Fighting For New York's Workers

A report from the Labor Bureau of

New York State Attorney General

Eric T. Schneiderman

September 2015

Dear New Yorker,

As Attorney General, it is my privilege to stand with hard-working New Yorkers all over the state in their fight for dignity, respect and fairness in the workplace. The past year has been particularly inspiring because so many workers across the state—and the nation—have had the courage to stand up for their rights and fight back against poverty wages. I am proud to say that I have used the resources of my office both to ensure that workers get what they are entitled to under existing laws and to fight for even tougher laws to help working families get ahead.

It is no secret that working families face a host of economic challenges. The minimum wage is too low for even full-time workers to adequately provide for themselves and their families. As paltry as the legal minimum wage is, too many workers are cheated out of even that much by bosses who flout our labor laws. And parents increasingly face erratic work schedules that make it virtually impossible to plan child care.

It is my job as your Attorney General to stand up for regular New Yorkers and make sure that there is one set of rules for everyone. That benefits not only workers, but honest businesses as well. Just as no cashier, delivery driver or construction worker should be cheated out of legal wages, no small business owner should be put at an unfair disadvantage because the competition is paying workers less than legally-required wage rates.

This Labor Day, I am proud to report that the New York Attorney General's Office is more involved than it has ever been in standing up for workers' rights. Since I took office, we have recovered more than $21 million dollars in restitution and damages for more than 17,000 workers who were cheated out of wages. We have brought criminal cases and put bosses in jail for stealing from their workers.

This second annual Labor Day report highlights my office's actions to protect workers' rights over the past year. In the twelve months since last Labor Day, my office has stood up for fast food workers, securing settlements with Domino's and KFC franchisees, as well as judgments against Papa John's franchisees. And for the first time ever in the fast food industry, we have secured a guilty plea in which it is anticipated that a franchisee will be sentenced to jail time. My office has brought criminal charges against restaurants, a home health agency, and public contractors. We have safeguarded workers' rights to file for unemployment benefits and workers' compensation, and have protected taxi drivers' access to their earnings.

During the past year, my office has spearheaded efforts to address important public policy issues affecting New York's workers by proposing legislation to protect workers from excessive fees resulting from payroll cards; working to counter the recent trend of retailers assigning unpredictable schedules and requiring employees to be available for "on call" shifts; and filing a friend of the court brief in support of the U.S. Department of Labor's new Home Care Rule, which interprets the federal Fair Labor Standards Act to provide basic labor protections to millions of home-care workers who were not previously covered.

I am honored to serve as your Attorney General. I am proud of my record of standing up for New York's working men and women. I look forward to continuing to fight for workers' rights for a long time to come.

ERIC T. SCHNEIDERMAN

Stopping Wage Theft

No one who puts in an honest day's work should be cheated out of wages that are legally owed. Attorney General Schneiderman has made it a top priority of his administration to enforce New York's labor laws, including minimum wage, overtime, and prevailing wage laws, and to recover lost wages for workers who have been cheated. Since taking office, Attorney General Schneiderman has recovered $21 million in restitution and damages for more than 17,000 workers. In the past year, the Attorney General has targeted widespread violations of worker protection laws committed by the fast food industry, as well as other restaurants, public and private construction companies, airport contractors, building owners, and home health agencies.

Fast Food

The fast food industry is the target of worker organizing efforts nationwide because it is notorious for low wages and widespread violations of workers' rights. Attorney General Schneiderman stands shoulder to shoulder with fast food workers in their fight for living wages and the right to organize without interference from management. The Attorney General spoke at rallies in New York City for the Low Wage Worker Day of Action on April 15, joining tens of thousands of labor activists who engaged in coordinated actions in more than 150 cities around the world to call for living wages and collective bargaining rights.

In addition to supporting the efforts of fast food workers to raise their wages, Attorney General Schneiderman has used his office's enforcement powers to crack down on labor law violations in the industry. Investigations by the Attorney General's Labor Bureau have revealed franchisees of major national chains committing violations of the most basic workplace rights among other things, failing to pay proper overtime, shaving reported work time and not paying for all hours worked, failing to reimburse workers for job-related expenses, and even paying below the applicable state minimum wage.

