

FEDERAL WAGE AND LABOR LAW INSTITUTE



**NEW YORK STATE
DIVISION OF
HUMAN
RIGHTS**
WWW.DHR.STATE.NY.US

THIS ESTABLISHMENT IS SUBJECT TO THE NEW YORK STATE HUMAN RIGHTS LAW (EXECUTIVE LAW, ARTICLE 15)

DISCRIMINATION BASED ON AGE, RACE, CREED, COLOR, NATIONAL ORIGIN, SEXUAL ORIENTATION, MILITARY STATUS, SEX, DISABILITY, DOMESTIC VIOLENCE VICTIM STATUS, OR MARITAL STATUS IS PROHIBITED BY THE NEW YORK STATE HUMAN RIGHTS LAW IN:

EMPLOYMENT, BY EMPLOYERS OF FOUR OR MORE PEOPLE, EMPLOYMENT AGENCIES, LABOR ORGANIZATIONS AND APPRENTICESHIP TRAINING PROGRAMS

Also prohibited: discrimination in employment on the basis of Sabbath observance or religious practices; prior arrest or conviction record; predisposing genetic characteristics.

Reasonable accommodations for persons with disabilities may be required. A reasonable accommodation is an adjustment to a job or work environment that enables a person with a disability to perform the essential functions of a job in a reasonable manner.

RENTAL, LEASE OR SALE OF HOUSING, LAND AND COMMERCIAL SPACE

Exceptions:
(1) rental of an apartment in an owner-occupied two-family house
(2) restrictions of all rooms in a housing accommodation to individuals of the same sex
(3) rental of a room by the occupant of a house or apartment
(4) sale, rental, or lease of accommodations of housing exclusively to persons 55 years of age or older, and the spouse of such persons

Also prohibited: discrimination in housing on the basis of familial status (e.g. families with children). Reasonable accommodations and modifications for persons with disabilities may also be required.

ACTIVITIES OF REAL ESTATE BROKERS AND SALES PEOPLE

Also prohibited: commercial boycotts and blockbusting.

PLACES OF PUBLIC ACCOMMODATION, RESORT OR AMUSEMENT SUCH AS RESTAURANTS, HOTELS, HOSPITALS, CLUBS AND MEDICAL OFFICES

Exception:
Age is not a covered classification relative to public accommodations. Reasonable accommodations for persons with disabilities may also be required. (Effective January 1st, 2008.)

ADVERTISING AND APPLICATIONS RELATING TO EMPLOYMENT, REAL ESTATE, PLACES OF PUBLIC ACCOMMODATION AND CREDIT TRANSACTIONS

EDUCATIONAL INSTITUTIONS: NON-SECTARIAN, TAX EXEMPT, PUBLIC AND PRIVATE ALL CREDIT TRANSACTIONS INCLUDING FINANCING FOR PURCHASE, MAINTENANCE AND REPAIR OF HOUSING

If you wish to file a formal complaint with the Division of Human Rights, you must do so within one year after the discrimination occurred. The Division's services are provided free of charge.

If you wish to file a complaint in State Court, you may do so within three years of the discrimination. You may not file both with the Division and the State Court.

Retaliation for filing a complaint or opposing discriminatory practices is prohibited. You may file a complaint with the Division if you have been retaliated against.

FOR FURTHER INFORMATION, WRITE OR CALL THE DIVISION'S NEAREST OFFICE. HEADQUARTERS: ONE FORDHAM PLAZA, 4TH FLOOR, BRONX, NY 10458

**LA DISCRIMINACIÓN REALMENTE HACE DAÑO.
SI ES TESTIGO O VÍCTIMA DE ELLA, LLÁMENOS.
ESTAMOS AQUÍ PARA SERVIRLES.
(718) 741-8400 (888) 392-3644
TTD (718) 741-8300**



