NEW YORK

NEW YORK & FEDERAL LABOR LAW POSTER

LaborLawCenter.com
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EEOC - KNOW YOUR RIGHTS: WORKPLACE DISCRIMINATION IS ILLEGAL

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 Organizations are Covered?
- Most private employers
- State and local governments (as employers)
- Educational institutions (as employers)
- Unions
- Staffing agencies

What Types of Employment Discrimination are Illegal?
Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of:
- Race
- Color
- Religion
- National origin
- Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity)
- Age (40 and older)
- Disability
- Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)
- Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding
- Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation

What Employment Practices can be Challenged as Discriminatory? All aspects of employment, including:
- Discharge, firing, or lay-off
- Harassment (including unwelcome verbal or physical conduct)
- Hiring or promotion
- Assignment
- Pay (unequal wages or compensation)
- Failure to provide reasonable accommodation for a disability; pregnancy, childbirth, or related medical condition; or a sincerely-held religious belief, observance or practice
- Benefits
- Job training
- Classification
- Referral
- Obtaining or disclosing genetic information of employees
- Requesting or disclosing medical information of employees
- Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or proceeding
- Conduct that coerces, intimidates, threatens, or interferes with someone exercising their rights, or someone assisting or encouraging someone else to exercise rights, regarding disability discrimination (including accommodation) or pregnancy accommodation

What can You Do if You Believe Discrimination has Occurred? Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:

Submit an inquiry through the EEOC's public portal: *https://publicportal.eeoc.gov/Portal/Login.aspx*

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*)

E-Mail *info@eeoc.gov*

Additional information about the EEOC, including information about filing a charge of discrimination, is available at *www.eeoc.gov*.

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action commitments of companies doing business with the Federal Government. If you are applying for a job with, or are an employee of, a company with a Federal contract or subcontract, you are protected under Federal law from discrimination on the following bases: **Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin** Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment. **Asking About, Disclosing, or Discussing Pay** Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees. **Disability** Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

Protected Veteran Status The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans. **Retaliation** Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors under these Federal laws. Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities should contact immediately:

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

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

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Race, Color, National Origin, Sex In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance. **Individuals with Disabilities** Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job. If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

(Revised 6/27/2023)

NEW YORK MINIMUM WAGE

WE ARE YOUR DOL
NEW YORK STATE OF OPPORTUNITY. Department of Labor

Attention Miscellaneous Industry Employees

Minimum Wage hourly rates effective 1/1/2026 – 12/31/2026

New York City

	Large Employers (**11 or more** employees)	Small Employers (**10 or less** employees)
Minimum Wage	$17.00	$17.00
Overtime after 40 hours	$25.50	$25.50
Tipped workers	$17.00	$17.00
Overtime after 40 hours	$25.50	$25.50

	Long Island and Westchester County	Remainder of New York State
Minimum Wage	$17.00	$16.00
Overtime after 40 hours	$25.50	$24.00
Tipped workers	$17.00	$16.00
Overtime after 40 hours	$25.50	$24.00

If you have questions, need more information or want to file a complaint, please visit www.labor.ny.gov/minimumwage or call: **1-888-469-7365**.

Credits and Allowances that may reduce your pay below the minimum wage rates shown above:
- **Tips** – Beginning December 31, 2020, your employer must pay the full applicable minimum wage rate, and cannot take any tip credit.
- **Meals and lodging** – Your employer may claim a limited amount of your wages for meals and lodging that they provide to you, as long as they do not charge you anything else. The rates and requirements are set forth in wage orders and summaries, which are available online.

Extra Pay you may be owed in addition to the minimum wage rates shown above:
- **Overtime** – You must be paid 1½ times your regular rate of pay (no less than amounts shown above) for weekly hours over 40 (or 44 for residential employees).

  Exceptions: Overtime is not required for salaried professionals, or for executives and administrative staff whose weekly salary is more than 75 times the minimum wage rate.
- **Call-in pay** – If you go to work as scheduled and your employer sends you home early, you may be entitled to extra hours of pay at the minimum wage rate for that day.
- **Spread of hours** – If your workday lasts longer than ten hours, you may be entitled to extra daily pay. The daily rate is equal to one hour of pay at the minimum wage rate.
- **Uniform maintenance** – If you clean your own uniform, you may be entitled to additional weekly pay. The weekly rates are available online.

Minimum Wage Poster
Post in Plain View

LS 207 (12/25)

UNEMPLOYMENT INSURANCE

Notice to Employees

WE ARE YOUR DOL
NEW YORK STATE Department of Labor

Unemployment Insurance
Division

Employer Legal Name :______________________________
Address:______________________________
Employer Registration (ER) #: ______________________________

Employees of this firm: you are covered by the New York State Unemployment Insurance Law.
- Your employer may not deduct from your wages for this purpose.

- **If you are laid off, work less than four days a week, are discharged, quit or have your hours reduced to 30 or less each week:**
  - **Get a "Record of Employment," form from your employer. Keep it for your records to use if you file for Unemployment Insurance benefits.**
  - The "Record of Employment" form must have your employer's name, registration number, and address where payroll records are kept.
- **To file an application for Unemployment Insurance:**
  - Call the Telephone Claims Center at (888) 209-8124 (translation services are available) or
  - Go to our website at **www.labor.ny.gov**
  - Hearing impaired individuals who have telephone Device for the Deaf (TTY/TDD) equipment may file a claim by calling a relay operator at (800) 662-1220 and requesting the operator call (888) 783-1370. Service at this number is provided only to callers using TDD equipment.

To Employer: You must post this poster conspicuously in each workplace.

Employers who utilize the fill-in version of this poster certify to the completeness and accuracy of the legal name, address and Employer Registration # displayed.
For additional posters, write to the: New York State Department of Labor, Liability and Determination Section, 1220 Washington Ave., Albany, NY 12226.

IA 133 (02/25) Equal Opportunity Employer/Program – Auxiliary aids and services are available upon request to individuals with disabilities.

DISCRIMINATION

NEW YORK STATE | Division of Human Rights

844-697-3471
dhr.ny.gov

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

Discrimination based upon age, race, creed, color, national origin, sexual orientation, military status, sex, pregnancy, gender identity or expression, citizenship or immigration status, disability, domestic violence victim status, familial status, or marital status is prohibited by the New York State Human Rights Law. Sexual harassment or harassment based upon any of these protected classes also is prohibited.

ALL EMPLOYERS, EMPLOYMENT AGENCIES, LABOR ORGANIZATIONS AND APPRENTICESHIP TRAINING PROGRAMS
Also prohibited: discrimination in employment on the basis of Sabbath observance or religious practices; hairstyles associated with race (also applies to all areas listed below); prior arrest or conviction record; predisposing genetic characteristics; pregnancy-related conditions.
Reasonable accommodations for persons with disabilities and pregnancy-related conditions including lactation 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.
Also covered: domestic workers; interns and nonemployees working in the workplace (for example temp or contract workers) are protected from all discrimination described above.

RENTAL, LEASE OR SALE OF HOUSING, LAND AND COMMERCIAL SPACE, INCLUDING ACTIVITIES OF REAL ESTATE BROKERS AND SALES PEOPLE
Also prohibited: discrimination on the basis of lawful source of income (for example housing vouchers, disability benefits, child support); familial status (families with children or being pregnant); prior arrest or sealed conviction; commercial boycotts or blockbusting.
Reasonable accommodations and modifications for persons with disabilities may also be required.
Does not apply to:
(1) rental of an apartment in an owner-occupied two-family house
(2) restrictions of all rooms in a housing accommodation toindividuals 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 exclusivelyto persons 55 years of age or older, and the spouse of such persons

ALL CREDIT TRANSACTIONS INCLUDING FINANCING FOR PURCHASE, MAINTENANCE AND REPAIR OF HOUSING

PLACES OF PUBLIC ACCOMMODATION SUCH AS RESTAURANTS, HOTELS, HOSPITALS AND MEDICAL OFFICES, CLUBS, PARKS AND GOVERNMENT OFFICES
Exception: Age is not a covered classification relative to public accommodations
Reasonable accommodations for persons with disabilities may also be required.

EDUCATION INSTITUTIONS
All public schools and private nonprofit schools, at all education levels, excluding those run by religious organizations; also for-profit colleges, universities, licensed private career schools or certified English as a second language schools.

