EMPLOYEE POLYGRAF PROTECTION ACT

NOTICE

Wage and Hour Division
EMPLOYMENT STANDARDS ADMINISTRATION
U.S. DEPARTMENT OF LABOR
Washington, D.C. 20210

The Employee Polygraph Protection Act prohibits most private employers from using lie detector 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.

EXEMPTIONS

Prospective 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 job applicant who refuses to take a lie detector test, or for exercising other rights under the Act.

Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, or for exercising other rights under the Act.

PROHIBITIONS

The Employee Polygraph Protection Act prohibits most private employers from using lie detector 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.
The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors, and dispensers.

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.), that resulted in economic loss to the employer.

EXAMINEE RIGHTS
Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test, and the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

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. Government, Employment Standards Administration.

ENFORCEMENT
The Secretary of Labor may bring court actions to restrain violations and assess civil penalties up to $10,000 against violators. Employers or job applicants may also bring their own court actions.

*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 detective tests.

*The law permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors, and dispensers.

The Act also permits polygraph testing, subject to restrictions, of certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors, and dispensers.

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 detective tests.

The law permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors, and dispensers.

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.), that resulted in economic loss to the employer.

EXAMINEE RIGHTS
Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test, and the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

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. Government, Employment Standards Administration.

ENFORCEMENT
The Secretary of Labor may bring court actions to restrain violations and assess civil penalties up to $10,000 against violators. Employers or job applicants may also bring their own court actions.

*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 detective tests.

*The law permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors, and dispensers.

The Act also permits polygraph testing, subject to restrictions, of certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors, and dispensers.

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 detective tests.