

If Your Workplace is Unsafe

Notify your supervisor or the Occupational Safety & Health Administration (OSHA) at 216.447.4194. Ask OSHA to inspect your workplace. Visit osha.gov for more information.

If you were punished because you filed a safety complaint with OSHA, you have 30 days to inform OSHA of the retaliation by filing an additional complaint.

Request copies of your medical records from your doctor and collect other records that document your exposure to toxic or harmful chemicals.

If You Are Hurt on the Job

As soon as you are hurt:

1. Get medical help;
2. Tell your work you have been hurt. Let your supervisor know you have been hurt and ask if you need to fill out an accident report;
3. Tell your doctor or emergency room the name of your health care organization that handles workers' compensation claims. If you don't know, find out from your workplace. This helps ensure your injury is counted as work-related;
4. Tell your pharmacist that any prescriptions you receive are related to treatment for an Ohio Worker's Compensation claim;
5. File a Workers' Compensation claim with the Ohio Bureau of Workers' Compensation at 800.644.6292, or info.bwc.ohio.gov.

Work Information to Record

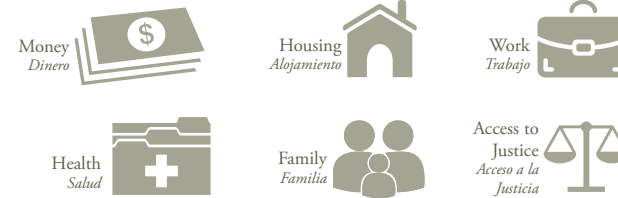
Employer Information					
Employer Name					
Supervisor Full Name					
Employer Telephone					
Employer Address					
Type of Work					
Name of General Contractor (if applicable)					
Name of Subcontractor (if applicable)					
Names of Key Co-Workers					
Other Notes					

Pay Record					
Pay Date	Pay Period	Hours Worked	Hours Paid	Gross Wages	Net Pay

Daily Work Record				
Start Time	Breaks	Lunch Break	End Time	Total Hours Worked

HAVE A PROBLEM WITH:

Tienes un problema con:



contact **Legal Aid for FREE assistance!**
...comuníquese con Legal Aid para obtener asistencia GRATUITA

Legal Aid serves people and groups with low-income in Ashtabula, Cuyahoga, Geauga, Lake and Lorain Counties.
Legal Aid atiende a personas y grupos de bajos ingresos en los condados de Ashtabula, Cuyahoga, Geauga, Lake y Lorain en el noreste de Ohio.

Information and Intake 24/7 online

Información y admisión 24 horas al día, 7 días a la semana en línea
lasclev.org

Apply by phone during most business hours

Solicite por teléfono durante la mayoría del horario comercial
888.817.3777

Have a quick question?

¿Tienes una pregunta rápida?

Tenant Info Line

Línea de Información del Inquilino
440.210.4533 or 216.861.5955
 for questions related to tenant's rights and rental housing
para preguntas relacionadas con los derechos del inquilino y la vivienda de alquiler

Economic Justice Info Line

Línea de Información de Justicia Económica
440.210.4532 or 216.861.5899
 for questions related to employment, unemployment and student loans
para preguntas relacionadas con empleo, desempleo y préstamos estudiantiles

Legal Aid provides interpreters and translation.
Legal Aid proporciona intérpretes y traducción.

Legal Aid uses Ohio Relay Service (800.750.0750) to support people who have a communication limitation.
Legal Aid utilizó el servicio de retransmisión de Ohio (800.750.0750) para ayudar a las personas que tienen una limitación de comunicación.



Request an outreach/education event or materials for your community group by email: outreach@lasclev.org.
Solicite un evento o materiales de divulgación / educación para su grupo comunitario por correo electrónico: outreach@lasclev.org.

The information in this brochure cannot take the place of advice from a lawyer. Each case is different and needs individual legal advice.
 La información de este folleto no puede reemplazar el consejo de un abogado. Cada caso es diferente y necesita asesoramiento legal individual.

Employment Law

Understanding Your Rights at Work



The
Legal Aid Society
 of Cleveland
Since 1905

Every Worker has Rights at Work, Including Undocumented Workers

Minimum Wage: Most workers have the right to be paid the current minimum wage in Ohio. For the current rate, check: dol.gov/wbd/minwage/america.htm

If you make tips at work, the amount you make in tips plus the amount you make per hour in wages must add up to at least the minimum wage rate.

