

Resources & Websites / Employee Rights

Online Resources for Information on Employee Rights*

Below are websites that provide a wide range of information on employment rights.

- **AHI's Employment Law Resource Center**
<http://www.ahipubs.com/FAQ/index.html>
Aimed at managers and human resource personnel, this site offers answers to frequently asked questions about many aspects of employment.
- **Employment Law Resource Center**
<http://www.coloradolawyer.com/discrim.html>
Summarizes the major federal laws that prohibit employment discrimination. A good place to begin your search if you're looking for an overview.
- **Employment Law Memo**
<http://www.lawmemo.com/>
A great site offering both free and paid services for those researching labor law, arbitration decisions, civil rights law and more.
- **Findlaw**
<http://employment.findlaw.com/>
Very comprehensive sight that covers a wide variety of employment laws. Provides numerous fact sheets, and links including information on state employment laws.
- **LaborNet**
<http://www.igc.org/igc/labornet>
LaborNet, part of the Institute for Global Communications, is a group of labor unions, activists and organizations using computer networks to share information about workers' rights. There is lots of information here about pending and recent legislation, labor movements and disputes and international labor issues. Includes links to other employment sites.
- **The Legal Information Institute at Cornell Law School**
http://fatty.law.cornell.edu/topics/employment_discrimination.html
Provides information about discrimination in the workplace, including relevant codes and regulations.
- **Nolo's Legal Encyclopedia**
<http://www.nolo.com>
Loads of free information for consumers interested in finding out more about rights in the workplace. Topics covered include: discrimination, sexual harassment, fair pay and time off, health and safety, independent contractors, losing or leaving a job and privacy.

Union Communications Services, Inc.
www.unionist.com/

Publishes educational and communications tools for activists and union leaders. Contains a book catalog with listing of books on legal rights. Orders can be taken directly from the site.

- **Work Doctor-Employee Advocates**

<http://www.workdoctor.com>

offers candid advice for dealing with bothersome workplace behavior that does not quite rise to the level of a legal infraction: bullying, power plays, other displays of insecurity. Includes an e-mail advice column and timely tips for bullybusting.

Who Can I Contact if I Need Legal Representation?

Call your union office.

Most unions provide legal referrals to attorneys who have experience in a specific industry or even with your particular employer. In some cases you would pay these attorneys only if your case is successful and then they would take a percentage of the award. This is called a “contingency fee basis”.

If you are not in a union or if your union does not provide referrals you can contact:

The National Employment Lawyers Association, NELA

600 Harris St., Suite 535, San Francisco, CA 94107*

www.nela.org/home1.htm

The Michigan State Bar referral service

1 (800) 968-0738 Hours are 9:00 a.m. to 4:30 p.m., Monday

www.michbar.org/

For Questions on Civil Rights

-----**Government Contacts**-----

Equal Employment Opportunity Commission

One of EEOC's missions is to "ensure equality of opportunity by enforcing federal legislation prohibiting discrimination in employment". The types of discrimination prohibited by federal law includes:

- * Age National Origin Race
- * Disability Pregnancy Religion
- * Gender Sexual Harassment
- * Harassment targeted at someone because of age, disability, gender, national origin, pregnancy, race, or religion.

EEOC National Office

Washington, D.C.
(800) 669-EEOC
(TDD) 202-663-4494 or (800) 800-3302

Website: www.eeoc.gov

Detroit EEOC District Office

477 Michigan Ave, Room 865
Detroit, MI 48226-9704
Phone: (313) 226-7636
TDD: (313) 226-7599

Office of Federal Contract Compliance Programs (OFCCP)

Executive Order 11246 prohibits discrimination on race, religion, sex, or national origin by employers who do at least \$10,000 worth of business per year with the federal government. Affirmative action is required of federal contractors with contracts over \$50,000. Contractors may be debarred for violations. Enforced by the Office of Federal Contract Compliance Programs (OFCCP).

Website: www.dol.gov/esa/ofccp/

Michigan Civil Rights Agencies

Michigan Civil Rights Laws the Elliott-Larson Civil Rights Act and the Persons with Disabilities Civil Rights Act, protect workers in the private and public sector by prohibiting employment discrimination based upon:

religion	*	height
race	*	weight
color	*	marital status
national origin	*	arrest record (not resulting in conviction)
age		
gender		
disability		

These laws are enforced by the Michigan Department of Civil Rights (MDCR).

Employees can contact them with questions or to file a complaint. Their email provides fact sheets and access to regulations.