ADVERTISING AND APPLICATIONS RELATING TO EMPLOYMENT, REAL ESTATE, PLACES OF PUBLIC ACCOMMODATION AND CREDIT TRANSACTIONS MAY NOT EXPRESS ANY DISCRIMINATION
A complaint must be filed with the Division within one year for alleged acts of discrimination that occurred on or before 2/14/2024. Complaints for acts of discrimination that occur on or after 2/15/2024 may be filed within three years of the alleged act. A complaint alleging sexual harassment in employment that occurred on or after 08/12/2020 may be filed with three years of the alleged act. 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

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

La ley de derechos humanos del estado de nueva york prohíbe la discriminación por edad, raza, credo, color, origen nacional, orientación sexual, estatus militar, sexo, embarazo, identidad o expresión de género, ciudadanía o estatus migratorio, discapacidad, estado como víctima de violencia doméstica, estado familiar, o estado civil. También está prohibido el acoso sexual o el acoso por cualquiera de estas clases protegidas.

TODOS LOS EMPLEADORES, AGENCIAS DE EMPLEO, ORGANIZACIONES DE TRABAJO Y PROGRAMAS DE CAPACITACIÓN DE APRENDICES
Asimismo, está prohibida la discriminación en el empleo sobre la base de la observancia del Shabat o prácticas religiosas; peinados asociados con la raza (también se aplica a las áreas enumeradas a continuación) arresto previo o antecedentes penales; las características genéticas predisponentes; las condiciones relacionadas con el embarazo.
Es posible que sea necesario hacer acomodos razonables para personas con discapacidades y condiciones relacionadas con el embarazo incluyendo lactación. Un arreglo razonable es una adaptación a un trabajo o entorno laboral que permita que una persona con discapacidad realice las tareas esenciales de un trabajo de manera razonable.
También están cubiertos: trabajadores domésticos; internos y no empleados cuales trabajan en el lugar de trabajo (por ejemplo trabajadores temporarios o contratantes) están protegidos de toda discriminación descrita arriba.

ALQUILER, ARRENDAMIENTO O VENTA DE VIVIENDA, TERRENO O ESPACIO COMERCIAL INCLUYENDO ACTIVIDADES DE AGENTE DE BIENES RAICES Y VENDEDORES
También esta prohibido: la discriminación a base de fuente de ingreso legal (por ejemplo vales, beneficios de discapacidad, manutención de niños); estado familiar (familias con niños o en estado de embarazo); arresto previo o condena sellada; boicot comercial o acoso inmobiliario.
También es posible que sea necesario realizar modificaciones y arreglos razonables para personas con discapacidades.
Excepciones:
(1) alquiler de un apartamento en una casa para dos familias ocupada por el dueño
(2) restricciones de todas las habitaciones en una vivienda para individuos del mismo sexo
(3) alquiler de una habitación por parte del ocupante de una casa o apartamento
(4) venta, alquiler o arrendamiento de alojamiento en una casa exclusivamente a personas mayores de 55 años y al cónyuge de dichas person

TODAS TRANSACCIONES CREDITICIAS INCLUYENDO FINANCIAMENTO PARA LA COMPRA, MANTENIMIENTO Y REPARACION DE VIVIENDAS

LUGARES DE ALOJAMIENTO PÚBLICO, COMO RESTAURANTES, HOTELES, HOSPITALES Y CONSULTORIOS MÉDICOS, CLUBS, PARQUES Y OFFICINAS DEL GOBIERNO.
Excepción:
La edad no es una clasificación cubierta respecto a los alojamientos públicos. Es posible que sea necesario realizar arreglos razonables para personas con discapacidades.

INSTITUCIONES EDUCATIVAS
Todas las escuelas publicas y escuelas privadas sin ánimo de lucro, en todos los niveles, excluyendo escuelas dirigidas por organizaciones religiosas; también están cubiertos: escuelas profesionales autorizadas o escuelas certificadas de inglés como segundo idioma.

PUBLICIDAD Y SOLICITUDES RELACIONADAS CON EL EMPLEO, LOS INMUEBLES, LOS LUGARES DE ALOJAMIENTO PÚBLICO Y LAS TRANSACCIONES CREDITICIAS NO DEBEN EXPRESAR NINGUN ACTO DISCRIMINATORIO
Para actos que ocurran el 14/02/2024 o antes, debe presentar su querella en un plazo de un año a partir del acto más reciente de presunta discriminación. Para actos realizados a partir del 15/02/2024, debe presentar su querella en un plazo de tres años posterior al acto más reciente de presunta discriminación. Una denuncia que alega acoso sexual en el empleo que ocurrió a partir del 12/08/2020 puede presentarse con tres años del presunto acto. Los servicios de la División se ofrecen sin cargo.

Si desea presentar una demanda ante el Tribunal Estatal, puede hacerlo dentro de los tres años desde que ocurriera la discriminación. No puede presentar una demanda ante la División y ante el Tribunal Estatal.

Se prohíben las represalias por presentar una demanda u oponerse a prácticas discriminatorias. Puede presentar una demanda ante la División si sufrió represalias.

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

WORKERS' COMPENSATION

Employers must obtain and keep in effect workers' compensation coverage for their employees; there must be no lapse in coverage even when switching insurance carriers. The law requires almost all employers operating in New York State to have workers' compensation and disability coverage for their employees. This requirement can be fulfilled by purchasing insurance coverage through an insurance carrier or by obtaining authorization from the Board to be self-insured.

This notice is in a form prescribed by the Workers' Compensation Board. Employers obtain the notice from their insurance carrier or, if self-insured, from the Board. The notice includes the name and address of the insurance carrier and the policy number of the employer. It must be posted in a conspicuous place in the employer's place of business. Violations of this requirement can result in a fine of up to $250 per violation.

Employers must post a notice of workers' compensation coverage and employee rights.

FRINGE BENEFITS AND HOURS

WE ARE YOUR DOL
NEW YORK STATE Department of Labor

Guidelines for Employers:
Requirements to Notify Employees About Time Off and Work Hours

Division of Labor Standards
1220 Washington Ave.
Building 12, Albany, NY 12226

Section 195.5 of the New York State Labor Law effective December 12, 1981 provides as follows:

"Every employer shall notify his employees in writing or by publicly posting the employer's policy on sick leave, vacation, personal leave, holidays and hours."

To assist employers in complying with this provision, the Division of Labor Standards has issued the following guidelines:
1. An employer shall distribute in writing to each employee, the employer's policy on the above-enumerated items. The employer upon the request of the Department must be able to affirmatively demonstrate that such written notification was provided to employees by means, which may include, but not be limited to, distribution through company newspapers or newsletters or by inclusion in a company payroll.

Or

An employer shall post and keep posted in each establishment in a conspicuous place where notices to employees are customarily posted, a notice that states where on the employer's premises they may see such information in writing. Such information may be contained in a union contract, employee handbook, personnel manual, or in other written form. Deviations for an employee from such stated policy must be given to said employee in writing.

2. As used in the provision above, "hours" means the hours which constitute a standard workday and workweek for the establishment, and any other regular schedule, such as for part-time employees. Deviations should be given to the affected employee in writing.

For more information, call or write the nearest office of the Division of Labor Standards, of the New York State Department of Labor, listed below:

Albany District
1220 Washington Ave.
Bldg. 12, Rm. 185A
Albany, NY 12240
(518) 457-2730

Bronx District
55 Hanson Place, 11th Floor
Brooklyn, NY 11217
(212) 775-3719

Buffalo District
295 Main Street, Suite 914
Buffalo, NY 14203
(716) 847-7141

Garden City District
400 Oak Street,
Suite 102
Garden City, NY 11530
(516) 794-8195

New York City District
55 Hanson Place, 11th Floor
Brooklyn, NY 11217
(212) 775-3880

Rochester District
276 Waring Road, Rm. 104
Rochester, NY 14609
(585) 258-4550

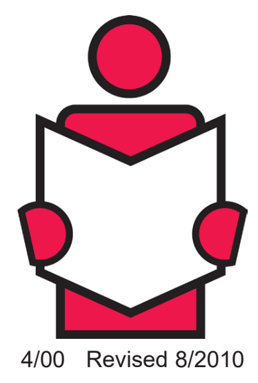
Syracuse District
333 East Washington Street,
Rm. 121
Syracuse, NY 13202
(315) 428-4057

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

LS 606 (12/25)

RIGHT TO KNOW

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

2706 4/00 Revised 8/2010

FEDERAL MINIMUM WAGE

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 1 ½ times your regular rate of pay for all hours worked over 40 in a workweek.

CHILD LABOR An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment.

TIP CREDIT Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least $2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least $2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.

PUMP AT WORK The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for their nursing child for one year after the child's birth each time the employee needs to express breast milk. Employers must provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

ENFORCEMENT The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA.

ADDITIONAL INFORMATION
- Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions. Certain narrow exemptions also apply to the pump at work requirements.
- Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.
- Some state laws provide greater employee protections; employers must comply with both.
- Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not.
- Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

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

WHD
WH1088 REV 04/23

BLOOD DONATION LEAVE

Section 202-j of the Labor Law mandates that employers provide leave time to employees for the purpose of donating blood. The two types of blood donation leaves are Off-Premises Blood Donation and Donation Leave Alternatives.

