



**KNOW YOUR RIGHTS IN THE WORKPLACE**

**WEST VIRGINIA & FEDERAL  
PRINTABLE LABOR LAWS**

WV-1024-F04

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

 **LaborLawCenter.com**

# H.B. 4140 MEAL BREAKS



## ENROLLED - H.B. 4140

(By Delegate S. Cook) - (Passed March 11, 1994; in effect ninety days from passage)

AN ACT to amend three, chapter twenty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section ten-a, relating to the safety and welfare of employees; and establishing a guaranteed meal break for all employees. *Be it enacted by the Legislature of West Virginia: That article three, chapter twenty-one of the code of west Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section ten-a, to read as follows:*

**ARTICLE 3. SAFETY  
AND WELFARE OF EMPLOYEES  
§21310a Meal Breaks.**

During the course of a workday of six or more hours. All employers shall make available at least twenty minutes for meal breaks, at times reasonably designated by the employer. This provision shall be required in all situations where employees are not afforded necessary breaks and/or permitted to eat while working.

**TITLE 42, SERIES 8: MINIMUM WAGE AND MAXIMUM HOUR STANDARDS  
§4289.9 Rest Periods:** Rest Periods of short duration, running from (5) to (20) minutes, must be counted as hours worked.

**TITLE 42, SERIES 5: WAGE PAYMENT AND COLLECTION ACT  
§4252 Definitions 2.6**

“Break Periods and/or Rest Periods” means when authorized by an employer, break periods and/or rest periods which do not exceed (20) minutes duration must be counted as hours worked.

**ARTICLE 6: CHILD LABOR LAW  
§ 2167 Hours and days of labor by minors.**

*No child under the age of sixteen years shall be employed or permitted to work for more than five hours continuously without an interval of at least thirty minutes for a lunch period, and no period of less than thirty minutes shall, for the purposes of this section, be deemed to interrupt a continuous period of work.*

Revised 10/07

# WHISTLE BLOWERS' PROTECTION ACT

## NOTICE: WEST VIRGINIA WHISTLE-BLOWER LAW

The West Virginia Whistle-blower Law protects public employees against discharge, discrimination, or retaliation when they, in good faith, report any instances of

### WASTE

Substantial abuse, misuse, destruction,  
or loss of public funds or resources  
designed to protect the public interest

### WRONGDOING

Non-technical violations of any statute,  
regulation, ordinance, or code of ethics

W. Va. Code § 6C-1-1

To report any instance of waste or wrongdoing, as defined above, contact the appropriate supervisory personnel in your office or agency, or other appropriate official. Published and distributed by the West Virginia Division of Personnel;

Revised November 2003

# WAGE PAYMENT AND COLLECTION ACT

## WEST VIRGINIA DIVISION OF LABOR



1900 Kanawha Boulevard East - State Capitol Complex – Building 3, Room 200 - Charleston, WV 25305

Telephone: (304)558-7890

[labor.wv.gov](http://labor.wv.gov)

Fax: (304)558-3797

## WEST VIRGINIA WAGE PAYMENT AND COLLECTION ACT

**This abstract must be placed in an area accessible to all employees in accordance with the requirements of W. Va. Code §21-5-9.**

### **§21-5 REQUIRES THE EMPLOYER TO:**

Pay employee wages at least twice a month, with no more than 19 days between paydays.

Compensate employees for services rendered by cash, check, direct deposit, or money order, and make arrangements with a bank convenient to the place of employment for employees to have immediate access to their wages.

When an employee is discharged, quits, resigns, is laid off, or is on strike, pay the employee on or before the next regularly scheduled payday for all work he or she performed prior to his or her separation from employment.

On separation from employment, pay an employee the fringe benefits due and payable according to the time, terms, and conditions of an employer-employee agreement, whether verbal or written, if any.

Notify employees in writing at the time of hire, or by a posted notice that is accessible to all employees, identifying the employer's established work week, pay periods, regularly scheduled pay days, and employment practices and policies regarding vacation, sick leave and other fringe benefits, if any.

Provide employees with at least 1 full pay period's written notice before making any changes to an employee's rate of pay, fringe benefits, the time and place for meeting payroll, or any other existing terms or conditions of employment.

Furnish each employee with a written itemized statement of deductions withheld from his or her wages each pay period.

### **§21-5 PREVENTS THE EMPLOYER FROM:**

Selling goods or supplies to employees at prices higher than the current market value.

Deducting more than 25% of an employee's net earnings under a wage assignment (excluding amounts required by law to be withheld or paid for union or club dues, pension plans, payroll savings plans, credit unions, charities, and hospitalization and medical insurance).

Accepting a wage assignment that does not contain the employee's notarized signature, specify the total amount due and the amount to be deducted, and state that 75% of the employee's net wages are exempt from assignment.

Refusing to pay wages owed, up to \$800.00, to the relatives of a deceased employee.

Revised January 2018

# WEST VIRGINIA MINIMUM WAGE

## WEST VIRGINIA DIVISION OF LABOR



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## MINIMUM WAGE REQUIREMENTS

An employer employing 6 or more employees in any one separate, distinct and permanent location during any calendar week, including the State of West Virginia, and its agencies and departments, must comply with the state minimum wage law, §21-5C.

### Required Minimum Wage Rate

- Beginning January 1, 2016, employers must pay employees at least \$8.75 per hour.

### Required Minimum Training Wage Rate

- An employer may pay an employee under the age of 20 years, first hired on or after January 1, 2015, a training wage of at least \$6.40 per hour for the first 90 days of employment.
- Beginning with the 91<sup>st</sup> day of employment, an employer must pay the employee the required minimum wage rate.