**ESTADO DE NUEVA YORK
DIVISION DE
DERECHOS
HUMANOS**
WWW.DHR.STATE.NY.US

**DISCRIMINATION REALLY HURTS.
IF YOU SEE OR EXPERIENCE IT, CALL US.
WE'RE HERE.
(718) 741-8400 (888) 392-3644
TTD (718) 741-8300**

ESTE ESTABLECIMIENTO ESTÁ SUJETO A LA LEY DE DERECHOS HUMANOS DEL ESTADO DE NUEVA YORK (LEY EJECUTIVA, ARTÍCULO 15)

LA DISCRIMINACIÓN BASADA EN EDAD, RAZA, CREDO, COLOR, NACIONALIDAD, ORIENTACIÓN SEXUAL, ESTADO MILITAR, SEXO, DISCAPACIDAD, ESTADO COMO VÍCTIMA DE VIOLENCIA DOMÉSTICA, O ESTADO CIVIL ESTÁ PROHIBIDA BAJO LA LEY DE DERECHOS HUMANOS DEL ESTADO DE NUEVA YORK EN:

EL EMPLEO, POR PARTE DE EMPLEADORES CON UN PERSONAL DE CUATRO PERSONAS O MÁS, EN SINDICATOS Y PROGRAMAS DE ADIESTRAMIENTO Y CAPACITACIÓN

También se prohíbe: La discriminación en el empleo basado en la observación del Sabat y otras prácticas religiosas, por previos arrestos o antecedentes criminales, por predisposición genética.

En casos de personas con discapacidades físicas se puede exigir que se le proporcionen ajustes necesarios y razonables. Un ajuste razonable es una modificación en el lugar o ambiente de trabajo que permita que una persona con discapacidades pueda desempeñar sus funciones de forma razonable.

ALQUILER, CONTRATO DE ALQUILER, VENTA DE VIVIENDAS, TIERRAS O ESPACIOS COMERCIALES

Excepciones:
(1) el alquiler de un apartamento en una casa para dos familias en la que reside el propietario
(2) la restricción de todas las habitaciones de una propiedad residencial para alojamiento de individuos del mismo sexo
(3) el alquiler de una habitación por el ocupante de una casa o apartamento
(4) la venta, alquiler, contrato de alquiler en viviendas para alojamiento exclusivo de personas de 55 años o más y sus respectivos esposos o esposas

También está prohibido: la discriminación en viviendas basada en la situación familiar (ejemplo: familias con niños). También se puede exigir que se hagan ajustes razonables y modificaciones para las personas con discapacidades.

ACTIVIDADES DE AGENTES Y VENDEDORES DE BIENES RAÍCES

Está prohibido: los boicots comerciales y la práctica de vender o alquilar viviendas a grupos étnicos minoritarios en barrios habitados predominantemente por blancos, con el propósito de deprecia las propiedades y hacer especulaciones. A ésta práctica se le conoce en inglés como blockbusting.

SITIOS PÚBLICOS, LUGARES PARA VACACIONAR O DE ENTRETENIMIENTO COMO RESTAURANTES, HOTELES, HOSPITALES, CLUBES Y CONSULTORIOS MÉDICOS

Excepción:
La edad no es una de las categorías protegidas con respecto a los sitios públicos. Ajustes razonables para las personas con discapacidades también pueden ser requeridos. (Efectivo el 1ero de enero del 2008.)

PUBLICIDAD Y SOLICITUDES RELACIONADAS A EMPLEOS, BIENES RAÍCES, SITIOS PÚBLICAS Y OPERACIONES DE CRÉDITO

INSTITUCIONES EDUCATIVAS: QUE NO SEAN RELIGIOSAS, LIBRES DE IMPUESTOS, PÚBLICAS Y PRIVADAS

TODAS LAS OPERACIONES DE CRÉDITO INCLUYENDO FINANCIAMIENTO DE COMPRA, MANTENIMIENTO O REPARACIONES DE VIVIENDAS

Si desea presentar una querrela con la División de Derechos Humanos, debe hacerlo dentro de un plazo de un año después que el acto discriminatorio haya ocurrido. Los servicios que ofrece la División son gratuitos.