Compensation for Leave - Leave granted to employees for off-premises blood donation is not required to be paid leave. leave taken by employees for donation leave alternatives shall be paid leave given without requiring the employee to use accumulated vacation, personal, sick, or other already existing leave time.

Off-Premises Donation - Employees taking leave for off-premises blood donation shall be permitted at least one leave period per calendar year of three hours duration during the employee's regular work schedule. Employers are not required to allow off-premises blood donation leave under Labor Law § 202-j to accrue if it is not used during the calendar year. Leave granted to employees for off-premises blood donation is not required to be paid leave.

Donation Leave Alternatives - Leave for blood donation leave alternatives shall be given twice per calendar year and it shall be paid leave given without use of vacation, personal, sick, or other already existing leave accruals. Under the Donation Leave Alternatives, the donating of blood should be at a convenient time and place set by the employer. The time shall not be a time outside an employee's normal work hours nor shall the location be not reasonable travel distance for an employee. If an employee provides prompt notice that he or she is not or was not able to participate in a blood donation leave alternative because the employee is or was on leave (such as sick or vacation leave), and if as a result the employer has not provided the employee with the opportunity to participate in at least two blood leave alternatives during working hours in a calendar year, the employer must either make available another such alternative to the employee, or allow the employee to take leave to make an off-premises donation. 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 to return to work.

Our company's blood donation will occur: ______________________________
Please indicate time and place

Should you have any questions, please contact: ______________________________
Please indicate administrator

CANCER SCREENING – CIVIL SERVICE LAW 159-B

Civil Service Law Section 159-B | Excused leave to undertake a screening for cancer

1. Every public officer, employee of this state, employee of any county, employee of any community college, employee of any public authority, employee of any public benefit corporation, employee of any board of cooperative educational services (BOCES), employee of any vocational education and extension board, or a school district enumerated in section one of chapter five hundred sixty-six of the laws of nineteen hundred sixty-seven, employee of any municipality, employee of any school district or any employee of a participating employer in the New York state and local employees' retirement system or any employee of a participating employer in the New York state teachers' retirement system shall be entitled to absent himself or herself and shall be deemed to have a paid leave of absence from his or her duties or service as such public officer or employee of this state, employee of any county, employee of any community college, employee of any public authority, employee of any public benefit corporation, employee of any board of cooperative educational services (BOCES), employee of any vocational education and extension board, or a school district enumerated in section one of chapter five hundred sixty-six of the laws of nineteen hundred sixty-seven, employee of any municipality, employee of any school district, or any employee of a participating employer in the New York state and local employees' retirement system or any employee of a participating employer in the New York state teachers' retirement system for a sufficient period of time, not to exceed four hours on an annual basis, to undertake a screening for cancer.
2. The entire period of the leave of absence granted pursuant to this section shall be excused leave and shall not be charged against any other leave such public officer, employee of this state, employee of any county, employee of any community college, employee of any public authority, employee of any public benefit corporation, employee of any board of cooperative educational services (BOCES), employee of any vocational education and extension board, or a school district enumerated in section one of chapter five hundred sixty-six of the laws of nineteen hundred sixty-seven, employee of any municipality, employee of any school district or any employee of a participating employer in the New York state and local employees' retirement system or any employee of a participating employer in the New York state teachers' retirement system is otherwise entitled to.

PHYSICAL EXAMINATIONS

PHYSICAL EXAMINATIONS

A female employee required to undergo a physical examination has the right to a female physician or to the presence of a female during an examination by a male physician.

New York State Labor Law § 206-a

FMLA - FAMILY AND MEDICAL LEAVE ACT

Your Employee Rights Under the Family and Medical Leave Act

What is FMLA leave?
The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with **job-protected leave** for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees. Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month period for:
- The birth, adoption or foster placement of a child with you,
- Your serious mental or physical health condition that makes you unable to work,
- To care for your spouse, child or parent with a serious mental or physical health condition, and
- Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

An eligible employee who is the spouse, child, parent or next of kind of a covered servicemember with a serious injury or illness **may take up to 26 workweeks** of FMLA leave in a single 12-month period to care for the servicemember. You have the right to use FMLA leave in **one block of time.**

When it is medically necessary or otherwise permitted, you may take FMLA leave **intermittently in separate blocks of time, or on a reduced schedule** by working less hours each day or week. Read Fact Sheet #28M(c) for more information.

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

Am I eligible to take FMLA leave?
You are an **eligible employee** if **all** of the following apply:
- You work for a covered employer,
- You have worked for your employer at least 12 months,
- You have at least 1,250 hours of service for your employer during the 12 months before your leave, and
- Your employer has at least 50 employees within 75 miles of your work location. Airline flight crew employees have different "hours of service" requirements.

You work for a **covered employer** if **one** of the following applies:
- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,
- You work for an elementary or public or private secondary school, or
- You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management.

How do I request FMLA leave? Generally, **to request FMLA leave you must:**
- Follow your employer's normal policies for requesting leave,
- Give notice at least 30 days before your need for FMLA leave, or
- If advance notice is not possible, give notice as soon as possible.

You **do not have to share a medical diagnosis** but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You **must also inform your employer if FMLA leave was previously taken** or approved for the same reason when requesting additional leave. Your **employer may request certification** from a health care provider to verify medical leave and may request certification of a qualifying exigency. The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights. State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress.

What does my employer need to do?
If you are eligible for FMLA leave, your **employer must:**
- Allow you to take job-protected time off work for a qualifying reason,
- Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and • Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave.

Your **employer cannot interfere with your FMLA rights** or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation. After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your **employer must confirm whether you are eligible** or not eligible for FMLA leave. If your employer determines that you are eligible, your **employer must notify you in writing:**
- About your FMLA rights and responsibilities, and
- How much of your requested leave, if any, will be FMLA-protected leave.

Where can I find more information?
Call **1-866-487-9243** or visit **dol.gov/fmla** to learn more.
If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. **Scan the QR code to learn about our WHD complaint process.**

SCAN ME

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

WH1420 REV 04/23

NEW YORK ELECTION LAW

ATTENTION ALL EMPLOYEES

TIME ALLOWED EMPLOYEES TO VOTE ON ELECTION DAY

N.Y. ELECTION LAW SECTION 3-110[i] STATES THAT:

- **IF YOU DO NOT HAVE 4 CONSECUTIVE HOURS TO VOTE, EITHER FROM THE OPENING OF THE POLLS TO THE BEGINNING OF YOUR WORKING SHIFT, OR BETWEEN THE END OF YOUR WORKING SHIFT AND THE CLOSING OF THE POLLS, YOU MAY TAKE OFF UP TO 2 HOURS, WITHOUT LOSS OF PAY, TO ALLOW YOU TIME TO VOTE IF YOU ARE A REGISTERED VOTER.**
- **YOU MAY TAKE TIME OFF AT THE BEGINNING OR END OF YOUR WORKING SHIFT, AS YOUR EMPLOYER MAY DESIGNATE, UNLESS OTHERWISE MUTUALLY AGREED.**
- **YOU MUST NOTIFY YOUR EMPLOYER NOT LESS THAN 2 DAYS, BUT NOT MORE THAN 10 DAYS, BEFORE THE DAY OF THE ELECTION THAT YOU WILL TAKE TIME OFF TO VOTE.**

[i] Employers: Not less than ten working days before any Election Day, every employer shall post conspicuously in the place of work where it can be seen as employees come or go to their place of work, a notice setting forth the provisions of this law. Such notice shall be kept posted until the close of the polls on Election Day.

Revised 4.14.2020

PAID FAMILY LEAVE NOTICE

Most private employers with one or more employees are required to obtain Paid Family Leave insurance. Your insurance carrier will provide you with a notice to employees (Notice of Compliance) stating that you have Paid Family Leave insurance. The Notice will include information about your carrier.
- If you are self-insured, you can get this notice by contacting the NYS Workers' Compensation Board at **certificates@wcb.ny.gov**.
- Post and maintain this notice in plain view.