### Permissible Minimum Wage Credit for Tipped Employees

- Beginning January 1, 2016, employers may take up to a 70% credit, or \$6.13 per hour, against the required minimum wage rate for employees who customarily receive tips, resulting in a reduced hourly wage rate of at least \$2.62 per hour.
- To qualify for the credit, employers must ensure that the employees' tips and the reduced hourly wage rate equal at least the required minimum wage rate and must keep accurate records of employees' tips.

Revised January 2018

# DISCRIMINATION



## NOTICE

### THE WEST VIRGINIA HUMAN RIGHTS ACT

**Prohibits Discrimination in Employment and Places of Public Accommodations Based On:**  
Race, Religion, Color, National Origin, Ancestry, Sex, Age (40 or above), Blindness , or Disability

### THE WEST VIRGINIA FAIR HOUSING ACT

**Prohibits Discrimination in Housing Based On:**  
Race, Religion, Color, National Origin, Ancestry, Sex, Blindness, Disability , Familial Status

### THE WEST VIRGINIA PREGNANT WORKERS' FAIRNESS ACT

**Prohibits Discrimination in Employment Based On:**  
Pregnancy , Childbirth or Related Medical Conditions

For Further Information or to File a Complaint, Visit, Call or Write to the WV Human Rights Commission at:

WV Human Rights Commission  
Room 108 A, 1321 Plaza East  
Charleston, WV 25301-1400

Phone:  
304-558-2616  
(Toll Free) 888-676-5546

Website:  
[www.hrc.wv.gov](http://www.hrc.wv.gov)

*Revised 06/14/2016*

# WORKERS' COMPENSATION



## NOTICE TO EMPLOYEES

You are entitled to medical benefits and possibly wage replacement benefits in the event of an occupational injury or disease arising out of employment. When a traumatic injury or death occurs or an occupational disease is contracted in the course of your employment, you must notify your employer immediately. Failure to immediately give notice to your employer of the injury shall weigh against a finding of compensability and will dilute the credibility and reliability of your claim. Notice provided to your employer within two (2) working days of the injury shall be deemed immediate notice. You are responsible for filing the application for workers' compensation benefits within six months from the date of injury. The time limit on occupational pneumoconiosis and disease claims is three years from the date of last exposure. The time limit to file fatal occupational pneumoconiosis/occupational disease claims is one year. For a traumatic death, the claim must be filed within six months of death.

If you are currently receiving Permanent Total Disability benefits, you are hereby notified that it is your responsibility to inform the Workers' Compensation Commission, P. O. Box 431, Charleston, West Virginia 25322-0431, of your employment. In accordance with Section 23-4-25 of the Workers' Compensation statute, your Permanent Total Disability benefits shall be offset as long as you are employed. It is a criminal offense to file a false claim or to furnish false information in support of a claim.

Bureau of Employment Program - Charleston, West Virginia 25301

WC-E761 - Rev. 6-05

# WEST VIRGINIA FAMILY LEAVE ACT

## WEST VIRGINIA DIVISION OF LABOR



1900 Kanawha Boulevard East - State Capitol Complex – Building 3, Room 200 - Charleston, WV 25305

Telephone: (304)558-7890

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## PARENTAL LEAVE ACT

**PARENTAL LEAVE ACT** – (W. Va. Code §21-5D-1, et. seq.). This legislation, enacted in 1989, covers employees of all departments, divisions, boards, bureaus, agencies, commissions or other units of State Government and County Boards of Education.

Under this law, an employee shall be entitled to a total of 12 weeks of unpaid *Parental Leave* following the exhaustion of all his or her annual and personal leave, during any 12-month period. The unpaid leave shall be granted to an employee for any of the following reasons:

- The birth of a son or daughter of the employee
- The placement of a son or daughter with the employee for adoption
- To care for the employee's son or daughter, spouse, parent, or dependent who has a serious health condition

The statute further states that in the case of a serious health condition, the leave may be taken intermittently when medically necessary.

If a leave of absence due to the birth or adoption of a child is foreseeable, the employee shall provide the employer with a two weeks written notice. If a leave of absence is foreseeable due to planned medical treatment or medical supervision, the employee shall make a reasonable effort to schedule the leave of absence so as not to disrupt the operations of the employer, subject to the approval of the health care provider.

If an employee requests *Parental Leave* to care for a family member with a serious health condition, the employer may require the employee to provide certification by a health care provider of the family member's health condition and that the employee's assistance is necessary. The certification shall be sufficient if it contains the following:

- That the child, dependent, parent, or employee has a serious health condition
- The date the serious health condition commenced and its probable duration
- The medical facts regarding the serious health condition, upon release by the patient

The position held by an employee immediately before the leave of absence shall be held and the employee shall be returned to that position upon his or her return to work. However, the employer may hire a temporary employee to fill the position for the period of time the employee is off work.

No employer may, because an employee received *Parental Leave*, reduce or deny any employment benefit or seniority which accrued to the employee before his or her leave commenced.

Revised January 2018



# CHILD LABOR LAWS

## AGE SPECIFIC GUIDELINES FOR THE EMPLOYMENT OF CHILDREN IN WEST VIRGINIA

### 13 year olds may

- Baby sit
- Engage in agricultural activities
- Deliver Newspapers
- Be an actor or performer
- Work for parents in their solely owned business

No permits required \*excluded hazardous occupations

### Employment Requirements for 14 & 15 year olds Work Permit Required

Entitled to a 30 minute lunch after five hours of work

Work restricted to non hazardous occupations

Prohibited from working in a bar or other establishment where the primary business activity involves selling, dispensing or serving alcohol

### Work Hours Limited

#### WHILE SCHOOL IS IN SESSION

May not work:

- more than 3 hrs per day
- more than 18 hrs per week
- before 7:00 am or after 7:00 pm (without supervision permit)
- during normal school hours

### SUMMER EMPLOYMENT

May not work:

- more than 8 hrs per day
- more than 40 hrs per week
- before 7:00 am or after 9:00 pm (without supervision permit)

Home schooled children are also restricted from working during normal school hours.

