J. J. Keller & Associates, Inc.®
Since 1953

LABOR LAWS

FEDERAL

VIRGINIA

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 1½ 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 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.

PUMP AT WORK
The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for her 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 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 WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR
1-866-487-9243
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 requesting 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, 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.

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
WH1462

REV. 02/2022

VA

Department of Labor and Industry

Virginia Minimum Wage Act

MINIMUM WAGE
$12.77 PER HOUR

EFFECTIVE JANUARY 1, 2026

As required by law, effective January 1, 2026, the adjusted state hourly minimum wage has been established at $12.77 per hour. This change is based on a calculation that includes the previous minimum wage rate ($12.41 per hour) and the annual change in the Consumer Price Index (CPI-U) for 2024.

Annual adjustments to the Virginia minimum wage rate will continue in future years using the same methodology.

BUSINESS SIZE	TIPPED EMPLOYEES
The Virginia Minimum Wage Act does not exempt employees based on the size of their employer. All employees must be paid at a rate not less than $12.77 per hour if they are not otherwise exempt under the Act.	Under the "tip credit" provisions of the Fair Labor Standards Act, tipped employees (those who regularly receive more than $30.00 a month in tips) may be paid at the tipped minimum wage of $2.13 per hour. However, an employee's hourly wages plus tips **must** meet the Virginia minimum wage rate of $12.77 per hour. If they do not, an employer **must** pay the difference to an employee so that they earn **at least** $12.77 per hour.

Questions? Contact DOLI's Division of Labor and Employment Law:

DOLI
VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY
(804) 786-2706
laborlaw@doli.virginia.gov
www.doli.virginia.gov

REV. 12/2025

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, 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.