WHISTLEBLOWER PROTECTION

Division of Labor Standars
Harriman State Office Campus
Building 12, Albany, NY 12226

Notice of Employee Rights, Protections, and Obligations Under Labor Law Section 740
Prohibited Retaliatory Personnel Action by Employers
Effective January 26, 2022

NEW YORK STATE OF OPPORTUNITY. Department of Labor
www.labor.ny.gov

§740. Retaliatory action by employers; prohibition.
1.Definitions. For purposes of this section, unless the context specifically indicates otherwise:
(a) "Employee" means an individual who performs services for and under the control and direction of an employer for wages or other remuneration, including former employees, or natural persons employed as independent contractors to carry out work in furtherance of an employer's business enterprise who are not themselves employers.
(b) "Employer" means any person, firm, partnership, institution, corporation, or association that employs one or more employees.
(c) "Law , rule or regulation" includes: (i) any duly enacted federal, state or local statute or ordinance or executive order; (ii) any rule or regulation promulgated pursuant to such statute or ordinance or executive order; or (iii) any judicial or administrative decision, ruling or order.
(d) "Public body" includes the following:
(i) the United States Congress, any state legislature, or any elected local governmental body , or any member or employee thereof;
(ii) any federal, state, or local court, or any member or employee thereof, or any grand or petit jury;
(iii) any federal, state, or local regulatory , administrative, or public agency or authority, or instrumentality thereof;
(iv) any federal, state, or local law enforcement agency , prosecutorial office, or police or peace officer;
(v) any federal, state or local department of an executive branch of government; or
(vi) any division, board, bureau, office, committee, or commission of any of the public bodies described in subparagraphs (i) through (v) of this paragraph.
(e) "Retaliatory action" means an adverse action taken by an employer or his or her agent to discharge,threaten, penalize, or in any other manner discriminate against any employee or former employee exercising his or her rights under this section, including (i) adverse employment actions or threats to take such adverse employment actions against an employee in the terms of conditions of employment including but not limited to discharge, suspension, or demotion; (ii) actions or threats to take such actions that would adversely impact a former employee's current or future employment; or (iii) threatening to contact or contacting United States immigration authorities or otherwise reporting or threatening to report an employee's suspected citizenship or immigration status or the suspected citizenship or immigration status of an employee's family or household member, as defined in subdivision two of section four hundred fifty-nine-a of the social services law, to a federal, state, or local agency.
(f) "Supervisor" means any individual within an employer's organization who has the authority to direct and control the work performance of the affected employee; or who has managerial authority to take corrective action regarding the violation of the law, rule or regulation of which the employee complains.
2. Prohibitions. An employer shall not take any retaliatory action against an employee, whether or not within the scope of the employee's job duties, because such employee does any of the following:
(a) discloses, or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the employer that the employee reasonably believes is in violation of law, rule or regulation or that the employee reasonably believes poses a substantial and specific danger to the public health or safety;
(b) provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any such activity, policy or practice by such employer; or
(c) objects to, or refuses to participate in any such activity, policy or practice.
3. Application. The protection against retaliatory action provided by paragraph (a) of subdivision two of this section pertaining to disclosure to a public body shall not apply to an employee who makes such disclosure to a public body unless the employee has made a good faith effort to notify his or her employer by bringing the activity, policy or practice to the attention of a supervisor of the employer and has afforded such employer a reasonable opportunity to correct such activity, policy or practice. Such employer notification shall not be required where:
(a) there is an imminent and serious danger to the public health or safety;
(b) the employee reasonably believes that reporting to the supervisor would result in a destruction of evidence or other concealment of the activity, policy or practice;
(c) such activity, policy or practice could reasonably be expected to lead to endangering the welfare of a minor;
(d) the employee reasonably believes that reporting to the supervisor would result in physical harm to the employee or any other person; or
(e) the employee reasonably believes that the supervisor is already aware of the activity, policy or practice and will not correct such activity, policy or practice.
4. Violation; remedy.
(a) An employee who has been the subject of a retaliatory action in violation of this section may institute a civil action in a court of competent jurisdiction for relief as set forth in subdivision five of this section within two years after the alleged retaliatory action was taken.
(b) Any action authorized by this section may be brought in the county in which the alleged retaliatory action occurred, in the county in which the complainant resides, or in the county in which the employer has its principal place of business. In any such action, the parties shall be entitled to a jury trial.
(c) It shall be a defense to any action brought pursuant to this section that the retaliatory action was predicated upon grounds other than the employee's exercise of any rights protected by this section.
5. Relief. In any action brought pursuant to subdivision four of this section, the court may order relief as follows:
(a) an injunction to restrain continued violation of this section;
(b) the reinstatement of the employee to the same position held before the retaliatory action, or to an equivalent position, or front pay in lieu thereof;
(c) the reinstatement of full fringe benefits and seniority rights;
(d) the compensation for lost wages, benefits and other remuneration;
(e) the payment by the employer of reasonable costs, disbursements, and attorney's fees;
(f) a civil penalty of an amount not to exceed ten thousand dollars; and/or
(g) the payment by the employer of punitive damages, if the violation was willful, malicious or wanton.
6. Employer relief. A court, in its discretion, may also order that reasonable attorneys' fees and court costs and disbursements be awarded to an employer if the court determines that an action brought by an employee under this section was without basis in law or in fact.
7. Existing rights. Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of any employee under any other law or regulation or under any collective bargaining agreement or employment contract.
8. Publication. Every employer shall inform employees of their protections, rights and obligations under this section, by posting a notice thereof. Such notices shall be posted conspicuously in easily accessible and well-lighted places customarily frequented by employees and applicants for employment.

To Be Posted Conspicuously in easily accessible and well-lighted places customarily frequented by employees and applicants for employment.

LS 740 (02/22)

USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

YOUR RIGHTS UNDER USERRA
THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

REEMPLOYMENT RIGHTS
You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:
- you ensure that your employer receives advance written or verbal notice of your service;
- you have five years or less of cumulative service in the uniformed services while with that particular employer;
- you return to work or apply for reemployment in a timely manner after conclusion of service; and
- you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION
If you: • are a past or present member of the uniformed service; • have applied for membership in the uniformed service; or • are obligated to serve in the uniformed service; then an employer may not deny you: • initial employment; • reemployment; • retention in employment; • promotion; or • any benefit of employment, because of this status.
In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

HEALTH INSURANCE PROTECTION
- If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military.
- Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

ENFORCEMENT
- The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.
- For assistance in filing a complaint, or for any other information on USERRA, contact VETS at **1-866-4-USA-DOL** or visit its website at **http://www.dol.gov/vets**. An interactive online USERRA Advisor can be viewed at **https://webapps.dol.gov/elaws/vets/userra**
- If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation.
- You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

Publication Date — May 2022

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: **https://www.dol.gov/agencies/vets/programs/userra/poster** Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.

U.S. Department of Labor 1-866-487-2365
U.S. Department of Justice
Office of Special Counsel
Employer Support Of The Guard And Reserve 1-800-336-4590

NEW YORK CORRECTION LAW ARTICLE 23-A

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.

VETERAN BENEFITS AND SERVICES

VETERAN BENEFITS AND SERVICES

The following resources and hotlines are available at no-cost to help veterans understand their rights, protections, benefits, and accommodations:
dol.ny.gov/veteran-benefits-and-services

MENTAL HEALTH AND SUBSTANCE ABUSE RESOURCES
All calls and texts are free and confidential
U.S. Department of Veterans Affairs Veterans Crisis Line: www.veteranscrisisline.net
Call: 988, press 1 Text: 838255
Suicide and Crisis Lifeline: www.veteranscrisisline.net
Call: 988 Text: 988
Crisis Textline:
Text: 741741 Chat: crisistextline.org
NYS Office of Mental Health (OMH): www.omh.ny.gov
NYS Office of Addiction Services and Supports (OASAS): www.oasas.ny.gov/hopeline
Call: 1-877-8-HOPENY (467469) Text: HOPENY (467369)

LEGAL SERVICES
Veterans Treatment Courts (VTC):
ww2.nycourts.gov/courts/problem_solving/vet/courts.shtml
Email: ProblemSolving@courts.state.ny.us
NYS Defenders Association Veteran Defense Program:
https://www.nysda.org/page/VDP

NEW YORK STATE DIVISION OF VETERANS' SERVICES
Website: **veterans.ny.gov**
Help Line: 1-888-838-7697 Email: DVSInfo@veterans.ny.gov
Services: Legal, education, employment and volunteer, financial, health care, and more.

TAX BENEFITS
NYS Department of Tax and Finance
- Information for military personnel and veterans: tax.ny.gov/pit/file/military_page.htm
- Property tax exemptions: tax.ny.gov/pit/property/exemption/vetexempt.htm

EDUCATION, WORKFORCE, AND TRAINING RESOURCES
Veteran Readiness and Employment (VR&E) Program: www.benefits.va.gov/vocrehab
New York State Civil Service Credits for Veterans Program: www.cs.ny.gov

ADDITIONAL RESOURCES
NYS Domestic and Sexual Violence Hotline:
Call: 800-942-6906 Text: 844-997-2121
NYS Workplace Sexual Harassment Hotline:
Call: 1-800-HARASS-3
NYS Department of Motor Vehicles:
• Veteran Status Designation Photo Document:
dmv.ny.gov/more-info/veteran-statusdesignation-photo-document
• Veteran License Plate: **dmv.ny.gov/plates/military-and-veterans**

NEW YORK STATE DEPARTMENT OF LABOR VETERANS' PROGRAM
Website: dol.ny.gov/services-veterans
Help Line: 1-888-469-7365 Email: Ask.Vets@labor.ny.gov
Services: Workforce and training resources, unemployment insurance, the Experience Counts program, and more.