Si desea presentar una querrela ante la Corte Estatal tiene un plazo de hasta tres años después del incidente discriminatorio para hacerlo. No puede presentar su queja en ambos lugares, la División y la Corte Estatal.

Está prohibido tomar represalias contra una persona porque haya presentado una querrela o por oponerse a conductas discriminatorias. Usted puede presentar una querrela ante la División si han tomado represalias en su contra.

PARA MÁS INFORMACIÓN, ESCRIBA O LLAME A SU OFICINA DE LA DIVISIÓN MÁS CERCANA. SEDE: ONE FORDHAM PLAZA, 4TH FLOOR, BRONX, NY 10458

STATE OF NEW YORK



Department of Labor

Post Conspicuously

ATTENTION EMPLOYEES (ATENCIÓN EMPLEADOS) MINIMUM WAGE INFORMATION (INFORMACIÓN SOBRE EL SALARIO MÍNIMO)

Effective 12/31/15
Basic Hourly Rate
\$9.00 per hour

A partir del 12/31/15
Salario Mínimo
\$9.00 por hora

Overtime Rate

For most occupations, employees must be paid overtime after 40 hours of work in a week at 1 1/2 times their hourly rate of pay. For residential employees, the overtime rate applies after 44 hours.

Tips

A specified allowance may be credited toward the minimum wage for tips earned.

Meals and Lodging

A specific credit may be granted toward the minimum wage for meals and/or lodging provided by the employer.

Federal Law

Employees covered under the federal Fair Labor Standards Act must be paid in accordance with State law and also in accordance with higher federal requirements, where applicable.

Other Wage Requirements

A specific amount must be paid, in addition to the minimum wage, for the maintenance of required uniforms.
There are provisions for other supplemental wages in New York State Industry wage orders. These may include a part-time rate, daily call-in pay and a rate for split shift or spread of hours. Whether a particular supplemental wage applies depends on the provisions of the industry wage order covering the employment.

For additional information or to file a complaint

Write or call the Department of Labor, Division of Labor Standards at one of the offices listed below:

State Office Building Campus
Albany, NY 12240
(518) 457-2730

44 Hawley Street
Binghamton, NY 13901
(607) 721-8014

65 Court Street
Buffalo, NY 14202
(716) 847-7141

400 Oak Street
Garden City, NY 11530
(516) 794-8195

75 Varick Street, 7th Floor
New York, NY 10013
(212) 775-3880

109 S. Union Street
Rochester, NY 14607
(585) 258-4550
(Subdistrict)

333 E. Washington Street
Syracuse, NY 13202
(315) 428-4057

120 Bloomingdale Road
White Plains, NY 10605
(914) 997-9521

For additional information:
www.labor.ny.gov

The New York State Department of Labor is an Equal Opportunity Employer/Program. Auxiliary aids and services are available upon request to individuals with disabilities. El Departamento de Trabajo del Estado de Nueva York es un patrono y proveedor de programas que respetan la igualdad de oportunidades. Servicios adicionales para personas incapacitadas e instrumentos para ayudarlas están disponibles a solicitud de dichas personas.
LS-207 (1/16)

NEW YORK CORRECTION LAW ARTICLE 23-A

LICENSURE AND EMPLOYMENT OF PERSONS PREVIOUSLY CONVICTED OF ONE OR MORE CRIMINAL OFFENSES

Section 750. Definitions.