VA

Code of Virginia

§ 40.1-28.7:8. Covenants not to compete prohibited; exceptions; civil penalty

A. As used in this section:
"Covenant not to compete" means a covenant or agreement, including a provision of a contract of employment, between an employer and employee that restrains, prohibits, or otherwise restricts an individual's ability, following the termination of the individual's employment, to compete with his former employer. A "covenant not to compete" shall not restrict an employee from providing a service to a customer or client of the employer if the employee does not initiate contact with or solicit the customer or client.
"Health care professional" means any person licensed, registered, or certified by the Board of Medicine, Nursing, Counseling, Optometry, Psychology, or Social Work.
"Low-wage employee" means an employee (i) whose average weekly earnings, calculated by dividing the employee's earnings during the period of 52 weeks immediately preceding the date of termination of employment by 52, or if an employee worked fewer than 52 weeks, by the number of weeks that the employee was actually paid during the 52-week period, are less than the average weekly wage of the Commonwealth as determined pursuant to subsection B of § 65.2-500 or (ii) who, regardless of his average weekly earnings, is entitled to overtime compensation under the provisions of 29 U.S.C. § 207 for any hours worked in excess of 40 hours in any one workweek. "Low-wage employee" includes interns, students, apprentices, or trainees employed, with or without pay, at a trade or occupation in order to gain work or educational experience. "Low-wage employee" also includes an individual who has independently contracted with another person to perform services independent of an employment relationship and who is compensated for such services by such person at an hourly rate that is less than the median hourly wage for the Commonwealth for all occupations as reported, for the preceding year, by the Bureau of Labor Statistics of the U.S. Department of Labor. For the purposes of this section, "low-wage employee" does not include any employee whose earnings are derived, in whole or in predominant part, from sales commissions, incentives, or bonuses paid to the employee by the employer.
B. No employer shall enter into, enforce, or threaten to enforce a covenant not to compete with any low-wage employee or health care professional.
C. No covenant not to compete between an employer and an employee is enforceable if such employer discharges such employee from employment without providing severance benefits or other monetary payment to such employee, unless such employer discharges such employee for cause. Such severance benefits or other monetary payment shall be disclosed upon execution of the covenant not to compete.
D. An employee or health care professional may bring a civil action in a court of competent jurisdiction against any former employer or other person that attempts to enforce a covenant not to compete against such employee in violation of this section. An action under this section shall be brought within two years of the latter of (i) the date the covenant not to compete was signed, (ii) the date the employee or health care professional learns of the covenant not to compete, (iii) the date the employment relationship is terminated, or (iv) the date the employer takes any step to enforce the covenant not to compete. The court shall have jurisdiction to void any covenant not to compete with an employee or health care professional and to order all appropriate relief, including enjoining the conduct of any person or employer, ordering payment of liquidated damages, and awarding lost compensation, damages, and reasonable attorney fees and costs. No employer may discharge, threaten, or otherwise discriminate or retaliate against a low-wage employee or health care professional for bringing a civil action pursuant to this section.
E. Any employer that violates the provisions of subsection B or C as determined by the Commissioner shall be subject to a civil penalty of $10,000 for each violation. Civil penalties owed under this subsection shall be paid to the Commissioner for deposit in the general fund.
F. If the court finds a violation of the provisions of this section, the plaintiff shall be entitled to recover reasonable costs, including costs and reasonable fees for expert witnesses, and attorney fees from the former employer or other person who attempts to enforce an unlawful covenant not to compete against such plaintiff.
G. Every employer shall post a copy of this section or a summary approved by the Department in the same location where other employee notices required by state or federal law are posted. An employer that fails to post a copy of this section or an approved summary of this section shall be issued by the Department a written warning for the first violation, shall be subject to a civil penalty not to exceed $250 for a second violation, and shall be subject to a civil penalty not to exceed $1,000 for a third and each subsequent violation as determined by the Commissioner. Civil penalties owed under this subsection shall be paid to the Commissioner for deposit in the general fund.
The Commissioner shall prescribe procedures for the payment of proposed assessments of penalties that are not contested by employers. Such procedures shall include provisions for an employer to consent to abatement of the alleged violation and to pay a proposed penalty or a negotiated sum in lieu of such penalty without admission of any civil liability arising from such alleged violation.
H. Nothing in this section shall serve to limit the creation or application of:
1. Nondisclosure agreements intended to prohibit the taking, misappropriating, threatening to misappropriate, or sharing of certain information to which an employee has access, including trade secrets, as defined in § 59.1-336, and proprietary or confidential information; or
2. Covenants not to compete or similarly restrictive covenants with any health care professional or such person's business entity as part of a sale of business when the transaction includes the sale of all or substantially all of (a) the operating assets together with the goodwill of the health care professional's business entity, (b) the operating assets of a division or subsidiary of the health care professional's business entity together with the goodwill of that division or subsidiary, or (c) the ownership interest of the health care professional's business entity or any division or subsidiary thereof. In such transactions, the seller and buyer may enter a covenant not to compete or similarly restrictive covenant for the health care professional or such person's business entity, provided that such covenant not to compete or similarly restrictive covenant is reasonable in scope, duration, and geographic area.
I. Nothing in this section shall serve to limit the ability of employers of health care professionals to:
1. Include provisions in employment agreements, through a promissory note or otherwise, that require repayment for all or a prorated portion of recruitment-related costs, including relocation expenses, signing or retention bonuses, and other remuneration provided to induce relocation or establishment of a practice in a specified geographic area, as well as recruiting, education, or training expenses from a departing health care professional who has been employed for fewer than five years, and such provisions shall be valid and enforceable by law; or
2. Include provisions in employment agreements requiring a health care professional, for the benefit of an employer and for a stated period of time following termination, to refrain from soliciting or attempting to solicit, directly or by assisting others, any business from any of such employer's customers, including actively seeking prospective customers, with whom the employee had material contact during his employment, for purposes of providing products or services that are the same or substantially similar to those provided by the employer, except for any notice or communication as required by state or federal law. Any reference to a prohibition against soliciting or attempting to solicit customers shall be narrowly construed to apply only to (i) the health care professional's customers, including actively sought prospective customers, with whom the health care professional had material contact during employment and (ii) products and services that are the same as or substantially similar to those provided by the employer. Such provisions shall be valid and enforceable by law. Such provisions shall not preclude a health care professional from disclosing the following information to a patient to whom the health care professional was providing consultation or treatment before departure from an employer: the health care professional's continuing practice of medicine, the health care professional's new contact information, and the patient's right to choose a health care professional.
2020, cc. 948, 949, § 40.1-28-7.7; 2025, c. 585; 2026, cc. 883, 1113, 1114.
The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

REV. 07/01/2026

VA

Workers' Compensation Commission

WORKERS' COMPENSATION NOTICE

The employees of this business are covered by the Virginia Workers' Compensation Act. If there is an injury while working or a disease that is caused by work, here are some things to know.