Michigan Department of Civil Rights Website: www.michigan.gov/mdcr

Capitol Tower Building, Ste. 800

Lansing, MI 48933

Phone: (517) 335-3165

Fax: (517) 241-0546

TTY: (517) 241-1965

Email: MDCR-INFO@michigan.gov (complaints and questions can be emailed)

Service Center:

Cadillac Place

3054 West Grand Boulevard, Suite 3-600

Detroit, MI 48202

Phone: (313) 456-3700

Fax: (313) 456-3701

WATS: (800) 482-3604

TTY: (877) 878-8464

Regional Offices

Benton Harbor, MI (616) 925-7044

Detroit, MI (313) 256-2663*

Flint, MI (810) 235-4653

Grand Rapids, MI (616) 356-0380

Kalamazoo, MI (616) 337-3640

Lansing, MI (regional) (517) 334-9335

Marquette, MI (906) 226-6393

Saginaw, MI (517) 758-1686

Traverse City, MI (231) 922-5211

* Regional or main offices with larger staff to handle complaints

U.S. Department of Labor

Women's Bureau

200 Constitution Avenue, NW
Room S 3311
Washington, D.C. 20210
(800) 827-5355
www.dol.gov/dol/wb/welcome.html

The department provides a list of resources, including organizations, training materials, court cases, and articles.

Michigan Women's Commission

Capital Tower Building
110 W. Michigan Ave., Suite 800
Lansing, MI 48933
Phone: (517) 373-2884
Fax: (517) 335-1649

Department of Justice

**Office of the Special Counsel for Immigration-Related
Unfair Employment Practices**

P.O. Box 27723
Washington, D.C. 20038
(800) 255-7688
www.doj.gov

Immigration and Naturalization Service (INS)

425 I Street, NW
Washington, D.C. 20536
(202) 514-4316
www.usdoj.gov/ins

Internal Revenue Service

(for federal disability-related tax credits and deductions)
(202) 566-2000

Assistance on Employment Discrimination Issues - General

American Civil Liberties Union

132 West 43d Street
New York, New York 10036
(212) 944-9800

Michigan ACLU

www.aclumich.org/

The ACLU specializes in free-speech law but is also involved in discrimination law. There are state affiliates and local chapters of the ACLU in nearly every state.

Center for Constitutional Rights

666 Broadway
New York, New York 10012
(212) 614-6464

The Center for Constitutional Rights focuses on many constitutional issues, including discrimination issues.

Center for Law and Social Policy

1751 N St., NW
Washington, D.C. 20036
(202) 328-5140

The Center for Law and Social Policy is involved in civil liberties, civil rights issues, and occupational health and safety issues.

Lawyers Committee for Civil Rights Under Law

1400 I Street, NW
Suite 400
Washington, D.C. 20005
(212) 371-1212

The Lawyers Committee concentrates on all aspects of racial discrimination law, primarily on behalf of African Americans. It maintains a number of regional and local offices, and often uses the volunteer services of lawyers in private law firms.

National Committee on Pay Equity

1126 Sixteenth Street, NW, #411
Washington, D.C. 20036
(202) 331-7343

e-mail: fairpay@aol.com

www.feminist.com/fairpay.htm

Provides information and technical assistance to those interested in eliminating wage discrimination based on gender and race. Members receive updates and mailings on pay equity activity.

National Lawyers Guild

55 Avenue of the Americas
New York, New York 10013
(212) 966-5000

The Guild, a membership organization of civil rights lawyers, focuses upon unpopular legal causes, including the rights of minorities. It maintains offices in most major cities.

ADA- Disability Rights

-----Government Offices-----

Internal Revenue Service

(for federal disability-related tax credits and deductions)
(202) 566-2000
www.dol.gov/odep/pubs/ek97/tax.htm

Office on the Americans with Disabilities Act

Civil Rights Division
U.S. Department of Justice
P.O. Box 66118
Washington, D.C. 20035-6118
(202) 514-0383

www.usdoj.gov/crt/ada

Government agency specialists answer your questions about the ADA – except on federal government holidays. Publishes a number of free booklets, including information on how to file a complaint under ADA. Publications are also available in alternate formats for the disabled – Braille, computer disk, audiocassette and large print.

Office of Disability Employment Policy (U.S. dept of Labor)

(202) 693-7909

www.dol.gov/odep/

ODEP was established in 2001 to influence disability-related employment policy. The website provides a variety of fact sheets and links to related resources.

Social Security Administration

Disability Office
6401 Security Boulevard, #560
Baltimore, MD 21235
(410) 965-3424
www.ssa.gov/disability/

Administers and regulates the disability insurance program and disability provisions of the Supplemental Security Insurance (SSI) program.