Overtime Pay: Most workers have the right to overtime pay when they work over 40 hours in a workweek. The overtime rate is one and one-half (1½) times the regular rate of pay. For example, a \$12/hour regular rate would be a \$18/hour overtime rate ($\$12 \times 1.5 = \18).

Discrimination and Sexual Harassment:

Employees have the right to a workplace that is free from sexual harassment and discrimination based on your race, color, sex (including pregnancy), religion, disability, national origin, ancestry, military status, age, sexual orientation, and gender identity. You also have the right to participate in any claim or investigation about these issues at work.

Organizing: Employees have the right to organize a union at work and talk about unionizing during nonwork hours (breaks). You also have the right to talk to your supervisor about problems at work that affect you or your coworkers.

Safety: A safe workplace is a right. Your work must provide and require the use of proper safety gear and safeguards. You cannot be forced to enter any workplace that is unsafe. You cannot be forced to perform work without proper safety gear or safeguards.

Retaliation: Employees have the right to report certain issues within the workplace, including unlawful harassment, discrimination, wage violations, and safety violations. Employers may not punish employees for reporting these issues. In most cases, you must promptly report the issue to the appropriate person within your organization (often a manager or human resources) or to an appropriate governmental entity.

Workplace Accommodations: Employees have the right to a reasonable accommodation. Reasonable changes to the work environment or job policies are required to address limitations associated with a disability, pregnancy, or religious practice. If you need an accommodation, request one in writing. Employers must then start an “interactive process” with you to gather information and determine what accommodation(s) are appropriate for your job.

At-Will Employment

Unless a worker has an employment contract that states something different, all employees in Ohio are assumed to be employees “at will.” If you are an at-will employee, your employer may make decisions about the terms and conditions of your employment—including whether you are hired, promoted, discipline, or fired—for any reason that is not otherwise prohibited by law. At-will employees are still protected by the workplace rights mentioned in this brochure.

Employee vs. Independent Contractor

Many legal protections for workers apply only to employees—not to independent contractors. But just because your job treats you as an independent

contractor does not itself mean that you are one. Courts and agencies look at many other factors to determine whether a worker is an employee or independent contractor.

Unemployment Compensation

If your employment recently ended, you may be eligible for unemployment compensation benefits. You can receive these benefits if the separation from your job was not your fault. To be eligible, you must meet minimum work and pay requirements. For more information and to apply for benefits online, visit unemployment.ohio.gov.

How to Protect Yourself

Document – Keep your own records of (1) what days you worked; (2) how many hours you worked each day; and (3) whether you took any breaks and how long. Always compare your pay rate on your paystub to what you were actually paid and document any difference between the two. See suggestions for “Work Information to Record” on page 6 of this brochure.

Upon request, employers are required to provide you records showing your pay rate, the hours you worked for each day worked, and each amount paid to you. Employers must provide these records within 30 business days of the request.

If you are reporting unlawful conduct, be sure to report the conduct in writing, with dates, and keep a copy of all written communications.

Know Who You Are Working For – Know the address and phone number for your workplace and the full name of your supervisor.

Get Help – Get legal help as soon as you can when you believe that something may be wrong.

If Your Employer Owes You Pay

Call Legal Aid at 888.817.3777 or 216.687.1900.

File a complaint with the State of Ohio Bureau of Wage and Hour Administration at 614.644.2239.

Call the U.S. Department of Labor, Wage and Hour Division at 866.487.9243 or 216.357.5400.

File a lawsuit in small claims court for up to \$6,000 in unpaid wages, plus interest and costs.

If You Were Discriminated Against or Punished for Speaking Up About Your Rights

Call Legal Aid at 888.817.3777 or 216.687.1900.

If you were discriminated against, experience retaliation for reporting discrimination, or were denied a reasonable accommodation, file a charge with a government agency that investigates those issues:

- Equal Employment Opportunity Commission (EEOC) – Call 800.669.4000 or visit eeoc.gov/filing-charge-discrimination
- Ohio Civil Rights Commission (OCRC) – Call 216.787.3150 or visit civ.ohio.gov/how-to-file-a-charge

If your right to organize was violated, file a complaint with the National Labor Relations Board (NLRB) at 216.522.3715.