### 16 & 17 year olds

#### Age certificates may be required by employer, Not a requirement of law

- an age certificate may be required by the employer as proof of age
- work hours unrestricted
- may participate in volunteer fire activities
- may participate in fighting forest fires (as part of junior forest fire crew)
- prohibited from working in a bar or other establishment where the primary business activity involves the selling, dispensing or serving of alcohol
- may not drive a motor vehicle as a principal part of their employment or for delivery purposes
- work limited to age appropriate non hazardous occupations (as determined by the Commissioner of Labor)

**For additional information contact: The West Virginia Division of Labor  
Capitol Complex Building 6, Room 749B, Charleston, WV 25305 • (304) 558-7890**

Revised 10/07

# UNEMPLOYMENT COMPENSATION

## WORKFORCE West Virginia

### Notice To Employees – Unemployment Benefits

#### **TOTAL UNEMPLOYMENT**

You are considered totally unemployed during any week in which you are totally separated from your employment, performing no services for which wages or other remuneration were paid to you. You must file your initial claim for total unemployment in person. Since a claim for unemployment compensation is effective the Sunday of the week in which it is filed, you should file your claim immediately after you are separated from your employment. You will be instructed on filing your continued claim. Your options for filing continued claims will include telephone or web filing.

#### **PARTIAL UNEMPLOYMENT**

You would be considered partially unemployed if you have been working full-time, but due to business being slow, a breakdown of equipment, or similar reasons, your employer has to reduce your hours during the week. You may be entitled to partial unemployment benefits during this week if you earned less than what your weekly unemployment benefit amount would be plus \$60. Under these conditions, your employer should issue a Low Earnings Report for the week, showing your gross wages. You must complete the claims portion of the Low Earnings Report and file it with the local unemployment office as directed on the form.

#### **ELIGIBILITY REQUIREMENTS**

To be monetarily eligible to receive unemployment benefits you must have earned \$2200 gross wages in covered employment during two or more calendar quarters of your regular base period (first four of the last five completed calendar quarters) or alternative base period (the last four quarters immediately preceding the first day of the individual's benefit year).

#### **ELIGIBILITY REQUIREMENTS - OTHER**

If you are unemployed, you shall be eligible to receive benefits only if:

- You have made a claim for benefits at a local unemployment office.
- You have registered for work with the Job Service Office and continue to report as directed.
- You are able to work and available for full-time work for which you are fitted by prior training or experience.
- You are actively seeking full-time work by completing four (4) work search activities each week.
- You are documenting and retaining proof of your four (4) work search activities and

providing them to WorkForce WV upon request by the agency.

- You have filed for and served a waiting period of one week during your benefit year.
- You have earned gross wages of less than your weekly benefit amount plus \$60 during the week for which you claim benefits.
- You requalify on a new claim when you had a previous benefit year (must have earned eight times your old weekly benefit amount in covered employment after the beginning of your previous claim).
- You must participate in profiling and reemployment services when selected.

#### **DISQUALIFICATIONS**

**You may be disqualified from drawing benefits:**

1. If you leave work voluntarily without good cause involving fault on the part of your employer.
2. If you are discharged for misconduct.
3. If you fail without good cause to apply for available suitable work, to accept suitable work when offered, or to return to your customary selfemployment when directed to do so.
4. If you are unemployed due to a labor dispute.
5. For the week for which you receive wages in lieu of notice or Workers' Compensation for temporary total disability.
6. For the week for which you receive unemployment compensation under the laws of another state or of the United States.
7. For any week you are training, participating, or preparing to participate in sports or athletic events if there is reasonable assurance you will perform such services in the current or upcoming seasons.
8. If you are an employee of an educational institution or educational service agency, for any week of unemployment which commences during: a paid sabbatical leave; a holiday or vacation period between two academic years or terms, if you perform services in the first academic year or term or prior to the beginning of a holiday or vacation period and there is a contract or a reasonable assurance that you will perform services in the second academic year or term or after a holiday or vacation period. (EXCEPTION: If you have sufficient nonschool wages in your base period to qualify for benefits based upon the non-school wages only, you may be entitled to benefits during this period.)
9. For any week on the basis of services performed

as an alien, unless you are lawfully residing in the United States and have a valid permit to work.

10. If you leave work voluntarily to attend school or other educational institution, or are waiting to enter school or an educational institution.
11. For each week in which you are unemployed because of your request or that of your duly-authorized agent for a vacation at a specified time that leaves your employer no other alternative but to suspend operations.
12. For the week in which you receive any annuity, pension, or other retirement pay from a base period employer, or from a fund towards which a base period employer has contributed. If your remuneration is less than the unemployment benefits otherwise due you, your unemployment benefits will be reduced by the amount of your annuity, pension, etc.
13. For each week in which and for 52 weeks thereafter, if the commissioner finds that you, within the preceding 24 months, knowingly made a false statement or failed to reveal a material fact in order to obtain or increase or attempt to obtain or increase a benefit; and you shall be considered guilty of a misdemeanor and may be subject to severe penalties.

**Neither the full effect nor the duration of a disqualification is given here in detail.**

#### **SOCIAL SECURITY NUMBER**

Bring your Social Security Card with you when you report to the local office. Your Social Security Number will only be printed on the most pertinent documents.