THE EMPLOYEE SHOULD:

1. In the event of an accident, immediately notify the employer in writing of the circumstances causing the accident and the date it occurred. In the case of an occupational disease, immediately notify the employer in writing of the diagnosed condition and the date of diagnosis. If the injury or disease results in death, the employee's dependents or a representative must provide this information on the employee's behalf.
2. If the insurance company will not agree to a written award to pay benefits, you can file a claim with the Virginia Workers' Compensation Commission. The claim form is available on the Commission's website at workcomp.virginia.gov/forms/claim-form or by scanning the QR code to the right.
3. Filing a claim with the Commission is different than telling your employer or its insurance company about the injury or disease. A claim for benefits is sent directly to the Virginia Workers' Compensation Commission.
4. For an injury, you usually have two years from your date of injury to file a claim with the Commission. For a disease, you have two years from the date you were diagnosed and knew the disease was caused by the work. If death benefits need to be requested, your dependents or someone acting for them can ask for death benefits.
5. There is a seven-day waiting period before lost wages can be paid. If you can work but cannot do your regular job, you must try to find other work you can do to receive lost wage benefits, unless you have an open award.

THE EMPLOYER SHOULD:

1. At the time of the accident, give the employee the names of at least three physicians from different practice groups from which the injured worker may choose an authorized treating physician. If this is not done within a reasonable time after being told about the injury, the injured worker may be able to seek treatment from a doctor of their choosing.
2. Tell your insurance carrier about the injury or disease. If you do not have workers' compensation insurance, report the injury or disease to the Virginia Workers' Compensation Commission directly.

HAVE QUESTIONS?
Contact the Virginia Workers' Compensation Commission toll-free at 877-664-2566 or visit workcomp.virginia.gov for more information. You may also scan the QR code to access employee-specific information on the Commission's website.

Every employer covered by the Virginia Workers' Compensation Act **must post this notice in a conspicuous place** at their place of business, or on their website if they do not maintain a physical location.

VA

Department of the Treasury, Internal Revenue Service

IRS
EITC
EARNED INCOME TAX CREDIT

Just imagine what you could do with the EITC
Sólo imagine lo que podría hacer con el EITC

EITC provides a boost to help pay your bills or save for a rainy day. EITC is for people who work for someone else or own or run a business or a farm. To qualify, you must have low to mid income and meet the following rules.

To qualify, you and your spouse (if filing a joint return):
- Generally must be a U.S. citizen or resident alien all year
- Must have earned income
- Must have a valid Social Security number issued on or before the due date of the return (including extensions)
- Cannot have investment income, such as interest income, over a certain amount
- Must have a qualifying child and meet other requirements if you are married but not filing a joint return
- May not be a qualifying child of another person
- May not file Form 2555 (related to foreign earned income)

You must also have a qualifying child or if you do not have a qualifying child:
- You or your spouse (if filing a joint return) must be at least age 25 but under age 65,
- You and your spouse (if filing a joint return) must live in the United States* for more than half the year, and
- You and your spouse (if filing a joint return) must not qualify as a dependent of another person.

To claim the EITC, you have to file a federal tax return even if you owe no tax and are not required to file. File your tax return as soon as you have all the information you need about how much you earned. However, refunds for returns claiming the EITC can't be issued before mid-February. This delay applies to the entire refund, not just the portion associated with the EITC.

Do you want help with the EITC?
- Go to www.irs.gov/eitc for free information and to check out the interactive EITC Assistant to see if you qualify for the credit and estimate the amount of your EITC.
- Visit a Volunteer Income Tax Assistance (VITA) site for free tax help and preparation. Go to www.irs.gov/VITA or call 1-800-906-9887 to find a site.
- Use FreeFile at www.irs.gov/FreeFile for free online filing through commercially available tax preparation software.

Errors on the tax return can cause a delay in processing your claim for the tax credits.