United States Access Board

United States Access Board
1331 F Street, NW, Suite 1000
Washington, DC 20004-1111
(202) 272-0080 (v) (202) 272-0082 (TTY) (202) 272-0081 (fax)
(800) 872-2253 (v) (800) 993-2822 (TTY)
www.access-board.gov/index.htm

If you are concerned about access to a facility that may have been federally funded, you can file a complaint about it with the Access Board under the **Architectural Barriers Act** (ABA). The Board also provides information on making buildings more accessible.

-----**Union and Non-Profit Organizations**-----

ABLEDATA

8455 Colesville Road
Silver Spring, MD 20910
(800) 346-2742 or
(800) 227-0216

A consumer referral service that maintains a database of more than 17,000 adaptive devices from 2,000 companies.

Bazon Center for Mental Health Law

1101 15th Street, NW
Suite 1212
Washington, DC 20005
(202) 467-5730
www.bazon.org/

Legal advocacy for the civil rights and human dignity of people with mental disabilities

The Disabilities Rights Education and Defense Fund, Inc.

2212 6th Street
Berkeley, CA 94710
(510) 644 2555

Job Accommodation Network (JAN)

918 Chestnut Ridge Road, Suite 1
West Virginia University
P.O. Box 6080
Morgantown, WV 26506-6080
(800) 346-2742 or (800) 526-7234

Provides free consulting services to people with disabilities seeking accommodation information under ADA and to employers seeking to accommodate employees with disabilities. Maintains a database of companies nationwide that have accommodated workers and organizations, support groups, government agencies and placement agencies that assist the disabled.

National Organization on Disability

910 16th Street, NW #600
Washington, D.C. 20006-2988
(800) 248-2253
TDD: (202) 293-5968

www.nod.org

Administers the Community Partnership program, a network that works to address educational, employment, social and transportation needs of people with disabilities. Provides members with information and technical assistance, makes referrals, monitors legislation.

Pacific Disability and Business Technical Assistance Center

2168 Shattuck Avenue
Suite 301
Berkeley, CA 94704
(510) 848-2980

Hotline: (800) 949-4232

TDD: (510) 848-1840

www.pacdbtac.org

Provides information, materials and assistance to those covered by ADA.

-----**Additional ADA websites**-----

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ADA & IT Technical Assistance Centers

U.S. Dept. of Education - NIDRR

<http://www.adaportal.org/>

-----**ADA Books**-----

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Federal Disability Law in a Nutshell (Nutshell Series)

by Bonnie Poitras Tucker, Adam A. Milani, (2004), \$25.00

Age Discrimination

American Association of Retired Persons

1909 K Street, N.W.,
Washington, D.C. 20049
(202) 434-2277
(800) 424-3410
www.aarp.org

National Council of Senior Citizens (NCSC) *

Suite 1200
8403 Colesville Rd.
Silver Spring, MD 20910
(301) 578-8800

* Affiliated with or related to the AFL-CIO

National Senior Citizens Law Center

1815 H Street, NW
Washington, DC 20006
(202) 887-5280
www.nslc.org

Older Women's League

666 Eleventh Street, NW
Suite 700
Washington, DC 20001
(202) 783-6686
www.owl-national.org/

Gay and Lesbian Rights

Gay and Lesbian Advocates and Defenders (GLAD)

P.O. Box 218

Boston, MA 02112

(617) 426-1350

<http://www.glad.org/>

Publishes information and provides general advice on sexual orientation and HIV status. Provides lawyer referrals.

Hollywood Supports

8455 Beverly Boulevard

Suite 305

Los Angeles, CA 90048

(213) 655-7705

Entertainment industry project founded to counter workplace fears and discrimination based on HIV status and sexual orientation. Provides model documents for domestic partnership benefit plans, lawyer referral and counseling in regards to AIDS and sexual orientation in the workplace.

Lambda Legal Defense and Education Fund

120 Wall Street

New York, New York 10012

(212) 809-8585

<http://www.lambdalegal.org/cgi-bin/iowa/index.html>

Provides publications, advice and legal information on gay and lesbian job discrimination and HIV discrimination issues. Phone-in service for lawyer referrals.

National Center for Lesbian Rights

870 Market Street, Suite 570

San Francisco, CA 94102

(415) 392-6257

<http://www.nclrights.org/>

Offers publications, advice, counseling and lawyer referrals.

National Gay and Lesbian Task Force Policy Institute

2320 17th Street, NW

Washington, D.C. 20009-2702

(202) 332-6483

<http://www.thetaskforce.org/>

Political advocacy group. Publishes organizing manual for implementing domestic partnership benefit plans and nondiscrimination policies. Provides referrals for counseling and lawyers.

