



KNOW YOUR RIGHTS IN THE WORKPLACE

ALASKA & FEDERAL PRINTABLE LABOR LAWS

AK-0325-F04

For more information please call 1-800-745-9970

ALASKA MINIMUM WAGE



SUMMARY OF ALASKA WAGE AND HOUR ACT

Effective January 1, 2025, the Alaska minimum wage shall be \$11.91 per hour.

Alaska Statute 23.10.050 – 23.10.150 establishes minimum wage and overtime pay standards for employment subject to its provisions. These standards are generally applicable to all employees. School bus drivers, however, shall receive at least two times the Alaska minimum wage. Other exceptions to the minimum wage requirement follow.

Alaska minimum wage and overtime requirements do not apply to any individual employed as follows:

- ♦ In agriculture;
- ♦ In the taking of aquatic life; or the hand picking of shrimp;
- ♦ In domestic service (including babysitting) in or about a private home;
- ♦ By U.S., state or local governments (i.e., political subdivisions);
- ♦ In voluntary service in the nonprofit activities of a religious, charitable, cemetery, educational or other nonprofit organization which are related only to the organization's nonprofit activities;
- ♦ In a bona fide executive, professional or administrative capacity as defined in regulations of the Commissioner of Labor and Workforce Development and in the FLSA; or in certain computer occupations, or as an outside salesman, or as any salesman working on a straight commission basis;
- ♦ Youth under age 18 employed part-time for not more than 30 hours in any week;
- ♦ An individual who is employed by a motor vehicle dealer and whose primary duty is to (a) receive, analyze or reference requests for service, repair or analysis of motor vehicles; (b) arrange financing for the sale of motor vehicles and related products and services that are part of the sale; or (c) solicit, sell, lease or exchange motor vehicles;
- ♦ An individual who provides emergency medical services only on a voluntary basis; serves with a full-time fire department only on a voluntary basis; or provides ski patrol services on a voluntary basis;
- ♦ A student participating in a University of Alaska practicum described under AS 14.40.065;
- ♦ A person licensed under AS 08.54 and who is employed by a registered guide or master guide licensed under AS 08.54 for the first 60 workdays so employed during a calendar year;
- ♦ An independent taxicab driver who establishes the driving area and hours, who contracts on a flat rate basis for use of the cab, permit or dispatch services, and who is compensated solely by the customers served;
- ♦ Solely as a watchman or caretaker on a premises out of operation for longer than four months;
- ♦ In delivery of newspapers to the consumer;
- ♦ In the search for placer or hard rock minerals;
- ♦ An individual engaged in activities for a nonprofit religious, charitable, civic, cemetery, recreational or educational organization where the employer-employee relationship does not, in fact, exist, and where services rendered to the organization under a work activity requirement of AS 47.27 (Alaska temporary assistance program);
- ♦ By a nonprofit educational or child care facility to serve in place of a parent of children in residence if the employment requires residence at the facility and is compensated on a cash basis exclusive of room and board at an annual rate of not less than \$10,000 for an unmarried person; or \$15,000 for a married couple.

Overtime Hours

The standard workweek shall not exceed 40 hours per week or eight hours per day. Should an employer find it necessary to employ an employee in excess of these standards, overtime hours shall be compensated at the rate of one and one-half times the regular rate of pay.

Compensation at the overtime rate is not required in the following cases:

