

# New York Labor Law Posters

## EMPLOYER NOTICE:

**"Notice of Compliance - Workers' Compensation Law" must be obtained from your insurance carrier licensed to issue workers' compensation in the State of New York.**

**Unemployment Insurance Poster must be obtained from New York State Department of Labor, Unemployment Insurance Division.**

**Disability Benefits - "Notice of Compliance" must be obtained from your insurance carrier licensed to issue disability benefits in the State of New York.**



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## FAIR EMPLOYMENT

### NEW YORK STATE DIVISION OF HUMAN RIGHTS

WWW.DHR.STATE.NY.US

DAVID A. PATERSON, GOVERNOR  
GALEN D. KIRKLAND, COMMISSIONER

DISCRIMINATION REALLY HURTS.  
IF YOU SEE IT OR EXPERIENCE IT, CALL US.  
WE'RE HERE.

(718) 741-8400 (888) 392-3644

TTD (718) 741-8300

THIS ESTABLISHMENT IS SUBJECT TO THE NEW YORK STATE HUMAN RIGHTS LAW (EXECUTIVE LAW, ARTICLE 19)

ESTE ESTABLECIMIENTO ESTÁ SUJETO A LA LEY DE DERECHOS HUMANOS DEL ESTADO DE NUEVA YORK (LEY EJECUTIVA, ARTICULO 19)

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:

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:

#### 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 a 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

#### 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 Sabbat 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 VENEDORES 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 degradar las propiedades y hacer especulaciones. A esta práctica se le conoce en inglés como blockbusting.

#### SITIOS PÚBLICOS, LUGARES PARA VACACIONAR O DE ENTRETENIMIENTO COMO RESTAURANTES, HOTELS, 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 PÚBLICOS 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 queja 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 queja 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 queja o por oponerse a conductas discriminatorias. Usted puede presentar una queja ante la División si han tomado represalias en su contra.

PARA MÁS INFORMACIÓN, ESCRIBA O LLAME A SU OFICINA DE LA DIVISION MÁS CERCANA.

SEDE: 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  
DIVISIÓN DE  
DERECHOS  
HUMANOS  
WWW.DHR.STATE.NY.US

GOBERNADOR DAVID A. PATERSON  
COMISIONADO GALEN D. KIRKLAND

## MINIMUM WAGE

Post Conspicuously  
New York State Department of Labor

# ATTENTION EMPLOYEES

(ATENCIÓN EMPLEADOS)

## MINIMUM WAGE INFORMATION

(INFORMACIÓN SOBRE EL SALARIO MÍNIMO)

### Effective 07/24/09

Basic Hourly Rate

**\$7.25** per hour

#### 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](http://www.labor.ny.gov)

### A partir del 07/24/09

Salario Mínimo

**\$7.25** por hora

#### Pago por horas extras

En la mayoría de puestos laborales, los empleados deben recibir una paga de tiempo y medio de la tarifa regular por hora cuando las horas trabajadas exceden las 40 horas semanales. Los empleados que residen en el sitio de trabajo, deben recibir una paga de tiempo y medio de su tarifa regular por hora en exceso de 44 horas semanales.

#### Propinas

Se puede acreditar al salario mínimo una cantidad específica por las propinas ganadas.

#### Comidas y Alojamiento

Se puede acreditar una cantidad específica al salario mínimo por comidas y/o alojamiento provistos por el patrono.

#### Ley Federal

Los empleados protegidos por la Ley Federal de Normas Equitativas del Trabajo (Federal Fair Labor Standards Act) deben ganar salarios según lo estipulan las leyes estatales y en conjunto con los requisitos superiores federales, según convenga.

#### Otros requisitos salariales

Se debe pagar una cantidad específica, además del salario mínimo, por el mantenimiento de uniformes obligatorios. Existen otras disposiciones sobre pagos suplementarios en las ordenanzas industriales del Estado de Nueva York. Dichas disposiciones contienen una tarifa por trabajo a medio tiempo, trabajo diario casual, turnos divididos o por horas repartidas. Si un pago suplementario es pertinente o no, depende de las disposiciones regentes en el tipo de industria vinculada al trabajo en desempeño.