A.G. Schneiderman marched with thousands of low wage workers and their supporters to call for living wages and collective bargaining rights

The Attorney General secured judgments totaling almost $3 million against two separate Papa John's franchisees that together operated 12 store locations in Manhattan, Brooklyn, and Queens. Both franchisees cheated hundreds of workers out of their legal wages.

In one particularly serious case, Attorney General Schneiderman criminally prosecuted a Papa John's franchisee who had cheated workers out of overtime pay, and tried to cover up his crime by requiring workers to use fake names to report some of their hours. The franchisee pled guilty, and under the terms of his plea agreement, he is expected to serve 60 days in jail and pay $230,000 in restitution to approximately 300 current and former employees. The case was investigated in coordination with the

U.S. Department of Labor, which negotiated a separate civil settlement requiring the franchisee to pay an additional $230,000 in liquidated damages that will to to the workers, on top of $50,000 in penalties.

A.G. Schneiderman stood with delivery drivers to announce a judgment of more than $2 million against the owner of five Papa John's franchise locations in Harlem

Over the past two years, the New York Attorney General's Office has conducted a wide-ranging investigation of wage and hour violations at Domino's franchisee locations across New York that resulted in settlements with 12 Domino's franchisees that currently or previously operated 57 distinct Domino's stores statewide — almost half of the approximately 130 total Domino's franchisee store locations statewide. All of the franchisees admitted violations of minimum wage, overtime, or other basic labor law protections. The Attorney General's settlements require payment of nearly $1.5 million in restitution to thousands of workers who were illegally underpaid, as well as full compliance with New York's labor laws going forward. The Labor Bureau continues to investigate additional Domino's franchisees in New York.

Attorney General Schneiderman also secured a $375,000 settlement with a KFC franchisee who cheated more than 700 workers at stores in Brooklyn, Queens, and Manhattan. Employees were required to work off the clock, they were shorted on overtime pay, and they were not reimbursed for the cost of laundering uniforms, as required by law.

A.G. Schneiderman at the Low Wage Workers Day of Action

Stopping Wage Theft and Other Labor Law Violations

Beyond Fast Food

Wage theft and other labor law violations affect not only fast food employees, but also workers in many industries statewide — from doormen and other building service workers, to airport skycaps, to servers in upscale restaurants. Attorney General Schneiderman is committed to ensuring that New Yorkers receive the wages they are legally owed, no matter what kind of work they do.

When Attorney General Schneiderman discovered that two building owners who had received lucrative tax breaks under New York's 421-a program (which is intended to incentivize affordable housing) had failed to comply with program's prevailing wage requirements, he took action. He secured settlements returning more than $460,000 in unpaid wages to about a dozen building service workers at two buildings, as well as $135,000 in restitution for the city. These settlements send a clear message that businesses that accept taxpayer-funded incentives must meet their obligations to New York's working families.

The Attorney General also secured a settlement of almost $1 million in restitution and damages from a contractor that employs skycaps at John F. Kennedy International Airport. Skycaps play a critical role in helping airports function smoothly, but the Attorney General's investigation found that nearly 40 skycaps at JFK were paid far below minimum wage—as little as $3.90 per hour. The settlement required the company to pay $625,000 in restitution and another $300,000 in damages to the workers.

And proving that fast food chains aren't the only restaurants that underpay their workers, an investigation by the Attorney General found that Per Se—among the priciest fine-dining establishments in Manhattan— failed to pay its waitstaff a 20 percent surcharge designated as a "service charge" in its contracts with customers for private dining and banquet services. State law requires that any charge that is "purported to be a gratuity" must be paid to workers. Under a settlement with the Attorney General, Per Se workers will receive $500,000 in restitution for the withheld tips.

A JFK skycap thanked A.G. Schneiderman for winning restitution for him and other skycaps who were denied minimum wage

Criminal Enforcement

The Attorney General's commitment to protecting workers' rights sometimes requires even more severe measures than aggressive civil enforcement. In certain cases, the facts and evidence warrant criminal prosecution, and even sentences including jail time. In the past year, the Attorney General's Office has brought criminal charges in numerous cases.