NEW YORK STATE | Division of Veterans' Services

The New York State Department of Labor is an Equal Opportunity Employer/Program.
Auxiliary aides and services are available upon request and free of charge to individuals with disabilities
TTY/TDD 711 or 1-800-662-1220 (English) / 1-877-662-4886. P37 (2/24)

WE ARE YOUR DOL
NEW YORK STATE Department of Labor

DISCRIMINATION AGAINST CERTAIN ACTIVITIES

New York Labor Law
§ 201-d. Discrimination against the engagement in certain activities.
1. Definitions. As used in this section:
   a. "Political activities" shall mean (i) running for public office, (ii) campaigning for a candidate for public office, or (iii) participating in fund-raising activities for the benefit of a candidate, political party or political advocacy group;
   b. "Recreational activities" shall mean any lawful, leisure-time activity, for which the employee receives no compensation and which is generally engaged in for recreational purposes, including but not limited to sports, games, hobbies, exercise, reading and the viewing of television, movies and similar material;
   c. "Work hours" shall mean, for purposes of this section, all time, including paid and unpaid breaks and meal periods, that the employee is suffered, permitted or expected to be engaged in work, and all time the employee is actually engaged in work. This definition shall not be referred to in determining hours worked for which an employee is entitled to compensation under any law including article nineteen of this chapter;
   d. "Political matters" shall mean matters relating to elections for political office, political parties, legislation, regulation and the decision to join or support any political party or political, civic, community, fraternal or labor organization;
   e. "Religious matters" shall mean matters relating to religious affiliation and practice and the decision to join or support any religious organization or association.
2. Unless otherwise provided by law, it shall be unlawful for any employer or employment agency to refuse to hire, employ or license, or to discharge from employment or otherwise discriminate against an individual in compensation, promotion or terms, conditions or privileges of employment because of:
   a. an individual's political activities outside of working hours, off of the employer's premises and without use of the employer's equipment or other property, if such activities are legal, provided, however, that this paragraph shall not apply to persons whose employment is defined in paragraph six of subdivision (a) of section seventy-nine-h of the civil rights law, and provided further that this paragraph shall not apply to persons who would otherwise be prohibited from engaging in political activity pursuant to chapter 15 of title 5 and subchapter III of chapter 73 of title 5 of the USCA;
   b. an individual's legal use of consumable products, including cannabis in accordance with state law, prior to the beginning or after the conclusion of the employee's work hours, and off of the employer's premises and without use of the employer's equipment or other property;
   c. an individual's legal recreational activities, including cannabis in accordance with state law, outside work hours, off of the employer's premises and without use of the employer's equipment or other property;
   d. an individual's membership in a union or any exercise of rights granted under Title 29, USCA, Chapter 7 or under article fourteen of the civil service law; or
   e. an individual's refusal to: (i) attend an employer-sponsored meeting with the employer or its agent, representative or designee, the primary purpose of which is to communicate the employer's opinion concerning religious or political matters; or (ii) listen to speech or view communications, the primary purpose of which is to communicate the employer's opinion concerning religious or political matters.
3. The provisions of subdivision two of this section shall not be deemed to protect activity which:
   a. creates a material conflict of interest related to the employer's trade secrets, proprietary information or other proprietary or business interest;
   b. with respect to employees of a state agency as defined in sections seventy-three and seventy-four of the public officers law respectively, is in knowing violation of subdivision two, three, four, five, seven, eight or twelve of section seventy-three or of section seventy-four of the public officers law, or of any executive order, policy, directive, or other rule which has been issued by the attorney general regulating outside employment or activities that could conflict with employees' performance of their official duties;
   c. with respect to employees of any employer as defined in section twenty-seven-a of this chapter, is in knowing violation of a provision of a collective bargaining agreement concerning ethics, conflicts of interest, potential conflicts of interest, or the proper discharge of official duties;
   d. with respect to employees of any employer as defined in section twenty-seven-a of this chapter who are not subject to section seventy-three or seventy-four of the public officers law, is in knowing violation of article eighteen of the general municipal law or any local law, administrative code provision, charter provision or rule or directive of the mayor or any agency head of a city having a population of one million or more, where such law, code provision, charter provision, rule or directive concerns ethics, conflicts of interest, potential conflicts of interest, or the proper discharge of official duties and otherwise covers such employees; and
   e. with respect to employees other than those of any employer as defined in section twenty-seven-a of this chapter, violates a collective bargaining agreement or a certified or licensed professional's contractual obligation to devote his or her entire compensated working hours to a single employer, provided however that the provisions of this paragraph shall apply only to professionals whose compensation is at least fifty thousand dollars for the year nineteen hundred ninety-two and in subsequent years is an amount adjusted by the same percentage as the annual increase or decrease in the consumer price index.
4. Notwithstanding the provisions of subdivision three of this section, an employer shall not be in violation of this section where the employer takes action based on the belief either that: (i) the employer's actions were required by statute, regulation, ordinance or other governmental mandate, (ii) the employer's actions were permissible pursuant to an established substance abuse or alcohol program or workplace policy, professional contract or collective bargaining agreement, or (iii) the individual's actions were deemed by an employer or previous employer to be illegal or to constitute habitually poor performance, incompetency or misconduct.

4-a. Notwithstanding the provisions of subdivision three or four of this section, an employer shall not be in violation of this section where the employer takes action related to the use of cannabis based on the following:
   (i) the employer's actions were required by state or federal statute, regulation, ordinance, or other state or federal governmental mandate;
   (ii) the employee is impaired by the use of cannabis, meaning the employee manifests specific articulable symptoms while working that decrease or lessen the employee's performance of the duties or tasks of the employee's job position, or such specific articulable symptoms interfere with an employer's obligation to provide a safe and healthy work place, free from recognized hazards, as required by state and federal occupational safety and health law; or
   (iii) the employer's actions would require such employer to commit any act that would cause the employer to be in violation of federal law or would result in the loss of a federal contract or federal funding.
5. Nothing in this section shall apply to persons who, on an individual basis, have a professional service contract with an employer and the unique nature of the services provided is such that the employer shall be permitted, as part of such professional service contract, to limit the off-duty activities which may be engaged in by such individual.
6. Nothing in this section shall prohibit an organization or employer from offering, imposing or having in effect a health, disability or life insurance policy that makes distinctions between employees for the type of coverage or the price of coverage based upon the employees' recreational activities or use of consumable products, provided that differential premium rates charged employees reflect a differential cost to the employer and that employers provide employees with a statement delineating the differential rates used by the carriers providing insurance for the employer, and provided further that such distinctions in type or price of coverage shall not be utilized to expand, limit or curtail the rights or liabilities of any party with regard to a civil cause of action.
7. a. Where a violation of this section is alleged to have occurred, the attorney general may apply in the name of the people of the state of New York for an order enjoining or restraining the commission or continuance of the alleged unlawful acts. In any such proceeding, the court may impose a civil penalty in the amount of three hundred dollars for the first violation and five hundred dollars for each subsequent violation.
   b. In addition to any other penalties or actions otherwise applicable pursuant to this chapter, where a violation of this section is alleged to have occurred, an aggrieved individual may commence an action for equitable relief and damages.
8. Nothing in this section shall prohibit: (i) an employer or its agent, representative or designee from communicating to its employees any information that the employer is required by law to communicate, but only to the extent of such legal requirement; (ii) an employer or its agent, representative or designee from communicating to its employees any information that is necessary for such employees to perform their job duties; (iii) an institution of higher education, or any agent, representative or designee of such institution, from meeting with or participating in any communications with its employees that are part of coursework, any symposia or an academic program at such institution; (iv) casual conversations between employees or between an employee and an agent, representative or designee of an employer, provided participation in such conversations is not required; or (v) a requirement limited to the employer's managerial and supervisory employees.
9. The provisions of this section shall not apply to a religious corporation, entity, association, educational institution or society that is exempt from the requirements of Title VII of the Civil Rights Act of 1964 pursuant to 42 USC 2000e-1(a) with respect to speech on religious matters to employees who perform work connected with the activities undertaken by such religious corporation, entity, association, educational institution or society.
10. Every employer shall post a sign in every workplace at the location or locations where notices to employees are normally posted, to inform employees of their rights pursuant to this section.

