

TOPIC	STATUTE	THRESHOLD # OF EMPLOYEES	POSTING/NOTICE REQUIREMENTS	SUMMARY	ENFORCEMENT AGENCY
Age Discrimination	Age Discrimination in Employment Act (ADEA) 29 U.S.C. § 621, et. seq. (Also see N.H. RSA 354-A)	≥20	Must be posted in a conspicuous place	Prohibits discrimination on the basis of age against employees and job applicants who are 40 years of age or older. Applies to federal, state and local governments.	Equal Employment Opportunity Commission (EEOC) 475 Government Center Boston, MA 02203 800.669.4000 or 617.565.3200 www.eeoc.gov/boston
Classification of Independent Contractors	Definition of Employee N.H. RSA 275:42, RSA 275-E:1 and RSA 281-A	≥1	Must be posted in a conspicuous place	Presumption person is an employee unless elements of 12-point test are satisfied.	N.H. Department of Labor State Office Park, Spaulding Building 95 Pleasant Street Concord, NH 03301-3836 603.271.3176 • www.labor.state.nh.us
Disability Discrimination	Americans with Disabilities Act (ADA) Title I (private employers) 42 U.S.C. § 12101, et. Seq. (Also see N.H. RSA 354-A)	≥15	Must be posted in a conspicuous place at work and hiring locations	Prohibits discrimination in employment against qualified individuals with disabilities. Employers must reasonably accommodate such individuals unless it would result in undue hardship.	Equal Employment Opportunity Commission (EEOC) 475 Government Center Boston, MA 02203 800.669.4000 or 617.565.3200 www.eeoc.gov/boston
Disability Discrimination	Rehabilitation Act of 1973 (Section 503) 29 U.S.C. § 793 (Also see 41 CFR 60-741.2)	N/A	Must be posted in a conspicuous place	Prohibits discrimination on the basis of disability. Covers government contractors and subcontractors with contracts in excess of \$10,000.	U.S. Department of Labor • Boston District Office ESA-OFCCP JFK Federal Building - Room E-235 Boston, MA 02203 617.624.6780 • www.dol.gov/esa/ofccp
Discrimination in Pay (b/w sexes and other protected characteristics).	Lilly Ledbetter Fair Pay Act of 2009	≥15	Posting not required	180-day statute of limitations for filing equal-pay lawsuit or disparate pay claim under other federal discrimination laws resets with each new paycheck when pay discrimination alleged. Applies to all pay discrimination claims pending on or after May 28, 2007.	Equal Employment Opportunity Commission (EEOC) 475 Government Center Boston, MA 02203 800.669.4000 or 617.565.3200 www.eeoc.gov/boston
Discrimination/Sexual Harassment and other claims	NH Law Against Discrimination N.H. RSA 354-A	≥6	Must be posted in a conspicuous place	State anti-discrimination law. Prohibits discrimination on the basis of age, race, color, national origin, religion, sex, marital status, physical or mental disability, national origin and sexual orientation, in any term, condition or privilege of employment.	N.H. Commission for Human Rights 2 Chennel Drive, #2 Concord, NH 03301-8501 603.271.2767 • www.nh.gov/hrc/

Discrimination/Sexual Harassment and other claims	Title VII - Civil Rights Act of 1964 42 U.S.C. § 2000e, et. seq.	≥15	Must be posted in a conspicuous place	Federal civil rights law that prohibits discrimination based on the basis of race, color, religion, sex or national origin.	Equal Employment Opportunity Commission (EEOC) 475 Government Center Boston, MA 02203 800.669.4000 or 617.565.3200 www.eeoc.gov/boston
Family Leave	Family and Medical Leave Act (FMLA) 29 U.S.C. § 2601, et. seq.	≥50	Must be posted in a conspicuous place at work and hiring locations	Employees who work more than one year with 1,250 hours or more may be entitled to 12 weeks unpaid leave for birth/adoption or serious illness of employee or family member. Up to 26 weeks available to care for injured family member returning from military service. Leave also available (up to 12 weeks) for issues related to deployment.	U.S. Department of Labor ESA Wage & Hour Division 1750 Elm Street, Suite 111 Manchester, NH 03104-2907 866.487.9243 or 603.666.7716 www.dol.gov/esa
