

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 1½ times the 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.

DEPARTMENT OF LABOR
UNITED STATES OF AMERICA

WHD

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243

www.dol.gov/agencies/whd



WH1088

REV. 04/2023



To update your labor law posters
contact J. J. Keller & Associates, Inc.
JJKeller.com/laborlaw
800-327-6868



TWO ways to verify poster compliance!

QR CODE Scan with phone camera:



OR

ONLINE

Go to: JJKeller.com/LLPverify
Enter this code: 72715-042023

URGENT – POSTING INSTRUCTIONS

Display the posting on the reverse side, next to your labor law poster.

Mandatory posting updates are being released by the Department of Labor (DOL) and Equal Employment Opportunity Commission (EEOC):

- The DOL has made a mandatory change to the ***Employee Rights Under the Fair Labor Standards Act (FLSA)*** posting to reflect an update required by the ***Provide Urgent Maternal Protections (PUMP) for Nursing Mothers Act***. **Effective April 28**, employers must display this updated poster.
- The EEOC is expected to make a mandatory change to the ***Know Your Rights*** poster with information about the ***Pregnant Workers Fairness Act*** on **June 27**.
- The DOL has made formatting changes to the ***Family and Medical Leave Act (FMLA)*** poster. Employers remain compliant with the previous version of the FMLA poster, but may display the April 2023 version if they wish.

The federal poster from J. J. Keller & Associates will be updated with *all three* postings when the *Know Your Rights* posting becomes available after June 27. In the meantime, please display the posting on the reverse side, next to your labor law poster. The Department of Labor has said this is compliant and meets posting requirements because of the June release date for the *Know Your Rights* poster.

What should you do now?

Display the posting on the reverse side next to your poster.

- **Update Service Subscribers:** When your updated poster arrives after June 27, the temporary postings and the outdated poster can be discarded.
- **Poster Only Customers (No Update Service Subscription):** If you have 15 or more employees, purchase a new poster after the updated EEOC posting becomes available on June 27. Call **800-327-6868** or visit **JJKeller.com/LawPosters** to order.

Thank you for your attention to this matter. We value our customers and are committed to keeping you compliant with posting regulations.