

**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 the employee's tips 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.

**WAGE AND HOUR DIVISION**  
UNITED STATES DEPARTMENT OF LABOR  
1-866-487-9243  
www.dol.gov/agencies/whd

**NC** **Certificate of Coverage and Notice to Workers as to Benefit Rights**

Employers covered by the Employment Security Law of North Carolina (Chapter 96 of the North Carolina General Statutes) contribute to a special fund set aside for the payment of unemployment insurance benefits. No money is withheld from workers' checks for unemployment insurance purposes.

If your work hours are substantially reduced or your job is eliminated due to lack of work you may qualify for unemployment benefits. If you work less than the equivalent of (3) customary scheduled full time days, during any payroll week because work was not available, you may be eligible for unemployment insurance benefits. An employer may file claims for employees through the use of automation in case of partial unemployment. An employer may file an attached claim for an employee only once during a benefit year, and the period of partial unemployment for which the claim is filed may not exceed six consecutive weeks. You must notify the employer of any wages earned from all sources during the payroll week. Unemployment insurance benefit payments are processed in Raleigh, North Carolina. Please be sure that your employer has your correct mailing address.

If you lose your job with this employer, you may contact the Department of Commerce, Division of Workforce Solutions (DWS) at [www.nccommerce.com/workforce](http://www.nccommerce.com/workforce) to assist you in securing suitable work. DWS provides a wide variety of services free of charge. If suitable work is not readily available you may file a claim for unemployment insurance benefits with the Division of Employment Security at [des.nc.gov](http://des.nc.gov), or by phone at 877-841-9617.

By law, workers who become unemployed for other reasons or who refuse suitable work may be denied unemployment insurance benefits.

If you have any questions about unemployment insurance benefits or need more information, contact the Division of Employment Security at the address shown on the bottom of this poster.

**During Labor Disputes (Section 96-14.7(b))**  
An individual is disqualified for benefits if the Division determines the individual's total or partial unemployment is caused by a labor dispute at your place of employment or any location owned by the employer within the state of North Carolina. Once the labor dispute has ended, such workers shall continue to be ineligible for unemployment insurance benefits for the period of time that is reasonably necessary to resume operations in the workers' place of employment.

**Instructions for Employers**

- Post this notice on your premises in such a place that all employees may see it. Additional copies may be obtained online at [des.nc.gov](http://des.nc.gov).
- You must notify affected workers of a vacation period within a reasonable period of time before it begins.
- Benefit claims for attached workers may be filed online at [des.nc.gov](http://des.nc.gov).

For More Information, Contact:  
NORTH CAROLINA DEPARTMENT OF COMMERCE  
DIVISION OF EMPLOYMENT SECURITY  
P.O. Box 25903  
Raleigh, NC 27611-5903  
TELEPHONE: (919) 707-1237  
[des.nc.gov](http://des.nc.gov)

**FORM 17** **Revised 12/2020**

**N.C. WORKERS' COMPENSATION NOTICE TO INJURED WORKERS AND EMPLOYERS**

All employees of this business, except specifically excluded executive officers, suffering work-related injuries may be entitled to Workers' Compensation benefits from the employer or its insurance carrier.

**IF YOU HAVE A WORK-RELATED INJURY OR AN OCCUPATIONAL DISEASE**

**The Employee Should:**

- Report the injury or occupational disease to the Employer immediately.
- Give written notice to the Employer within 30 days.
- File a claim with the Industrial Commission on a Form 18 immediately, but no later than 2 years from injury date or occupational disease. Give a copy to the Employer.
- If medical treatment and wage loss compensation are not promptly provided, call the insurance carrier/administrator or request a hearing before the Industrial Commission using a Form 33 Request for Hearing. Commission forms are available at website [www.ic.nc.gov](http://www.ic.nc.gov) or by calling the Help Line.
- Your employer's workers' compensation insurance carrier is \_\_\_\_\_.
- The insurance policy number is \_\_\_\_\_.
- Your employer's workers' compensation insurance policy is valid from \_\_\_\_\_ until \_\_\_\_\_.

**For assistance: Call the Industrial Commission HELP LINE—(800) 688-8349.**

**The Employer Should:**

- Provide all necessary medical services to the Employee.
- Report the injury to the carrier/administrator and file a Form 19 Report of Injury within 5 days with the Industrial Commission, if the Employee misses more than 1 day from work or if cumulative medical costs exceed \$4,000.
- Give a copy of your completed Form 19 to the Employee along with a copy of a blank Form 18 Notice of Accident. Ensure that compensation is promptly paid as required under the Workers' Compensation Act.