Furlough / Layoff	N.H. RSA 282-A:45-a (Also see Emp Rule 302.13)	≥1	Must be posted in conspicuous place	Requires employers to report layoffs of more than 25 individuals in the same calendar week to NH Department of Employment Security if layoff will last seven days or more.	N.H. Department of Employment Security 32 South Main Street Concord, NH 03301 603.224.3311 or 800.852.3400 www.nh.gov/nhes
Group Health Insurance	COBRA 29 U.S.C. § 1161, et. seq. N.H. RSA 415:18	≥20/All	Notice to employee of benefit extension option within 14 days after plan administrator receives notice that an event triggering loss of coverage has occurred.	Employers must offer eligible employees the option of continued health insurance benefits.	U.S. Department of Labor Employee Benefits Security Administration JFK Federal Building - Room 575 Boston, MA 02203 617.565.9600 • www.dol.gov/ebsa
HIPAA	Health Insurance Portability and Accountability Act of 1996 42 U.S.C. § 1301, et. seq.	N/A	Posting not required. Notice of privacy practices must be issued to plan participants at the time of enrollment.	Information maintained, created or received by health plan sponsor in connection with administration of the plan must be kept confidential.	Office for Civil Rights U.S. Department of Health and Human Services JFK Federal Building - Room 1875 Boston, MA 02203 617.565.1340 • www.hhs.gov/ocr/hipaa
Mass Layoff / Plant Closing	Worker Adjustment and Retraining Notification Act 29 U.S.C. § 2102, et. seq.	≥100	Posting not required. Notice to affected workers within 60 days or as soon as practicable.	Requires employers to give 60-day advance written notice to employees and local government in event of mass closing or mass layoff.	U.S. Department of Labor, ETA JFK Federal Building - Room E-350 Boston, MA 02203 617.788.0170 • www.doleta.gov

Mass Layoff / Plant Closing	New Hampshire Worker Adjustment and Restraining Notification Act NH RSA 275-F	≥75	Notice to Affected employees/representatives, N.H. Attorney General, Commission NH Department of Labor and Chief Executive Officer of Municipality where plant is located.	Requires notice 60 days in advance of Mass layoff (at least 250 employees in 30 day period, or at least 25 employees if that is 1/3 of workforce - excluding part-time and seasonal workers) or plant closing. Exceptions apply. Civil penalties and	N.H. Department of Labor State Office Park, Spaulding Building 95 Pleasant Street Concord, NH 03301-3836 603.271.3176 • www.labor.state.nh.us
Military Leave	Uniformed Services Employment and Reemployment Rights Act of 1994 38 U.S.C. § 4301, et. seq.	ALL	Posting not required	Employees returning from military service must receive the same wages, benefits and rights they would have received had they not left. Employees must re-apply within 90 days of release from service if service term was	U.S. Department of Labor Veterans' Employment and Training Service (VETS) J.F.K. Building - Room E-315 Boston, MA 02203 617.565.2080 • www.dol.gov/vets
Minimum Wage	Fair Labor Standards Act (FLSA) 29 U.S.C. § 201, et. seq. (Also see N.H. RSA 279:21)	ALL	Must be posted in a conspicuous place	Employees must be paid the higher of federal or state hourly minimum wage.	U.S. Department of Labor • ESA Wage & Hour Division 1750 Elm St., Suite 111 • Manchester, NH 03104-2907 866.487.9243 or 603.666.7716 • www.dol.gov/esa; or N.H. Department of Labor • State Office Park Spaulding Building 95 Pleasant St. • Concord, NH 03301-3836 603.271.3176 • www.labor.state.nh.us
Personnel Files	N.H. RSA 275:56 and Lab 802.09	ALL	N/A	Upon request, employer must provide employees with a reasonable opportunity to inspect any and all records pertaining to employees no matter where kept. Exceptions to disclosure apply.	N.H. Department of Labor State Office Park, Spaulding Building 95 Pleasant Street Concord, NH 03301-3836 603.271.3176 • www.labor.state.nh.us
Prompt Wage Payments	N.H. RSA 275:43, N.H. RSA 275:44 and Lab 803.01(e)	ALL	Must be posted in a conspicuous place	Employees must be paid wages within eight days after expiration of the week in which the work was completed and within designated time after termination.	N.H. Department of Labor State Office Park, Spaulding Building 95 Pleasant Street Concord, NH 03301-3836 603.271.3176 • www.labor.state.nh.us