751. Applicability.

- 752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited.**
- 753. Factors to be considered concerning a previous criminal conviction; presumption.**
- 754. Written statement upon denial of license or employment.**
- 755. Enforcement.**

750. Definitions. For the purposes of this article, the following terms shall have the following meanings:

- (1) "Public agency" means the state or any local subdivision thereof, or any state or local department, agency, board or commission.
- (2) "Private employer" means any person, company, corporation, labor organization or association which employs ten or more persons.
- (3) "Direct relationship" means that the nature of criminal conduct for which the person was convicted has a direct bearing on his fitness or ability to perform one or more of the duties or responsibilities necessarily related to the license, opportunity, or job in question.
- (4) "License" means any certificate, license, permit or grant of permission required by the laws of this state, its political subdivisions or instrumentalities as a condition for the lawful practice of any occupation, employment, trade, vocation, business, or profession. Provided, however, that "license" shall not, for the purposes of this article, include any license or permit to own, possess, carry, or fire any explosive, pistol, handgun, rifle, shotgun, or other firearm.
- (5) "Employment" means any occupation, vocation or employment, or any form of vocational or educational training. Provided, however, that "employment" shall not, for the purposes of this article, include membership in any law enforcement agency.

751. Applicability. The provisions of this article shall apply to any application by any person for a license or employment at any public or private employer, who has previously been convicted of one or more criminal offenses in this state or in any other jurisdiction, and to any license or employment held by any person whose conviction of one or more criminal offenses in this state or in any other jurisdiction preceded such employment or granting of a license, except where a mandatory forfeiture, disability or bar to employment is imposed by law, and has not been removed by an executive pardon, certificate of relief from disabilities certificate of good conduct. Nothing in this article shall be construed to affect any right an employer may have with respect to an intentional misrepresentation in connection with an application for employment made by a prospective employee or previously made by a current employee.

752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited. No application for any license or employment, and no employment or license held by an individual, to which the provisions of this article are applicable, shall be denied or acted upon adversely by reason of the individual's having been previously convicted of one or more criminal offenses, or by reason of a finding of lack of "good moral character" when such finding is based upon the fact that the individual has previously been convicted of one or more criminal offenses, unless:

- (1) There is a direct relationship between one or more of the previous criminal offenses and the specific license or employment sought or held by the individual; or
- (2) the issuance or continuation of the license or the granting or continuation of the employment would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public.

753. Factors to be considered concerning a previous criminal conviction; presumption. 1. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall consider the following factors:

- (a) The public policy of this state, as expressed in this act, to encourage the licensure and employment of persons previously convicted of one or more criminal offenses.
- (b) The specific duties and responsibilities necessarily related to the license or employment sought or held by the person.
- (c) The bearing, if any, the criminal offense or offenses for which the person was previously convicted will have on his fitness or ability to perform one or more such duties or responsibilities.
- (d) The time which has elapsed since the occurrence of the criminal offense or offenses.
- (e) The age of the person at the time of occurrence of the criminal offense or offenses.
- (f) The seriousness of the offense or offenses.
- (g) Any information produced by the person, or produced on his behalf, in regard to his rehabilitation and good conduct.
- (h) The legitimate interest of the public agency or private employer in protecting property, and the safety and welfare of specific individuals or the general public.

2. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall also give consideration to a certificate of relief from disabilities or a certificate of good conduct issued to the applicant, which certificate shall create a presumption of rehabilitation in regard to the offense or offenses specified therein.

754. Written statement upon denial of license or employment. At the request of any person previously convicted of one or more criminal offenses who has been denied a license or employment, a public agency or private employer shall provide, within thirty days of a request, a written statement setting forth the reasons for such denial.

755. Enforcement. 1. In relation to actions by public agencies, the provisions of this article shall be enforceable by a proceeding brought pursuant to article seventy-eight of the civil practice law and rules.

2. In relation to actions by private employers, the provisions of this article shall be enforceable by the division of human rights pursuant to the powers and procedures set forth in article fifteen of the executive law, and, concurrently, by the New York City commission on human rights.

Employee Voting Leave in New York

If a registered voter in New York does not have sufficient time outside of working hours to vote at any election, that person may take off the amount of working time that, when added to voting time outside working hours, will allow enough time to vote.

Paid time off rules. Of the time taken off to vote, up to two hours may be taken without loss of pay. Time off to vote must be taken at the beginning or end of the person's work shift unless otherwise mutually agreed upon between the employee and employer.

