



# 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) (<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](http://www.eeoc.gov/field-office) ([www.eeoc.gov/field-office](http://www.eeoc.gov/field-office))

**E-Mail** [info@eeoc.gov](mailto:info@eeoc.gov)

Additional information about the EEOC, including information about filing a charge of discrimination, is available at [www.eeoc.gov](http://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 origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

### Asking About, Disclosing, or Discussing 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 includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

### Protected Veteran Status

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.

### Retaliation

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors under these Federal laws.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP)  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, D.C. 20210  
1-800-397-6251 (toll-free)

If you are deaf, hard of hearing, 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](https://ofccphelpdesk.dol.gov/s/) (<https://ofccphelpdesk.dol.gov/s/>), or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor and on [OFCCP's "Contact Us"](https://www.dol.gov/agencies/ofccp/contact) webpage (<https://www.dol.gov/agencies/ofccp/contact>).

## PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

### Race, Color, National Origin, Sex

In addition to the protections 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 is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes 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.

# 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	<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>
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.



WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243  
[www.dol.gov/agencies/whd](http://www.dol.gov/agencies/whd)



# 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 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 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.
- 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.



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WH1088 REV 0423



# 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?

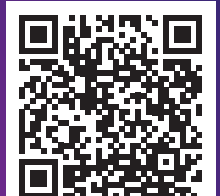
Call **1-866-487-9243** or visit **dol.gov/fmla** to learn more.

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.**



**WAGE AND HOUR DIVISION**  
UNITED STATES DEPARTMENT OF LABOR

SCAN ME





U.S. Department of Labor



# Job Safety and Health IT'S THE LAW!

## All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

*This poster is available free from OSHA.*

**Contact OSHA. We can help.**

## Employers must:

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations.

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.





# 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**



**1-800-336-4590**

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# EMPLOYEE RIGHTS

## UNDER THE NATIONAL LABOR RELATIONS ACT

**The NLRA guarantees the right of employees to organize and bargain collectively with their employers, and to engage in other protected concerted activity.**

**Employees covered by the NLRA\* are protected from certain types of employer and union misconduct. This Notice gives you general information about your rights, and about the obligations of employers and unions under the NLRA. Contact the National Labor Relations Board, the Federal agency that investigates and resolves complaints under the NLRA, using the contact information supplied below, if you have any questions about specific rights that may apply in your particular workplace.**

### **Under the NLRA, you have the right to:**

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

Illegal conduct will not be permitted. If you believe your rights or the rights of others have been violated, you should contact the NLRB promptly to protect your rights, generally within six months of the unlawful activity. You may inquire about possible violations without your employer or anyone else being informed of the inquiry. Charges may be filed by any person and need not be filed by the employee directly affected by the violation. The NLRB may order an employer to rehire a worker fired in violation of the law and to pay lost wages and benefits, and may order an employer or union to cease violating the law. Employees should seek assistance from the nearest regional NLRB office, which can be found on the Agency's website: [www.nlr.gov](http://www.nlr.gov).



### **Under the NLRA, it is illegal for a union or for the union that represents you in bargaining with your employer to:**

- **Threaten** you that you will lose your job unless you support the union.
- **Refuse to process a grievance** because you have criticized union officials or because you are not a member of the union.
- **Use or maintain discriminatory standards or procedures** in making job referrals from a hiring hall.
- **Cause or attempt to cause an employer to discriminate against you** because of your union-related activity.
- **Take other adverse action against you** based on whether you have joined or support the union.

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

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



SCAN TO LEARN MORE

### **Under the NLRA, it is illegal for your employer to:**

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

\*The National Labor Relations Act covers most private-sector employers. Excluded from coverage under the NLRA are public-sector employees, agricultural and domestic workers, independent contractors, workers employed by a parent or spouse, employees of air and rail carriers covered by the Railway Labor Act, and supervisors (although supervisors that have been discriminated against for refusing to violate the NLRA may be covered).



# This Organization Participates in E-Verify

# Esta Organización Participa en E-Verify



This employer participates in E-Verify and will provide the federal government with your Form I-9 information to confirm that you are authorized to work in the U.S.

If E-Verify cannot confirm that you are authorized to work, this employer is required to give you written instructions and an opportunity to contact Department of Homeland Security (DHS) or Social Security Administration (SSA) so you can begin to resolve the issue before the employer can take any action against you, including terminating your employment.