Pride at Work *

340 Brannan St., Suite 400

San Francisco, CA 94107

(605) 755-8444

<http://www.prideatwork.org/>

* Affiliated with or related to the AFL-CIO

Working It Out: The Newsletter for Gay and Lesbian Employment Issues

Ed Mickens

P.O. Box 2079

New York, New York 10108

(212) 769-2384

Quarterly publication for management and workers concerned with gay and lesbian issues in the workplace.

National Origin Discrimination/Ethnicity

Asian- American Legal Defense and Education Fund

99 Hudson Street, 12th Floor

New York, New York 10013

(212) 966-5932

<http://www.aaldef.org/>

AALDF offers legal services and referrals for Asians and Asian-Americans.

Asian Pacific American Labor Alliance (APALA) *

Suite 310

1101 14th Street, N.W.

Washington, D.C. 20005

(202) 785-4563

<http://www.apalanet.org/>

* Affiliated with or related to the AFL-CIO

Center for Immigrant Rights

48 Saint Marks Place

New York, New York 10003

(212) 505-6890

Provides advocacy and organizing advice for immigrant workers. Also gives advice and legal counseling on discrimination and compensation issues.

Labor Council for Latin American Advancement (LCLAA)*

Room 5330

888 16th Street., N.W.

Washington, D.C. 20006

(202) 347-4223

<http://www.lclaa.org/>

* Affiliated with or related to the AFL-CIO

Mexican-American Legal Defense and Education Fund

182 2d Street, 2d Floor

San Francisco, CA 94105

<http://www.maldef.org/>

MALDEF specializes in discrimination law and represents almost exclusively Mexican-Americans. It offices are located primarily in the Midwest, the Southwest, and the West.

Native American Rights Fund

1506 Broadway
Boulder, CO 80302
(313) 447-8760

<http://www.narf.org/>

The Native American Rights Fund specializes in Native American issues and represents indigent Native Americans exclusively. It has several offices in the West and Southwest.

Puerto Rican Legal Defense and Education Fund

99 Hudson Street
New York, New York 10013
(212) 219-3360

<http://www.prldef.org/>

The PRLDF specializes in discrimination law and particularly in bilingual education law. It maintains several offices, primarily in the Northeast.

Race Discrimination

A. Philip Randolph Institute (APRI)*

3rd Floor
1444 I Street, N.W.
Washington, D.C. 20005
(202) 289-5289
<http://www.apri.org/>

* Affiliated with or related to the AFL-CIO

Coalition of Black Trade Unionists (CBTU)*

P.O. Box 66268
Washington, D.C. 20035
(202) 429-1203
<http://www.cbtu.org/>

* Affiliated with or related to the AFL-CIO

National Association for the Advancement of Colored People

4805 Mount Hope Drive
Baltimore, MD 21215-3297
(414) 358-8900
<http://www.naacp.org/>

The NAACP, the oldest and largest of the civil rights organizations, specializes in racial discrimination law on behalf of African Americans. It has state and local chapters throughout the United States.

NAACP Legal Defense Fund

99 Hudson Street
Suite 1600
New York, New York 10013
(212) 219-1900
<http://www.naacpldf.org/>

The Legal Defense Fund, an organization entirely separate from the NAACP (except for the shared name), has the largest national legal staff of any civil rights organization. It concentrates on all aspects of racial discrimination law and represents African Americans almost exclusively. Although the Legal Defense Fund has no local offices, it maintains a close relationships with hundreds of lawyers, many of whom are in small private law firms located primarily in the South that specialize in civil rights law.

National Conference of Black Lawyers

126 West 119th Street
New York, New York 10026
(212) 864-4000
<http://www.ncbl.org/homepage.php>

NCBL, an organization of African American lawyers, focuses on all aspects of discrimination law through its national network of African American lawyers.

National Urban League

500 East 62nd Street

New York, New York 10021

(212) 310-9000

<http://www.nul.org/>

Like the NAACP, the National Urban League specializes in racial discrimination on behalf of African Americans, and has offices throughout the United States.

Sex Discrimination

9to5, National Association of Working Women*

614 Superior Avenue, NW
Cleveland, OH 44113
(210) 566-9308 (General Information)
(800) 522-0925 (Hotline)
<http://www.9to5.org/>

* 9to5 is a national nonprofit organization for office workers, affiliated with Service Employees International Union, AFL-CIO with local chapters across the country.

Coalition of Labor Union Women (CLUW)*

1126 16th Street, NW
Washington, DC 20036
(202) 776-0537
<http://www.cluw.org/>

* Affiliated with the AFL-CIO. National Organization with 75 local chapters. Provides education, organizes conferences and workshops, lobbies for legislation, supports strikes and boycotts. Newsletter and written materials. Provides legal referrals and legal rights groups for union workers.