#### Si necesita más información o si quiere presentar una queja por favor escriba o llame al

Departamento del Trabajo División de Normas Laborales a cualquiera de las oficinas siguiente:

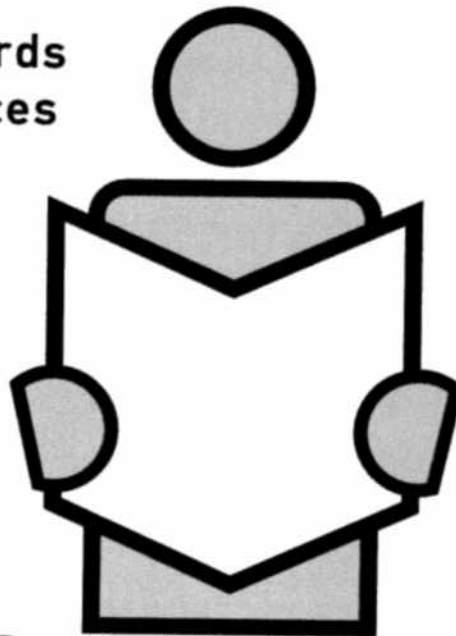
The New York State Department of Labor is an Equal Opportunity Employer/Program. Auxiliary aids and services are available upon request to individuals with disabilities. Este empleador participa en el Programa de Igualdad de Oportunidades. Servicios adicionales para personas incapacitadas e instrumentos para ayudarlas estan disponibles a solicitud de dichas personas.  
LS-207

# YOU HAVE A RIGHT TO KNOW!

Your employer must inform  
you of the health  
effects and hazards  
of toxic substances  
at your  
worksite.

Learn all  
you can  
about toxic  
substances  
on your job.

For more  
information,  
contact:



Name \_\_\_\_\_

Location & Phone Number \_\_\_\_\_

**THE RIGHT TO KNOW LAW WORKS FOR YOU.**  
NEW YORK STATE DEPARTMENT OF HEALTH

TIME OFF FOR VOTING

**ATTENTION ALL  
EMPLOYEES**

NEW YORK STATE LAW (NYSEL 3-110) STATES THAT:

- \* **IF YOU DO NOT HAVE SUFFICIENT TIME OUTSIDE YOUR WORKING HOURS TO VOTE YOU MAY TAKE OFF UP TO 2 HOURS AT THE BEGINNING OR END OF YOUR SHIFT, WITH PAY, TO ALLOW YOU TIME TO VOTE.**
- \* **SUFFICIENT TIME IS DEFINED AS: FOUR CONSECUTIVE HOURS EITHER BETWEEN THE OPENING OF THE POLLS AND THE BEGINNING OF YOUR WORKING SHIFT OR BETWEEN THE END OF YOUR WORKING SHIFT AND THE CLOSING OF THE POLLS.**
- \* **YOU MUST NOTIFY YOUR EMPLOYER NO MORE THAN 10 OR NOT LESS THAN 2 DAYS BEFORE THE DAY OF THE ELECTION THAT YOU WILL TAKE THAT TIME.**

**ATENCION  
EMPLEADOS**

LA LEY DEL ESTADO DE NUEVA YORK (NYSEL 3-100) DISPONE QUE:

- \* **SI NO DISPONE USTED DE TIEMPO SUFICIENTE PARA VOTAR FUERA DE SUS HORAS LABORALES, PUEDE TOMARSE UN MAXIMO DE DOS HORAS CON SUELDO AL PRINCIPIO O AL FINAL DE SU TURNO DE MANERA QUE TENGA TIEMPO DE VOTAR.**
- \* **LA DEFINICION DE TIEMPO SUFICIENTE ES: CUATRO HORAS CONSECUTIVAS YA SEA ENTRE EL MOMENTO EN QUE ABREN LOS COLEGIOS ELECTORALES Y EL COMIENZO DE SU TURNO DE TRABAJO, O ENTRE EL FINAL DE SU TURNO DE TRABAJO Y EL CIERRE DE LOS COLEGIOS ELECTORALES.**
- \* **DEBE NOTIFICAR A SU CENTRO DE TRABAJO NI MAS DE DIEZ NI MENOS DE DOS DIAS ANTES DEL DIA DE LAS ELECCIONES DE SU INTENCION DE TOMARSE ESE TIEMPO.**

**FRINGE BENEFITS**

**FRINGE BENEFITS AND HOURS**

The Following Information Constitutes Employer's Policy on Fringe Benefits.

SICK LEAVE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

VACATION TIME: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PERSONAL LEAVE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

HOLIDAYS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

HOURS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Pursuant to N.Y. State Consolidated Laws Chapter 31, Article 6, Sec. 195.5**  
**This notice must be posted in a conspicuous place where notices to employees are customarily posted.**

SMOKING PERMITTED

# SMOKING PERMITTED

New York State Public Health Law - Article 13E

**NO SMOKING**

**NO  
SMOKING**

**New York State Public Health Law - Article 13E**



CORRECTION LAW

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 or 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.