Employers can only use E-Verify once you have accepted a job offer and completed the Form I-9.

## E-Verify Works for Everyone

For more information on E-Verify, or if you believe that your employer has violated its E-Verify responsibilities, please contact DHS.

Este empleador participa en E-Verify y proporcionará al gobierno federal la información de su Formulario I-9 para confirmar que usted está autorizado para trabajar en los EE.UU..

Si E-Verify no puede confirmar que usted está autorizado para trabajar, este empleador está requerido a darle instrucciones por escrito y una oportunidad de contactar al Departamento de Seguridad Nacional (DHS) o a la Administración del Seguro Social (SSA) para que pueda empezar a resolver el problema antes de que el empleador pueda tomar cualquier acción en su contra, incluyendo la terminación de su empleo.

Los empleadores sólo pueden utilizar E-Verify una vez que usted haya aceptado una oferta de trabajo y completado el Formulario I-9.

## E-Verify Funciona Para Todos

Para más información sobre E-Verify, o si usted cree que su empleador ha violado sus responsabilidades de E-Verify, por favor contacte a DHS.

**888-897-7781**

[dhs.gov/e-verify](https://dhs.gov/e-verify)



**E-VERIFY IS A SERVICE OF DHS AND SSA**

The E-Verify logo and mark are registered trademarks of Department of Homeland Security. Commercial sale of this poster is strictly prohibited.

## Business Practices – Open Door

### Open Door

The Company maintains an Open Door Policy that encourages employees to bring to the attention of the Company any ideas, suggestions, recommendations or other issues that they feel are important to improve the Company, its operations or its services.

Employees who have input with regard to a Company policy or practice should bring it to the attention of the immediate manager/supervisor or local Human Resources representative. The Company strives to encourage a culture of open communications that provides everyone with an opportunity to be heard and have matters resolved timely and without fear of incrimination or penalty. Information regarding issues brought forward will be treated confidentially to the extent possible and will be divulged only with those who have a business need to know.

## Business Practices – Respectful Workplace

### Respectful Workplace

The Company is committed to providing a respectful and productive work environment and will not tolerate verbal, visual, written or physical conduct that harasses, disrupts, or interferes with another's work performance or which creates an intimidating or hostile work environment. This type of conduct can be verbal, visual, written, physical, or electronic and it will not be tolerated.

Any form of harassment, whether because of one's race, color, religion, sex, age, national origin, disability, sexual orientation, gender identity, marital status, veteran status, military status, genetic information, citizenship status or any other factors prohibited by law, is strictly prohibited. The Company also prohibits all acts of violence, threats, or threatening actions by or toward any Company employee. These prohibitions apply to both the workplace and to other work-related settings such as business trips and business-related social events. If an employee fails to comply with our harassment policy, it will result in corrective action, up to and including termination of employment.

**Harassment** – Harassment is defined as any unwelcome verbal, visual, written or physical conduct, which creates an intimidating or hostile work environment. Some examples include but are not limited to the following: derogatory comments or jokes regarding a person's race, color, age, religion, sex, national origin, sexual orientation, disability, marital status, veteran status, citizenship status, or any other factor prohibited by law or the distribution or display of written or graphic materials which have the same effect.



## Business Practices – Respectful Workplace

**Sexual Harassment** – Sexual Harassment is defined as unwelcome verbal, visual or physical conduct of a sexual nature when (1) submission to or rejection of this conduct by an individual is made a condition of continued employment/services or is used as a factor in decisions affecting hiring, retention, evaluation, promotion, wages, assigned duties, shifts or other conditions of employment or employee development; or (2) this conduct unreasonably interferes with an individual's work or creates an intimidating or offensive work environment. The Company may at any time, and without notice, expand its policies with regard to identifying behaviors constituting sexual harassment.

Examples of sexual harassment may include, but are not limited to:

- Unwelcome sexual flirtations, touching, advances, jokes, questions or propositions.
- Demands for sexual favors.
- Verbal abuse of a sexual nature.
- Graphic or suggestive comments about an individual's dress or body.
- Sexually degrading words to describe an individual.
- Sexually suggestive or insulting sounds or gestures, including whistling.
- The creation, transmittal, viewing, storing or display in the workplace of sexually suggestive objects, pictures, electronic images or words.