**NORTH CAROLINA INDUSTRIAL COMMISSION**  
1235 MAIL SERVICE CENTER  
RALEIGH, NORTH CAROLINA 27699-1235  
Website: [www.ic.nc.gov](http://www.ic.nc.gov)

**TO EMPLOYER: THIS FORM MUST BE PROMINENTLY POSTED IF YOU HAVE WORKERS' COMPENSATION INSURANCE OR QUALIFY AS SELF-INSURED. (N.C. Gen. Stat. §97-93).**

**NC** **Department of Labor**

**Wage and Hour Notice to Employees**

payment provisions do not apply to any federal, state or local agency or instrumentality of government.

**Complaints**  
The department's Wage and Hour Bureau investigates complaints and may collect back wages plus interest if they are due to the employer. The state of North Carolina may bring civil or criminal actions against the employer for violations of the law. The employer may also sue the employer for back wages. The court may award attorney's fees, costs, liquidated damages and interest.

Anyone having a question about the Wage and Hour Act may call:  
**1-800-NC-LABOR (1-800-625-2267)**

**Employee Classification**  
Any worker who is defined as an employee by the N.C. Wage and Hour Act (N.C. Gen. Stat. 95-25.24), the N.C. Employee Fair Classification Act, the Internal Revenue Code as adopted under N.C. Employment Security Laws (N.C. Gen. Stat. 96-11(b)(10)), the N.C. Workers' Compensation Act (N.C. Gen. Stat. 97-22.0), or the N.C. Revenue Act (N.C. Gen. Stat. 105-163.14) shall be treated as an employee.

Any employee who believes that he or she has been misclassified as an independent contractor by his or her employer may report the suspected misclassification to the N.C. Industrial Commission's Employee Classification Section by phone, email or fax. When filing a complaint, please provide the physical location, mailing address, and if available, the telephone number and email address for the employer suspected of employee misclassification.

**EMPLOYEE CLASSIFICATION SECTION**  
N.C. INDUSTRIAL COMMISSION  
1233 MAIL SERVICE CENTER  
RALEIGH, NC 27699-4333  
EMAIL: [emp.classification@ic.nc.gov](mailto:emp.classification@ic.nc.gov)  
PHONE: 919-807-2582  
FAX: 919-715-0282

**Right-to-Work Laws**  
North Carolina is a "right-to-work" state. Right-to-work applies to collective bargaining or labor unions. The right of persons to work cannot be denied or reduced in any way because they are either members of a labor union (including labor organization or labor association) or chose not to be a member of any such labor union. An employer cannot require any person, as a condition of employment or continuation of employment, to pay any dues or other fees of any kind to a labor union. Also, an employer cannot enter into an agreement with a labor union whereby (1) non-union members are denied the right to work for the employer, (2) membership is made a condition of employment or continuation of employment, or (3) the labor union acquires an employment monopoly in any enterprise.

NCIOL has no enforcement authority regarding labor union laws. For employee concerns regarding labor unions, contact the Regional Office of the National Labor Relations Board. The NLRB is an independent federal agency that protects the rights of private sector employees to join together, with or without a union, to improve their wages and working conditions. Regional office contact:  
**NLRB-REGION 11 OFFICE**  
REARDC SQUARE  
4035 UNIVERSITY PARKWAY, SUITE 200  
WINSTON-SALEM, NC 27106-3325  
336-631-5201

**Retailary Employment Discrimination**  
The department's Retailary Employment Discrimination Bureau investigates and enforces complaints filed by employees against their employers for alleged violations of the N.C. Retailary Employment Discrimination Act (REDA). Under REDA, an employer may not retaliate against an employee for engaging in REDA-protected activities, such as filing a claim or initiating an inquiry, related to certain rights under the following:  
• Workers' Compensation Claims  
• Wage and Hour Complaints  
• Occupational Safety and Health Complaints  
• Mine Safety and Health Complaints  
• Genetic Testing Discrimination  
• Sickle Cell or Hemoglobin C Carriers Discrimination  
• N.C. National Guard Service Discrimination  
• Participation in the Juvenile Justice System  
• Exercising Rights Under Domestic Violence Laws  
• Pediatric Regulation Complaints  
• Drug Paraphernalia Complaints