Prevailing Wage Cases

Federal and state prevailing wage laws ensure that laborers on public works projects, like schools, transportation infrastructure, and affordable housing, are paid wages and benefits comparable to the local norms for a given trade. These laws make sure that construction companies do not win government contracts by underbidding their competitors through paying excessively low wages. Solid, middle-class jobs in industries like construction are vital to the health of our communities, and taxpayer dollars should not be used to replace good jobs with bad ones. Attorney General Schneiderman has brought several criminal cases against contractors who violated prevailing wage laws. These cases are critical to protect solid construction industry jobs and make sure taxpayers get what they pay for on publicly funded projects.

Attorney General Schneiderman is working closely with the New York City Department of Investigations (DOI) to crack down on underpayment of wages and benefits to workers on affordable housing, school construction, and New York City Housing Authority (NYCHA) projects. In April, the Attorney General's office arrested five subcontractors on charges including falsifying business records in connection with the underpayment of workers by almost $1 million. The workers were employed on a NYCHA project in Queens, a project for the city's Department of Housing Preservation and Development in Harlem, and a school construction project in the Bronx. In a separate case with DOI in December, a contractor and two labor brokers were indicted in connection with a scheme involving kickbacks and underpayment of workers on public projects in Brooklyn and Queens. If convicted of the most serious charges, the defendants face up to seven years in prison.

The Attorney General has also secured criminal convictions and restitution for workers who were illegally denied prevailing wage. In one case, a construction company boss who underpaid workers on a project at JFK airport pleaded guilty to two felony counts. He was sentenced to pay $200,000 in restitution and serve 5 years' probation. In another case, contractors who underpaid electrical workers on projects at public colleges and NYCHA facilities pleaded guilty to criminal charges. One defendant was sentenced to pay almost $300,000 in restitution and serve five years' probation. The other received a sentence of conditional discharge. Both contractors and their company were barred from bidding on public projects for five years.

Criminal Enforcement, Continued

A Broad Range of Criminal Cases

Along with enforcing prevailing wage laws, Attorney General Schneiderman has brought charges against a company that violated child labor laws, putting a minor in harm's way. He also brought criminal charges against a landscaper, a home health care agency, and fast food and other restaurants for failing to pay legally-required wages.

In a particularly disturbing case, a restaurant in the North Country violated New York State Child Labor Laws by instructing a minor employed by the restaurant to clean an industrial machine. While cleaning the machine, the victim's right arm was severed at the elbow. Attorney General Schneiderman charged the owner, the manager, and the restaurant with violating several provisions of New York State Child Labor Laws, which prohibit minors from working in certain "hazardous occupations" in order to ensure their workplace safety. As a condition of the employers' guilty pleas, they were required to pay more than $13,000 in restitution, fines to the New York State Department of Labor for violations of the State Child Labor Laws, and unpaid wages to the victim. This restitution includes reimbursement for out-of-pocket expenses incurred by the victim's family for trips taken to Boston for the victim's medical treatments, which are not covered by insurance. A civil case is also being pursued against the defendants by the victim and his family.

The Attorney General brought charges against the owner of a Long Island landscaping company for failing to pay more than $13,000 in wages to three former employees and defrauding the state unemployment insurance system of almost $12,000 by paying wages in cash off the books.

Attorney General Schneiderman also secured guilty pleas from two owners of a home health care agency for failing to pay 63 former home health aides for all of the hours they worked caring for people with disabilities, impairments, and other medical needs. The owners were each sentenced to 75 days of home confinement with an electronic ankle bracelet, and fined $500. As a condition of their plea, they agreed to pay more than $80,000 in restitution to their former employees.

In two other cases, the Attorney General secured the conviction of a Manhattan restaurateur for underpaying 54 workers by $100,000, and arrested a Westchester restaurant owner for failing to pay minimum wages and overtime to employees.

Raising Wages for New York Workers

All across our state, men and women who work full time jobs are living below the poverty line. This is unconscionable.

Fortunately, New York state law allows the Commissioner of Labor to convene a wage board to investigate and increase the minimum wage for any occupation if the commissioner determines that a substantial number of employees are receiving wages insufficient to provide adequate maintenance and to protect their health.