### Regarding Bullying

The Company defines bullying as persistent, malicious, unwelcome, severe and pervasive mistreatment that harms, intimidates, offends, degrades or humiliates an employee, whether verbal, physical or otherwise, at the place of work and/or in the course of employment. The Company promotes a healthy workplace culture where all employees are able to work in an environment free of bullying behavior.

The Company considers the following types of behavior to constitute workplace bullying. Please note, this list is not meant to be exhaustive and is only offered by way of example:

- Staring, glaring or other nonverbal demonstrations of hostility.
- Exclusion or social isolation.
- Being held to a different standard than the rest of an employee's work group.
- Consistent ignoring or interrupting of an employee in front of co-workers.
- Personal attacks (angry outbursts, excessive profanity, or name-calling).
- Encouragement of others to turn against the targeted employee.
- Sabotage of a co-worker's work product or undermining of an employee's work performance.
- Stalking.

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- Unwelcome touching or unconsented-to touching.
- Invasion of another person's personal space,
- Unreasonable interference with an employee's ability to do his or her work (i.e., overloading of emails).
- Repeated infliction of verbal abuse, such as the use of derogatory remarks, insults and epithets.
- Conduct that a reasonable person would find hostile, offensive, and unrelated to the employer's legitimate business interests.

The Company may at any time, and without notice, expand its policies with regard to identifying behaviors constituting bullying behavior.

### Regarding Dating

The Company prohibits managers/supervisors from dating any subordinate in their chain of command. Such relationships can be disruptive to the work environment, create conflict or the appearance of a conflict of interest, and lead to charges of favoritism, discrimination and claims of sexual harassment. While the Company has no desire to interfere with the private lives of its employees, or their off-duty conduct, where such conduct impacts the work environment in a negative manner (such as noted above, but not limited to the situations described above), the company reserves the right to take whatever action is appropriate in regard to such instances. All employees are required to self-report the commencement of any such relationship to allow the Company to take appropriate measures to remove any potential or perceived conflict. This may include, but is not limited to, transferring, if possible, one of the individuals so that a supervisor-subordinate relationship no longer exists. If no such alternative position is available, termination of employment of one of the involved employees may be required.

### Regarding Nepotism

The Company prohibits family members from being in any reporting relationship that may cause a conflict of interest to occur. As described more fully in Marmon Policy 1, employees must disclose and receive advance written approval of any potential conflicts of interests, which would include any immediate family relationship or other private interest that interferes, or reasonably appears to interfere, with the Company's interests. Employees must self-disclose any potential reporting relationship that may conflict with this policy prior to any hire or transfer, to the extent possible. If such a circumstance currently exists, the involved manager/supervisor is required to immediately notify the local Human Resources representative so appropriate action can take place, and each case will be managed based on its own circumstances. This action may include, but is not limited to, transferring one of the individuals, if possible, so that the manager-subordinate relationship no longer exists.



## Business Practices – Respectful Workplace

### Violence and Threats of Violence

Any and all acts of violence, threats, or threatening actions by or toward any Company employee will not be tolerated. Prohibited conduct includes any act of physical aggression and/or statement, which could be perceived as intent to cause physical harm, sabotage or destruction of property. This prohibition includes, but is not limited to: menacing gestures, stalking, possessing or bringing weapons on Company premises (or at any Company sponsored events), verbal and physical abuse or other aggressive, injurious and destructive actions against employees, contractors, visitors, guests, vendors, customers or other individuals conducting Company business or on Company premises (or at any Company sponsored events) or the commission of, or attempted commission of, any violent act on the Company's premises or the threat of such an act. If instances noted occur, the Company will take immediate corrective action, up to and including termination of employment. Commission of these acts may also result in criminal prosecution by government authorities.

When possible, you should seek assistance before intervening in a violent situation. If, however, you are confronted by a violent or potentially violent situation, you are expected to take all reasonable steps to avoid harm to yourself or others, which may include contacting law enforcement if appropriate.

All potentially dangerous situations, including threats by co-workers, should be reported immediately to any member of management with whom the employee feels comfortable. Reports of threats may be maintained confidentially to the extent maintaining confidentiality does not impede the Company's ability to investigate and respond to the report. All threats will be promptly investigated, and employees must cooperate with all investigations. No employee will be subjected to retaliation, intimidation or disciplinary action as a result of reporting a threat, in good faith, under this policy.

An employee who is the recipient of a threat made by an outside party should follow the steps detailed in this section. It is important for the Company to be aware of any potential danger in the workplace, as the Company wants to take effective measures to protect everyone from the threat of a violent act by an employee or a third party.