- ♦ By an employer who employs three or fewer people in the regular course of business;
- ♦ An individual employed in handling, packing, storing, pasteurizing, drying, canning, or preparing in their raw or natural state agricultural or horticultural commodities for market, or in making cheese, butter or other dairy products;
- ♦ Agricultural employees;
- ♦ An employee employed as a seaman;
- ♦ Workers engaged in planting or tending trees, cruising, surveying, bucking or felling timber, preparing or transporting logs or other forestry products to the mill, processing plant, railroad or other transportation terminal if the total number of employees in such lumber operations does not exceed 12;
- ♦ An individual employed as an outside buyer of poultry, eggs, cream or milk in their raw or natural state;
- ♦ Hospital employees whose duties include the provision of medical services;
- ♦ An employee under a flexible work hour plan which is included as part of a collective bargaining agreement;
- ♦ An employee under a voluntary flexible work plan if the employee and employer have signed a written agreement which has been approved by the Department (*Overtime rates must be paid for work over 40 hours a week and over the hours specified on the flexible work hour plan not included in a collective bargaining agreement*);
- ♦ A community health aide employed by a local or regional health organization as those terms are defined in AS 18.28.100;
- ♦ Work performed by certain flat-rate mechanics primarily engaged in servicing automobiles, light trucks, and motor homes, subject to certain and specific provisions (see AS 23.10.060(d)(17));
- ♦ An employee of a small mining operation where not more than 12 people are employed, as long as the individual is not employed in excess of 12 hours per day or 56 hours per week during a period of not more than 14 workweeks in the aggregate in any calendar year during the mining season;
- ♦ An employee employed in connection with publication of a weekly, semiweekly or daily newspaper with a circulation of less than 1000;
- ♦ Casual employees as defined by regulations of the Commissioner of Labor and Workforce Development;
- ♦ A line haul truck driver for a trip exceeding 100 road miles one way if the driver's pay includes overtime pay for work in excess of 40 hours per week or eight hours per day, and if the rate of pay is comparable to the minimum wage;
- ♦ Work performed by an employee under a voluntary written agreement addressing the trading of work shifts among employees, if employed by an air carrier subject to subchapter II of the Railway Labor Act (45 U.S.C.181-188), including employment as a customer service representative, subject to certain provisions (see AS 23.10.060(d)(18));
- ♦ Work performed by a flight crew member employed by an air carrier subject to 45 U.S.C. 181-188 (subchapter II of the Railway Labor Act);
- ♦ A switchboard operator employed in a public telephone exchange that has fewer than 750 stations;
- ♦ An employee in otherwise exempted employment or a proprietor in a retail or service establishment engaged in handling telegraphic, telephone or radio messages under an agency or contract arrangement with a telegraph or communications company where the telegraph message or communications revenue of the agency does not exceed \$500/month.

NOTE: This is not a complete list of exemptions to minimum wage and overtime provisions. Refer to AS 23.10.055 and AS 23.10.060. The above text is intended for informational purposes only and is not to be construed as having the effect of law.

Inquiries should be made to: Wage and Hour Administration, Alaska Department of Labor and Workforce Development, 1251 Muldoon Road, Suite 113, Anchorage, AK 99504 Phone: (907) 269-4909 Email: statewide.wagehour@alaska.gov

Recordkeeping

An employer shall keep for a period of at least three years all payroll information and records for each employee at the place of employment.

Revised November 2024

Post in a Prominent Place

SEXUAL HARASSMENT

**Under The Alaska Human Rights Law and (AS 18.80.220)
Title VII of the Federal Civil Rights Act,**

SEXUAL HARASSMENT IS ILLEGAL.

If you have experienced:

- Unwelcome Sexual Advances;
- Request for Sexual Favors;
- Sexual comments or conduct that interferes with your work or creates a hostile work environment; or
- Your employer has made decisions about your job based on whether you accepted or rejected sexual advances, comments, or conduct,

You may be the victim of sexual harassment.

If you believe you may have been sexually harassed, contact the Alaska Human Rights Commission. Statutes of limitation apply.

Retaliation for Complaining About Sexual Harassment is UNLAWFUL.

It is illegal for your employer to fire you or to take other actions against you because you report or oppose sexual harassment.

Alaska State Commission for Human Rights
1901 Bragaw St, Suite 300, Anchorage, AK 99508

Toll Free: 800-478-4692
In Anchorage: 274-4692

<https://humanrights.alaska.gov/>



EMERGENCY INFORMATION

DOCTOR _____

AMBULANCE _____

HOSPITAL _____

POLICE _____

FIRE DEPT. _____

OTHER _____

ALL FATALITIES OR INJURIES RESULTING IN HOSPITALIZATION MUST BE REPORTED IMMEDIATELY (WITHIN 8 HOURS) TO THE ALASKA DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT, DIVISION OF LABOR STANDARDS AND SAFETY AT:

1-800-770-4940

OR

TO THE OSHA 24-HOUR HOT LINE at

1-800-321-6742

(AS 18.60.058(a))