Employees who believe they have been retaliated against in their employment because of activities under the above statutes, or employees who have questions about the application of REDA, may call:  
**1-800-NC-LABOR (1-800-625-2267)**

A REDA complaint must be filed with the bureau within 180 days of the date of retaliation.  
**www.labor.nc.gov**

Follow NCDOL on Facebook, Twitter, YouTube, Instagram, Podcast

To find out more information about this poster and to download all of the required state and federal posters, please visit our website at: [www.labor.nc.gov/labor-law-posters](http://www.labor.nc.gov/labor-law-posters)

Printed 09/22

**Wage and Hour Notice to Employees and OSH Notice to Employees must be posted together.**

**OSH Notice to Employees**

Within 24 hours:

- Any work-related in-patient hospitalization of one or more employees.
- Any work-related amputation.
- Any work-related loss of an eye.

To report an accident, call the OSH Division at **1-800-625-2267 or 919-779-8560.**

**Employee Rights and Responsibilities**  
Public and private sector employees must comply with occupational safety and health standards, rules, regulations, and those orders issued under OSHA that relate to their own actions and conduct.

- Complaints**—An employee has a right to make a complaint regarding workplace conditions he or she believes are unsafe, unhealthy or in violation of OSHA standards. When an OSH inspector is in an employee's workplace, that employee has a right to point out unsafe or unhealthy conditions and to freely answer any questions asked by the inspector. When making a complaint, the employee may request that his or her name be kept confidential.
- To make a complaint, call 1-800-625-2267 or 919-779-8560. Complaints also can be made online at [www.labor.nc.gov](http://www.labor.nc.gov).**
- Contesting Abatement**—Employees may contest any abatement period set as a result of an OSH inspection at their workplace. An employee has the right to appear before the Review Commission to contest the abatement period and seek judicial review.

**Other OSHA Information**  
**Federal Monitoring**—The OSH Division is monitored by the U.S. Department of Labor. Federal authorities ensure that continued state administration is merited. Any person who has a complaint about the state's administration of OSHA may contact the Regional Office of the U.S. Department of Labor, 601 Forsyth St., S.W., Suite 6750, Atlanta, GA 30303.

- Additional Information or Questions**—Anyone having a question about any of the above information may write or call:  
**N.C. DEPARTMENT OF LABOR**  
**OCCUPATIONAL SAFETY AND HEALTH DIVISION**  
**1101 MAIL SERVICE CENTER**  
**RALEIGH, NC 27699-1101**  
**PHONE: 1-800-625-2267**  
**FAX: 919-707-7964**  
**E-MAIL: [ask.osh@labor.nc.gov](mailto:ask.osh@labor.nc.gov)**  
**www.labor.nc.gov**

Josh Dobson  
Commissioner of Labor

**Employment Insurance**  
NCDOL does not handle matters relating to unemployment insurance. If you would like information about unemployment insurance policies or procedures, please contact the Department of Commerce, Division of Employment Security, P.O. Box 25903, Raleigh, NC 27611-5903, 1-888-737-0259; [www.ncesc.com](http://www.ncesc.com).

**N.C. Workers' Compensation Notice to Injured Workers and Employers (Form 17)**  
NCDOL does not handle matters relating to workers' compensation. If you would like information about workers' compensation policies or procedures, please contact the N.C. Industrial Commission at N.C. Industrial Commission, 4340 Mail Service Center, Raleigh, NC 27699-4340; 919-807-2500; [www.ic.nc.gov](http://www.ic.nc.gov). Form 17 must be prominently posted and must be printed in the same colors and format that appear on the Industrial Commission website. To download and print the current version of Form 17, visit [www.ic.nc.gov](http://www.ic.nc.gov).

**This notice must be posted conspicuously.**  
**This poster is available free of charge to all North Carolina workplaces.**  
**Call 1-800-625-2267 or 919-707-7876 or order online.**  
**1-800-NC-LABOR (1-800-625-2267)**  
**www.labor.nc.gov**

Follow NCDOL on Facebook, Twitter, YouTube, Instagram

Printed 9/22

**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 basis of:  
• Race  
• Color  
• Religion  
• National origin  
• Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity)  
• Age (40 and older)  
• Disability  
• Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests; genetic services; or family medical history)  
• 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:  
• Hiring and promotion  
• Pay (inequal wages or compensation)  
• Harassment (including unwelcome verbal or physical conduct)  
• Hiring or promotion  
• Assignment  
• Pay (inequal 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  
• Termination  
• Job training  
• Classification  
• Transfer  
• 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://www.eeoc.gov/eeoc/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](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 12968, 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 12968, 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 employer who believes a contractor has violated 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. 20037  
1-800-397-4251 (toll-free)

If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services. If you are unable to be contacted by submitting a question online to OFCCP's Help Desk at <https://ofccp.dhs.gov>, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor and an OFCCP's "Contact Us" webpage at <https://www.dhs.gov/ofccp/contact>.

**PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE**  
Race, Color, National Origin, Sex  
In addition to the protections of Title VI 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 activities 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 an institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

**REV. 06/27/2023**

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If you lose your job with this employer, you may contact the Department of Commerce, Division of Workforce Solutions (DWS) at [www.nccommerce.com/workforce](http://www.nccommerce.com/workforce) to assist you in securing suitable work. DWS provides a wide variety of services free of charge. If suitable work is not readily available you may file a claim for unemployment insurance benefits with the Division of Employment Security at [des.nc.gov](http://des.nc.gov), or by phone at 877-841-9617.

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Employers covered by the Employment Security Law of North Carolina (Chapter 96 of the North Carolina General Statutes) contribute to a special fund set aside for the payment of unemployment insurance benefits. No money is withheld from workers' checks for unemployment insurance purposes.

If your work hours are substantially reduced or your job is eliminated due to lack of work you may qualify for unemployment benefits. If you work less than the equivalent of (3) customary scheduled full time days, during any payroll week because work was not available, you may be eligible for unemployment insurance benefits. An employer may file claims for employees through the use of automation in case of partial unemployment. An employer may file an attached claim for an employee only once during a benefit year, and the period of partial unemployment for which the claim is filed may not exceed six consecutive weeks. You must notify the employer of any wages earned from all sources during the payroll week. Unemployment insurance benefit payments are processed in Raleigh, North Carolina. Please be sure that your employer has your correct mailing address.

If you lose your job with this employer, you may contact the Department of Commerce, Division of Workforce Solutions (DWS) at [www.nccommerce.com/workforce](http://www.nccommerce.com/workforce) to assist you in securing suitable work. DWS provides a wide variety of services free of charge. If suitable work is not readily available you may file a claim for unemployment insurance benefits with the Division of Employment Security at [des.nc.gov](http://des.nc.gov), or by phone at 877-841-9617.

By law, workers who become unemployed for other reasons or who refuse suitable work may be denied unemployment insurance benefits.

If you have any questions about unemployment insurance benefits or need more information, contact the Division of Employment Security at the address shown on the bottom of this poster.

**During Labor Disputes (Section 96-14.7(b))**  
An individual is disqualified for benefits if the Division determines the individual's total or partial unemployment is caused by a labor dispute at your place of employment or any location owned by the employer within the state of North Carolina. Once the labor dispute has ended, such workers shall continue to be ineligible for unemployment insurance benefits for the period of time that is reasonably necessary to resume operations in the workers' place of employment.

**Instructions for Employers**

- Post this notice on your premises in such a place that all employees may see it. Additional copies may be obtained online at [des.nc.gov](http://des.nc.gov).
- You must notify affected workers of a vacation period within a reasonable period of time before it begins.
- Benefit claims for attached workers may be filed online at [des.nc.gov](http://des.nc.gov).

For More Information, Contact:  
NORTH CAROLINA DEPARTMENT OF COMMERCE  
DIVISION OF EMPLOYMENT SECURITY  
P.O. Box 25903  
Raleigh, NC 27611-5903  
TELEPHONE: (919) 707-1237  
[des.nc.gov](http://des.nc.gov)

**FED** **YOUR RIGHTS UNDER USERRA**

**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.
- 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 #28(M) for more information.

FMLA leave is not paid leave, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave.

**Am I eligible to take FMLA leave?**  
You are an eligible employee if all of the following apply:  
• You 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, you must 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 agency. 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 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](http://dol.gov/fmla) to learn more.  
If you believe your rights under the FMLA have been violated, you may file a complaint with WHD. Your employer may also file a 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  
1-866-487-9243  
www.dol.gov/agencies/whd

Follow WHD on Facebook, Twitter, YouTube, Instagram, Podcast

To find out more information about this poster and to download all of the required state and federal posters, please visit our website at: [www.labor.nc.gov/labor-law-posters](http://www.labor.nc.gov/labor-law-posters)

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