Equal Rights Advocates

1663 Mission Street, Suite 550
San Francisco, CA 94103
(415) 621-0672 (General information)
(415) 621-0505 (Advice and counseling hotline)
<http://www.equalrights.org/>

Nonprofit public interest law firm providing legal advice and counseling in both English and Spanish.

Michigan Women's Commission

Capital Tower Building
110 W. Michigan Ave., Suite 800
Lansing, MI 48933
Phone: (517) 373-2884
Fax: (517) 335-1649
<http://www.michigan.gov/mdcr/1,1607,7-138-4957---,00.html>

National Women's Law Center

11 Dupont Circle, NW, Room 800
Washington, D.C. 20036
(202) 588-5180
<http://www.nwlc.org/>

Works to expand and protect women's legal rights through litigation, advocacy and public education. Interests include employment discrimination, sexual harassment, income security and family support

NOW Legal Defense and Education Fund

99 Hudson Street, 12th Floor

New York, New York 10013
<http://www.nowldef.org/>
(212) 925-6635

Provides information and referrals.

U.S. Department of Labor

Women's Bureau

200 Constitution Avenue, NW
Room S 3311
Washington, D.C. 20210
(800) 827-5355

www.dol.gov/dol/wb/welcome.html

The department provides a list of resources, including organizations, training materials, court cases, and articles.

Women's Legal Defense Fund

1875 Connecticut Avenue, NW
Suite 710
Washington, D.C. 20009
(212) 986-2600

WLDF provides assistance in the area of sex discrimination and sexual harassment.

-----**Additional Websites on Women & Work**-----

AFL-CIO: Work and Family

<http://www.aflcio.org/issuespolitics/worknfamily/>

Center for Women Policy Studies

<http://www.centerwomenpolicy.org/>

Chicago Women in the Trades

<http://www.chicagowomenintrades.org/index.html>

Diversity Links – Cornell University

http://www.ilr.cornell.edu/extension/wdn/prac_links.html

Economic Policy Institute

<http://www.epinet.org/>

Federally Employed Women

<http://www.few.org/>

Institute for Women's Policy Research

<http://www.iwpr.org/>

League of Women Voters

<http://www.lwv.org/>

Michigan Construction Jobs (Job Descriptions & Apprenticeship Programs)

<http://www.miconstructionjobs.org/opportunities.html>

The National Committee on Pay Equity (NCPE)

<http://www.feminist.com/fairpay/>

National Employment Lawyers Association (Employee Advocates)

<http://www.nela.org/home1.htm>

National Organization of Women

<http://www.now.org/>

National Partnership for Women and Families

<http://www.nationalpartnership.org/>

National Women's Law Center

<http://www.nwlc.org/>

Wider Opportunities for Women

<http://www.wowonline.org/>

Women's Policy, Inc

<http://www.womenspolicy.org/>

Veterans Rights

Questions Regarding Military Duty-----

What law protects military personnel returning to civilian jobs?

The Uniformed Services Employment and Re employment Act of 1994 (USERRA), a federal law, provides protection of civilian job rights and benefits for veterans and members of the Reserve. This law clarifies and strengthens the veterans' re employment rights (VRR) law as first enacted in 1940.

Who is covered by USERRA?

Those covered by re employment protections under USERRA include individuals absent from their job for up to 5 years of active duty or people who may have initial enlistments lasting more than 5 years, individuals on periodic training duty such as the Reserve, and those on involuntary active duty extensions and recalls.

USERRA also provides for enhanced protection for disabled veterans, such as the requirement that employers make reasonable efforts to accommodate a disability.

What type of re employment protection does USERRA provide?

Under this law eligible service-members returning to work must be re employed in the job that they *would have attained* had they not been absent for military service. Seniority, status and pay, as well as other rights and benefits determined by seniority must also be provided based upon what this person *would have attained* had they not been absent for military service.

It is highly recommended that before taking military leave employees not only submit all appropriate forms requesting leave to their employer, but also make copies of records for yourself and, if applicable, for the union office.

USERRA also requires employers to accommodate schedules for military training in the Reserves upon advanced notice of such training from the employee who is a service member.

What government agencies enforce USERRA?

The U.S. Department of Labor, through the Veterans' Employment and Training Service (VETS) provides assistance to those with USERRA claims, including Federal and Postal Service employees.

If an individual has a disputed claim against a state government or a private sector employer, their case may be referred to the Department of Justice for consideration of representation in the appropriate District Court, at no cost to the claimant. Federal and Postal employees may have their disputed claims referred to the Office of Special Counsel for representation consideration before the Merit Systems Protection Board (MSPB).

If you have questions or require assistance regarding rights and obligations under USERRA contact the VETS office nearest you.