GENERAL MUNICIPAL LAW - SECTIONS 800-809

New York State General Municipal Law, Sections 800 – 809: Conflicts of Interest of Municipal Officers and Employees (part 1)

§800. Definitions. When used in this articleand unless otherwise expressly stated or unless thecontext otherwise requires: 1. "Chief fiscal officer"means a comptroller, commissioner of finance,director of finance or other officer possessingsimilar powers and duties, except that in a schooldistrict the term shall not mean a member ofthe board of education or a trustee thereof. 2."Contract" means any claim, account or demandagainst or agreement with a municipality, expressor implied, and shall include the designation of adepository of public funds and the designation ofa newspaper, including but not limited to an officialnewspaper, for the publication of any notice,resolution, ordinance, or other proceeding wheresuch publication is required or authorized by law.3."Interest" means a direct or indirect pecuniaryor material benefit accruing to a municipal officeror employee as the result of a contract with themunicipality which such officer or employee serves.For the purposes of this article a municipal officeror employee shall be deemed to have an interest inthe contract of (a) his spouse, minor children anddependents, except a contract of employment withthe municipality which such officer or employeeserves, (b) a firm, partnership or association ofwhich such officer or employee is a member oremployee, (c) a corporation of which such officeror employee is an officer, director or employee and(d)a corporation any stock of which is owned orcontrolled directly or indirectly by such officer oremployee. 4. "Municipality" means a county, city,town, village, school district, consolidated healthdistrict, county vocational education and extensionboard, public library, board of cooperativeeducational services, urban renewal agency, a jointwater works system established pursuant to chaptersix hundred fifty-four of the laws of nineteenhundred twenty-seven, or a town or countyimprovement district, district corporation, orother district or a joint service established for thepurpose of carrying on, performing or financingone or more improvements or services intended tobenefit the health, welfare, safety or convenienceof the inhabitants of such governmental units orto benefit the real property within such units, anindustrial development agency but shall have noapplication to a city having a population of onemillion or more or to a county, school district,or other public agency or facility therein. 5."Municipal officer or employee" means an officeror employee of a municipality, whether paid orunpaid, including members of any administrative board, commission or other agency thereof and in the case of a county, shall be deemed to also include any officer or employee paid from county funds. No person shall be deemed to be a municipal officer or employee solely by reason of being a volunteer firefighter or civil defense volunteer, except a fire chief or assistant fire chief. 6. "Treasurer" means a county treasurer, city treasurer, town supervisor, village treasurer, school district treasurer, fire district treasurer, improvement district treasurer, president of a board of health of a consolidated health district, county vocational educational and extension board treasurer, treasurer of a board of cooperative educational services, public general hospital treasurer, or other officer possessing similar powers and duties.

§801. Conflicts of interest prohibited.Except as provided in section eight hundredtwo of this chapter, (1) no municipal officer oremployee shall have an interest in any contractwith the municipality of which he is an officeror employee, when such officer or employee,individually or as a member of a board, has thepower or duty to (a) negotiate, prepare, authorizeor approve the contract or authorize or approvepayment thereunder (b) audit bills or claims underthe contract, or (c) appoint an officer or employeewho has any of the powers or duties set forthabove and (2) no chief fiscal officer, treasurer, orhis deputy or employee, shall have an interest in abank or trust company designated as a depository,paying agent, registration agent or for investmentof funds of the municipality of which he is anofficer or employee. The provisions of this sectionshall in no event be construed to preclude thepayment of lawful compensation and necessaryexpenses of any municipal officer or employee inone or more positions of public employment, theholding of which is not prohibited by law.

§802. Exceptions. The provisions of sectioneight hundred one of this chapter shall notapply to: 1. a. The designation of a bank or trustcompany as a depository, paying agent, registrationagent or for investment of funds of a municipalityexcept when the chief fiscal officer, treasurer, orhis deputy or employee, has an interest in suchbank or trust company; provided, however, thatwhere designation of a bank or trust companyoutside the municipality would be required because of the foregoing restriction, a bank or trust company within the municipality may nevertheless be so designated; b. A contract with a person, firm, corporation or association in which a municipal officer or employee has an interest which is prohibited solely by reason of employment as an officer or employee thereof, if the remuneration of such employment will not be directly affected as a result of such contract and the duties of such employment do not directly involve the procurement, preparation or performance of any part of such contract; c. The designation of a newspaper, including but not limited to an official newspaper, for the publication of any notice, resolution, ordinance or other proceeding where such publication is required or authorized by law; d.The purchase by a municipality of real propertyor an interest therein, provided the purchase andthe consideration therefor is approved by order ofthe supreme court upon petition of the governingboard; e. The acquisition of real property oran interest therein, through condemnationproceedings according to law; f. A contract witha membership corporation or other voluntarynon-profit corporation or association including,but not limited to, rural electric cooperatives. Forpurposes of this paragraph, the term "rural electriccooperative" shall have the same meaning as theterm "cooperative" as defined in subdivision (a) ofsection two of the rural electric cooperative law; g.The sale of bonds and notes pursuant to section60.10 of the local finance law; h. A contract inwhich a municipal officer or employee has aninterest if such contract was entered into priorto the time he was elected or appointed as suchofficer or employee, but this paragraph shall in noevent authorize a renewal of any such contract; i.Employment of a duly licensed physician as schoolphysician for a school district upon authorizationby a two-thirds vote of the board of education ofsuch school district, notwithstanding the fact thatsuch physician shall have an interest, as definedin section eight hundred one of this chapter, insuch employment. j. Purchases or public work bya municipality, other than a county, located whollyor partly within a county with a population of twohundred thousand or less pursuant to a contract inwhich a member of the governing body or boardhas a prohibited interest, where: (1) the memberof the governing body or board is elected andserves without salary; (2) the purchases, in theaggregate, are less than five thousand dollars in one fiscal year and the governing body or board has followed its procurement policies and procedures adopted in accordance with the provisions of section one hundred four-b of this chapter and the procurement process indicates that the contract is with the lowest dollar offer; (3) the contract for the purchases or public work is approved by resolution of the body or board by the affirmative vote of each member of the body or board except the interested member who shall abstain. 2. a. A contract with a corporation in which a municipal officer or employee has an interest by reason of stockholdings when less than five per centum of the outstanding stock of the corporation is owned or controlled directly or indirectly by such officer or employee; b. A contract for the furnishing of public utility services when the rates or charges therefor are fixed or regulated by the public service commission; c. A contract for the payment of a reasonable rental of a room or rooms owned or leased by an officer or employee when the same are used in the performance of his official duties and are so designated as an office or chamber; d.A contract for the payment of a portion ofthe compensation of a private employee of anofficer when such employee performs part timeservice in the official duties of the office; e. Acontract in which a municipal officer or employeehas an interest if the total consideration payablethereunder, when added to the aggregate amountof all consideration payable under contracts inwhich such person had an interest during the fiscalyear, does not exceed the sum of seven hundredfifty dollars. f. A contract with a member of aprivate industry council established in accordancewith the federal job training partnership act orany firm, corporation or association in which suchmember holds an interest, provided the memberdiscloses such interest to the council and themember does not vote on the contract.

§803. Disclosure of interest. 1. Anymunicipal officer or employee who has, will have,or later acquires an interest in or whose spousehas, will have, or later acquires an interest in anyactual or proposed contract, purchase agreement,lease agreement or other agreement, including oralagreements, with the municipality of which he orshe is an officer or employee, shall publicly disclosethe nature and extent of such interest in writingto his or her immediate supervisor and to thegoverning body thereof as soon as he or she has knowledge of such actual or prospective interest. Such written disclosure shall be made part of and set forth in the official record of the proceedings of such body. 2. Notwithstanding the provisions of subdivision one of this section, disclosure shall not be required in the case of an interest in a contract described in subdivision two of section eight hundred two hereof.

§804. Contracts void. Any contract willfullyentered into by or with a municipality in which thereis an interest prohibited by this article shall be null,void and wholly unenforceable.