1111 W. 8th St.
Suite 304
P. O. Box 111149
Juneau, AK 99811-1149
Phone: (907) 465-4855

675 Seventh Avenue
Station J1
Fairbanks, AK 99701-4593
Phone: (907) 451-2890

1251 Muldoon Road
Suite 109
Anchorage, AK 99504
Phone: (907) 269-4940



Rev 2/2018

CHILD LABOR LAWS



HOURS OF WORK RESTRICTIONS: NO MINOR UNDER 18 MAY WORK MORE THAN 6 DAYS IN ANY WORKWEEK



ALASKA YOUTH UNDER THE AGE OF 14 MAY WORK ONLY IN THE FOLLOWING OCCUPATIONS:

1. Newspaper sales and delivery.
2. Baby-sitting, handiwork and domestic employment in or about private homes.
3. The entertainment industry, with an approved work permit from the Alaska Wage & Hour Administration.

14 & 15 YEAR OLDS:

WHEN SCHOOL IS IN SESSION. Hours will be limited to a total of nine hours of school attendance plus employment in any one day; work will be performed only between the hours of 5 a.m. and 9 p.m. and total hours worked will be limited to 23 in any week.

DURING SCHOOL VACATIONS.

Work hours will be limited to 40 hours per week between the hours of 5 a.m. and 9 p.m.

MINORS 17 AND UNDER CANNOT BE EMPLOYED IN:

1. Occupations in manufacturing, handling or use of explosives.
2. Occupations of motor vehicle driver or helper (some limited restrictions).
3. Mining operations including coal.
4. Logging or occupations in the operations of any sawmill, lathe mills, shingle mill or cooperage.
5. Operation of power-driven woodworking machines.
6. Occupations with exposure to radioactive substances and to ionizing radiation.
7. Operation of elevators or other power-driven hoisting apparatus.
8. Operation of power-driven metal forming, punching and shearing machines.
9. Occupations involving slaughtering, meat packing, processing or rendering.
10. Occupations involved in the operation and cleaning of power-driven bakery machines.
11. Occupations involved in the operation of power-driven paper products machines.
12. Occupations involved in the manufacture of brick, tile and kindred products.
13. Occupations involved in the operation and cleaning of circular saws, band saws, and guillotine shears.
14. Occupations involved in wrecking, demolition and shipwrecking operations.
15. Occupations involved in roofing operations.
16. Occupations involved with excavation operations.
17. Electrical work with voltages exceeding 220, or outside erection or repair and meter testing including telegraph and telephone lines.
18. Occupations involving exposure to bloodborne pathogens.
19. Occupations involved in canvassing, peddling, solicitation of door-to-door contributions, or acting as an outside salesman.

ADDITIONAL RESTRICTIONS FOR 14 & 15 YEAR OLDS:

1. Occupations in manufacturing, mining or processing, including

- workrooms or places where goods are manufactured, mined or otherwise processed.
2. Occupations involved in operation of power-driven machinery other than office machines.
3. Occupations in construction (including demolition and repair) except office work.
4. Any work in an establishment that serves alcoholic beverages.
5. Public messenger service.
6. Occupations in or about canneries, except office work.
7. Work performed in or about boilers, engine rooms or retorts.
8. Work involved with maintenance or repair of the establishment's machines or equipment.
9. Occupations that involve working from windowsills, ladders, scaffolds or their substitutes.
10. Occupations handling or operation of power-driven food slicers, grinders, choppers, cutters and bakery type mixers.
11. Work in freezers, meat coolers, or preparation of meat for sale.
12. Loading/unloading to or from trucks, railroad cars or conveyers.
13. Occupations in warehouses and storage except office and clerical work.
14. Occupations involving use of sharpened tools.
15. Occupations in transportation of persons or property except office or sales work.

BREAKS:

An employee under 18 years of age who is scheduled to work six consecutive hours is entitled to a 30 minute break during the workday. A youth under 18 who works five consecutive hours is entitled to a 30 minute break before continuing to work.

ALCOHOL:

All minors 16 and under must have a work permit on file with the Department. **If the employer has a restaurant designation and is licensed to sell alcohol**, then all minors 17 years of age must also have an approved work permit.

