

Federal Minimum Wage

\$7.25 per hour

Beginning July 24, 2009

Overtime Pay
At least 1½ times your regular rate for all hours worked over 40 in a workweek.

Child Labor
An employee must be at least 16 years old with most non-hazardous jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor.

Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs under the following conditions:

- No more than**
 - 3 hours on a school day or 18 hours in a school week
 - 8 hours on a non-school day or 40 hours in a non-school week

Also, work may not begin before 7 a.m. or end after 7 p.m., except from June 1 through Labor Day, when evening hours are extended to 9 p.m. Different rules apply in agricultural employment.

Tip Credits
Employers of "tipped employees" must pay a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employer's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference. Certain other conditions must also be met.

Enforcement
The Department of Labor may recover back wages either administratively or through court action, for the employers that have been underpaid in violation of the law. Violations may result in civil or criminal action.

Employers may be assessed civil money penalties of up to \$1,100 for each willful or repeated violation of the minimum wage or

overtime pay provisions of the law and up to \$11,000 for each employer who is the subject of a violation of the Act's child labor provisions. In addition, a civil money penalty of up to \$50,000 may be assessed for each child labor violation that causes the death or serious injury of any minor employee, and such assessments may be doubled, up to \$100,000, when the violations are determined to be willful or repeated. The law also prohibits discriminating against or discharging workers who file a complaint or participate in any proceeding under the Act.

- Additional Information**
- Certain occupations and establishments are exempt from the minimum wage and/or overtime pay provisions.
 - Special provisions apply to workers in American Samoa and the Commonwealth of the Northern Mariana Islands.
 - Some state laws provide greater employee protections; employers must comply with both.
 - The law requires employers to display this poster where employees can readily see it.
 - Employees under 20 years of age may be paid \$4.24 per hour during their first 90 consecutive calendar days of employment with an employer.
 - Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

For additional information:
1-866-4-USWAGE (1-866-487-9243)
TTY: 1-877-889-5627
www.wagehour.dol.gov
U.S. Department of Labor | Wage and Hour Division
WH0 Publication 1088 (Revised July 2009)



Employee Rights and Responsibilities Under the Family and Medical Leave Act

Basic Leave Entitlement
FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son, daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements
Eligible employees whose spouse, son, daughter, or parent is on covered active duty or call to covered active duty status are entitled to an additional 12 weeks leave to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment integration briefings.

Benefits and Protections
During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, no adverse employment action may be taken against the employee for the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements
Employees are eligible if they have worked for a covered employer for at least 12 months, for 1,250 hours in the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

Definition of Serious Health Condition
A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an absence from work at a health care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the job of the employee, or prevents the qualified family member from participating in school or other daily activities where the accommodation does not impose undue hardship.

Disability
Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodations to the known physical or mental limitations of an otherwise qualified individual with a disability who is applying for employment, barring undue hardship.

Age
The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

Sex (WAGE)
Under sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work in jobs that require equal skill, effort, and responsibility under similar working conditions, in the same establishment.

Employers Holding Federal Contracts or Subcontracts
Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN
Executive Order 12814, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

INDIVIDUALS WITH DISABILITIES
Section 503 of the Rehabilitation Act of 1973, as amended, prohibits qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Section 504 of the Rehabilitation Act of 1973, as amended, prohibits not making reasonable accommodations to the known physical or mental limitations of an otherwise qualified individual with a disability who is applying for employment, barring undue hardship. Section 504 also requires that Federal contractors take affirmative action to employ and advance employment qualified individuals with disabilities at all levels of employment, including the executive level.

DISABLED VETERANS (SERVICES) OTHER PROTECTED
AND ARMED FORCES SERVICE MEDICAL VETERANS
The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination and requires affirmative action to employ and advance in employment disabled veterans, recently separated substantially disabled veterans, and other protected veterans.