* U.S. military personnel on extended active duty outside the United States are considered to live in the United States while on active duty.

SCAN ME
irs.gov/eitc

El *EITC* proporciona un incentivo para ayudar a pagar sus facturas o ahorrar para los tiempos difíciles. El *EITC* es para las personas que trabajan para alguien más o son dueñas o dirigen un negocio o una granja. Para tener derecho, usted debe tener ingresos bajos a medios y cumplir con las siguientes reglas.

Para calificar, usted y su cónyuge (si presentan una declaración conjunta):
- Por lo general, tienen que ser ciudadanos estadounidenses o extranjeros residentes de los Estados Unidos todo el año
- Tienen que tener ingresos de trabajo
- Tienen que tener un valido número de Seguro Social emitido en la fecha de vencimiento de la declaración (incluidas las prórrogas), o antes
- No pueden tener ingresos de inversión, como ingresos de intereses, que superen cierta cantidad
- Deben tener un hijo calificado y cumplir otros requisitos si están casados pero no presentan una declaración conjunta
- No pueden ser un hijo calificado de otra persona
- No pueden presentar el Formulario 2555 (relacionado con los ingresos ganados en el extranjero)

Usted también tiene que tener un hijo calificado o si no tiene un hijo calificado:
- Usted o su cónyuge (si presentan una declaración conjunta) deben tener al menos 25 años de edad, pero menos de 65 años de edad al final del año,
- Su vivienda y la de su cónyuge (si presentan una declaración conjunta) debe haber estado en los Estados Unidos* por más de la mitad del año y
- Usted no puede ser el dependiente o hijo calificado de otra persona.

Para reclamar el *EITC*, usted tiene que presentar una declaración del impuesto federal, aún si no adeuda impuestos y no tiene el requisito de presentar una declaración. Presente su declaración de impuestos tan pronto como tenga toda la información que necesita sobre cuánto ganó. No obstante, los reembolsos de las declaraciones en las que se reclama el *EITC* no se pueden emitir antes de mediados de febrero. Esta demora se aplica al reembolso total, no sólo a la parte asociada al *EITC*.

¿Desea ayuda con el *EITC*?
- Visite www.irs.gov/eitc para obtener información gratuita y consultar el asistente *EITC* interactivo para ver si califica para el crédito y estimar la cantidad de su *EITC*.
- Visite un sitio de Asistencia Voluntaria al Contribuyente con los Impuestos sobre los Ingresos (*VITA*, por sus siglas en inglés). Visite www.irs.gov/VITA o llame al 1-800-906-9887 para encontrar un sitio.
- Utilice *Free File* en www.irs.gov/FreeFile para la presentación gratuita en línea a través de software de preparación de impuestos, disponible comercialmente.

Los errores en la declaración de impuestos pueden causar un retraso en el trámite de su reclamación de los créditos tributarios.

* El personal militar de los *EE. UU.* en servicio activo prolongado fuera de los Estados Unidos se considera que vive en los Estados Unidos mientras está en servicio activo.

Publication 962 (en-sp) Catalog Number 34506V Department of the Treasury **Internal Revenue Service** www.irs.gov

REV. 01/2026

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:
- 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, and
- Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness **may take up to 26 workweeks** of FMLA leave in a single 12-month period to care for the servicemember.

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 #28M(c) 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 **one** of the following applies:
- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous 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 agency. Most federal employees are covered by Title II 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 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 they 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 or 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 **dol.gov/fmla** 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
WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

SCAN ME
WH1420

REV. 04/2023

FED

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 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
- 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.

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 for 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 or exclusions (e.g., 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 viewed at https://webapps.dol.gov/elaws/vets/userra.
- 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/userra/poster 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.

U.S. Department of Labor • 1-866-487-2365 U.S. Department of Justice Office of Special Counsel
Employer Support of the Guard and Reserve • 1-800-336-4590

REV. 05/2022

VA

Office of the Attorney General, Office of Civil Rights

VIRGINIA HUMAN RIGHTS ACT
REASONABLE ACCOMMODATIONS FOR DISABILITY

Protections from Discrimination – Va. Code § 2.2-3905.1
Effective July 1, 2021, employers with more than five employees for a 20-week period in the current or preceding year must provide reasonable accommodations for otherwise qualified persons with disabilities if necessary to assist such person in performing a particular job, unless the accommodation would impose an undue hardship on the employer. "Person with a disability" means any person who has a physical or mental impairment that substantially limits one or more of her major life activities or who has a record of such impairment. Employers also may not, in response to a request for a reasonable accommodation for disability:
- take adverse actions against an employee;
- deny employment or promotions; or
- require an employee to take leave if another reasonable accommodation can be provided.