§804-a. Certain interests prohibited. Nomember of the governing board, of a municipalityshall have any interest in the development oroperation of any real property located withinNassau County and developed or operated by anymembership corporation originally formed forpurposes among which are the following: 1. to planfor, advise, recommend, promote and in all waysencourage, alone or in concert with public officialsand bodies and interested local associations, thedevelopment and establishment of any lands inNassau County publically owned with particularemphasis on industrial, business, commercial,residential and public uses, the augmention of publicrevenues and furtherance of the public interestof the citizens of Nassau County; 2. to conductstudies to ascertain the needs of Nassau Countyas pertains to such publically owned lands andsupporting facilities and in Nassau County generallyfor the purpose of aiding the County of Nassau inattracting new business, commerce and industry toit and in encouraging the development and retentionof business, commerce and industry; 3. to relieveand reduce unemployment, promote and providefor additional and maximum employment, betterand maintain job opportunities and instruct or trainindividuals to improve or develop their capabilitiesfor such jobs; 4. to implement and engage itself inplans of development of such publically ownedlands and other areas in connection with privatecompanies and citizens and with public bodiesand officials, and to participate in such operations,leaseholds, loans, ownerships with respect to land,buildings or public facilities or interest thereinas may be lawful and desirable to effectuate itscorporate purposes and the best interests of thepeople of Nassau County.

New York State General Municipal Law, Sections 800 – 809: Conflicts of Interest of Municipal Officers and Employees (part 2)

§ 805. Violations. Any municipal officer oremployee who willfully and knowingly violates theforegoing provisions of this article shall be guilty ofa misdemeanor.

§805-a. Certain action prohibited. 1. Nomunicipal officer or employee shall: a. directly orindirectly, solicit any gift, or accept or receive anygift having a value of seventy-five dollars or more,whether in the form of money, service, loan, travel,entertainment, hospitality, thing or promise, orin any other form, under circumstances in whichit could reasonably be inferred that the gift wasintended to influence him, or could reasonably beexpected to influence him, in the performance of hisofficial duties or was intended as a reward for anyofficial action on his part; b. disclose confidentialinformation acquired by him in the course of hisofficial duties or use such information to furtherhis personal interests; c. receive, or enter into anyagreement, express or implied, for compensationfor services to be rendered in relation to any matterbefore any municipal agency of which he is anofficer, member or employee or of any municipalagency over which he has jurisdiction or to whichhe has the power to appoint any member, officeror employee; or d. receive, or enter into anyagreement, express or implied, for compensationfor services to be rendered in relation to any matterbefore any agency of his municipality, whereby hiscompensation is to be dependent or contingentupon any action by such agency with respect tosuch matter, provided that this paragraph shall notprohibit the fixing at any time of fees based uponthe reasonable value of the services rendered. 2.In addition to any penalty contained in any otherprovision of law, any person who shall knowinglyand intentionally violate this section may be fined,suspended or removed from office or employmentin the manner provided by law.

§805-b. Solemnization of marriages.Notwithstanding any statute, law or rule to thecontrary, no public officer listed in section elevenof the domestic relations law shall be prohibitedfrom accepting any fee or compensation havinga value of one hundred dollars or less, whetherin the form of money, property, services orentertainment, for the solemnization of a marriageby such public officer at a time and place otherthan the public officer's normal public place ofbusiness, during normal hours of business. For the purpose of this section, a town or village judge's normal hours of business shall mean those hours only which are officially scheduled by the court for the performing of the judicial function.

§806. Code of ethics. 1. (a) The governingbody of each county, city, town, village, schooldistrict and fire district shall and the governingbody of any other municipality may by local law,ordinance or resolution adopt a code of ethicssetting forth for the guidance of its officers andemployees the standards of conduct reasonablyexpected of them. Notwithstanding any otherprovision of this article to the contrary, a firedistrict code of ethics shall also apply to thevolunteer members of the fire district firedepartment. Codes of ethics shall providestandards for officers and employees with respectto disclosure of interest in legislation before thelocal governing body, holding of investments inconflict with official duties, private employmentin conflict with official duties, future employmentand such other standards relating to the conductof officers and employees as may be deemedadvisable. Such codes may regulate or prescribeconduct which is not expressly prohibited bythis article but may not authorize conductotherwise prohibited. Such codes may providefor the prohibition of conduct or disclosure ofinformation and the classification of employeesor officers. (b) Effective on and after Januaryfirst, nineteen hundred ninety-one, such codesof political subdivisions, as defined in sectioneight hundred ten of this article, may containprovisions which require the filing of completedannual statements of financial disclosure withthe appropriate body, as defined in section eighthundred ten of this article. Nothing herein shallbe construed to restrict any political subdivision orany other municipality from requiring such a filingprior to January first, nineteen hundred ninety-one. Other than as required by subdivision two ofsection eight hundred eleven of this article, thegoverning body of any such political subdivisionor other municipality may at any time subsequentto the effective date of this paragraph, adopt alocal law, ordinance or resolution pursuant tosubdivision one of section eight hundred elevenof this article and any such political subdivisionor municipality, acting by its governing body, maytake such other action as is authorized in such subdivision. Any political subdivision or other municipality to which all of the provisions of section eight hundred twelve of this article apply may elect to remove itself from the ambit of all (but not some) provisions of such section in the manner authorized in subdivision three of such section eight hundred twelve. In such event any such political subdivision or municipality shall be subject to certain conditions and limitations set forth in paragraphs (a), (b) and (c) of such subdivision three which shall include, but not be limited to, the promulgation of a form of an annual statement of financial disclosure described in subdivision one of such section eight hundred eleven. 2. The chief executive officer of a municipality adopting a code of ethics shall cause a copy thereof to be distributed to every officer and employee of his municipality. The fire district commissioners shall cause a copy of the fire district's code of ethics to be posted publicly and conspicuously in each building under such district's control. Failure to distribute any such copy or failure of any officer or employee to receive such copy shall have no effect on the duty of compliance with such code, nor the enforcement of provisions thereof.

§807. Posting of statute. The chief executiveofficer of each municipality shall cause a copyof sections eight hundred through eight hundrednine of this article to be kept posted in eachpublic building under the jurisdiction of his or hermunicipality in a place conspicuous to its officersand employees. Failure to post any such copy shallhave no effect on the duty of compliance with thisarticle, nor with the enforcement of the provisionsthereof.

§808. Boards of ethics. 1. The governingbody of any county may establish a county boardof ethics and appropriate moneys for maintenanceand personal services in connection therewith.The members of such board of ethics shall beappointed by such governing body except in thecase of a county operating underan optionalor alternative form of county government orcounty charter, in which case the membersshall be appointed by the county executive orcounty manager, as the case may be, subject toconfirmation by such governing body. Such boardof ethics shall consist of at least three members, a majority of whom shall not be officers or employees of such county or municipalities wholly or partially located in such county and at least one of whom shall be an elected or appointed officer or employee of the county or a municipality located within such county. The members of such board shall receive no salary or compensation for their services as members of such board and shall serve at the pleasure of the appointing authority. 2.The board shall render advisory opinions toofficers and employees of municipalities whollyor partly within the county with respect to thisarticle and any code of ethics adopted pursuantthereto. Such advisory opinions shall be renderedpursuant to the written request of any such officeror employee under such rules and regulations asthe board may prescribe and shall have the adviceof counsel employed by the board, or if none,the county attorney. In addition, it may makerecommendations with respect to the draftingand adoption of a code of ethics or amendmentsthereto upon the request of the governing bodyof any municipality in the county. 3.The governingbody of any municipality other than a countymay establish a local board of ethics and, wheresuch governing body is so authorized, appropriatemoneys for maintenance and personal services inconnection therewith. A local board shall have allthe powers and duties of and shall be governedby the same conditions as a county board ofethics, except that it shall act only with respect toofficers and employees of the municipality thathas established such board or of its agencies. Themembers of a local board shall be appointed bysuch person or body as may be designated by thegoverning body of the municipality to serveatthe pleasure of the appointing authority and suchboard shall consist of at least three members, amajority of whom are not otherwise officers oremployees of such municipality. Such board shallinclude at least one member who is an elected orappointed municipal officer or employee. 4. Thecounty board of ethics shall not act with respectto the officers and employees of any municipalitylocated within such county or agency thereof,where such municipality has established its ownboard of ethics, except that the local board mayat its option refer matters to the county board. 5.A board of ethics of a political subdivision (asdefined in section eight hundred ten of this article)and of any other municipality, which is required by local law, ordinance or resolution to be, or which pursuant to legal authority, in practice is, the repository for completed annual statements of financial disclosure shall file a statement with the clerk of its municipality, that it is the authorized repository for completed annual statements of financial disclosure.

