

# Vermont

## Department of Labor

### Required Posters

*Package contains one copy of the following:*

Unemployment Insurance

Healthcare Whistleblower's Protection Act

Minimum Wage

Posting of Safety Records

Safety and Health Protection on the Job

Workers' Compensation Reinstatement Rights

Employer's Liability and Workers' Compensation

Child Labor Poster

Sexual Harassment is Illegal

Parental Leave, Family Leave, and Short-Term Family Leave

Earned Sick Time

*(Spanish and English)*

# UNEMPLOYMENT INSURANCE

If you have become unemployed or your work hours have been reduced, you may be eligible for **UNEMPLOYMENT BENEFITS**

Call the **Vermont Department of Labor**

**1-877-214-3330**

(toll free)

TTY/Relay Service at 711  
TDD services at 1-800-650-4152

*Auxiliary aides and services are available upon request for individuals with disabilities.*

*Interpretive services are also available for persons with limited English proficiency.*



**For free professional help in finding a job, an internship or job training opportunities, visit a Department of Labor American Job Center near you!**

## **BARRE**

McFarland State Office Bldg.  
5 Perry Street, Suite 200  
Barre, VT 05641  
Telephone: 802-476-2600

## **BENNINGTON**

200 Veterans Memorial Drive  
Suite 2  
Bennington, VT 05201  
Telephone: 802-442-6376

## **BRATTLEBORO**

State Office Building  
232 Main Street  
Brattleboro, VT 05301  
Telephone: 802-254-4555

## **BURLINGTON**

63 Pearl Street  
Burlington, VT 05401-4331  
Telephone: 802-863-7676

## **MIDDLEBURY**

1590 Rte. 7 South, Suite 5  
Middlebury, VT 05753  
Telephone: 802-388-4921

## **MORRISVILLE**

197 Harrel Street  
Morrisville, VT 05661-4491  
Telephone: 802-888-4545

## **NEWPORT**

Emory E. Hebard State Office Bldg.  
100 Main Street, Suite 210  
Newport, VT 05855  
Telephone: 802-334-6545

## **RANDOLPH**

50 Randolph Avenue  
Randolph, VT 05060  
Telephone: 802-476-2600  
(By appointment only)

## **RUTLAND**

200 Asa Bloomer Building  
Rutland, VT 05701  
Telephone: 802-786-5837

## **SPRINGFIELD**

56 Main Street, Suite 101  
Springfield, VT 05156-2910  
Telephone: 802-885-2167

## **ST. ALBANS**

27 Federal Street, Suite 100  
St. Albans, VT 05478-2246  
Telephone: 802-524-6585

## **ST. JOHNSBURY**

1197 Main Street  
Suite 1  
St. Johnsbury, VT 05819  
Telephone: 802-748-3177

## **WHITE RIVER JUNCTION**

118 Prospect Street, Suite 302  
Hartford, VT 05047  
Telephone: 802-295-8805



To learn more about the Vermont Department of Labor, download a QR code app on your smartphone and scan this code.

# whistleblower

## Healthcare Whistleblower's Protection Act



Vermont Law  
(Title 21, V.S.A.,  
Sections 507 - 509)  
requires every hospital  
and nursing home  
to post this notice.

### There is protection for Healthcare Employees Who Report or Refuse to Commit Illegal Acts\*

#### It is illegal for your employer to fire you, threaten you, retaliate against you or treat you differently because:

1. You reported a violation of the law by your employer to any person, entity, or public body;
2. You reported a medical error or improper quality of patient care by your employer to any person, entity, or public body;
3. You reported something that risks someone's health or safety;
4. You have objected or refused to participate in any activity, policy, or practice of your employer that you reasonably believe is a violation of a law or constitutes improper quality of care, or that will endanger your life; or
5. You have been involved in an investigation or hearing held by the government.

#### You are protected by this law ONLY if:

1. You are employed by a hospital, or nursing home; and
2. You tell your employer about the problem and allow a reasonable time for it to be corrected; or
3. You have good reason to believe that your employer will not correct the problem.

#### If you have been fired or your employer has retaliated against you due to a violation of this law, you may:

1. Use any available internal process, grievance procedure, or similar process available to you to maintain or restore any loss of employment rights with your employer; or
2. Bring an action in the superior court of the county where the retaliation by your employer occurred.