DAILY NEWS

Schneiderman Op-ed 4/16/15

BY ERIC SCHNEIDERMAN NEW YORK DAILY NEWS Thursday, April 16, 2015, 5:00 AM

Gov. Cuomo can unilaterally hike N.Y. wages: How his Labor Department can use its existing legal authority to raise suffering workers' pay

Attorney General Schneiderman penned an op-ed, which was published in the *New York Daily News* on April 6, calling for the creation of a wage board. On May 6, New York Governor Andrew Cuomo responded by directing the Commissioner of Labor to convene a wage board for the fast food industry.

Raising Wages for New York Workers, Continued

A.G. Schneiderman praised Governor Cuomo's decision to convene a Fast Food Wage Board.
Photo credit: Governor Andrew Cuomo's Flickr Account.

On July 31, the Fast Food Wage Board issued its report to the Commissioner of Labor recommending that wages for fast food workers be increased to $15 per hour by 2018 in New York City, and by 2021 in the rest of the state.

The recommendation of the wage board is a long-overdue step forward for thousands of fast food workers in New York, but the fight for living wages cannot stop here. Large corporations in sectors including retail, health care, and banking continue to reap enormous profits by paying poverty wages to their frontline workers, and relying on taxpayer-funded programs like Medicaid and food stamps to make it possible for their workers to survive. Attorney General Schneiderman will keep fighting for a real, living wage for all New York workers.

The wage board's recommendation will help build the momentum we need to finally extend a living wage to all hard-working New Yorkers, which is why Attorney General Schneiderman will vigorously defend the wage board process against any legal challenges that may arise.

Protecting Workers' Rights to Other Critical Workplace Protections

In addition to wage and hour safeguards, New York's labor laws provide other important protections for workers. Attorney General Schneiderman has taken action to protect the rights of New York workers to file for workers compensation if they are injured, seek unemployment benefits without retaliation, and to be free from the threat of wrongful termination.

He secured a settlement of $46,000 with C&S Wholesale Grocers Inc., the largest wholesale grocery supply company in the country, after an investigation revealed that the company had a written policy of firing employees who were injured in a "preventable accident" within their initial 90-day probationary period of employment. The C&S policy violated New York law because it dissuaded workers from reporting injuries and filing workers' compensation claims.

The Attorney General secured another settlement with a private education company that illegally required teachers to waive their right to file for unemployment insurance benefits, and also required indemnification if such claims were filed. The company agreed to revoke the policy and drop an arbitration claim against a teacher who filed for unemployment benefits.

In a third case, Attorney General Schneiderman secured $20,000 in restitution for a hotel worker who was illegally fired from her job when she missed work to serve jury duty.

Spotlight on Taxi Drivers

Attorney General Schneiderman has also taken action to protect taxi drivers from unfair practices. In order to ensure that drivers retain at least a minimal amount of take-home pay, the rules of the New York City Taxi and Limousine Commission (TLC) limit the amount of money drivers may be charged for leasing taxicabs and medallions.

In 2013, Attorney General Schneiderman collaborated with the TLC to secure a first-of-its-kind agreement with Evgeny "Gene" Freidman and four of his companies to pay almost $750,000 in restitution to drivers who were charged higher-than-permissible rates to lease cabs and medallions. The agreement also included $500,000 in fines. Freidman oversees one of the largest taxi fleets in New York City. In 2014, Attorney General Schneiderman and the TLC also secured an additional settlement for over $1.6 million with Yellow Cab SLS Jet Management Corp., another large medallion-leasing agent.

In April of this year, Attorney Genveral Schneiderman sued Freidman for violating his 2013 agreement, and also for committing new violations by paying drivers late for rides charged to credit cards. In addition to restitution to drivers, fines, and damages in an amount to be determined, the lawsuit also seeks funds for the purpose of appointing a monitor to ensure another layer of protection of the rights of hundreds of taxi drivers.