Advance notice requirements. An employee who needs time off to vote shall notify the employer no more than 10 nor less than two working days before election day that time off is required.

Amount of time off allowed. Of the time taken off to vote, up to two hours may be taken without loss of pay.

When time off not allowed. If an employee has four consecutive nonworking hours when the polls are open, the employee has sufficient time outside of work to vote.

Posting requirements. Not less than 10 working days before every election, every employer must post a notice setting forth the provisions of the time-off-to-vote law in a conspicuous place. The notice must remain posted until the polls close on election day.

Employer Penalty for Violation. Fine of \$100 to \$500 and/or jail up to 1 year (first offense). Corporations also face forfeiture of charter.



Notice - Fringe Benefits and Hours

This employer's policy on sick leave, vacation, personal leave, holidays and hours is contained in the *Employee Handbook*, which was given to each employee. A copy of the handbook can be viewed at the office of _____ during regular business hours.

Blood Donation Leave

Off-Premises Donation:

Employees shall be permitted at least one unpaid leave period per calendar year of three hours during the employees regular work schedule.

Blood Donation Leave Alternatives:

- a. Leave for blood donation leave alternatives shall be paid leave without use of vacation, personal, sick, or other existing leave accruals.
- b. Leave for blood donation leave alternatives shall be given twice per calendar year.
- c. Leave for blood donation leave alternatives shall be for the purpose of donating blood at a "convenient time and place set by the employer."
- d. Employees leave time must be given during an employee's work hours.
- e. Employees donating blood during a blood donation leave alternative must be allowed sufficient leave time necessary to donate blood, to recover, including partaking nourishment after donating and returning to work.

YOUR BREASTFEEDING RIGHTS

AT THE HOSPITAL YOU HAVE THE RIGHT:

- To be with your baby at any time after you give birth.
- To start breastfeeding, so long as it's safe for you and your baby.
- To get information about breastfeeding so that you can decide what you want to do.
- To have someone show you how to feed your baby.
- To get advice about the health benefits of breast milk for your baby, how to eat and stay healthy while you are breastfeeding, common problems nursing moms face, and how to collect and store your breast milk.
- To get information about how to feed your baby with formula if you can't breastfeed or decide not to.

IN PUBLIC YOU HAVE THE RIGHT:

- To breastfeed your baby in any public or private place where you have the right to be.
- This includes stores, day care centers, doctors' offices, restaurants, parks, movie theaters and many other places.
- No one can tell you to leave any of these places because you are breastfeeding, and no one can tell you to breastfeed in a bathroom, a basement or a private room.

AT WORK YOU HAVE THE RIGHT:

- To pump breast milk for three years after you give birth.
- To use your paid break or meal time, or to take reasonable unpaid break times, to pump breast milk.
- To ask for a private place to pump breast milk close to where you work. Your employer must try to find you one.
- Your employer cannot discriminate against you for choosing to breastfeed your baby or for pumping milk at work.

Please be advised that the required notices or postings included on this poster are available free of charge from the government office having jurisdiction over the required notices or postings.

The following chart is a summary of the permitted working hours provisions of the New York State Labor Law relating to minors less than 18 years of age:

New York State Department of Labor Worker Protection Division of Labor Standards PERMITTED WORKING HOURS FOR MINORS UNDER 18 YEARS OF AGE