To report a violation, unsafe condition or practice or an illegal act in your workplace, contact:

(The employer should fill in this information)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Location)

\_\_\_\_\_  
(Telephone)



**\* A copy of the complete statute  
can be found at:**

**[http://legislature.vermont.gov/  
statutes/chapter/21/005](http://legislature.vermont.gov/statutes/chapter/21/005)**

**This poster may be copied.**

#### FOR MORE INFORMATION

**CALL THE VERMONT DEPARTMENT OF LABOR | 1-802-828-0267 | TTY/Relay Service at 711 | TDD services at 1-800-650-4152**

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Interpretive services are also available for persons with limited English proficiency.

# NOTICE

## MINIMUM WAGE

Vermont's minimum wage rate increases annually every January 1 by either 5% or the percentage increase of the Consumer Price Index, CPI-U, U.S.: city average, not seasonally adjusted, whichever is smaller.

### MINIMUM WAGE RATE

Effective 01/01/2019:

**\$10.78 per hour**

### BASIC WAGE RATE

### MAXIMUM TIP CREDIT ALLOWED

Effective 01/01/2019: **\$5.39 per hour**

**\$5.39 per hour**

**Service or Tipped Employees** – “A service or tipped employee” means an employee of a hotel, motel, tourist place, or restaurant who customarily and regularly receives more than \$120.00 a month in tips for direct and personal customer service.

**Basic Wage Rate** - The basic wage rate is the minimum required employer contribution towards the minimum wage for service or tipped employees. If an employee does not receive sufficient tips in the work week to at least achieve the minimum wage for all hours worked that week, the employer must make up the difference.

### For Further Information Contact:

Vermont Department of Labor  
Wage and Hour Program  
63 Pearl Street  
Burlington, Vermont 05401  
Email: [Labor.WageHour@vermont.gov](mailto:Labor.WageHour@vermont.gov)  
Telephone: (802) 951-4083  
Fax: (802) 865-7655



#### Equal Opportunity is the Law

The State of Vermont is an Equal Opportunity/Affirmative Action Employer. Applications from women, individuals with disabilities, and people from diverse cultural backgrounds are encouraged. Auxiliary aids and services are available upon request to individuals with disabilities. 711 (TTY/Relay Service) or 800-650-4152 TDD (Vermont Department of Labor.) Interpretative services are available for limited English proficiency customers. For more information please visit: <http://www.dol.gov/oasam/programs/crc/ISpeakCards.pdf>



## POSTING OF SAFETY RECORDS NOTICE TO EMPLOYEES

Under Vermont law (21 V.S.A. §691a) all Vermont employers must advise their employees of where they may review the employer's record of workplace safety, including workplace injury and illness. The employer's data shall be available for review by any employee and by the Commissioner of Labor, but this information shall not otherwise be public information.

The employer's data is available at:

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(Location)

Employer Contact:

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(Name)

Work Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

For more information, contact the Vermont Department of Labor at (802) 828-2286.



# Safety and Health Protection on the Job

*The Vermont Occupational Safety and Health Code (Title 21 V.S.A. Chapter 3, Sub-Chapters 4 and 5, and the rules adopted (there under) provides job safety and health protection for workers.*

*The purpose of the law is to assure safe and healthful working conditions throughout the State.*

- You have the right to notify your employer or VOSHA about workplace hazards. You may ask VOSHA to keep your name confidential.
- You have the right to request a VOSHA inspection if you believe that there are unsafe and unhealthful conditions in your workplace.
- You or your representative may participate in the inspection.
- You can file a complaint with VOSHA within 30 days of discrimination by your employer for making safety and health complaints or for exercising your rights under the Vermont Occupational Safety and Health Act.
- You have a right to see VOSHA citations issued to your employer. Your employer must post the citations at or near the place of the alleged violation.
- Your employer must correct workplace hazards by the date indicated on the citation and must certify that these hazards have been reduced or eliminated.
- You have the right to copies of your medical records or records of your exposure to toxic and harmful substances or conditions.
- Your employer must post this notice in your workplace.
- The Statute provides that employees may not be discharged or discriminated against in any way for filing safety or health complaint or otherwise exercising their rights under the Code.
- The Statute also provides that employees who are discriminated against may bring a private action in Superior Court for appropriate relief including reinstatement, triple wages, damages, costs and reasonable attorney's fees.

The Occupational Safety and Health Act of 1970 (OSH Act), P.L. 91-596, assures safe and healthful working conditions for working men and women throughout the Nation. To obtain more information on OSHA federal programs, call 1-800-321-OSHA or visit OSHA's website at [www.osha.gov](http://www.osha.gov).