#### **VOLUNTARY INCOME TAX WITHHOLDING PROGRAM**

Unemployment compensation benefits are subject to Federal and State income tax and there are requirements relating to estimated tax payments. You may choose to have Federal and State income tax deducted and withheld from any unemployment benefits paid to you.

#### **CLAIMS OFFICES**

These **FULL-TIME CLAIMS OFFICES** are operated Monday through Friday each week:

BECKLEY	HUNTINGTON	SOUTH BRANCH
CHARLESTON	LOGAN	SUMMERSVILLE
CLARKSBURG	MARTINSBURG	WEIRTON
ELKINS	MERCER	WELCH
FAIRMONT	COUNTY	WHEELING
GREENBRIER	MORGANTOWN	
VALLEY	PARKERSBURG	

# UNEMPLOYMENT COMPENSATION

## Unemployment Compensation Benefit Rate Table

Wage Class	Wages in Base Period	Weekly Benefit Rate	Maximum Benefit Rate	Wage Class	Wages in Base Period	Weekly Benefit Rate	Maximum Benefit Rate	Wage Class	Wages in Base Period	Weekly Benefit Rate	Maximum Benefit Rate
	Under \$2,200	ineligible		135	22,300.00 - 22,449.99	236.00	6,136.00	270	42,550.00 - 42,699.99	450.00	11,700.00
1	\$2,200.00 - 2,349.99	24.00	624.00	136	22,450.00 - 22,599.99	238.00	6,188.00	271	42,700.00 - 42,849.99	452.00	11,752.00
2	2,350.00 - 2,499.99	25.00	650.00	137	22,600.00 - 22,749.99	239.00	6,214.00	272	42,850.00 - 42,999.99	454.00	11,804.00
3	2,500.00 - 2,649.99	27.00	702.00	138	22,750.00 - 22,899.99	241.00	6,266.00	273	43,000.00 - 43,149.99	455.00	11,830.00
4	2,650.00 - 2,799.99	28.00	728.00	139	22,900.00 - 23,049.99	243.00	6,318.00	274	43,150.00 - 43,299.99	457.00	11,882.00
5	2,800.00 - 2,949.99	30.00	780.00	140	23,050.00 - 23,199.99	244.00	6,344.00	275	43,300.00 - 43,449.99	458.00	11,908.00
6	2,950.00 - 3,099.99	31.00	806.00	141	23,200.00 - 23,349.99	246.00	6,396.00	276	43,450.00 - 43,599.99	460.00	11,960.00
7	3,100.00 - 3,249.99	33.00	858.00	142	23,350.00 - 23,499.99	247.00	6,422.00	277	43,600.00 - 43,749.99	461.00	11,986.00
8	3,250.00 - 3,399.99	35.00	910.00	143	23,500.00 - 23,649.99	249.00	6,474.00	278	43,750.00 - 43,899.99	463.00	12,038.00
9	3,400.00 - 3,549.99	36.00	936.00	144	23,650.00 - 23,799.99	250.00	6,500.00	279	43,900.00 - 44,049.99	465.00	12,090.00
10	3,550.00 - 3,699.99	38.00	988.00	145	23,800.00 - 23,949.99	252.00	6,552.00	280	44,050.00 - 44,199.99	466.00	12,116.00
11	3,700.00 - 3,849.99	39.00	1,014.00	146	23,950.00 - 24,099.99	254.00	6,604.00	281	44,200.00 - 44,349.99	468.00	12,168.00
12	3,850.00 - 3,999.99	41.00	1,066.00	147	24,100.00 - 24,249.99	255.00	6,630.00	282	44,350.00 - 44,499.99	469.00	12,194.00
13	4,000.00 - 4,149.99	43.00	1,118.00	148	24,250.00 - 24,399.99	257.00	6,682.00	283	44,500.00 - 44,649.99	471.00	12,246.00
14	4,150.00 - 4,299.99	44.00	1,144.00	149	24,400.00 - 24,549.99	258.00	6,708.00	284	44,650.00 - 44,799.99	473.00	12,298.00
15	4,300.00 - 4,449.99	46.00	1,196.00	150	24,550.00 - 24,699.99	260.00	6,760.00	285	44,800.00 - 44,949.99	474.00	12,324.00
16	4,450.00 - 4,599.99	47.00	1,222.00	151	24,700.00 - 24,849.99	262.00	6,812.00	286	44,950.00 - 45,099.99	476.00	12,376.00
17	4,600.00 - 4,749.99	49.00	1,274.00	152	24,850.00 - 24,999.99	263.00	6,838.00	287	45,100.00 - 45,249.99	477.00	12,402.00
18	4,750.00 - 4,899.99	51.00	1,326.00	153	25,000.00 - 25,149.99	265.00	6,890.00	288	45,250.00 - 45,399.99	479.00	12,402.00
19	4,900.00 - 5,049.99	52.00	1,352.00	154	25,150.00 - 25,299.99	266.00	6,916.00	289	45,400.00 - 45,549.99	480.00	12,480.00
20	5,050.00 - 5,199.99	54.00	1,404.00	155	25,300.00 - 25,449.99	268.00	6,968.00	290	45,550.00 - 45,699.99	482.00	12,532.00
21	5,200.00 - 5,349.99	55.00	1,430.00	156	25,450.00 - 25,599.99	269.00	6,994.00	291	45,700.00 - 45,849.99	484.00	12,584.00
22	5,350.00 - 5,499.99	57.00	1,482.00	157	25,600.00 - 25,749.99	271.00	7,046.00	292	45,850.00 - 45,999.99	485.00	12,610.00
23	5,500.00 - 5,649.99	58.00	1,508.00	158	25,750.00 - 25,899.99	273.00	7,098.00	293	46,000.00 - 46,149.99	487.00	12,662.00
24	5,650.00 - 5,799.99	60.00	1,560.00	159	25,900.00 - 26,049.99	274.00	7,124.00	294	46,150.00 - 46,299.99	488.00	12,688.00
25	5,800.00 - 5,949.99	62.00	1,612.00	160	26,050.00 - 26,199.99	276.00	7,176.00	295	46,300.00 - 46,449.99	490.00	12,740.00
26	5,950.00 - 6,099.99	63.00	1,638.00	161	26,200.00 - 26,349.99	277.00	7,202.00	296	46,450.00 - 46,599.99	492.00	12,792.00
27	6,100.00 - 6,249.99	65.00	1,690.00	162	26,350.00 - 26,499.99	279.00	7,254.00	297	46,600.00 - 46,749.99	493.00	12,818.00
28	6,250.00 - 6,399.99	66.00	1,716.00	163	26,500.00 - 26,649.99	281.00	7,306.00	298	46,750.00 - 46,899.99	495.00	12,870.00