TOBACCO & PULL-TABS:

AS 11.76.106 restricts access to areas where tobacco and tobacco products are sold. Minors under 19 may not sell tobacco or tobacco products in the course of their employment. 15 AAC 160.480(b) prohibits the sale of pull-tabs by anyone under the age of 21.

MARIJUANA & CANNABIS INDUSTRY:

AS 17.38.070 restricts the employment of persons under the age of 21 from working in any and all branches of the cannabis/marijuana industry, including but not limited to planting, cultivating, harvesting, processing, packaging, transporting or selling.

Rev 2/2018

**FEDERAL STATUTES ARE IN SOME CASES STRICTER THAN STATE
STATUTES FOR FEDERAL INFORMATION, CONTACT THE U. S.
DEPARTMENT OF LABOR AT 1-866-487-9243**

FOR FURTHER INFORMATION CONTACT: ALASKA WAGE & HOUR ADMINISTRATION

1251 Muldoon Road, Suite 113
Anchorage, AK 99504
(907) 269-4900

675 7th Avenue, Station J-1
Fairbanks, AK 99701
(907) 451-2886

1111 W. 8th Street, Suite 302
Juneau, AK 99802-1149
(907) 465-4842

UNEMPLOYMENT COMPENSATION



NOTICE TO EMPLOYEES

As an employee of this company, you are covered by Unemployment Insurance (UI). The UI program is administered by the Division of Employment and Training Services of the Alaska Department of Labor and Workforce Development.

The purpose of UI is to provide partial replacement of wages between jobs. If a business has to reduce wages or hours, or temporarily lay off workers, UI gives workers financial security and temporary buying power so they can remain in the community. This, in turn, helps employers keep their trained work force. UI payments protect the economy in Alaska's communities until unemployed workers are reemployed. UI helps to reduce the family and community problems caused by layoffs or a lack of jobs.

You and your employer both pay your UI premiums (taxes). You pay about 27 percent and your employer pays 73 percent. Generally speaking, if you receive one week of UI benefits, you receive as much or more than you paid into the program for the year. Your employer may withhold from your earnings the employee portion of the UI tax. Wages in excess of the maximum annual taxable wage set for the calendar year are non-taxable. Current and past years' maximum annual taxable wage base and the employee portion of the UI tax rates are posted on the Employment Security Tax website at: labor.alaska.gov/estax/faq/w1.htm.

As with any insurance, you must meet certain qualifications to be eligible for benefits. You must have earned wages in jobs that are covered by the law, file your claim for UI, and register for work with the Alaska Employment Service or your union. You must also be ready, willing and able to accept suitable work. If you quit or are fired from your last job, or if anything is keeping you from accepting full-time work, you may not immediately be eligible for benefits.

To file a **NEW** claim or **REOPEN** an existing Alaska claim for UI benefits on the Internet, go to labor.alaska.gov and click on "File Unemployment Benefits Online."

To file for UI by telephone and for all other UI assistance, contact your local UI claim center. The phone numbers are listed below. If you do not reside in one of the cities below, use the toll free number.

Anchorage: (907) 269-4700

Juneau/outside Alaska: (907) 465-5552

Fairbanks: (907) 451-2871

All other areas in Alaska: (888) 252-2557

The toll-free telephone number to connect to Alaska Relay is (800) 770-8973 or voice (800) 770-8255.

You may be entitled to a refund of excess employee contributions to the UI Trust Fund if you had two or more employers in a calendar year, your withholdings exceeded the maximum annual employee tax and your overpayment is \$5 or greater. For the year you are claiming a refund, the filing deadline for your application is Dec. 31 of the following calendar year. (If you had more than the legal maximum employee deduction withheld by any one employer, your employer is responsible for refunding this excess deduction to you.)

To obtain an Employee Application for Refund, write the Alaska Department of Labor and Workforce Development, P.O. Box 115509, Juneau, AK 99811-5509 or email Tax at:

esd.tax@alaska.gov or download the form at:

labor.alaska.gov/estax/forms/toc_forms.htm.



**ALASKA DEPARTMENT OF LABOR
& WORKFORCE DEVELOPMENT**

Alaska's Unemployment Insurance Program is 100 percent funded by U.S. Department of Labor through a grant award totaling \$25,815,406. We are an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.

Alaska employers are required by law to post this notice.

