

FED

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 1/2 times the regular rate of pay for all hours worked over 40 in a workweek.

CHILD LABOR
An employer 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. Youth 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work 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 credit against the 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.

NURSING MOTHERS
The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA's overtime requirements in order for the employer to express breast milk for her nursing child for one year after the child's birth each time she subject to the FLSA's overtime requirements. Employers are also required to 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 Act also prohibits retaliation 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.
- 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 protections; employers must comply with both.
- Some employees correctly 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 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.

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd

REV. 07/2016

FED

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 services.

- you ensure that your employer receives advance written or verbal notice of your service;
- you have five years of less cumulative service in the uniformed services while with that particular employer;
- you return to work to 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 return to the job and benefits you would have attained if you had not been absent due to military service. In some cases, a comparable job.

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

- you are a past or present member of the uniformed services;
- you have applied for membership in the uniformed services; or
- then an employer may not deny you:
 - initial employment;
 - reemployment;
 - retention in employment;
 - because of this status.
- you are obligated to serve in the uniformed services;
- promotion; or
- any benefit of employment

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: <http://www.dol.gov/eisaa/programs/userra/poster.htm>. 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 Employee Support of the Guard and Reserve - 1-800-338-4390

REV. 04/2017

FED

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 an employee to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take 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 (lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armed 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 content and length of the test. Examinees have a number of specific rights, including the right to a written notice before the test, 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.

DEPARTMENT OF LABOR UNITED STATES OF AMERICA **WHD** WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR 1-866-487-9243 TTY: 1-877-889-5627 www.dol.gov/whd WH1462

REV. 07/2016

PA

Department of Labor & Industry, Bureau of Labor Law Compliance

Minimum Wage Law Summary

Must be Posted in a Conspicuous Place in Every Pennsylvania Business Governed by the Minimum Wage Act

The Pennsylvania Minimum Wage Act establishes a fixed Minimum Wage for employees. It also sets forth compliance-related duties for the Department of Labor & Industry and for employers. In addition, the Minimum Wage Act provides penalties for noncompliance. This summary is for general information only and is not an official position formally adopted by the Department of Labor & Industry.

Overtime Rate:
Workers shall be paid 1 1/2 times their regular rate of pay after 40 hours worked in a workweek (Except as Described).

Minimum Wage Rate:
\$7.25 per hour
Effective July 24, 2009
(Except as Described)

Tipped Employees:
An employer may pay a minimum of \$2.83 per hour to an employee who makes \$30.00 per month in tips. The employer must make up the difference if the tips and \$2.83 do not meet the regular Pennsylvania minimum wage.

Keeping Records:
Every employer must maintain accurate records of each employee's earnings and hours worked, and provide access to Labor & Industry where warranted.

Penalties:
Failure to pay the legal minimum wage or other violations may result in payment of back wages and other civil or criminal penalties where warranted.

Exemptions:
Overtime applies to certain employment applications. (See below)

Special Allowances For:
Students, learners and people with disabilities, upon application only.

Exemptions from Both Minimum Wage and Overtime Rates

- Labor in a farm
- Domestic service in or about the private home of the employer
- Delivery of newspapers to the consumer
- Publication of weekly news-weekly or daily newspaper with a circulation of less than 4,000 when the work and mailing point of circulation is in the county where published or a bonding county
- Boat fee executive, administrative or professional capacity, including academic, administrative, personnel or teacher in public schools or in capacity of outside salesman. However, an employee of a retail or service establishment shall not be excluded from the definition of employee in a bona fide executive or administrative capacity because of the number of persons in the employer's work unit or closely related to the performance of executive, professional or administrative activities, if less than 40% of the employer's hours worked in the workweek are devoted to such activities.
- Education, charitable, religious, or nonprofit relationship where no employee/employer relationship exists and no employee is employed
- Golf caddy
- In seasonal employment, if the employee is under 18 years of age or if a student under 24 years of age is employed by a nonprofit health or welfare agency engaged in activities dealing with handicapped or exceptional children or a nonprofit day or residential care recreational camp for campers under the age of 18 years, which operates for a period of less than three months in any one year
- In employment by a public administrator or recreational establishment, organized camp, or religious or nonprofit educational conference center, if (i) it does not operate more than seven months a year or if, during the preceding calendar year, the average receipts for any six months were not more than \$10,000 in gross receipts for the other six months of such year
- Substantiated employees of an independently owned public telephone company which has no more than 750 stations
- Employees not subject to civil service laws who hold elective office or are on the personal staff of such an officer, an immediate adviser to the officer, or an appointee by the officer to do or serve on a policy making level

Allowances
Wages paid to any employee may include reasonable cost of board, lodging and other facilities. This may be considered as part of the minimum wage if the employee is notified of this condition and accepts it as a condition of employment at the time of hire or change of classification of the wages, including food credit plus tips, must equal the current minimum wage.

Board: Food furnished in the form of meals at an established schedule.

Lodging: Housing facility available for the personal use of the employee at all hours.

Reasonable Cost: exclusive of food, to the employer or to anyone affiliated with the employer.

