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.

The Employee Polygraph Protection Act does not apply to Federal, State and local governments, nor to tests given by the Federal Government to certain private individuals engaged in national security-related activities.

Exemptions:

Prospective employees for refusing to take a test or for exercising other rights under the Act.

Employees 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.

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The law 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 applies to employers in the private sector.

THE LAWS REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

The Department of Labor, Employment Standards Administration, the Wage and Hour Division, which are listed in the telephone directory under U.S. Government, Department of Labor, Employment Standards Administration, may be filed at local offices of that agency.

ADDITIONAL INFORMATION

The Secretary of Labor may bring court actions to restrain violations and assess civil penalties up to $10,000 against perpetrators.

ENFORCEMENT

Results disclosed to unauthorized persons.

Where polygraph tests are conducted 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 test results disclosed to unauthorized persons.

EXAMINEE RIGHTS

That resulted in economic loss to the employer.

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.).

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