29	6,400.00 - 6,549.99	68.00	1,768.00	164	26,650.00 - 26,799.99	282.00	7,332.00	299	46,900.00 - 47,049.99	496.00	12,896.00
30	6,550.00 - 6,699.99	70.00	1,820.00	165	26,800.00 - 26,949.99	284.00	7,384.00	300	47,050.00 - 47,199.99	498.00	12,948.00
31	6,700.00 - 6,849.99	71.00	1,846.00	166	26,950.00 - 27,099.99	285.00	7,410.00	301	47,200.00 - 47,349.99	500.00	13,000.00
32	6,850.00 - 6,999.99	73.00	1,898.00	167	27,100.00 - 27,249.99	287.00	7,462.00	302	47,350.00 - 47,499.99	501.00	13,026.00
33	7,000.00 - 7,149.99	74.00	1,924.00	168	27,250.00 - 27,399.99	289.00	7,514.00	303	47,500.00 - 47,649.99	503.00	13,078.00
34	7,150.00 - 7,299.99	76.00	1,976.00	169	27,400.00 - 27,549.99	290.00	7,540.00	304	47,650.00 - 47,799.99	504.00	13,104.00
35	7,300.00 - 7,449.99	78.00	2,028.00	170	27,550.00 - 27,699.99	292.00	7,592.00	305	47,800.00 - 47,949.99	506.00	13,156.00
36	7,450.00 - 7,599.99	79.00	2,054.00	171	27,700.00 - 27,849.99	293.00	7,618.00	306	47,950.00 - 48,099.99	507.00	13,182.00
37	7,600.00 - 7,749.99	81.00	2,106.00	172	27,850.00 - 27,999.99	295.00	7,670.00	307	48,100.00 - 48,249.99	509.00	13,234.00
38	7,750.00 - 7,899.99	82.00	2,132.00	173	28,000.00 - 28,149.99	296.00	7,696.00	308	48,250.00 - 48,399.99	511.00	13,286.00
39	7,900.00 - 8,049.99	84.00	2,184.00	174	28,150.00 - 28,299.99	298.00	7,748.00	309	48,400.00 - 48,549.99	512.00	13,312.00
40	8,050.00 - 8,199.99	85.00	2,210.00	175	28,300.00 - 28,449.99	300.00	7,800.00	310	48,550.00 - 48,699.99	514.00	13,364.00
41	8,200.00 - 8,349.99	87.00	2,262.00	176	28,450.00 - 28,599.99	301.00	7,826.00	311	48,700.00 - 48,849.99	515.00	13,390.00
42	8,350.00 - 8,499.99	89.00	2,314.00	177	28,600.00 - 28,749.99	303.00	7,878.00	312	48,850.00 - 48,999.99	517.00	13,442.00
43	8,500.00 - 8,649.99	90.00	2,340.00	178	28,750.00 - 28,899.99	304.00	7,904.00	313	49,000.00 - 49,149.99	519.00	13,494.00
44	8,650.00 - 8,799.99	92.00	2,392.00	179	28,900.00 - 29,049.99	306.00	7,956.00	314	49,150.00 - 49,299.99	520.00	13,520.00
45	8,800.00 - 8,949.99	93.00	2,418.00	180	29,050.00 - 29,199.99	308.00	8,008.00	315	49,300.00 - 49,449.99	522.00	13,572.00
46	8,950.00 - 9,099.99	95.00	2,470.00	181	29,200.00 - 29,349.99	309.00	8,034.00	316	49,450.00 - 49,599.99	523.00	13,598.00
47	9,100.00 - 9,249.99	97.00	2,522.00	182	29,350.00 - 29,499.99	311.00	8,086.00	317	49,600.00 - 49,749.99	525.00	13,650.00
48	9,250.00 - 9,399.99	98.00	2,548.00	183	29,500.00 - 29,649.99	312.00	8,112.00	318	49,750.00 - 49,899.99	526.00	13,676.00
49	9,400.00 - 9,549.99	100.00	2,600.00	184	29,650.00 - 29,799.99	314.00	8,164.00	319	49,900.00 - 50,049.99	528.00	13,728.00
50	9,550.00 - 9,699.99	101.00	2,626.00	185	29,800.00 - 29,949.99	315.00	8,190.00	320	50,050.00 - 50,199.99	530.00	13,780.00
51	9,700.00 - 9,849.99	103.00	2,678.00	186	29,950.00 - 30,099.99	317.00	8,242.00	321	50,200.00 - 50,349.99	531.00	13,806.00
52	9,850.00 - 9,999.99	104.00	2,704.00	187	30,100.00 - 30,249.99	319.00	8,294.00	322	50,350.00 - 50,499.99	533.00	13,858.00
53	10,000.00 - 10,149.99	106.00	2,756.00	188	30,250.00 - 30,399.99	320.00	8,320.00	323	50,500.00 - 50,649.99	534.00	13,884.00
54	10,150.00 - 10,299.99	108.00	2,808.00	189	30,400.00 - 30,549.99	322.00	8,372.00	324	50,650.00 - 50,799.99	536.00	13,936.00
55	10,300.00 - 10,449.99	109.00	2,834.00	190	30,550.00 - 30,699.99	323.00	8,398.00	325	50,800.00 - 50,949.99	538.00	13,988.00
56	10,450.00 - 10,599.99	111.00	2,886.00	191	30,700.00 - 30,849.99	325.00	8,450.00	326	50,950.00 - 51,099.99	539.00	14,014.00
57	10,600.00 - 10,749.99	112.00	2,912.00	192	30,850.00 - 30,999.99	327.00	8,502.00	327	51,100.00 - 51,249.99	541.00	14,066.00
58	10,750.00 - 10,899.99	114.00	2,964.00	193	31,000.00 - 31,149.99	328.00	8,528.00	328	51,250.00 - 51,399.99	542.00	14,092.00
59	10,900.00 - 11,049.99	116.00	3,016.00	194	31,150.00 - 31,299.99	330.00	8,580.00	329	51,400.00 - 51,549.99	544.00	14,144.00
60	11,050.00 - 11,199.99	117.00	3,042.00	195	31,300.00 - 31,449.99	331.00	8,606.00	330	51,550.00 - 51,699.99	546.00	14,196.00
61	11,200.00 - 11,349.99	119.00	3,094.00	196	31,450.00 - 31,599.99	333.00	8,658.00	331	51,700.00 - 51,849.99	547.00	14,222.00
62	11,350.00 - 11,499.99	120.00	3,120.00	197	31,600.00 - 31,749.99	335.00	8,710.00	332	51,850.00 - 51,999.99	549.00	14,274.00
63	11,500.00 - 11,649.99	122.00	3,172.00	198	31,750.00 - 31,899.99	336.00	8,736.00	333	52,000.00 - 52,149.99	550.00	14,300.00
64	11,650.00 - 11,799.99	124.00	3,224.00	199	31,900.00 - 32,049.99	338.00	8,788.00	334	52,150.00 - 52,299.99	552.00	14,