### Reporting a Complaint

If you believe the words or actions of a manager/supervisor, another employee or a third-party person (client, vendor or consultant) constitute a violation of this Respectful Workplace policy regardless of severity, you must report the situation as soon as possible. Such a report or complaint should be made to your manager/supervisor, department management, local Human Resources representative, Group Human Resources leader, Chief Human Resources Officer, or a member of the executive management team. Employees may also register such complaints to the Berkshire Hathaway Ethics & Compliance Hotline at 800-261-8651 or, if you reside in Illinois, you may also contact the Illinois Department of Human Rights at 877-236-7703.

## **Business Practices – Respectful Workplace**

Do not assume that the management of the Company is aware of the offending behavior. Although not required, it is preferred that such complaints be made in writing, with as many details included as possible to facilitate a thorough and effective investigation. Anonymous complaints are discouraged because of the serious implications of harassment allegations, the difficulties associated with an investigation of an anonymous complaint, and the questions of credibility involved. Your confidentiality will be protected to the extent possible. Prompt reporting of any violations is essential, as delays in reporting may impact the accuracy and effectiveness of any investigation. Managers and supervisors who become aware of any incident are required to immediately report such incident to Human Resources, even if the involved employee has requested that the manager or supervisor not take any action.

### **Investigations of a Complaint**

Complaints under this policy are to be managed and investigated by the Human Resources Department promptly.

If a complaint is about a member of the Human Resources Department, the complaint should be reported to the President of the Company or any member of management.

Complaints are taken seriously and will be fairly, timely and thoroughly investigated. The merits of the complaint will be evaluated based upon the results of the investigation and the particular circumstances. Confidentiality will be maintained to the fullest extent appropriate given the circumstances. Appropriate corrective action will be taken, as necessary. The complainant (if known) will be given a general description of the results, subject to appropriate restrictions on confidentiality.

### **Protection against Retaliation**

The Company will not in any way retaliate against an individual who makes a good faith complaint or report under this policy or provides information related to such complaint or report, nor permit any employee to do so. Retaliation is a serious violation and must be reported immediately, whether it relates to you or someone else in the workplace. Any employee who is found to have retaliated against another employee for making a report or complaint in good faith under this policy will be subject to corrective action, up to and including termination of employment.



## Equal Employment Opportunity

The Company is an Equal Employment Opportunity employer and is committed to providing a work environment that is free of discrimination against employees and applicants on the basis of any factor prohibited by applicable laws and regulations, including, but not limited to: race, color, religion, sex, age, national origin, ancestry, disability, sexual orientation, marital status, veteran status, military status, genetic information, citizenship status, arrest record, pregnancy, gender expression or identity, or any other factors prohibited by law. The Company's policy is to hire and promote qualified individuals from within, when possible, based upon their ability to perform, to accommodate reasonable requests (in the sole discretion of the Company) for each qualified individual with a disability or a sincerely held religious belief except when such accommodation would impose an undue burden upon the Company, and to comply in this respect with all applicable laws and regulations.

The Company's Equal Employment Opportunity policy applies to all employment practices. It is the Company's policy to base all employment-related decisions on principles of equal employment opportunity. In particular, it is the Company's policy:

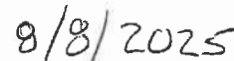
- To recruit, hire, promote, reassign, compensate and train highly qualified individuals without regard to any legally protected basis such as those listed above.
- To administer all personnel actions such as compensation, benefits, transfers, scheduling, layoffs, returns from layoffs, sponsored education, training and educational assistance, social and recreational programs, without regard to any basis listed above.
- To accommodate reasonable requests relating to religion or disability, where necessary and feasible, except where such accommodations would impose an undue burden upon the Company.
- To provide a workplace free of harassment.

It is the Company's intention to adhere to both the letter and the spirit of the laws which are intended to further the principle of equal employment opportunity. Managers/Supervisors are accountable for maintaining the Company's Equal Employment Opportunity practices and to promptly notify Human Resources of incidents in violation of this policy. Employees are expected to cooperate with this policy by refraining from discriminatory actions or statements, as well as actions or statements which may be interpreted as discriminatory.