Form 07-1012 (Rev. 12/24)

WORKERS' COMPENSATION

EMPLOYER'S NOTICE OF INSURANCE

TO THE EMPLOYEES OF THE UNDERSIGNED: Your employer is insured by

Insurer _____ Street and Number _____
City _____ State _____ Zip Code _____
For the period from _____ Through _____

Adjusting Company _____
Street and Number _____ City _____
State _____ Zip Code _____ Telephone _____

This insurance pays benefits for job-connected injuries, illnesses or death as provided by the Alaska Workers' Compensation Act

Employer _____

By _____

Title _____

Witness _____

Witness _____

Immediately (not later than 30 days from injury or death date) give your employer and the Alaska Workers' Compensation Division written notice of a job-related injury, illness, or death. Get the "Report of Occupational Injury or Illness" form from your employer for this purpose. If you have questions about your rights or benefits under the Alaska Workers' Compensation Act, contact the insurer at the above address and the Alaska Workers' Compensation Division at the nearest office listed below:

ANCHORAGE
3301 Eagle Street, Suite 304
Anchorage, AK 99503
(907) 269-4980

FAIRBANKS
675 7th Avenue, Station K
Fairbanks, AK 99701-4586
(907) 451-2889

JUNEAU
PO Box 115512
1111 W 8th St Room 305, Juneau, AK 99811-5512
(907) 465-2790

NOTICE TO EMPLOYER: AS 23.30.060 requires that you post this notice in three conspicuous places on the employer's premises.

Form 07-6120 (Revised 05/2012)

OCCUPATIONAL SAFETY AND HEALTH PROTECTION

SAFETY AND HEALTH PROTECTION ON THE JOB

ALASKA LAW AS 18.60.010 to .105 – provides safety and health protection for workers through promotion of safe and healthful working conditions throughout the State. Requirements of the law include the following:

EMPLOYERS:	Each employer shall furnish to each of his employees, employment, and a place of employment free from recognized hazards that are causing or are likely to cause death or serious harm to his employees; and shall comply with occupational safety and health standards issued under the law.
EMPLOYEES:	<p>Each employee shall comply with all occupational safety and health standards, rules, regulations, and orders issued under the law that apply to his own actions and conduct on the job.</p> <p>The Alaska Department of Labor and Workforce Development has the primary responsibility for administering the law. It issues occupational safety and health standards, and its Compliance Officers conduct job site inspections to ensure compliance with the law.</p>
INSPECTION:	<p>The law requires that a representative of the employer and a representative authorized by the employees be given an opportunity to accompany the Compliance Officer for the purpose of aiding the inspection. Pursuant to AS 18.60.087, time spent by an employee aiding the inspection shall be considered as time worked, and the employee shall be compensated accordingly.</p> <p>Where there is no authorized employee representative, the Compliance Officer must consult with a reasonable number of employees concerning safety and health conditions in the workplace.</p>
COMPLIANCE COMPLAINT:	<p>Employees or their representatives have the right to file a complaint in writing with the nearest Alaska Department of Labor and Workforce Development office requesting an inspection if they believe unsafe or unhealthful conditions exist in their workplace. Their names will be withheld upon request.</p> <p>Employees and their representatives have a right to call an inspector's attention to possible violations in writing or orally.</p> <p>The law provides that employees may not be discharged or discriminated against in any way for filing safety and health complaints or otherwise exercising their rights under the law.</p>
DISCRIMINATION COMPLAINT:	Pursuant to AS 18.60.089, an employee may not be discharged or discriminated against because they filed a complaint, instituted, or caused to be instituted a proceeding related to the enforcement of occupational safety and health standards, or has testified or is expected to testify in a proceeding related to occupational safety and health. An employee who believes they have been discriminated against may file a complaint with the nearest OSHA and/or Alaska Occupational Safety and Health office within 30 days of the alleged discrimination.
CITATION:	<p>If upon inspection, the Compliance Officer believes an employer has violated the law, a citation alleging such violations will be issued to the employer. Each citation will specify a time period within which the alleged violation must be corrected.</p> <p>The citation must be prominently displayed at or near the place of alleged violation for five days, or until it is corrected, whichever is later, to warn employees of dangers that may exist there.</p>
PROPOSED PENALTY:	The law provides for mandatory penalties against employers of up to \$16,550.00 for each serious violation and for optional penalties of up to \$16,550.00 for other violations. Penalties of up to \$16,550.00 per day may be proposed for failure to correct violations within the proposed time period. Also, any employer who willfully or repeatedly violates the law may be assessed penalties of up to \$165,514.00 for each violation. Current penalty supplements may be found here: https://labor.alaska.gov/lss/program_directives.htm . Criminal penalties are also provided for in the law. Any willful violation resulting in death of an employee upon conviction is punishable by a fine not more than \$10,000 or by imprisonment for not more than 6 months, or by both. Conviction of an employer after a first conviction doubles these maximum penalties.