Retirement/Pension Plans	Employment Retirement Income Security Act (ERISA) 29 U.S.C. § 1001, et. seq.	N/A	Must be posted in a conspicuous place	All employers, regardless of size, engaged in interstate commerce (excluding churches and federal, state and local government) are required to act with skill, prudence and diligence when managing employer's pension and benefit plans	U.S. Department of Labor Employee Benefits Security Administration JFK Federal Building - Room 575 Boston, MA 02203 617.565.9600 • www.dol.gov/ebsa
Unemployment Benefits	N.H. RSA 282-A, et. seq.	ALL	Must be posted in a conspicuous place	Unemployment benefits for employees who are laid off or terminated without cause	N.H. Department of Employment Security 32 South Main Street Concord, NH 03301-4857 603.224.3311 or 800.852.3400 www.nh.gov/nhes
Union Activities (Private Sector)	National Labor Relations Act 29 U.S.C. § 151, et. seq.	ALL	Must be posted in a conspicuous place	Provides legal framework for union activities in the private sector, defines unfair labor practices and outlines penalties for violations. Generally covers all employers engaged in interstate commerce	National Labor Relations Board - Region 1 10 Causeway Street, 6th Floor Boston, MA 02222-1072 617.565.6700 • www.nlr.gov

Wage Rates and Benefits	Notification, Posting and Records N.H. RSA 275:49 and Lab. 803.3	ALL	Notice to employees and posting of policies	Notify employees at times of hire and before terms change of wage rate, pay period, pay date and fringe benefits	N.H. Department of Labor State Office Park, Spaulding Building 95 Pleasant Street Concord, NH 03301-3836 603.271.3176 • www.labor.state.nh.us
Wages: Overtime and Child Labor	Fair Labor Standards Act (FLSA) 29 U.S.C. § 201, et. seq.	ALL	Must be posted in a conspicuous place	Federal overtime law. Eligible employees must be paid after working 40 hours a week at time and a half the regular rate of pay. Executives, professionals, administrators, outside sales employees and other exemptions possible. Also provides child labor and minimum wage	U.S. Department of Labor ESA Wage & Hour Division 1750 Elm Street, Suite 111 Manchester, NH 03104-2907 866.487.9243 or 603.666.7716 www.dol.gov/esa
Worker Authorization Documentation	Immigration and Reform Control Act 8 U.S.C. § 1324a	ALL	Posting location not specified	Employers must verify the employment authorization of all individuals hired after November 6, 1986. Must require documentation of identity and authorization to work. Must retain verification forms for three years after hiring/recruiting or one year after termination of	U.S. Citizen and Immigration Services 903 Canal Street Manchester, NH 03101 1-800-375-5283 • www.uscis.gov
Worker Safety Plans	N.H. RSA 281-A:64 and Lab 603	≥5 / ≥10	Must be posted in a conspicuous place	Requires employers with five or more employees to form Joint Loss Management Committee to develop and carryout workplace safety programs. Employers with ten or more employees must create written safety plans to be filed with the Department of Labor and updated biennially.	N.H. Department of Labor State Office Park, Spaulding Building 95 Pleasant Street Concord, NH 03301-3836 603.271.3176 • www.labor.state.nh.us
Workers' Compensation	N.H. RSA 281-A	≥1	Must be posted in a conspicuous place	Employers must provide workers' compensation coverage to all employees for work-related injuries. Reinstatement rights available for 18 months.	N.H. Department of Labor State Office Park, Spaulding Building 95 Pleasant Street Concord, NH 03301-3836 603.271.3176 • www.labor.state.nh.us
Workplace Safety	Occupational Safety and Health Act 29 U.S.C. § 651, et. seq.	ALL	Must be posted in a conspicuous place	Requires employers to provide a safe workplace, to have accident prevention program safety training and scheduled safety inspections. The United States government (not including the U.S. Postal Service), states and their subdivisions are excluded.	U.S. Department of Labor, OSHA JFK Federal Building - Room E340 • Boston, MA 02213 617.565.9860 • www.osha.gov Area Office • J.C. Cleveland Federal Building 53 Pleasant Street - Room 3901 • Concord, NH 03301 603.225.1629