Exceptions from Minimum Wage Rates

- Learners and students (Donna Rae High School or College), or individuals with a physical or mental deficiency or injury who are obtaining a Special Allowance from the Department of Labor & Industry, (651 Bush Street, Room 1301, Harrisburg, PA 17121-0750) may be paid 85% of the minimum wage as follows:
Learners: 40 hours a week. Maximum eight weeks.
Students: Up to 20 hours a week. Up to 40 hours a week during school vacation periods.
- Individuals with a physical or mental deficiency or injury who are obtaining a Special Allowance from the Department of Labor & Industry, (651 Bush Street, Room 1301, Harrisburg, PA 17121-0750), or a federal certificate obtained under Section 14(i) of the Fair Labor Standards Act from the U.S. Department of Labor.

For Questions/Complaints

Contact:	Counties Served:
Bureau of Labor Law Compliance Allentown District Office 1130 12th Avenue Suite 200 Allentown, PA 18101-3486 Phone: 814-940-6224 or 877-792-8198	Armstrong Berford Blair Cambria Cameron Centre Clinton Indiana Clearfield
Bureau of Labor Law Compliance Harrisburg District Office 651 Bush Street, Room 1301 Harrisburg, PA 17121-0750 Phone: 717-787-4271 or 800-932-0665	Elk Erie Fayette Forest Franklin Gardner Huntingdon Indiana Westmoreland
Bureau of Labor Law Compliance Philadelphia District Office 110 North 8th St. Suite 203 Philadelphia, PA 19107 Phone: 215-566-1858 or 877-817-9497	Bucks Chester Delaware Montgomery Philadelphia
Bureau of Labor Law Compliance Pittsburgh District Office 301 5th Avenue Suite 330 Pittsburgh, PA 15222 Phone: 412-565-5395 or 877-584-8354	Allegheny Beaver Butler Crawford
Bureau of Labor Law Compliance Scranton District Office 201 S State Bldg. 100 Lackawanna Avenue Scranton, PA 18503 Phone: 570-963-4577 or 877-214-3962	Adams Columbia Dauphin Franklin Northumberland
	Berks Lycoming Sullivan Susquehanna Toga Wayne Wilmington

More Information is Available Online
Additional information about the Minimum Wage Act is available online at: www.dli.state.pa.us. PA Keyword: Minimum Wage. From the Web site you can submit a complaint form. In accordance to frequently asked questions and read more about the Pennsylvania Wage Act.

Amateur, news editor, chief engineer of a radio or television station, the major studio of which is located in:

- City or town of 100,000 population or less, if it is not part of a standard metropolitan statistical area having a total population in excess of 100,000;
- City or town of 25,000 population or less, which is part of such an area but is at least 40 air miles from the principal city in the area

Any employee engaged in the processing of maple sap into sugar (other than refined sugar) or syrup
Employment by a motion picture theater

REV. 09/2016

FED

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any process under the FMLA.

ELIGIBILITY REQUIREMENTS
An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave; and
- Work at a location where the employer has at least 50 employees within 75 miles of the workplace.

"Special" hours service" requirements apply to airline flight crew employees.

REQUESTING LEAVE
Generally, employees must give 30-day advance notice of the need for FMLA leave. If it is not possible to give 30-day notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to have a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing the employer that the employee is or will be unable to perform his or her job functions, that a family member is unable to perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer of the need for leave if a job for which FMLA leave was previously taken or certified.

Benefits and Protections
While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

REV. 04/2017

FED

EMPLOYEE RIGHTS

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PROHIBITIONS
Employers are generally prohibited from requiring or requesting an employee to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take 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 (lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armed 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.

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ENFORCEMENT
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REV. 07/2016

PA

Department of Labor & Industry, Bureau of Labor Law Compliance

Abstract of the Equal Pay Law

Must be Posted in a Conspicuous Place in Every Pennsylvania Business Governed by the Equal Pay Law

Discrimination on Basis of Sex Prohibited:
Prohibits discrimination by an employer in place of employment between employees on the basis of sex, by paying wages to any employee at a rate less than the rate paid employees of the opposite sex for work under equal conditions on jobs which require equal skills. Provides that variation in payment of wages is not prohibited where based on a training, seniority, merit or increase system that does not discriminate on the basis of sex.

Administration:
Empowers the Secretary of Labor & Industry to administer the provisions of the act, and to issue rules and regulations to make effective the provisions of the act.

Collection of Unpaid Wages as Act of Discrimination:
Provides for the collection of unpaid wages due under the act and in addition, an equal amount of liquidated damages and reasonable attorneys' fees and costs. Authorizes the Secretary of Labor & Industry upon an employee's request, to take possession of such a wage claim for collection. Limits the period for such actions to two years from the date upon which the violation occurs.

Records Required:
Requires employer to keep and maintain records of wages, wage rates, job classifications and other terms and conditions of employment of the persons employed, as the Secretary of Labor & Industry shall prescribe. Requires that employers post and analyze of the law.