§809. Disclosure in certain applications.1.Every application, petition or request submittedfor a variance, amendment, change of zoning,approval of a plat, exemption from a plat or officialmap, license or permit, pursuant to the provisions of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and thenature and extent of the interest of any state officeror any officer or employee of such municipalityor of a municipality of which such municipalityis a part, in the person, partnership or associationmaking such application, petition or request(hereinafter called the applicant) to the extent knownto such applicant. 2. For the purpose of this sectionan officer or employee shall be deemed to have aninterest in the applicant when he, his spouse, or theirbrothers, sisters, parents, children, grandchildren,or the spouse of any of them (a) is the applicant,or (b) is an officer, director, partner or employeeof the applicant, or (c) legally or beneficially ownsor controls stock of a corporate applicant or is amember of a partnership or association applicant, or(d)is a party to an agreement with such an applicant,express or implied, whereby he may receive anypayment or other benefit, whether or not forservices rendered, dependent or contingent upon thefavorable approval of such application, petition orrequest. 3. In the county of Nassau the provisionsof subdivisions one and two of this section shallalso apply to a party officer. "Party officer" shallmean any person holding any position or office,whether by election, appointment or otherwise, inany party as defined by subdivision four of sectiontwo of the election law. 4. Ownership of less thanfive per cent of the stock of a corporation whosestock is listed on the New York or American StockExchanges shall not constitute an interest for thepurposes of this section. 5. A person who knowinglyand intentionally violates this section shall be guiltyof a misdemeanor.

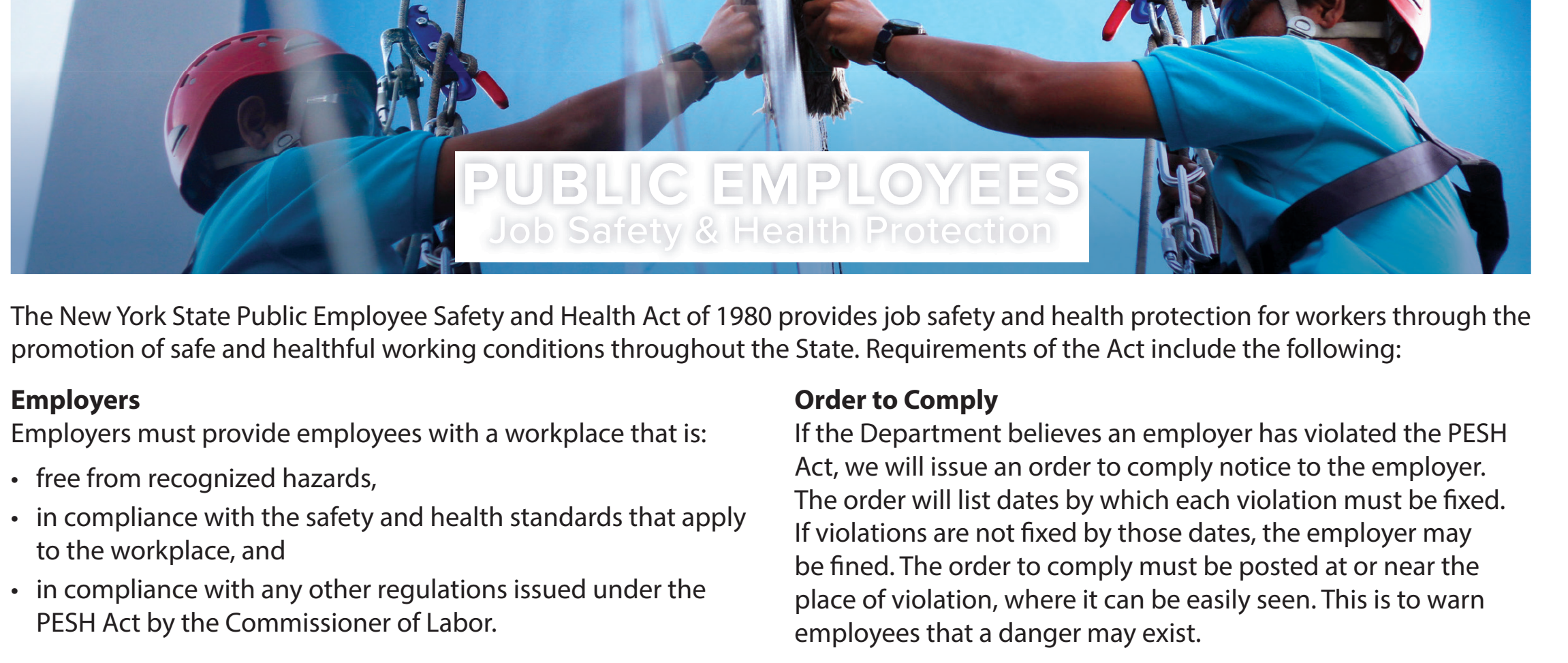
Presented by:
New York State Office of the State Comptroller
Division of Local Government and School Accountability
and the Division of Legal Services
110 State Street
Albany, New York 12236

Thomas P. DiNapoli **State Comptroller**

This information is required to be posted in a conspicuous place for the benefit of municipal officers and employees. Questions can be directed to your municipal attorney, or to the State Comptroller's Division of Legal Services at (518) 474-5586.

April 2021

PUBLIC EMPLOYEES JOB SAFETY AND HEALTH PROTECTION


WE ARE YOUR DOL
NEW YORK STATE Department of Labor
PUBLIC EMPLOYEES
Job Safety & Health Protection

The New York State Public Employee Safety and Health Act of 1980 provides job safety and health protection for workers through the promotion of safe and healthful working conditions throughout the State. Requirements of the Act include the following:

Employers
Employers must provide employees with a workplace that is:
- free from recognized hazards,
- in compliance with the safety and health standards that apply to the workplace, and
- in compliance with any other regulations issued under the PESH Act by the Commissioner of Labor.

Employees
Employees must comply with all safety and health standards that apply to their actions on the job. Employees must also comply with any regulations issued under the PESH Act that apply to their job.

ENFORCEMENT
The New York State Department of Labor administers and enforces the PESH Act. The Commissioner of Labor issues safety and health standards. The Department's Division of Safety and Health (DOSH) has Inspectors and Hygienists who inspect workplaces to make sure they are followingthe PESH Act.

Inspection
When DOSH staff inspect a workplace, a representative of the employer and a representative approved by the employees must be allowed to help with the inspection.
When there is no employee-approved representative, DOSH staff must speak with a fair number of employees about the safety and health conditions in the workplace.

Discrimination
Employees may not be fired or discriminated against in any way for filing safety and health complaints or otherwise exercising their rights under the Act.

If an employee believes that they have been discriminated against, he or she may file a complaint with the nearest DOSH office. File this complaint within 30 days of the discrimination incident.

Order to Comply
If the Department believes an employer has violated the PESH Act, we will issue an order to comply notice to the employer. The order will list dates by which each violation must be fixed. If violations are not fixed by those dates, the employer may be fined. The order to comply must be posted at or near the place of violation, where it can be easily seen. This is to warn employees that a danger may exist.

Complaint
Any interested person may file a complaint if they believe there are unsafe or unhealthful conditions in a public workplace. This includes:
- An employee
- A representative of an employee
- Groups of employees
- A representative of a group of employees

Make this complaint in writing to the nearest DOSH office or by email to: **Ask.SHNYPESH@labor.ny.gov**

On request, DOSH will not release the names of any employees who file a complaint. The Department of Labor will evaluate each complaint. The Department will notify the person who made the complaint of the results of the investigation.

These complaints may also be made to the United States Department of Labor, Occupational Safety and Health Administration online at: **www.osha.gov**.nder the Act.

Voluntary Activity
The Department of Labor encourages employers and employees to voluntarily:
- reduce workplace hazards, and
- develop and improve safety and health programs in all workplaces.

The Division of Safety and Health can provide free help with identifying and correcting job site hazards. Employers may request this assistance on a voluntary basis by emailing:

Ask.SHNYPESH@labor.ny.gov.

Additional information may be obtained from the nearest DOSH District Office below:

Albany District
State Office Campus
Bldg. 12, Rm. 158
Albany, NY 12240
Telephone: (518) 457-5508

Binghamton District
44 Hawley St., Rm. 901
Binghamton, NY 13901
Telephone: (607) 721-8211

Buffalo District
295 Main Street, Suite 905
Buffalo, New York 14203-2412
Telephone: (716) 847-7133

Garden City District
400 Oak Street
Garden City, NY 11550
Telephone: (516) 228-3970

New York City District
Shirley A. Chisholm State Office Building
55 Hanson Place, 12th Floor
Brooklyn, New York 11217-1523
Telephone: (212) 775-3554

Rochester District
109 S. Union St., Rm. 402
Rochester, NY 14607
Telephone: (585) 258-8806

Syracuse District
450 South Salina Street
Syracuse, NY 13202
Telephone: (315) 479-3212

Utica District
207 Genesee Street
Utica, NY 13501
Telephone: (315) 793-2258

White Plains District
120 Bloomingdale Road
White Plains, NY 10605
Telephone: (914) 997-9514

POST CONSPICUOUSLY

P208 (4/25) 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.

C175-NY-0126-F04