

Human Rights Commission

### Tennessee Law Prohibits Discrimination in Employment

**IT IS ILLEGAL TO DISCRIMINATE** AGAINST ANY PERSON BECAUSE OF RACE, COLOR, CREED, RELIGION, SEX, AGE, DISABILITY, OR NATIONAL ORIGIN IN RECRUITMENT, TRAINING, HIRING, DISCHARGE, PROMOTION, OR ANY CONDITION, TERM OR PRIVILEGE OF EMPLOYMENT.

*If you feel that you have been discriminated against, contact the Tennessee Human Rights Commission.*

#### LA LEY DE TENNESSEE PROHIBE LA DISCRIMINACIÓN EN EL EMPLEO

**ES EN CONTRA DE LA LEY DISCRIMINAR** EN CONTRA DE CUALQUIER PERSONA DEBIDO EN BASE A LA RAZA, COLOR, CREDO, RELIGIÓN, SEXO, EDAD, INCAPACIDAD U ORIGEN EN EL SELECCIÓN, ENTRENAMIENTO, EMPLEO, AL DESPEDIR, PROMOVER O CUALQUIER CONDICIÓN, TÉRMINO O PRIVILEGIO DE EMPLEO.

*Si usted cree que ha sido víctima de discriminación, comuníquese con la Comisión de Derechos Humanos de Tennessee.*

#### Contact Us/Para Mas Información:

#### TENNESSEE HUMAN RIGHTS COMMISSION

WILLIAM R. SNODGRASS TENNESSEE TOWER  
312 ROSA L. PARKS AVENUE  
23RD FLOOR  
NASHVILLE, TENNESSEE 37243-1102  
PHONE: (615) 741-5825 OR  
1-800-251-3589  
ESPAÑOL: 1-866-856-1252  
[WWW.TN.GOV/HUMANRIGHTS](http://www.tn.gov/humanrights)

REV. 07/2014

Department of Labor and Workforce Development

## You Have a Right to a Safe and Healthful Workplace. IT'S THE LAW!

- You have the right to notify your employer or TOSHA about workplace hazards. You may ask TOSHA to keep your name confidential.
- You have the right to request a TOSHA inspection if you believe that there are unsafe and unhealthful conditions in your workplace. You or your representative may participate in the inspection.
- You can file a complaint with TOSHA within 30 days of discrimination by your employer for making safety and health complaints or for exercising your rights under the TOSHA Act or the Tennessee Hazardous Chemical Right-to-Know Act.
- You have a right to see TOSHA citations issued to your employer. Your employer must post the citations at or near the place of the alleged violation.
- Your employer must correct workplace hazards by the date indicated on the citation and must certify that these hazards have been reduced or eliminated.
- You have rights under the Tennessee Right to Know Law concerning hazardous chemicals in your work area. Your employer must provide training about health effects, protective measures, safe handling procedures, as well as information on interpreting labels and safety data sheets (SDS). You must be provided access to the safety data sheets and the workplace chemical list.
- You have the right to copies of your medical records or records of your exposure to toxic and harmful substances or conditions.
- Your employer must post this notice in your workplace.

The **Tennessee Occupational Safety and Health Act of 1972**, T.C.A. §§ 50-3-101 et seq., assures safe and healthful working conditions for working men and women throughout the state. The Department of Labor and Workforce Development, Division of Occupational Safety and Health (TOSHA) has the primary responsibility for administering the TOSHA Act. The rights listed here may vary depending on the particular circumstances. To file a complaint, report an emergency or seek TOSHA advice, assistance or information, call 800-249-8510 or your nearest TOSHA office.

- Chattanooga (423) 634-6424 • Jackson (731) 423-5640 • Kingsport (423) 224-2042
- Knoxville (865) 594-6180 • Memphis (901) 543-7259 • Nashville (615) 741-2793.

To file a complaint online or obtain information on Federal OSHA and other state programs, visit OSHA's website at [www.osha.gov](http://www.osha.gov). For additional information on TOSHA visit [www.http://tn.gov/workforce/section/tosha](http://tn.gov/workforce/section/tosha).

Authorization No. 337330

REV. 03/2016

Department of Labor and Workforce Development  
**Workers' Compensation Insurance Posting Notice**

*The law requires this notice to be posted at the employer's place of business so all employees have access to it.*

#### WHICH EMPLOYERS ARE COVERED BY THE TENNESSEE WORKERS' COMPENSATION ACT?

- All employers with five (5) or more full or part-time employees, except as indicated below.
- All employers engaged in the mining and production of coal with one (1) or more employees.
- All workers in the construction industry unless they are specifically exempted.