AGE OF MINOR (GIRLS AND BOYS)	INDUSTRY OR OCCUPATION	MAXIMUM DAILY HOURS	MAXIMUM WEEKLY HOURS	MAXIMUM DAYS PER WEEK	PERMITTED HOURS
MINORS ATTENDING SCHOOL When School is in Session 14 and 15	All occupations except farm work, newspaper carrier and street trades.	3 hours on school days 8 hours on other days	18 ¹	6	7 AM to 7 PM
16 and 17	All occupations except farm work, newspaper carrier and street trades.	4 hours on days preceding school days (i.e. Mon., Tues., Wed., Thurs.) ² 8 hours on Fri., Sat., Sun. and Holidays ⁴	28 ⁴	6 ⁴	6 AM to 10 PM ³
When School is Not in Session (Vacation) 14 and 15	All occupations except farm work, newspaper carrier and street trades.	8 hours	40	6	7 AM to 9 PM June 21 to Labor Day
16 and 17	All occupations except farm work, newspaper carrier and street trades.	8 hours ⁴	48 ⁴	6 ⁴	6 AM to Midnight ⁴
MINORS NOT ATTENDING SCHOOL 16 and 17	All occupations except farm work, newspaper carrier and street trades.	8 hours ⁴	48 ⁴	6 ⁴	6 AM to Midnight ⁴
FARM WORK 12 and 13 14 and older	Hand harvest of berries, fruits and vegetables. Any farm work.	4 hours -	- -	- -	7 AM to 7 PM June 21 to Labor Day 9 AM to 4 PM day after Labor Day to June 20
NEWSPAPER CARRIERS 11 to 18	Delivers, or sells and delivers newspapers shopping papers or periodicals to homes or business places.	4 hours on school days 5 hours on other days	-	-	5 AM to 7 PM or 30 minutes prior to Sunset, whichever is later
STREET TRADES 14 to 18	Self-employed work in public places selling newspapers or work as a bootblack	4 hours on school days 5 hours on other days	-	-	6 AM to 7 PM

¹ Students 14 and 15 enrolled in an approved work/study program may work 3 hours on a school day, 23 hours in any one-week when school is in session.
² Students 16 and 17 enrolled in an approved Cooperative Education Program may work up to 6 hours on a day preceding a school day other than a Sunday or Holiday when school is in session as long as the hours are in conjunction with the Program.
³ 6 AM to 10 PM or until midnight with written parental and educational authorities consent on day preceding a school day and until midnight on day preceding a non-school day with written parental consent.
⁴ This provision does not apply to minors employed in resort hotels or restaurants in resort areas.

A SCHEDULE OF HOURS OF WORK FOR MINORS UNDER 18 YEARS OF AGE MUST BE POSTED IN THE ESTABLISHMENT BY THE EMPLOYER.

LS-171 (09/07)

ADDITIONAL CHILD LABOR LAW INFORMATION

- An Employment Certificate (Working Paper) is required for all minors under 18 years of age who are employed.
- There are numerous prohibited occupations for minors in New York State. Contact any of the offices listed below for further information.
- Civil penalties for violations of Child Labor Laws are:
First Violation - maximum \$1,000*
Second Violation - maximum \$2,000*
Third or Subsequent Violation - maximum \$3,000*
- * If a minor is seriously injured or dies while illegally employed, the penalty is treble the maximum penalty allowable under the law for such violation.
- Section 14A of the Workers' Compensation Law provides double compensation and death benefits for minors illegally employed.

Inquiries concerning these laws and other provisions of the New York State Labor Law may be addressed to the Department of Labor, at one of the offices of the Division of Labor Standards listed below:

CITY	ZIP CODE	ADDRESS	TELEPHONE
ALBANY	12240	State Office Building Campus	(518) 457-2730
BINGHAMTON (Subdistrict)	13901	44 Hawley Street	(607) 721-8014
BUFFALO	14202	65 Court Street	(716) 847-7141
GARDEN CITY	11530	400 Oak Street	(516) 794-8195
NEW YORK	10013	75 Varick Street, 7 th Floor	(212) 775-3880
ROCHESTER (Subdistrict)	14607	109 S. Union Street	(585) 258-4550
SYRACUSE	13202	333 East Washington Street	(315) 428-4057
WHITE PLAINS	10605	120 Bloomingdale Road	(914) 997-9521

DOL WEBSITE HOMEPAGE
<http://www.labor.state.ny.us>

7001 W. 43RD STREET HOUSTON, TEXAS 77092 **FOR INFORMATION OR TO REORDER AN ALL-IN-ONE® POSTER CALL (800) 767-9243** **www.fwlli.com**