The Vermont Occupational Safety and Health Administration (VOSHA), in the Vermont Department of Labor, has the primary responsibility for administering the OSH Act in Vermont. To file a complaint, report an emergency, or seek VOSHA advice or assistance call 1-800-287-2765.

Under a plan approved October 1, 1973, by the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA), the State of Vermont is providing job safety and health protection for workers throughout the State. OSHA will monitor the operation of this plan to assure that continued approval is merited. Any person may make a complaint regarding Vermont's administration of this plan directly to the Occupational Safety and Health Administration, John F. Kennedy Federal Building, Room E-340, Boston, MA, 02203, Telephone (617) 565-9860.

## ASSISTANCE AND INFORMATION:

The plan provides that employers and employees may request free voluntary compliance consultative or training assistance, which is provided by non-enforcement Project WorkSAFE personnel.

**1-800-287-2765**  
**[www.labor.vermont.gov](http://www.labor.vermont.gov)**

You have a right to a safe and healthy workplace.

**IT'S THE LAW!**



Further information, including copies of the Code and of specific safety and health standards, may be obtained by contacting:

Project WorkSAFE  
Department of Labor  
5 Green Mountain Drive  
P. O. Box 488  
Montpelier, Vermont 05601-0488  
Telephone (888) SAFE-YES  
Toll-free at 1-888-723-3937.



 VERMONT  
DEPARTMENT OF LABOR

# NOTICE

## Workers' Compensation Reinstatement Rights

### VERMONT LAW REQUIRES POSTING OF THIS NOTICE

21 VSA §643b Reinstatement; seniority and benefits protected

This law provides that an employer who regularly employs **ten or more** people (at least 10 of whom work more than 15 hours a week), has an obligation to rehire a worker who has suffered a work related injury **provided** that the following conditions are met:

1. The worker recovers from the injury within two (2) years of the onset of disability; and
2. The worker keeps the employer informed of his or her interest in reinstatement and his or her current mailing address; and
3. The worker had an expectation of continuing work had the injury not occurred; and
4. The worker is physically capable of performing either his or her prior job, if available, or an alternative suitable position.

Reinstatement must be with all benefits earned up to the date of injury, including both seniority and accrued leave time. Obviously, such benefits need not accrue **during** the period of actual disability.

Please note that the right to reinstatement applies only to the first **available** suitable job. Thus, the employer is not obligated either to create an "extra" position for a returning worker or to lay-off a current employee in order to comply with this law.

Should you have questions regarding the above, please contact the Vermont Department of Labor, Workers' Compensation and Safety Division at 802-828-2286 or our website: [www.labor.vermont.gov](http://www.labor.vermont.gov).

[www.labor.vermont.gov](http://www.labor.vermont.gov)

### FOR FURTHER INFORMATION CONTACT:

Vermont Department of Labor  
P. O. Box 488  
Montpelier, Vermont 05601-0488

Email: [LABOR.WCComp@vermont.gov](mailto:LABOR.WCComp@vermont.gov)

Telephone: (802) 828-2286

TDD: (800) 650-4152

Fax: (802) 828-2195



**Employer's Liability and Workers' Compensation**

**NOTICE TO EMPLOYEES**

This employer, \_\_\_\_\_, has complied with the provisions of Title 21 of the Vermont Statutes, Annotated §687, by obtaining Workers' Compensation Insurance coverage through:

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(Insurance Carrier)

Workers' Compensation benefits for lost time, medical expenses, disability or death because of a work-related injury are available through the above named company.

- An injured employee **MUST** immediately notify his/her employer of an injury.
- The employer **MUST** file an Employee Claim and Employer's First Report of Injury (Form 1) with the Vermont Department of Labor within 72 hours of the notice of an injury that requires medical attention or results in time lost from work. The employer must also provide a copy of the Form 1 to the injured worker and to the insurance carrier.
- If the employer fails to file a First Report, an employee may file a Notice of Injury and Claim for Compensation (Form 5) with the Vermont Department of Labor within six months of the date of injury.
- Information concerning injured worker rights and benefits is available on the department's Workers' Compensation website at <http://www.labor.vermont.gov> or by calling (802) 828-2286.