Reasonable Accommodations
Examples of reasonable accommodations include modifying work policies, permitting the use of leave, reassignment to a vacant position, acquisition or modification of equipment, assistance with manual labor, job restructuring, a modified work schedule, and light duty assignments.

Interactive Process
When an employee requests an accommodation, employers must engage in a timely, good faith interactive process with the employee to determine if the requested accommodation is reasonable and, if not, discuss alternative reasonable accommodations that may be provided.

Complaints
Any person who believes they were discriminated against on this basis may file a complaint with the Office of Civil Rights.

OFFICE OF THE ATTORNEY GENERAL
Office of Civil Rights
202 North 9th Street
Richmond, Virginia 23219
www.ag.virginia.gov
civilrights@oag.state.va.us
P: (804) 225-2292; F: (804) 225-3294

VA

Office of the Attorney General, Division of Human Rights

Virginia Human Rights Act
Code of Virginia – Title 2.2, Chapter 39

It is the policy of the Commonwealth of Virginia to:
Safeguard all individuals within the Commonwealth from unlawful discrimination because of race, color, religion, ethnic or national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, sexual orientation, gender identity, military status, or disability in employment, places of public accommodation, including educational institutions, in real estate transactions; preserve the public safety, health and general welfare; and further the interests, rights and privileges of individuals within the Commonwealth; and protect citizens of the Commonwealth against unfounded charges of unlawful discrimination.

Unlawful Discriminatory Practice Defined
Conduct that violates any Virginia or federal statute or regulation governing discrimination is an unlawful discriminatory practice under the Virginia Human Rights Act.

Complaints may be filed with:
OFFICE OF THE ATTORNEY GENERAL
Office of Civil Rights
202 North 9th Street
Richmond, Virginia 23219
www.oag.state.va.us
CivilRights@oag.state.va.us
P: (804) 225-2292 | F: (804) 225-3294

VA

Virginia Employment Commission

NOTICE TO WORKERS

Unemployment Insurance (UI) benefits are available to workers who are unemployed and who meet the requirements of Virginia UI eligibility laws. You may file a UI claim in the first week that employment stops or work hours are reduced.

YOU MAY APPLY FOR UNEMPLOYMENT INSURANCE BENEFITS IF:
- You are totally unemployed.
- You are working reduced wages or hours.

YOU WILL NEED TO PROVIDE:
- Your full legal name
- Your Social Security Number
- Your authorization to work (if you are not a US Citizen or resident)

IF TOTALLY UNEMPLOYED, ON A TEMPORARY LAYOFF, OR IF WORKING REDUCED HOURS:
The first week you are unemployed, register for work, and file a claim for benefits. You can file your claim online at www.vec.virginia.gov or by calling our Customer Contact Center at 1-866-832-2363. Register for work online at www.vawc.virginia.gov.

TO BE ELIGIBLE FOR BENEFITS, THE LAW REQUIRES THAT YOU:
- File a claim with the Virginia Employment Commission.
- Have earned sufficient wages from employers who are subject to the Virginia Unemployment Compensation Act or any other State within your Base Period.
- Must be unemployed through no fault of your own.
- Must be able and available for work and actively searching for work.
- Continue to report as instructed by the Virginia Employment Commission.

You cannot be paid unemployment benefits until you have filed your claim and have met all of the eligibility requirements. You should file your claim as soon as you become unemployed, or your hours are reduced. If you have any questions about your rights and responsibilities under the Virginia Unemployment Compensation Act, visit website www.vec.virginia.gov or call our Customer Contact Center at 1-866-832-2363.

THE LAW REQUIRES EMPLOYERS TO POST THIS NOTICE IN A PLACE VISIBLE TO ALL WORKERS.