# UNEMPLOYMENT COMPENSATION

68	12,250.00 - 12,399.99	130.00	3,380.00	203	32,500.00 - 32,649.99	344.00	8,944.00	338	52,750.00 - 52,899.99	558.00	14,508.00
69	12,400.00 - 12,549.99	131.00	3,406.00	204	32,650.00 - 32,799.99	346.00	8,996.00	339	52,900.00 - 53,049.99	560.00	14,560.00
70	12,550.00 - 12,699.99	133.00	3,458.00	205	32,800.00 - 32,949.99	347.00	9,022.00	340	53,050.00 - 53,199.99	561.00	14,586.00
71	12,700.00 - 12,849.99	135.00	3,510.00	206	32,950.00 - 33,099.99	349.00	9,074.00	341	53,200.00 - 53,349.99	563.00	14,638.00
72	12,850.00 - 12,999.99	136.00	3,536.00	207	33,100.00 - 33,249.99	350.00	9,100.00	342	53,350.00 - 53,499.99	565.00	14,690.00
73	13,000.00 - 13,149.99	138.00	3,588.00	208	33,250.00 - 33,399.99	352.00	9,152.00	343	53,500.00 - 53,649.99	566.00	14,716.00
74	13,150.00 - 13,299.99	139.00	3,614.00	209	33,400.00 - 33,549.99	354.00	9,204.00	344	53,650.00 - 53,799.99	568.00	14,768.00
75	13,300.00 - 13,449.99	141.00	3,666.00	210	33,550.00 - 33,699.99	355.00	9,230.00	345	53,800.00 - 53,949.99	569.00	14,794.00
76	13,450.00 - 13,599.99	143.00	3,718.00	211	33,700.00 - 33,849.99	357.00	9,282.00	346	53,950.00 - 54,099.99	571.00	14,846.00
77	13,600.00 - 13,749.99	144.00	3,744.00	212	33,850.00 - 33,999.99	358.00	9,308.00	347	54,100.00 - 54,249.99	573.00	14,898.00
78	13,750.00 - 13,899.99	146.00	3,796.00	213	34,000.00 - 34,149.99	360.00	9,360.00	348	54,250.00 - 54,399.99	574.00	14,924.00
79	13,900.00 - 14,049.99	147.00	3,822.00	214	34,150.00 - 34,299.99	361.00	9,386.00	349	54,400.00 - 54,549.99	576.00	14,976.00
80	14,050.00 - 14,199.99	149.00	3,874.00	215	34,300.00 - 34,449.99	363.00	9,438.00	350	54,550.00 - 54,699.99	577.00	15,002.00
81	14,200.00 - 14,349.99	150.00	3,900.00	216	34,450.00 - 34,599.99	365.00	9,490.00	351	54,700.00 - 54,849.99	579.00	15,054.00
82	14,350.00 - 14,499.99	152.00	3,952.00	217	34,600.00 - 34,749.99	366.00	9,516.00	352	54,850.00 - 54,999.99	580.00	15,080.00
83	14,500.00 - 14,649.99	154.00	4,004.00	218	34,750.00 - 34,899.99	368.00	9,568.00	353	55,000.00 - 55,149.99	582.00	15,132.00
84	14,650.00 - 14,799.99	155.00	4,030.00	219	34,900.00 - 35,049.99	369.00	9,594.00	354	55,150.00 - 55,299.99	584.00	15,184.00
85	14,800.00 - 14,949.99	157.00	4,082.00	220	35,050.00 - 35,199.99	371.00	9,646.00	355	55,300.00 - 55,449.99	585.00	15,210.00
86	14,950.00 - 15,099.99	158.00	4,108.00	221	35,200.00 - 35,349.99	373.00	9,698.00	356	55,450.00 - 55,599.99	587.00	15,262.00
87	15,100.00 - 15,249.99	160.00	4,160.00	222	35,350.00 - 35,499.99	374.00	9,724.00	357	55,600.00 - 55,749.99	588.00	15,288.00
88	15,250.00 - 15,399.99	162.00	4,212.00	223	35,500.00 - 35,649.99	376.00	9,776.00	358	55,750.00 - 55,899.99	590.00	15,340.00
89	15,400.00 - 15,549.99	163.00	4,238.00	224	35,650.00 - 35,799.99	377.00	9,802.00	359	55,900.00 - 56,049.99	592.00	15,392.00
90	15,550.00 - 15,699.99	165.00	4,290.00	225	35,800.00 - 35,949.99	379.00	9,854.00	360	56,050.00 - 56,199.99	593.00	15,418.00
91	15,700.00 - 15,849.99	166.00	4,316.00	226	35,950.00 - 36,099.99	381.00	9,906.00	361	56,200.00 - 56,349.99	595.00	15,470.00
92	15,850.00 - 15,999.99	168.00	4,368.00	227	36,100.00 - 36,249.99	382.00	9,932.00	362	56,350.00 - 56,499.99	596.00	15,496.00
93	16,000.00 - 16,149.99	170.00	4,420.00	228	36,250.00 - 36,399.99	384.00	9,984.00	363	56,500.00 - 56,649.99	598.00	15,548.00
94	16,150.00 - 16,299.99	171.00	4,446.00	229	36,400.00 - 36,549.99	385.00	10,010.00	364	56,650.00 - 56,799.99	599.00	15,574.00
95	16,300.00 - 16,449.99	173.00	4,498.00	230	36,550.00 - 36,699.99	387.00	10,062.00	365	56,800.00 - 56,949.99	601.00	15,626.00