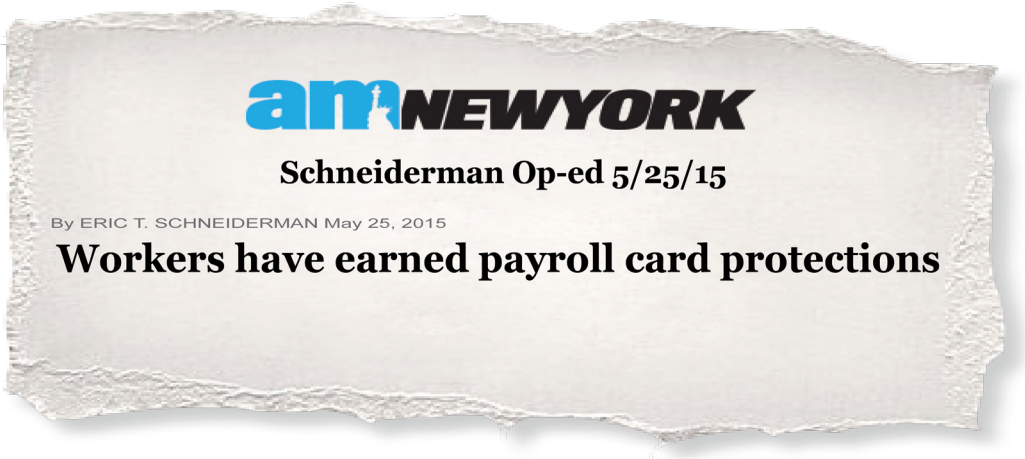
Making Payroll Cards Work for Workers

A report by A.G. Schneiderman's Labor Bureau found that some payroll cards came with confusing terms and costly fees

New York workers should be able to collect the wages they earn without racking up confusing and unfair fees. Low-wage workers in particular can't afford to be nickel-and-dimed out of their hard-earned pay. Attorney General Schneiderman is leading the effort to ensure that, as payroll technology changes, workers will benefit from added convenience without getting socked in their wallets.

Employers are increasingly paying workers using payroll cards—prepaid debit cards that provide an alternative to direct deposit or a paper check. Payroll cards can offer important benefits over paper checks, including greater efficiency and reduced environmental impact. They can be more reliable during natural disasters, and provide a useful alternative for workers without bank accounts, who might otherwise have to pay check-cashing companies.

But a 2014 report by the Attorney General's Labor Bureau found that in many cases, payroll cards came with confusing terms and hidden fees that were eating into workers' wages. That's why Attorney General Schneiderman proposed legislation regulating the use of payroll cards to increase protections for workers, clarify ambiguities in the law, and ensure that payroll cards offer a convenient and beneficial method for workers to access their pay. The Attorney General's Payroll Card Act requires clear disclosure of payroll card fees, and restricts certain fees, and ensures that workers can withdraw all of their wages free of charge.