Veterans' Employment and Training Service

U.S. Department of Labor
200 Constitution Avenue
N.W., Washington, DC 20210
(202) 219-9110
www.dol.gov/dol/vets/welcome.html
Detroit Office (313) 876-5613

www.dol.gov/vets/

National Veterans Legal Services Program

2001 S Street, NW
Suite 610
Washington, D.C. 20009
(202) 265-8305
<http://www.nvlsp.org/>

Veterans of Foreign Wars

406 W. 34th St.
Kansas City, MO 64111
(816) 756-3390
<http://www.vfw.org/>

Questions on Unemployment

If you are unemployed, laid-off or “under-employed” (your hours per week have been involuntarily cut by your employer) you may need to contact the Unemployment Insurance Agency which is part of the Bureau of Workers' & Unemployment Compensation and falls under the Michigan Department of Labor & Economic Growth. This is also known as the “unemployment office” and provides assistance to all employees including federal employees regarding unemployment benefits. Offices are located in communities throughout the state. Check your local directory for the one nearest you.

UIA State Administrative Offices

www.michigan.gov/uia/

Bureau of Workers' & Unemployment Compensation

Cadillac Place

UIA occupies floors 12 and 13 and part of 11.

3024 West Grand Blvd

Applications for unemployment benefits are not accepted here.

Detroit, MI 48202

(313) 876-5000

UIA Claimant Hotline: (800) 638-3995, 7 a.m. to 7 p.m. weekdays

UIA Advocacy Program: (800) 638-3994, 7 AM to 4:50 PM weekdays

UAW's Unemployment Clinic: (313) 926-5577 (free assistance to all Michigan workers):

United Way Community Services (313) 226-9200 - Detroit Area

(Labor Liaisons provide referrals to community support services)

Contact your local United Way offices if outside the Detroit area.

Questions on Workplace Health & Safety

The Michigan Occupational Health and Safety Administration is the primary agency for enforcing workplace safety and health standards in Michigan under the Michigan Occupational Health and Safety Act (MIOSHA) passed in 1974.

Since 1996 the agencies overseeing MIOSHA have been restructured and reorganized more than once. This has made finding who to contact with health and safety concerns confusing. The latest reorganization came in September 2003 when Governor Granholm signed an executive order creating the Department of Labor and Economic Growth (DLEG). The Michigan Occupational Health and Safety Administration now comes under DLEG. DLEG was created by renaming the Department of Consumer and Industry Services (CIS). Governor Engler created CIS when he eliminated the Department of Labor in 1996.

Private employers, as well as state, city and municipal employers, fall under MIOSHA's jurisdiction so long as they employ one or more worker. In most respects the state law mirrors the federal Occupational Safety and Health Act, OSHA.

For general health and safety concerns including the enforcement of MIOSHA go to:

Michigan Department of Labor and Economic Growth
Michigan Occupational Safety and Health Administration

Headquarters

Bureau Director's Office

7150 Harris Drive

P.O. Box 30643

Lansing, MI 48909-8143

(517) 322-1817

www.michigan.gov/miosha

Complaint forms can be

downloaded from MIOSHA's website.

(517) 322-1775 (Fax)

Consultation, Education and Training Division

Provides voluntary safety and health education, training and consultation services to employers and workers.

(517) 322-1809

(517) 322-1374 (Fax)

General Industry Safety and Health Division

Regulates safety and health standards in most industries (except construction). This includes processing complaints initiated by workers or their union. This division also administers the employee discrimination program which protects workers from retaliation for exercising their rights under MIOSHA.

(517) 322-1831

(517) 322-6353 (Fax)

Construction Safety and Health Division & Asbestos Program

Regulates safety and health standards in construction and administers the asbestos program.

(517) 322-1856

(517) 322-6352 (Fax)

MIOSHA's 4 District Offices are:

Escanaba:

(906) 786-7784

Grand Rapids: (616) 447-2650
Farmington: (248) 888-8880*
Saginaw: (989) 758-1726

*contact for employee discrimination complaints

Checkout OSHA's Website

www.osha.gov

This website allows you to search the entire site using the employer's name. This will provide a list of an employer's OSHA violations and information on inspection of the employer's facilities.

You can also use this site to access OSHA regional offices in order to request an employer's OSHA 200 log. The OSHA 200 log provides employer specific information on reported workplace injuries and illness in a given year.

Check with Your Union

You may have health and safety resources available to you through the local, regional or international offices.