#### WHAT SHOULD AN EMPLOYEE DO IF INJURED AT WORK?

- Report the injury to the employer immediately;
- Select a treating physician from a panel provided by the employer on the form described below. To report an injury contact:

Name of employer representative to notify in event of a work related injury

Telephone number of employer representative to notify in event of a work related injury

Address of employer representative to notify in event of a work related injury

- If you have questions or problems, contact the Bureau as indicated below.

#### WHAT SHOULD AN EMPLOYER DO WHEN AN INJURY IS REPORTED?

- Immediately complete a First Report of Work Injury form and send it to the workers' compensation insurance company or the third party administrator; AND,
- Offer the employee a panel of physicians. The physicians must be provided on the official state form, which is the "AGREEMENT BETWEEN EMPLOYER/EMPLOYEE CHOICE OF PHYSICIAN —Form C-42." Additional instructions are available on the form. The form is available at: <http://www.tn.gov/assets/entities/labor/attachments/c42.pdf>

The Tennessee Bureau of Workers' Compensation has staff available to help both employees and employers.

For more information contact:

**TENNESSEE BUREAU OF WORKERS' COMPENSATION**  
220 FRENCH LANDING DRIVE, 1-B  
NASHVILLE, TENNESSEE 37243-1002  
615-532-4812 OR TOLL FREE 800-332-2667  
800-332-2257 (TDD)  
<http://www.tn.gov/workforce/section/injuries-at-work>

LB-0922

Authorization No. 337545

RDA 10183

REV. 07/2015

Department of Labor and Workforce Development

### Unemployment Insurance Poster for Employees

Your employer provides insurance to help protect you when you become unemployed through no fault of your own. Tennessee employers pay the full cost of unemployment insurance for their employees. Nothing is deducted from your pay to cover the cost of this insurance nor does any money come from State of Tennessee funds.

To be eligible for benefits you must

- Be separated from employment through no fault of your own.
- Have qualifying wages in the base period.
- Be able and available for work.
- Search for work by making a minimum of three tangible job contacts and documenting during weekly certification process. You may log in to [www.Jobs4tn.gov](http://www.Jobs4tn.gov) to search for work online.

Failure to make three weekly work searches will result in a loss of benefits unless you are job attached, a member of a hiring union, or attending training approved by the Commissioner.

If you become unemployed you may file for benefits at [www.Jobs4tn.gov](http://www.Jobs4tn.gov).

Before beginning the claim filing process, you should have your

- Social Security Number
- Telephone Number
- Address
- Name of county of residence
- Employment data for the last 18 months including employer name and address, and
- Bank routing number and bank account number if you elect to receive benefits by direct deposit; otherwise, you will receive benefits on the Way2Go MasterCard.

**You must keep your address current with the Department of Labor and Workforce Development.**

Go to [www.Jobs4tn.gov](http://www.Jobs4tn.gov) to apply for unemployment benefits, to file a wage protest, to file an appeal of an agency decision, to view/update information, and to view and update your choice of type of unemployment benefit payment.

You may log in to [www.Jobs4tn.gov](http://www.Jobs4tn.gov) to register and search for work by using services offered by our Tennessee American Job Centers. The Tennessee Department of Labor and Workforce Development has staff available to help you find a job or pursue training opportunities.

You may go to the Department's website at <http://www.tn.gov/workforce/topic/find-local-help> to find the location of the most convenient Tennessee American Job Center.

**Please post in a conspicuous place.**

*The TN Department of Labor and Workforce Development is committed to principles of equal opportunity, equal access, and affirmative action. Auxiliary aids and services are available upon request to individuals with disabilities. Tennessee Relay Service is 711.*

Authorization No. 337386

REV. 03/2017

Department of Labor and Workforce Development  
**Wage Regulations Act**

It is unlawful for any employer to employ, permit or suffer to work any person without first informing the employee of the amount of wages to be paid (T.C.A. §50-2-101). All wages or compensation of employees in private employment shall be due and payable not less frequently than once per month. Notice of regular paydays shall be posted by each employer in at least two conspicuous places.