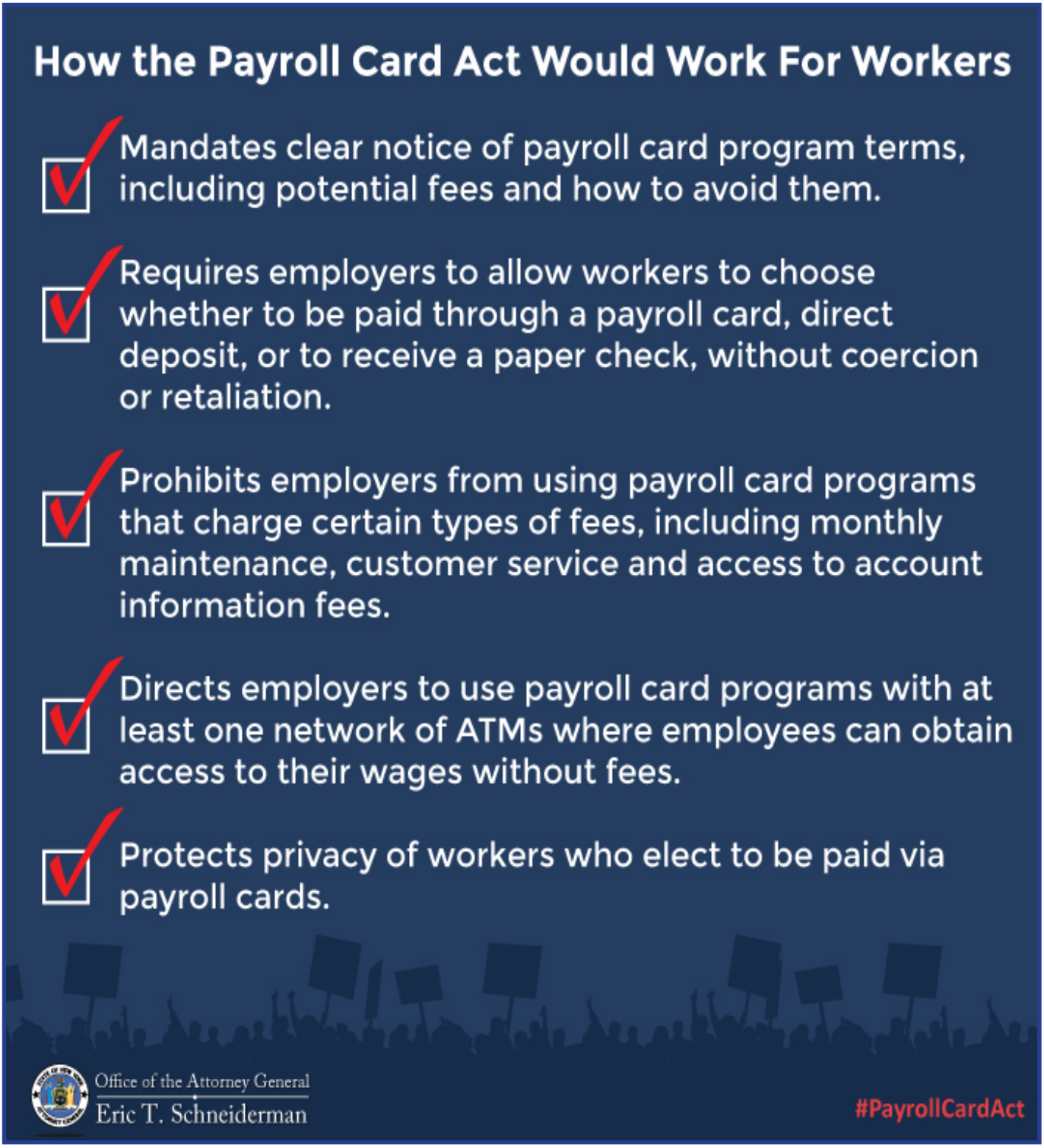

amNEWYORK

Schneiderman Op-ed 5/25/15

By ERIC T. SCHNEIDERMAN May 25, 2015

Workers have earned payroll card protections

On May 26, Attorney General Schneiderman penned an op-ed in *am-New York* urging the legislature to protect workers who are paid with payroll cards by passing the Payroll Card Act. In his op-ed, he noted that the New York State Department of Labor could issue regulations governing payroll cards, and urged the Department to do so if the legislature failed to act. In response, the Department of Labor proposed new rules for payroll cards that closely mirror Attorney General Schneiderman's bill.



In its proposed rules, the New York State Department of Labor incorporated virtually all of the protections for workers that were proposed in A.G. Schneiderman's Payroll Card Act

Fighting For Fair Scheduling

Unpredictable work schedules take a toll on all employees, especially those in low-wage sectors. Without the security of a definite work schedule, workers who must be "on call" have difficulty making reliable childcare and eldercare arrangements. They cannot consistently attend classes to further their education, and they are unable to pursue other employment to supplement their income. One recent study found that being on call was harmful to workers' health. Other studies suggest that when workers are required to be on call, their children's well-being can suffer as well. Separate studies found negative effects on both young children and adolescents when parents work nonstandard hours, and researchers expressed concern that the erratic hours associated with on-call scheduling would have similar effects.

Despite the financial and health strains imposed on working families by on-call scheduling, the practice is widespread. A 2012 study by the Retail Action Project found that more than half of surveyed workers in non-food retail jobs who had caretaking responsibilities for children or others were required to be available for last-minute shifts. Workers may be required to call in the night before, or even the same day as a scheduled shift, to find out whether they are needed, or they may simply receive a text message informing them whether or not they are required to report for a shift. In many cases, on-call scheduling is made possible by sophisticated software that allows managers to predict staffing needs in real time based on sales patterns, weather and other factors. While this approach allows companies to keep their labor costs down, it wreaks havoc on the lives of workers.

