The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.

Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

EXEMPTIONS

• Tests given by the Federal Government to certain private individuals engaged in national security-related activities.

Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities.

EMPLOYEE POLYGRAH PROTECTION ACT

NOTICE

Washington, D.C. 20210
Wage and Hour Division
EMPLOYMENT STANDARDS ADMINISTRATION
U.S. DEPARTMENT OF LABOR
The Act also permits polygraph tests, subject to restrictions, of certain employees of private firms, alarm, and guard, and of pharmaceutical manufacturers, distributors, and dispensers. The Act also permits polygraph tests, subject to restrictions, of certain employees of security firms (armored car, September 1988

WASHINGTON, D.C. 20210

WAGE AND HOUR DIVISION

EMPLOYMENT STANDARDS ADMINISTRATION

U.S. DEPARTMENT OF LABOR

Additional Information

The Secretary of Labor may bring court actions to restrain violations and assess civil penalties up to $10,000 against violators. Employees or job applicants may also bring their own court actions. The law requires employers to display this poster where employees and job applicants can readily see it.

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EXAMINEE RIGHTS

Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have results disclosed to unauthorized persons. Results disclosed to unauthorized persons, who were reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.), that resulted in economic loss to the employer, are subject to restrictions.

ENFORCEMENT

The Act is more restrictive with respect to lie detector tests. The law does not preempt any provision of any state or local law or any collective bargaining agreement which is more restrictive with respect to the detector tests.

ADDITIONAL INFORMATION

Additional information may be obtained, and complaints of violations may be filed, at local offices of the Wage and Hour Division, which are listed in the telephone directory under U.S. Department of Labor, Employment Standards Administration.