Programs or Activities Receiving Federal Financial Assistance
In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VII of the Civil Rights Act of 1964, as amended, prohibits employment discrimination on the basis of race, color, or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VII if the primary objective of the financial assistance is provision of employment, or where employment discrimination is a condition of participation in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave
The employer does not need to use this leave entitlement in one block. Leave can be taken incrementally or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule their planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave
Employees may choose to employ their paid time of accrued paid leave while taking FMLA leave. In order to take the FMLA leave, employees must comply with the employer's normal paid leave policies.

Employer Responsibilities
Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employer must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employer Responsibilities
Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the employer must specify any additional information required as well as the employee's rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Unlawful Acts by Employers
FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discourage or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement
An employer may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post this text of this notice. Regulations 29 C.F.R. § 825.300(a) may require additional disclosures.

Federal 6-in-1 Labor Law Poster



Omaha Federal Office
Wage and Hour Division:
402-221-4682

Job Safety and Health It's The Law!

- Employees**
- You have the right to notify your employer or OSHA about workplace hazards. You may ask OSHA to keep your name confidential.
 - You have the right to request an OSHA inspection if you believe that there are unsafe and unhealthy conditions in your workplace. You or your representative may participate in the inspection.
 - You can file a complaint with OSHA within 30 days of retaliation or discrimination by your employer for making safety and health complaints or for exercising your rights under the *OSHA Act*.
 - You have a right to see OSHA citations issued to your employer. Your employer must post the citations at or near the place of the alleged violations.
 - Your employer must correct workplace hazards by the date indicated on the citation and must certify that these hazards have been reduced or eliminated.
 - You have the right to copies of your medical records and records of your exposures to toxic and harmful substances or conditions.
 - Your employer must post this notice in your workplace.
 - You must comply with all occupational safety and health standards issued under *OSHA Act* that apply to your own actions and conduct on the job.
- Employers**
- You must furnish your employees a place of employment free from recognized hazards.
 - You must comply with the occupational safety and health standards issued under the *OSHA Act*.

Free assistance in identifying and correcting hazards or complying with standards is available to employers, without citation or penalty, through OSHA-supported consultation programs in each state.

1-800-321-OSHA • www.osha.gov

Occupational Safety and Health Administration • OSHA 3165-12-06R

The Employee Polygraph Protection Act

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.

Prohibitions
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
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, distributor 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.

Examine 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 test results disclosed to unauthorized persons.

Enforcement
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.

Additional Information
Additional information may be obtained, and complaints of violations may be filed, at local offices of the Wage and Hour Division. To locate your nearest Wage-Hour office, telephone our toll-free information and help line at 1-866-4USWAGE (1-866-487-9243). A customer service representative is available to assist you with referral information from 8am to 5pm in your time zone; or if you have access to the internet, you may log onto our Home page at www.wagehour.dol.gov.

The law requires employers to display this poster where employees and job applicants can readily see it.

***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 LIE DETECTOR TESTS.**

U.S. Department of Labor
Employment Standards Administration
Wage and Hour Division
Washington, D.C. 20210

Equal Employment Opportunity is The Law

Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN
Title VII of the Civil Rights Act of 1964, as amended, prohibits applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship.

Disability
Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodations to the known physical or mental limitations of an otherwise qualified individual with a disability who is applying for employment, barring undue hardship.

AGE
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YOUR RIGHTS UNDER USERRA

THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

- REEMPLOYMENT RIGHTS**
- You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:
 - you ensure that your employer receives advance written or verbal notice of your service;
 - you have five years or less of cumulative service in the uniformed services while with that particular employer;
 - you return to work or apply for employment in a timely manner after conclusion of service; and
 - you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or in some cases, a comparable job.

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

If you:

- are a past or present member of the uniformed service;
- have applied for membership in the uniformed service; or
- are obligated to serve in the uniformed service;

then an employer may not deny you:

- initial employment;
- reemployment;
- retention in employment;
- promotion;
- any benefit of employment because of this status.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS and may be viewed on the Internet at <http://www.dol.gov/programs/userra/posters.htm>. The notice law requires employers to notify employees of their rights under USERRA, and employers must post this requirement by displaying the text of this notice where they customarily place notices for employees.

U.S. Department of Labor | U.S. Department of Justice | Office of Special Counsel
1-866-487-2365 | 1-800-336-4590
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