Federal employees, including postal workers are not covered by MIOSHA but are covered by the federal Occupational Safety and Health Act (OSHA). If you are a federal employee in the state of Michigan and need information regarding your rights contact:

Lansing Area Office

U.S. Department of Labor

Occupational Safety and Health Administration

801 South Waverly Road, Suite 306

Lansing, Michigan 48917

(517) 327-0904

(517) 327-1973 (Fax)

Questions on Workers' Compensation

Michigan's Workers' Compensation Agency administers the Workers' Disability Compensation Act of Michigan is responsible for ensuring that eligible injured workers receive the appropriate compensation under the law.

Workers' Compensation Agency

www.michigan.gov/wca

7150 Harris Drive

PO Box 30016

Lansing, MI 48909

Toll free number: (888) 396-5041 Customer Service: (517) 302-1980

Who is NOT covered by Michigan's Workers' Compensation?

The Workers' Disability Compensation Act, first enacted in 1912, requires nearly all employers in Michigan to insure workers in cases of job related injuries and illness. This includes both public and private employers.

The few exceptions to this rule include employees of the federal government who are covered by federal laws. People who work on interstate railroads are covered by the Federal Employers Liability Act. Seaman on navigable waters are covered by the Longshoremen's and Harbor Workers' Compensation Act. Virtually all other workers and employers are subject to Michigan's law.

Questions on Wage & Hour Standards / FMLA

The Wage and Hour Division under the U.S. Department of Labor

The Wage and Hour Division (WHD) is responsible for administering and enforcing some of our nation's most comprehensive labor laws, including: the minimum wage, overtime, and child labor provisions of the Fair Labor Standards Act (FLSA); the Family and Medical Leave Act (FMLA); the Migrant and Seasonal Agricultural Worker Protection Act (MSPA); worker protections provided in several temporary visa programs; and the prevailing wage requirements of the Davis-Bacon Act (DBA) and the Service Contract Act (SCA).

Detroit Office 211 W. Fort 48226 (Main Office) (313) 226-7447

Web site further information on wage and hour: www.dol.gov/esa/whd/

Web Site for further information on FMLA: www.dol.gov/esa/whd/fmla/index.htm

Wage & Hour Division of Michigan

The administration and enforcement of wage protection laws in Michigan (the Payment of Wages and Fringe Benefits Act, the Minimum Wage Act, the Youth Employment Standards Act, and the Prevailing Wages on State Projects Act) is the role of the Wage & Hour Division.

The division investigates complaints alleging non-payment of wages and fringe benefits, state minimum wage, overtime, equal pay, and prevailing wage disputes; and monitors youth employment standards including hours of work, and safe, non-hazardous working conditions. The Wage & Hour Division also educates employers and employees in the areas covered by these labor standards.

Office Location www.michigan.gov/cis/0,1607,7-154-27673---,00.html

Wage and Hour Division
State Secondary Complex
7150 Harris Drive
Lansing, MI 48909
(517) 322-1825

The Consumer Credit Protection Act of 1968 prohibits discrimination against workers whose wages are garnished. The Act further restricts a creditor's ability workers' earnings. With few exceptions, no more than 25% of a worker's weekly disposable earnings may be garnished,

For further information see:

www.dol.gov/esa/whd/garnishment/

Walsh-Healey Public Contracts Act establishes minimum wage and overtime pay standards for workers engaged in the manufacture or furnishing of materials to federal agencies under a contract exceeding \$10,000. It also requires federal suppliers to comply with safety and health standards. Enforced by the U.S. Department of Labor Wage and Hour Division.

For further information see:

www.dol.gov/dol/compliance/comp-pca.htm

Davis-Bacon Act / Prevailing Wages on Federally Funded Projects requires that all contractors and subcontractors performing on federal contracts (and contractors or subcontractors performing on federally assisted contracts under the related Acts) in excess of \$2,000 pay their laborers and mechanics not less than the prevailing wage rates and fringe benefits (as determined by the Secretary of Labor) for corresponding classes of laborers and mechanics employed on similar projects in the area.

For further information see:

www.dol.gov/asp/programs/guide/dbra.htm

Michigan Prevailing Wages on State Projects establishes prevailing rates is to provide rates of pay for workers on construction projects for which the state or a school district is the contracting agent and which is financed or financially supported by the state. By law, prevailing rates are compiled from the rates contained in collectively bargained agreements which cover the locations of the state projects.

For further information see:

www.wayne.edu/wsupurch/Prevail_Wage/Information_Sheet.html

Michigan Payment of Wages and Fringe Benefits Act regulates the time and manner of payment of wages and fringe benefits for Michigan workers. Payment must be made as provided in the written contract or policy. Employers cannot force employees to use direct deposit. Also prohibits employers from withholding paychecks. Requires prompt payment of wages earned when employment is terminated. Regulates when and how employers can make deductions from the employees. It is Enforced by the Department of Labor and Economic Growth, Wage and Hour Division.