THE WALL STREET JOURNAL.

April 12, 2015 10:00 p.m. ET

Retailers Are Under Fire for Work Schedules

New York's attorney general scrutinizes 13 big retailers, including Target and Gap, over their staffing practices...

Fighting For Fair Scheduling, Continued

Attorney General Schneiderman is committed to improving working conditions for New Yorkers, and enforcing the laws of our state in order to protect workers and their families from unfair scheduling practices. New York law mandates that if an employee, by request or permission of the employer, reports for work, that employee must be paid the minimum wage for at least four hours (three for restaurants or hotels), or the number of hours in the regularly scheduled shift, whichever is less. In April, the Attorney General's Labor Bureau sent letters to thirteen large retailers requesting information about their scheduling practices, and in particular their use of on-call scheduling. After discussions with the Attorney General's office, The Gap, Inc. and Abercrombie & Fitch announced that they will end the use of on-call scheduling in their stores. And the companies went further, announcing that after a phase-in period, workers will receive their schedules further in advance—one week for Abercrombie and 10 to 14 days for The Gap. Abercrombie employees will be able to opt in to receive alerts about additional shifts that they can pick up voluntarily on short notice. Williams-Sonoma and Victoria's Secret have also announced subsequent to the April letters that they will phase out on-call scheduling in their stores. The Attorney General's review of and discussions with other retailers are ongoing.

DAILY NEWS

Sunday, August, 2015

Two wins for America's workers

...under arm-twisting by state Attorney General Eric Schneiderman, the Gap announced that its five clothing chains, which employ more than 150,000 people, will phase out just-in-time scheduling practices that have kept workers guessing about when they should report for work.

Standing up for Home-Care Workers

Attorney General Schneiderman led a group of eight states in filing a friend of the court brief arguing that the U.S. Department of Labor (DOL) acted within its legal authority when it issued the Home Care Rule, which extended basic labor protections to millions of home-care workers across the country who are employed by third-party agencies. The U.S. Court of Appeals for the District of Columbia Circuit agreed with A.G. Schneiderman and upheld the Home Care Rule. This decision means greater economic security for millions of home-care workers across the country.

Home-care workers perform vital services for millions of Americans with disabilities, impairments and other medical needs. Their labor enables those they care for to retain the comfort and security of living in their own homes, instead of moving to nursing homes or other care facilities. Home-care is demanding and increasingly specialized work. Nevertheless, home-care workers have long been exempted from the Fair Labor Standards Act (FLSA), the federal law that guarantees a minimum wage and overtime pay. The protections of the FLSA were extended to employees in domestic service in 1974, but home-care workers were still not covered if they were deemed to be providing "companionship services," or if they lived in the home where they worked.

In the 1970s, the scope of home-care was limited. Most individuals who needed long-term care received care in nursing homes or other residential facilities. Since that time, however, the provision of home-care has dramatically expanded. Today, there is a thriving home-care industry comprised of thousands of home-care agencies and millions of workers. Home-care workers perform increasingly skilled functions that, in the 1970s, were mainly provided in nursing homes. In addition, home-care has become increasingly professionalized, and home-care is now a vocation. The majority of workers rely on home-care jobs to support their families, not as a form of sporadic and occasional work.

A.G. Schneiderman spoke in support of home-care workers at an April 15th rally

In order to better reflect the realities of the home-care industry that exists today, the DOL issued the Home Care Rule, narrowing the FLSA exemption for "companionship services" and extended FLSA protections to home-care workers who are employed through home-care agencies. Home-care industry groups challenged the rule and won district court rulings striking down the changes. The DOL appealed, and A.G. Schneiderman led a coalition of eight states in filing a friend of the court brief in support of the DOL's position. The brief argued that the new rule is consistent with the FLSA's original purpose, to aid the nation's lowest-paid workers, and that providing basic labor protections to home-care workers will improve the well-being of both the workers and the people they serve. The U.S. Court of Appeals for the D.C. Circuit agreed and upheld the rule.

KNOW YOUR RIGHTS

You have important legal protections in the workplace, which may change over time. The following requirements apply to most workers in New York.

Minimum Wage: You must be paid at least the minimum wage, which is $8.75 per hour in NY in 2015 and increases to $9.00 per hour in NY in 2016.