Penalties:
Provides for a fine of not less than \$50 nor more than \$200, or imprisonment of not less than 30 days nor more than 60 days, for: (1) Any employer who willfully and knowingly violates provisions of the act, or discharges or otherwise discriminates against an employee who makes a complaint, institutes, or testifies at, proceedings under the act, and (2) Any employer who fails to keep required records, fails to disclose records, hides, delays, or otherwise interferes with the Secretary or his authorized representative in the performance of his duties in the enforcement of the act. Each day a violation continues shall constitute a separate offense.

More Information is Available Online
Additional information about the Equal Pay Law is available online at: www.state.pa.us. PA Keyword: Labor & Industry. Equal Opportunity Employer/Program

REV. 02/2007

FED

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any process under the FMLA.

ELIGIBILITY REQUIREMENTS
An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave; and
- Work at a location where the employer has at least 50 employees within 75 miles of the workplace.

"Special" hours service" requirements apply to airline flight crew employees.

REQUESTING LEAVE
Generally, employees must give 30-day advance notice of the need for FMLA leave. If it is not possible to give 30-day notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to have a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing the employer that the employee is or will be unable to perform his or her job functions, that a family member is unable to perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer of the need for leave if a job for which FMLA leave was previously taken or certified.

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REV. 04/2017

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DEPARTMENT OF LABOR UNITED STATES OF AMERICA **WHD** WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR 1-866-487-9243 TTY: 1-877-889-5627 www.dol.gov/whd WH1462

REV. 07/2016

PA

Department of Labor & Industry, Bureau of Labor Law Compliance

Abstract of the Child Labor Act Hours Provisions

MUST BE POSTED IN A CONSPICUOUS PLACE WHERE ANY PERSON UNDER AGE 18 IS EMPLOYED

This summary is for general information, and is not to be considered in the same light as official statements contained in the Act or its regulations.

Minors under 16 must have a written statement by the minor's parent or guardian acknowledging the duties and hours of employment.

HOURS OF EMPLOYMENT—AGES 14 & 15**

DURING SCHOOL: Maximum three hours on school days, eight hours on any other day, and 18 hours per school week (Monday-Friday), and only at a time that does not interfere with school attendance. Plus eight additional hours on Saturdays and Sundays.

During School Vacations: Maximum eight hours day, 40 hours/week.

WORK TIME: Employment prohibited after 7 p.m. and before 7 a.m.

Exceptions: During school vacations, minors may be employed until 10 p.m. Minors at least age 17 may be employed in emergency delivery from 5 a.m. to 7 p.m., except during school vacation, then until 9 p.m. Members of volunteer fire companies may participate in training and firefighting activities until 10 p.m., with written parental consent.

HOURS OF EMPLOYMENT—AGES 16 & 17**

DURING SCHOOL: Maximum eight hours a day and 28 hours per school week (Monday-Friday). Plus eight additional hours on Saturdays and Sundays.

During School Vacations: Maximum 40 hours/week; 10 hours/day; a minor may refuse any request to work greater than 40 hours/week.

WORK TIME: Employment prohibited before 6 a.m. and after 12 a.m.

Exceptions: During school vacations, minors may be employed until 11 p.m. Members of volunteer fire companies may continue serving in an active role until 10 p.m. on days when they are not on duty.

**EXCEPT: Minors who have graduated from high school or who are exempt from compulsory attendance under the Public School Code are not subject to the Act's hours and work time restrictions.

Special rules apply to young athletes, 16 and 17 years of age, employed during a school vacation as a counselor by a summer resident camp operated by a religious or scout organization.

MAXIMUM EMPLOYMENT: NOT MORE THAN SIX CONSECUTIVE DAYS (except newspaper delivery).

30 MINUTE MEAL PERIOD REQUIRED ON OR BEFORE FIVE CONSECUTIVE HOURS OF WORK. For further information on the Child Labor Act, please consult the Department of Labor & Industry's website at www.dli.state.pa.us and click on "Labor Law Compliance."

Address: inquires and complaints to one of the offices of the Bureau of Labor Law Compliance:

Allegheny District Office 1130 12th Ave. Suite 200 Allentown, PA 18101 814-940-6224 or 877-792-8198	Pittsburgh District Office 301 5th Ave. Suite 330 Pittsburgh, PA 15222 412-565-5395 or 877-584-8354
Harrisburg District Office 1301 Labor & Industry Building 651 Bush St. Harrisburg, PA 17121 717-787-4671 or 800-932-0665	Scranton District Office 201 S State Office Building 100 Lackawanna Ave. Scranton, PA 18503 570-963-4577 or 877-214-3962
Philadelphia District Office 110 North 8th St. Suite 203 Philadelphia, PA 19107 215-566-1858 or 877-817-9497	

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Philadelphia District Office 110 North 8th St. Suite 203 Philadelphia, PA 19107 215-566-1858 or 877-817-9497	

For further information on the Child Labor Act, please consult the Department of Labor & Industry's website at www.dli.state.pa.us and click on "Labor Law Compliance."

Address: inquires and complaints to one of the offices of the Bureau of Labor Law Compliance:

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Allegheny District Office 113
