisions in the administration of, or in connection with, such a program or activity.

**WHAT TO DO IF YOU BELIEVE YOU HAVE EXPERIENCED DISCRIMINATION**

If you think that you have been subjected to discrimination under a WIOA Title I-financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either:

**Julius N. Brown, Equal Opportunity Officer for Civil Rights (OCR)**  
Florida Department of Commerce  
Caldwell Building - MSC 150  
107 East Madison Street  
Tallahassee, Florida 32399-4129

**The Director, Civil Rights Center (CRC)**  
U.S. Department of Labor  
200 Constitution Avenue NW  
Room 8-N-123  
Washington, DC 20210

If you file your complaint with the Office for Civil Rights (OCR), you must wait either until the OCR issues its written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (CRC). See the address above.

If the OCR does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you do not have to wait for the OCR to issue that Notice before filing a complaint with the CRC.

However, you must file your OCR complaint within 30 days of the 90-day deadline in other words, within 120 days after the day on which you filed your complaint with the OCR.

If the OCR gives you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with the CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.

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

**EQUAL OPPORTUNITY IS THE LAW**

**FLORIDACOMMERCE**

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