OCCUPATIONAL SAFETY AND HEALTH PROTECTION (Continued)

VOLUNTARY ACTIVITY:

While providing penalties for violations, the law also encourages efforts by labor and management, before an inspection, to reduce injuries and illnesses arising out of employment.

The Alaska Department of Labor and Workforce Development encourages employers and employees to reduce workplace hazards voluntarily and to develop and improve safety and health programs in all workplaces and industries.

Such cooperative action would initially focus on the identification and elimination of hazards that could cause death, injury, or illness to employees and supervisors. Upon request of employer, the Alaska Department of Labor and Workforce Development will furnish a consultant who will inspect the premises and identify hazards without assessing penalties.

MORE INFORMATION:

Additional information and copies of the law, specific safety and health standards, and other regulations may be obtained from the Alaska Department of Labor and Workforce Development, Division of Labor Standards & Safety, Alaska Occupational Safety and Health at the addresses shown at the bottom of this page.

PROGRAM COMPLAINT:

Under a plan approved July 31, 1973, by the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA), the State of Alaska is providing job safety and health protection for workers throughout the State. OSHA will monitor the operation of this plan to assure that continued approval is merited. Any person may make a complaint regarding the State administration of this plan directly to the U.S. Department of Labor, OSHA, Region IX, 90 7th St., Suite 2650, San Francisco, CA 94103, Phone (415) 625-2547.

IT'S YOUR RIGHT TO KNOW **About toxic and hazardous substances and physical agents**

AS 18.60.068 requires this information be displayed in a prominent place on business premises.

- Employers must inform employees about the locations and nature of operations, which could result in exposure to toxic or hazardous substances or physical agents.
- Employers must train employees in the health effects of the toxic or hazardous substances and physical agents to which they are exposed and in the purpose, proper use, and limitations of personal protective equipment.
- Employers must keep on file and make available during the work-shift, Safety Data Sheets (SDS) for each toxic or hazardous substance or physical agent to which employees may be exposed. Employers must remove employees from exposure to the substance or physical agent if an SDS cannot be obtained and provided to employees within 15 calendar days of a request.

The Alaska Department of Labor and Workforce Development will provide assistance to employers in the form of SDS program development aids, on-site program review, and safety seminars.

For more information, employers, employees and concerned citizens may contact the Alaska Department of Labor and Workforce Development, Labor Standards and Safety Division, Occupational Safety and Health, <http://labor.alaska.gov/lss/oshhome.htm>.

◆ Consultation & Training 1-800-656-4972

1111 West 8th Street, Suite 304
P.O. Box 111149
Juneau, AK 99811-1149
(907) 465-4855

◆ Enforcement 1-800-770-4940

1251 Muldoon Road,
Ste 109
Anchorage, AK 99504
(907) 269-4940

◆ 24-hour OSHA hotline 1-800-321-6742

675 7th Avenue, Station J
Fairbanks, AK 99701-4596
(907) 451-2890
or
(907) 451-2888



AS 18.60.058 (a) requires that employers must notify either AKOSH or OSHA within eight hours of an in-patient hospitalization, loss of an eye, amputation, or fatality.

AKOSH 1-800-770-4940 or 24-hour OSHA hotline 1-800-321-6742

Rev. November 2024

FEDERAL MINIMUM WAGE

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE \$7.25

PER HOUR
BEGINNING
JULY 24, 2009

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

OVERTIME PAY At least 1 ½ times your regular rate of pay for all hours worked over 40 in a workweek.