**REGULAR PAYDAY POSTED AS FOLLOWS:** \_\_\_\_\_ (T.C.A. §50-2-103).

Each employee must have a 30-minute unpaid rest break or meal period if scheduled to work 6 hours consecutively, except in workplace environments that by the nature of business provide for ample opportunity to rest or take an appropriate break. Such break shall not be scheduled during or before the first hour of scheduled work activity (T.C.A. §50-2-103).

No employer shall discriminate between employees in the same establishment on the basis of sex by paying any employee salary or wage rates less than he pays to any employee of opposite sex for comparable skill, effort, and responsibility, and which are performed under similar working conditions (T.C.A. §50-2-202).

#### CHILD LABOR ACT

**Minors 14 and 15 years of age may not be employed (T.C.A. §50-5-104):**

- During school hours;
- Between 7:00 pm and 7:00 am;
- More than 3 hours a day on a school day;
- More than 18 hours a week during school weeks;
- More than 8 hours a day on non-school days;
- More than 40 hours a week during non-school weeks.

**Minors 16 and 17 years of age may not be employed (T.C.A. §50-5-105):**

- During those hours when the minor is required to attend classes;
- Between the hours of 10:00 pm and 6:00 am, Sunday through Thursday evenings preceding a school day, except with parental or guardian consent. Then, the minor may work until midnight no more than 3 of the Sunday through Thursday nights.

#### BREAK OR MEAL PERIOD (T.C.A. §50-5-115)

A minor must have a 30-minute unpaid break or meal period if scheduled to work 6 hours consecutively. Such break shall not be scheduled during or before the first hour of scheduled work activity.

#### OCCUPATIONS PROHIBITED FOR MINORS UNDER THE AGE OF 18 (T.C.A. §50-5-106)

- In or about plants or establishments manufacturing or storing explosives or articles containing explosive components;
- Motor vehicle driving occupations;
- Coal mine occupations;
- Logging and sawmill operations;
- Operation of power-driven woodworking machines;
- Exposure to radioactive substances and ionizing radiations;
- Operation of elevator and other power-driven hoisting apparatus;
- Operation of power-driven metal forming, punching and shearing machines;
- Mining elements other than coal;
- Slaughtering, meat packing, processing or rendering;
- Operation of power-driven bakery machines;
- Operation of power-driven paper products machines;
- Manufacture of brick, tile and kindred products;
- Operation of circular saws, band saws and guillotine shears;
- Wrecking, demolition and ship-breaking operations;
- Roofing operations;
- Excavation operations;
- In any place of employment where the average monthly gross receipts from the sale of intoxicating beverages exceed twenty-five percent (25%) of the total gross receipts of the place of employment, or in any place of employment where a minor will be permitted to take orders for or serve intoxicating beverages regardless of the amount of intoxicating beverages sold in the place of employment;
- Occupations involved in youth peddling;
- Posing or modeling alone or with others while engaged in sexual conduct for the purpose of preparing a film, photograph, negative, slide or motion picture;
- Any occupation which the commissioner shall by regulation declare to be hazardous or injurious to the life, health, safety and welfare of minors.

#### DUTIES OF EMPLOYERS (T.C.A. §50-5-111)

Employers of minors shall:

- Maintain a separate file record for each minor employed which shall be kept at the minor's place of employment and shall include the following:
  - Employment application;
  - Copy of minor's birth certificate, driver's license, state issued ID or passport, as evidence of age by statute;
  - Accurate daily time record for all minors subject to the provisions of this Act;
  - Any records qualifying a minor for exemption under T.C.A. §50-5-107 (8)-(13).
- Allow the department to inspect all premises where minors are or could be employed and the contents of the individual file records; and
- Post in a conspicuous place on the business premises a printed notice of the provisions of the Child Labor Act furnished by the department;
- Furnish the department with records relative to the employment of minors.
- If a minor is 16 or 17 years of age and is home schooled, the file must include documentation from the Director of the LEA, the home school, or church-related school that confirms the minor's enrollment and authorization to work (T.C.A. §50-5-105).

**For information on state laws contact the Tennessee Department of Labor and Workforce Development Labor Standards Unit Toll Free (844) 224-5818 (REGULATIONS) [www.tn.gov/workforce](http://www.tn.gov/workforce)**

The TN Department of Labor and Workforce Development is committed to principals of equal opportunity, equal access, and affirmative action. Auxiliary aids and services are available upon request to individuals with disabilities. Callers with hearing impairments may use TTY/TDD 711.

Tennessee Department of Labor & Workforce Development; Authorization #337477

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