96	16,450.00 - 16,599.99	174.00	4,524.00	231	36,700.00 - 36,849.99	388.00	10,088.00	366	56,950.00 - 57,099.99	603.00	15,678.00
97	16,600.00 - 16,749.99	176.00	4,576.00	232	36,850.00 - 36,999.99	390.00	10,140.00	367	57,100.00 - 57,249.99	604.00	15,704.00
98	16,750.00 - 16,899.99	177.00	4,602.00	233	37,000.00 - 37,149.99	392.00	10,192.00	368	57,250.00 - 57,399.99	606.00	15,756.00
99	16,900.00 - 17,049.99	179.00	4,654.00	234	37,150.00 - 37,299.99	393.00	10,218.00	369	57,400.00 - 57,549.99	607.00	15,782.00
100	17,050.00 - 17,199.99	181.00	4,706.00	235	37,300.00 - 37,449.99	395.00	10,270.00	370	57,550.00 - 57,699.99	608.00	15,808.00
101	17,200.00 - 17,349.99	182.00	4,732.00	236	37,450.00 - 37,599.99	396.00	10,296.00	371	57,700.00 - 57,849.99	611.00	15,886.00
102	17,350.00 - 17,499.99	184.00	4,784.00	237	37,600.00 - 37,749.99	398.00	10,348.00	372	57,850.00 - 57,999.99	612.00	15,912.00
103	17,500.00 - 17,649.99	185.00	4,810.00	238	37,750.00 - 37,899.99	400.00	10,400.00	373	58,000.00 - 58,149.99	614.00	15,964.00
104	17,650.00 - 17,799.99	187.00	4,862.00	239	37,900.00 - 38,049.99	401.00	10,426.00	374	58,150.00 - 58,299.99	615.00	15,990.00
105	17,800.00 - 17,949.99	189.00	4,914.00	240	38,050.00 - 38,199.99	403.00	10,478.00	375	58,300.00 - 58,449.99	617.00	16,042.00
106	17,950.00 - 18,099.99	190.00	4,940.00	241	38,200.00 - 38,349.99	404.00	10,504.00	376	58,450.00 - 58,599.99	619.00	16,094.00
107	18,100.00 - 18,249.99	192.00	4,992.00	242	38,350.00 - 38,499.99	406.00	10,556.00	377	58,600.00 - 58,749.99	620.00	16,120.00
108	18,250.00 - 18,399.99	193.00	5,018.00	243	38,500.00 - 38,649.99	408.00	10,608.00	378	58,750.00 - 58,899.99	622.00	16,172.00
109	18,400.00 - 18,549.99	195.00	5,070.00	244	38,650.00 - 38,799.99	409.00	10,634.00	379	58,900.00 - 59,049.99	623.00	16,198.00
110	18,550.00 - 18,699.99	196.00	5,096.00	245	38,800.00 - 38,949.99	411.00	10,686.00	380	59,050.00 - 59,199.99	625.00	16,250.00
111	18,700.00 - 18,849.99	198.00	5,148.00	246	38,950.00 - 39,099.99	412.00	10,712.00	381	59,200.00 - 59,349.99	626.00	16,276.00
112	18,850.00 - 18,999.99	200.00	5,200.00	247	39,100.00 - 39,249.99	414.00	10,764.00	382	59,350.00 - 59,499.99	628.00	16,328.00
113	19,000.00 - 19,149.99	201.00	5,226.00	248	39,250.00 - 39,399.99	415.00	10,790.00	383	59,500.00 - 59,649.99	630.00	16,380.00
114	19,150.00 - 19,299.99	203.00	5,278.00	249	39,400.00 - 39,549.99	417.00	10,842.00	384	59,650.00 - 59,799.99	631.00	16,406.00
115	19,300.00 - 19,449.99	204.00	5,304.00	250	39,550.00 - 39,699.99	419.00	10,894.00	385	59,800.00 - 59,949.99	633.00	16,458.00
116	19,450.00 - 19,599.99	206.00	5,356.00	251	39,700.00 - 39,849.99	420.00	10,920.00	386	59,950.00 - 60,099.99	634.00	16,484.00
117	19,600.00 - 19,749.99	208.00	5,408.00	252	39,850.00 - 39,999.99	422.00	10,972.00	387	60,100.00 - 60,249.99	636.00	16,536.00
118	19,750.00 - 19,899.99	209.00	5,434.00	253	40,000.00 - 40,149.99	423.00	10,998.00	388	60,250.00 - 60,399.99	638.00	16,588.00
119	19,900.00 - 20,049.99	211.00	5,486.00	254	40,150.00 - 40,299.99	425.00	11,050.00	389	60,400.00 - 60,549.99	639.00	16,614.00
120	20,050.00 - 20,199.99	212.00	5,512.00	255	40,300.00 - 40,449.99	427.00	11,102.00	390	60,550.00 - 60,699.99	641.00	16,666.00
121	20,200.00 - 20,349.99	214.00	5,564.00	256	40,450.00 - 40,599.99	428.00	11,128.00	391	60,700.00 - 60,849.99	642.00	16,692.00
122	20,350.00 - 20,499.99	216.00	5,616.00	257	40,600.00 - 40,749.99	430.00	11,180.00	392	60,850.00 - 60,999.99	644.00	16,744.00
123	20,500.00 - 20,649.99	217.00	5,642.00	258	40,750.00 - 40,899.99	431.00	11,206.00	393	61,000.00 - 61,149.99	645.00	16,770.00