CHILD LABOR An employee must be at least 16 years old to work in most non-farm 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 with certain work hours restrictions. Different rules apply in agricultural employment.

TIP CREDIT Employers of “tipped employees” who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee’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.

PUMP AT WORK The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for their nursing child for one year after the child’s birth each time the employee needs to express breast milk. Employers must provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

ENFORCEMENT The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA’s child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA.

ADDITIONAL INFORMATION

- Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions. Certain narrow exemptions also apply to the pump at work requirements.
- Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.
- Some state laws provide greater employee protections; employers must comply with both.
- Some employers incorrectly classify workers as “independent contractors” when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA’s minimum wage and overtime pay protections and correctly classified independent contractors are not.
- 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.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243
www.dol.gov/agencies/whd



WH1088 REV 04/23

EEOC - Know Your Rights: Workplace Discrimination is Illegal



Know Your Rights: Workplace Discrimination is Illegal

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help.

Who is Protected?

- Employees (current and former), including managers and temporary employees
- Job applicants
- Union members and applicants for membership in a union

What Organizations are Covered?

- Most private employers
- State and local governments (as employers)
- Educational institutions (as employers)
- Unions
- Staffing agencies

What Types of Employment Discrimination are Illegal?

Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of:

- Race
- Color
- Religion
- National origin
- Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity)
- Age (40 and older)
- Disability
- Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)
- Retaliation for filing a charge, reasonably opposing

discrimination, or participating in a discrimination lawsuit, investigation, or proceeding

- Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation

What Employment Practices can be Challenged as Discriminatory?

All aspects of employment, including:

- Discharge, firing, or lay-off
- Harassment (including unwelcome verbal or physical conduct)
- Hiring or promotion
- Assignment
- Pay (unequal wages or compensation)
- Failure to provide reasonable accommodation for a disability; pregnancy, childbirth, or related medical condition; or a sincerely-held religious belief, observance or practice
- Benefits
- Job training
- Classification
- Referral
- Obtaining or disclosing genetic information of employees
- Requesting or disclosing medical information of employees
- Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or proceeding

- Conduct that coerces, intimidates, threatens, or interferes with someone exercising their rights, or someone assisting or encouraging someone else to exercise rights, regarding disability discrimination (including accommodation) or pregnancy accommodation

What can You Do if You Believe Discrimination has Occurred?

Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:

Submit an inquiry through the EEOC's public portal: <https://publicportal.eeoc.gov/Portal/Login.aspx>

Call 1-800-669-4000 (toll free)
1-800-669-6820 (TTY)
1-844-234-5122 (ASL video phone)

Visit an EEOC field office (information at www.eeoc.gov/field-office)

E-Mail info@eeoc.gov

Additional information about the EEOC, including information about filing a charge of discrimination, is available at www.eeoc.gov.



EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action commitments of companies doing business with the Federal Government. If you are applying for a job with, or are an employee of, a company with a Federal contract or subcontract, you are protected under Federal law from discrimination on the following bases:

Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

Asking About, Disclosing, or Discussing Pay Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees.

Disability Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

Protected Veteran Status The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.

Retaliation Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors under these Federal laws. Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP)
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, D.C. 20210
1-800-397-6251 (toll-free)

If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at

<https://ofccphelpdesk.dol.gov/s/>, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at <https://www.dol.gov/agencies/ofccp/contact>.

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Race, Color, National Origin, Sex In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination 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.

Individuals with Disabilities Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job. If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

(Revised 6/27/2023)

FMLA | FAMILY AND MEDICAL LEAVE ACT

Your Employee Rights Under the Family and Medical Leave Act

What is FMLA leave? The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with **job-protected leave** for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees.

Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month period for:

- The birth, adoption or foster placement of a child with you,
- Your serious mental or physical health condition that makes you unable to work,
- To care for your spouse, child or parent with a serious mental or physical health condition, and
- Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness **may take up to 26 workweeks** of FMLA leave in a single 12-month period to care for the servicemember.

You have the right to use FMLA leave in **one block of time**. When it is medically necessary or otherwise permitted, you may take FMLA leave **intermittently in separate blocks of time, or on a reduced schedule** by working less hours each day or week. Read Fact Sheet #28M(c) for more information.

FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave.