Overtime: You must be paid overtime at a rate of at least 1 ½ times your regular hourly rate for every hour that you work over 40 hours per week.

Spread of Hours: You also have a right to be paid an additional hour at the minimum wage each day that the amount of time between the start and end of your work day is more than 10 hours.

Unlawful Deductions from Wages: Your employer can only make certain deductions from wages that are legally permitted or required (such as taxes or health insurance contributions). An employer may not deduct from your wages based on cash register shortages, breakage, or to make you purchase a required uniform.

Tips: Employers are allowed to pay a lower, "tipped" rate in an amount set by law to workers who regularly receive a sufficient amount of tips, but they must follow very specific rules in order to do so. Also, employers and their agents may not take a portion of employees' tips.

Call-In Pay: If you report for work at your employer's request or with your employer's permission, you must be paid "call-in pay" for at least three hours (if you work for a restaurant or hotel) or four hours (in other types of employment), or the number of hours in the regularly scheduled shift, whichever is shorter.

Uniforms: Your employer may require you to wear a uniform, but your employer may not charge you for the uniform or deduct the cost of the uniform from your paycheck. Your employer must also provide laundry services for free or pay you an amount of money set by law for the cost of laundering your uniform.

Pay Notice: When hired, your employer must provide you with a written notification of your rate of pay, and provide you every pay period with a pay record, or pay stub, showing gross wages, deductions, and net wages.

No Retaliation: You have the right not to be punished or retaliated against because you have complained about unlawful pay practices or other labor law violations to your employer or to a government agency like the Attorney General's Office.

In addition to your wage and hour rights listed above, some other important legal protections include:

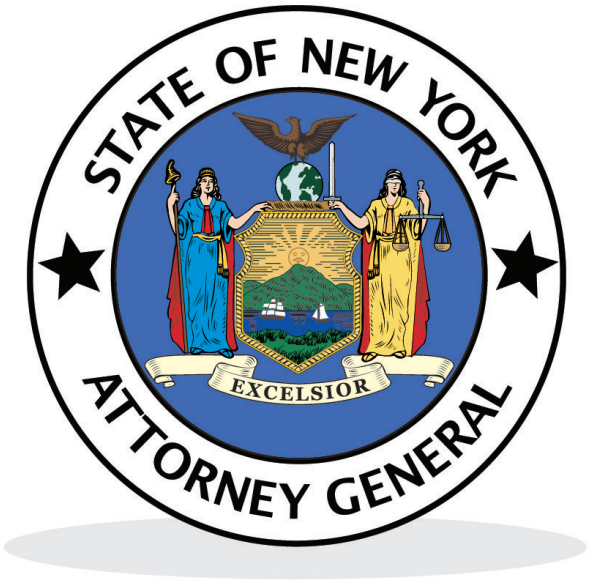
Right to Organize: You have the right to organize or join a union or to take collective action to improve your working conditions. For information or to file a complaint, call the National Labor Relations Board at 1-866-667-6572.

Safe Workplace: You have the right to a workplace which does not endanger your safety or health. For information or to report unsafe workplace conditions, call the Occupational Health and Safety Administration at 1-800-321-OSHA (6742).

No Discrimination: The New York State Human Rights Law makes it illegal for an employer to discriminate against an employee or job seeker because of his or her age, creed, race, color, sex, sexual orientation, national origin, marital status, disability, domestic violence victim status, criminal or arrest record, or predisposing genetic characteristics. If you work in New York City, you are also covered by the New York City Human Rights Law, which may offer additional protections beyond the state Human Rights Law. To report illegal workplace discrimination, call the Attorney General's Civil Rights Bureau at 1-212-416-8250.

Workers' Compensation: If you are injured or made sick on the job, workers' compensation insurance provides for medical care and wages you lose because your ability to work is affected. Employers pay for this insurance and may not ask you to pay anything toward the cost. For more information, call the New York State Workers' Compensation Board at 1-877-632-4996.

Paid Sick Time: If you work in New York City, you have the right to take paid sick leave in certain circumstances under the New York City Earned Sick Time Act. For more information, call 311 and ask for the New York City Department of Consumer Affairs.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