**Equal Opportunity is the Law**

The State of Vermont is an Equal Opportunity/Affirmative Action Employer. Applications from women, individuals with disabilities, and people from diverse cultural backgrounds are encouraged. Auxiliary aids and services are available upon request to individuals with disabilities. 711 (TTY/Relay Service) or 802-828-4203 TDD (Vermont Department of Labor).



# CHILD LABOR POSTER



## NON AGRICULTURAL EMPLOYMENT:

**Children Age 14 and 15 MAY NOT** work in any of the hazardous occupations above and may not work in communications or public utilities jobs, construction or repair jobs, driving a motor vehicle or helping a driver, manufacturing and mining occupations, power-plant work, work in or around power lines, work in or around electrical equipment, work in or around machinery, work in or around equipment used for the repair or maintenance of persons or property, workrooms where products are manufactured, mined or processed, or warehousing and storage.

**Children Age 14 and 15 MAY** work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs under the following conditions:

No more than 3 hours on a school day or 18 hours in a school week; 8 hours on a non-school day or 40 hours in a non-school week. Also, work may not begin before 7 a.m. or end after 7 p.m., except from June 1 through Labor Day, when evening hours are extended to 9 p.m. Different rules apply in agricultural employment.

(DPSOMRSHPLWVWVLEOORFHURHVWBBHW/DLOVWBBMWDNDQVWVWBH BVBOOSDUNDPXPHSDUNB  
gasoline service station.

## **Children Age 16 - 18**

An employee must be at least 16 years old to work in most non-farm jobs. No person less than 18 years old may work in any occupation declared hazardous by the Secretary of the USDOL or the Commissioner of the Vermont Department of Labor. The following occupations have been declared hazardous (see child labor rules for additional information):

### **Hazardous Occupations**

Manufacturing and storing of explosives, driving a motor vehicle and being an outside helper on a motor vehicle; coal mining, logging and sawmilling, power-driven woodworking machines, exposure to radioactive substances, power-driven hoisting apparatus, power-driven metal-forming, punching, and shearing machines, mining, other than coal mining, meat packing or processing (including the use of power-driven meat slicing machines), power-driven bakery machines, power-driven paper-product machines, manufacturing brick, tile, and related products, power-driven circular saws, band saws, and guillotine shears, wrecking, demolition, and shipbreaking of these hazardous occupations.

**A person must be at least 18 to work in any of the hazardous non-farm jobs listed above.**

## AGRICULTURAL EMPLOYMENT:

Once a person turns **16 years old**, he or she can do any job in agriculture.

A youth **14 or 15 years old** can work in agriculture, on any farm, but only in non-hazardous jobs.

A youth **12 or 13 years of age** can only work in agriculture on a farm if a parent has given written permission or if a parent is working on the same farm as his or her child, and only in non-hazardous jobs.

If the youth is **younger than 12**, he or she can only work in agriculture on a farm if the farm is not required to pay the Federal minimum wage. Under the FLSA, "small" farms are exempt from the minimum wage requirements. "Small" farm means any farm that did not use more than 500 "man-days" of agricultural labor in any calendar quarter (3-month period) during the preceding calendar year. "Man-day" means any day during which an employee works at least one hour. If the farm is "small," workers under 12 years of age can only be employed with a parent's permission and only in non-hazardous jobs.

### **Hazardous agricultural occupations include:**

- Operating a tractor of over 20 PTO (Power-Take-Off) horsepower, or connecting or disconnecting implements or parts to such a tractor.
- Operating or helping to operate Corn picker, cotton picker, grain combine, hay mower, forage harvester, hay baler, potato digger, or mobile pea viner, Feed grinder, crop dryer, forage blower, auger conveyor, or the unloading mechanism of a non-gravity-type self-unloading wagon or trailer; or, Power post-hole digger, power post driver, or nonwalking-type rotary tiller, Trencher or earthmoving equipment; Fork lift; Potato combine; or Power-driven circular, band or chainsaw.
- Working on a farm in a yard, pen, or stall occupied by Bull, boar, or stud horse for breeding, or Sow with suckling pigs, or cow with newborn calf with umbilical cord present.
- Loading, unloading, felling, bucking, or skidding timber with a butt (large end) diameter of more than 6 inches.
- Working from a ladder or scaffold at a height of over 20 feet.
- Driving a bus, truck, or automobile when transporting passengers, or riding on a tractor as a passenger or helper.

### **Equal Opportunity is the Law**

Persons with disabilities, and people from diverse cultural backgrounds are encouraged. Auxiliary aids and services are available upon request.