Am I eligible to take FMLA leave? You are an **eligible employee** if **all** of the following apply:

- You work for a covered employer,
- You have worked for your employer at least 12 months,
- You have at least 1,250 hours of service for your employer during the 12 months before your leave, and
- Your employer has at least 50 employees within 75 miles of your work location.

Airline flight crew employees have different "hours of service" requirements.

You work for a **covered employer** if **one** of the following applies:

- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,
- You work for an elementary or public or private secondary school, or
- You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management.

How do I request FMLA leave? Generally, **to request FMLA leave you must:**

- Follow your employer's normal policies for requesting leave,
- Give notice at least 30 days before your need for FMLA leave, or
- If advance notice is not possible, give notice as soon as possible.

You **do not have to share a medical diagnosis** but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You **must also inform your employer if FMLA leave was previously taken** or approved for the same reason when requesting additional leave.

Your **employer may request certification** from a health care provider to verify medical leave and may request certification of a qualifying exigency.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress.

What does my employer need to do? If you are eligible for FMLA leave, your **employer must:**

- Allow you to take job-protected time off work for a qualifying reason,
- Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and
- Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave.

Your **employer cannot interfere with your FMLA rights** or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation.

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your **employer must confirm whether you are eligible** or not eligible for FMLA leave. If your employer determines that you are eligible, your **employer must notify you in writing:**

- About your FMLA rights and responsibilities, and
- How much of your requested leave, if any, will be FMLA-protected leave.

Where can I find more information?

Call **1-866-487-9243** or visit dol.gov/fmla to learn more.

If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. **Scan the QR code to learn about our WHD complaint process.**



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

SCAN ME



WH1420 REV 04/23

USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT



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 reemployment 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; or
- 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.

HEALTH INSURANCE PROTECTION

- If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military.
- Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

ENFORCEMENT

- The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.
- For assistance in filing a complaint, or for any other information on USERRA, contact VETS at **1-866-4-USA-DOL** or visit its website at **<https://www.dol.gov/agencies/vets/>**. An interactive online USERRA Advisor can be viewed at **<https://webapps.dol.gov/elaws/vets/userra>**
- If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation.
- You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

Publication Date — May 2022

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 this address: **<https://www.dol.gov/agencies/vets/programs/userra/poster>** Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.



U.S. Department of Labor
1-866-487-2365



U.S. Department of Justice



Office of Special Counsel



Employer Support Of The Guard
And Reserve 1-800-336-4590

EMPLOYEE POLYGRAPH PROTECTION ACT

EMPLOYEE RIGHTS 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, 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. 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.

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 test results disclosed to unauthorized persons.

ENFORCEMENT The Secretary of Labor may bring court actions to restrain violations and assess civil penalties 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.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243
www.dol.gov/agencies/whd



WH1462 REV 02/22

ANTI-DISCRIMINATION NOTICE

It is illegal to discriminate against work authorized individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination.

For information, please contact
The Office of Special Counsel for Immigration
Related Unfair Employment Practices Office at
800-255-7688.

WITHHOLDING STATUS

Since you last filed form W-4 with your employer did you...

- Marry or divorce?
- Gain or lose a dependent?
- Change your name?

Were there major changes to...

- Your non-wage income (interest, dividends, capital gains, etc.)?
- Your family wage income (you or your spouse started or ended a job)?
- Your itemized deductions?
- Your tax credits?

If you can answer "YES"...

To any of these questions or you owed extra tax when you filed your last return, you may need to file a new form W-4. See your employer for a copy of Form W-4 or call the IRS at 1-800-829-3676.

Now is the time to check your withholding. For more details, get Publication 919, *How Do I Adjust My Tax Withholding?*, or use the Withholding Calculator at: **www.irs.gov/individuals** on the IRS website.

Employer: Please post or publish this Bulletin Board Poster so that your employees will see it. Please indicate where they can get forms and information on this subject.



Department of the Treasury
Internal Revenue Service

www.irs.gov

Publication 213
(Rev. 8-2009)
Cat. No. 11047P

PAYDAY NOTICE

Regular Paydays for Employees of

(Company Name)

Shall be as follows:

☐

Weekly

☐

Bi-Weekly

☐

Monthly

☐

Other _____

By: _____

Title: _____