EFFECTIVE MARCH, 14, 2024, EMPLOYERS MUST ALSO PROVIDE A COPY OF THIS NOTICE TO EACH WORKER AT THE TIME OF SEPARATION FROM EMPLOYMENT (42 USC, §1103 (h)(2)).

An Equal Opportunity Employer/Program
Auxiliary aids and services are available upon request to individuals with disabilities. Please call 866-832-2363 or
Email: translation@vec.virginia.gov for Language Access/Assistance.

This notice is available in Spanish.
Direct requests to: **Employer Accounts**
P.O. Box 26441
Richmond, VA 23261-6441

VA

Department of Taxation

Did you know Virginia has an income tax credit for low-income, working individuals and families?

Could you be eligible?

FIND OUT IF YOU QUALIFY
for the Commonwealth of Virginia income tax credit today! Visit the Low Income Individuals Credit page on the Virginia Tax site:
www.tax.virginia.gov/low-income-individuals-credit

Two ways to increase your income:
- The Federal Earned Income Tax Credit
- The Virginia Credit for Low Income Individuals

Call the **Virginia Department of Taxation** at: **(804) 367-8031, PAY-VTAX at: (804) 339-1307** or visit: **www.tax.virginia.gov**

VA

Office of the Attorney General, Division of Human Rights

VIRGINIA HUMAN RIGHTS ACT
REASONABLE ACCOMMODATIONS FOR PREGNANCY

Protections from Discrimination – Va. Code § 2.2-3909
Effective July 1, 2020, employers with five or more employees for a 20-week period in the current or preceding year must provide reasonable accommodations for pregnancy, childbirth or related medical conditions, including lactation, unless the accommodation would impose an undue hardship. Employers also may not, in response to a request for a reasonable accommodation for pregnancy:
- take adverse actions against an employee;
- deny employment or promotions; or
- require an employee to take leave if another reasonable accommodation can be provided.

Reasonable Accommodations
Examples of reasonable accommodations include more frequent or longer bathroom breaks, breaks to express breast milk, access to a private location other than a bathroom for the expression of breast milk, acquisition or modification of equipment or access to or modification of employee seating, a temporary transfer to a less strenuous or hazardous position, assistance with manual labor, job restructuring, a modified work schedule, light duty assignments, and leave to recover from childbirth.

Interactive Process
When an employee requests an accommodation, employers must engage in a timely, good faith interactive process with the employee to determine if the requested accommodation is reasonable and, if not, discuss alternative reasonable accommodations that may be provided.

Complaints
Any person who believes they were discriminated against on this basis may file a complaint with the Office of Civil Rights or seek relief by filing a civil action in state court.

OFFICE OF THE ATTORNEY GENERAL
Office of Civil Rights
202 North 9th Street
Richmond, Virginia 23219
www.ag.virginia.gov
CivilRights@oag.state.va.us
P: (804) 225-2292; F: (804) 225-3294

FED

U.S. Equal Employment Opportunity Commission

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 Types of Employment Discrimination are Illegal?
Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases 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)
- Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding
- Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation

What Organizations are Covered?
- Most private employers
- State and local governments (as employers)
- Educational institutions (as employers)
- Unions
- Staffing agencies

What Employment Practices can be Challenged as Discriminatory?
All aspects of employment, including:
- Discharge, firing, or lay-off
- Harassment (including unwelcome verbal or physical conduct)
- Hiring or promotion
- Assignment
- 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
- Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or proceeding
- Conduct that coerces, intimidates, threatens, or interferes with someone exercising their rights, or someone assisting or encouraging someone else to exercise rights, regarding disability discrimination (including accommodation) or pregnancy accommodation

What can You Do if You Believe Discrimination has Occurred?
Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:

Submit an inquiry through the EEOC's public portal: *https://publicportal.eeoc.gov/Portal/Login.aspx*
Call 1–800–669–4000 (toll free)
1–800–669–6820 (TTY)
1–844–234–5122 (ASL video phone)
Visit an EEOC field office (information at *www.eeoc.gov/field-office*)
E-Mail *info@eeoc.gov*

Additional information about the EEOC, including information about filing a charge of discrimination, is available at *www.eeoc.gov*.

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, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin
Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or national