Employees may report a violation of this policy to their Manager/Supervisor, department management, local human resources department. Employees also have the option to register such complaints to the Berkshire Hathaway Ethics and Compliance Hotline (800-261-8651). The Company will investigate all allegations and will take appropriate corrective action if warranted. Complaints brought under this policy will be promptly investigated and handled with due regard for the privacy and respect of all involved. Retaliation for reporting violations of this policy in good faith or participating in any investigation is strictly prohibited.



Kevin Marcondes, General Manager



Date



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## NOTICE TO ALL EMPLOYEES AND APPLICANTS

It is the policy of Kitco Fiber Optics (KITCO) to recruit, hire, train and promote, into all job classifications, the most qualified persons without regard to race, color, national origin, sex, sexual orientation, gender identity, religion, age, status as a protected veteran or an individual with disability. Also employment and promotional decisions will be based on valid job requirements and by utilizing reasonable standards.

Sheryl Correia, HR Manager is the designated EEO Coordinator at the company. The EEO Coordinator's responsibility is to implement and to audit and monitor adherence to this policy.

Any employees or applicants with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor or the EEO Coordinator. Employees and applicants can raise concerns and make reports without fear of reprisal, harassment, intimidation, threats, coercion, or discrimination because they: (1) file a complaint with KITCO or with federal, state, or local agencies; (2) assist or participate in any investigation, compliance review, hearing, or any other activity related to the administration of any federal, state, or local equal employment opportunity or affirmative action statute; (3) oppose any act or practice made unlawful by federal, state, or local law requiring equal employment opportunity or affirmative action; or (4) exercise any other employment right protected by federal, state, or local law or its implementing regulations.

The Affirmative Action Plan for Individuals with Disabilities and Protected Veterans is on file in the Human Resources Office and is available for employee and applicant review between 8:00 a.m. and 5:00 p.m., Monday through Friday. Any employee or applicant who would like to review the Affirmative Action Plan for Individuals with Disabilities and Protected Veterans should contact Sheryl Correia, HR Manager 757- 216-2216.

Charles J. Clement, President is committed to all of the above objectives of equal employment opportunity and expects the cooperation and participation of all employees of the company in achieving these objectives.



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## **INVITATION TO SELF IDENTIFY TO ALL EMPLOYEES AND APPLICANTS**

KITCO Fiber Optics (KITCO) is a government subcontractor subject to Section 503 of the Rehabilitation Act of 1973, as amended, and the Vietnam Era Veterans Readjustment Assistance act of 1974, as amended, which require government contractors and subcontractors to take affirmative action to employ and advance in employment, qualified individuals with disabilities, qualified disabled veterans, recently separated veterans, active duty wartime or campaign badge veterans and Armed Forces service medal veterans. If you are a disabled veteran, recently separated veteran, active duty wartime or campaign badge veteran, Armed Forces service medal veteran, or disabled, and would like to be included under our affirmative action program, please tell us.

You may inform us of your desire to benefit under the program at this time and/or at any time in the future. Submission of this information is voluntary and refusal to provide it will not subject you to any adverse treatment.

This information will assist us in placing you in an appropriate position and in making accommodations to your disability. KITCO will continue to recruit, hire, train and promote qualified persons without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, age, status as a protected veteran or an individual with disability. Information you submit concerning your disability or protected veteran status shall be kept confidential, except that:

1. Supervisors and managers may be informed regarding restrictions of the work or duties of individuals with disabilities and regarding necessary accommodations;
2. First aid and safety personnel may be informed, when and to the extent appropriate, if you have a condition that might require emergency treatment; and
3. Government officials engaged in enforcing the law administered by OFCCP or the Americans with Disabilities Act, may be informed.

The information provided will be used only in ways that are not inconsistent with section 503 of the Rehabilitation Act of 1973 or the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended.

If you are an individual with disability or a disabled veteran it would assist us if you tell us whether there are accommodations we could make that would enable you to perform the essential functions of the job, including special equipment, changes in the physical layout of the



job, changes in the way the job is customarily performed, provision of personal assistance services or other accommodations. This information will assist us in making reasonable accommodations for your disability.

Pursuant to these regulations, we have developed an Affirmative Action Plan for Individuals with Disabilities and Protected Veterans which is on file in the Human Resources Office and is available for employees between 8:00 a.m. and 5:00 p.m., Monday through Friday.

Any employee who believes he or she is covered by the provisions of one of these Acts and desires consideration under the AAP should contact Sheryl Correia, HR Manager, 757-216-2216 .