124	20,650.00 - 20,799.99	219.00	5,694.00	259	40,900.00 - 41,049.99	433.00	11,258.00	394	61,150.00 - 61,299.99	647.00	16,822.00
125	20,800.00 - 20,949.99	220.00	5,720.00	260	41,050.00 - 41,199.99	434.00	11,284.00	395	61,300.00 - 61,449.99	649.00	16,874.00
126	20,950.00 - 21,099.99	222.00	5,772.00	261	41,200.00 - 41,349.99	436.00	11,336.00	396	61,450.00 - 61,599.99	650.00	16,900.00
127	21,100.00 - 21,249.99	223.00	5,798.00	262	41,350.00 - 41,499.99	438.00	11,388.00	397	61,600.00 - 61,749.99	652.00	16,952.00
128	21,250.00 - 21,399.99	225.00	5,850.00	263	41,500.00 - 41,649.99	439.00	11,414.00	398	61,750.00 - 61,899.99	653.00	16,978.00
129	21,400.00 - 21,549.99	227.00	5,902.00	264	41,650.00 - 41,799.99	441.00	11,466.00	399	61,900.00 - 62,049.99	655.00	17,030.00
130	21,550.00 - 21,699.99	228.00	5,928.00	265	41,800.00 - 41,949.99	442.00	11,492.00	400	62,050.00 - 62,199.99	657.00	17,082.00
131	21,700.00 - 21,849.99	230.00	5,980.00	266	41,950.00 - 42,099.99	444.00	11,544.00	401	62,200.00 - 62,349.99	658.00	17,108.00
132	21,850.00 - 21,999.99	231.00	6,006.00	267	42,100.00 - 42,249.99	446.00	11,596.00	402	62,350.00 - 62,499.99	660.00	17,160.00
133	22,000.00 - 22,149.99	233.00	6,058.00	268	42,250.00 - 42,399.99	447.00	11,622.00	403	62,500.00 - 62,649.99	661.00	17,186.00
134	22,150.00 - 22,299.99	235.00	6,110.00	269	42,400.00 - 42,549.99	449.00	11,674.00	404	62,650.00 - and above	662.00	17,212.00

WVUC-B-59, effective July 1, 2023

# 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.

**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 employee to express breast milk for her nursing child for one year after the child’s birth each time such employee has a need to express breast milk. 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 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](http://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](http://www.eeoc.gov/field-office))

**E-Mail** [info@eeoc.gov](mailto:info@eeoc.gov)

Additional information about the EEOC, including information about filing a charge of discrimination, is available at [www.eeoc.gov](http://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)

## 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](https://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



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](http://www.dol.gov/agencies/whd)



WH1462 REV 02/22



## Job Safety and Health IT'S THE LAW!

### All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by

### Employers must:

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations.

# OSHA | OCCUPATIONAL SAFETY AND HEALTH ACT (Continued)

mail) if you have been retaliated against for using your rights.

- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

*This poster is available free from OSHA.*

**Contact OSHA. We can help.**

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.



**1-800-321-OSHA (6742) • TTY 1-877-889-5627 • [www.osha.gov](http://www.osha.gov)**

OSHA 3165-04R 2019

## 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.

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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](http://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](http://www.irs.gov)**

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

# PAYDAY NOTICE

## Regular Paydays for Employees of

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(Company Name)

**Shall be as follows:**

**Weekly**

**Bi-Weekly**

**Monthly**

**Other** \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_