For further information see:

www.michigan.gov/cis/0,1607,7-154-10401-39056--,00.html - 21k

Rights Regarding Health Benefits

Consolidated Omnibus Budget Reconciliation Act (COBRA) requires private and most public employers, with 20 or more employees, to offer the option of continued health care coverage (18 to 36 months, depending on the circumstances) to employees and their dependents under certain circumstances. These include: death of an employee, divorce, loss of job, reduced hours make them ineligible for healthcare coverage, entitled to Medicare coverage. The employee or family would be responsible for paying the group premium.

For further information see:

www.dol.gov/dol/topic/health-plans/cobra.htm

Health Insurance Portability and Accountability Act (HIPAA) provides rights and protections for participants and beneficiaries in group health plans. HIPAA includes protections for coverage under group health plans that limit exclusions for preexisting conditions; prohibit discrimination against employees and dependents based on their health status; and allow a special opportunity to enroll in a new plan to individuals in certain circumstances. HIPAA may also give you a right to purchase individual coverage if you have no group health plan coverage available, and have exhausted COBRA or other continuation coverage.

For further information see:

www.dol.gov/dol/topic/health-plans/portability.htm

Rights Regarding Retirement / Pension

Employee Retirement Income Security Act (ERISA) Regulates pension, health, and welfare plans. Establishes vesting rights. Protects employees in the event of bankruptcies. Mandates prudent investment of pension assets. Enforced by the U.S. Department of Labor and by private lawsuit.

www.dol.gov/dol/topic/health-plans/erisa.htm

Older Workers Benefit Protection Act (OWBPA) amended the *ADEA* to specifically prohibit employers from denying benefits to older employees. Under the OWBPA, employees eligible for early retirement incentive plans must be provided with complete and accurate information concerning what benefits are available under the plan.

For further information see:

www.eeoc.gov/types/age.html

Rights Regarding Lay-offs and Termination

Worker Adjustment and Retraining Notification Act (WARN) Requires covered employers (of 100 or more employees) to provide 60 days advance notice of plant closings and mass layoffs. Employees may sue for lost wages.

General questions on the regulations may be addressed to:

U.S. Department of Labor
Employment and Training Administration
Office of Work-Based Learning
Room N-5426
200 Constitution Avenue, N.W.
Washington, D.C. 20210
(202) 219-5577

www.doleta.gov/programs/factsht/warn.htm (for informational factsheet)

www.doleta.gov/layoff/warn.cfm (for worker's guide)

Union Rights

The collective bargaining relationship is governed by legislation. The National Labor Relations Act, Michigan Public Employment Relations Act 336, and the Civil Service

Reform Act are the legal framework in the private, public and federal sectors, respectively.

National Labor Relations Act

The National Labor Relations Act (NLRB) - oftentimes referred to as the Wagner Act after its Congressional sponsor - was enabling legislation passed in 1935. It established employee rights to organize, join unions and engage in collective bargaining; procedures by which employees could elect their bargaining agent; and, created the National Labor Relations Board (NLRB) to enforce the NLRA and created employer unfair labor practices (ULP's). It is enforced by the National Labor Relations Board.

The NLRB was created to enforce the NLRA. In the Detroit-Metropolitan area, this nationwide federal agency is located as follows:

National Labor Relations Board Locations

Patrick V. McNamara Building	Resident Office, Room 330
Room 300	82 Ionia NW
477 Michigan Avenue	Grand Rapids, Michigan 49503-3022
Detroit, Michigan 48226	Phone: (616) 456-2679
(313) 226-3200	

Website: www.nlr.gov

Michigan Public Employment Relations Act 336

The Michigan statute, Public Employment Relations Act (PERA) as amended is the public sector equivalent to the NLRA. The Bureau of Labor Relations of the Michigan Employment Relations Commission enforces it.

Bureau of Employment Relations locations:

Detroit Office
Cadillac Place
3026 W. Grand Boulevard, Suite 2-750
PO Box 02988
Detroit, MI 48202-2988
(313) 456-3510

Fax: (313) 456-3511

Lansing Office
1375 South Washington
PO Box 30015
Lansing, MI 48909
(517) 373-3580
Fax: (517) 334-9716

Civil Service Reform Act

The Civil Service Reform Act of 1978 (CSRA) is the federal sector equivalent of the NLRA and Public Employment Relations Act. This act gave federal labor relations the stability of law, as all previous entitlements were based on presidential executive orders.

Federal Labor Relations Authority

175 W. Jackson Boulevard
Suite A1359
Chicago, Illinois 60604
(312) 353-6306

Union Activism

www.biglabor.com/

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