



## 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?**
  - Violate 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, and 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**. 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 telecommunication relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at <https://ofccphelpdesk.dol.gov/>, 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. (Revised 6/27/2023)

**Individuals with Disabilities** Section 504 of the Rehabilitation Act of 1973, as amended, Title IV of the Civil Rights Act of 1964, 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)

## DISCRIMINATION

### MONTANA LAW PROHIBITS DISCRIMINATION & RETALIATION

in employment, housing, education, public accommodations, credit, finance, insurance, & state / local government.

Discrimination is unlawful if based on one of these protected classes:

- ANY AGE
- PHYSICAL DISABILITY
- MENTAL DISABILITY
- RACE / COLOR
- NATIONAL ORIGIN
- MARITAL STATUS
- RELIGION / CREED
- VACCINATION STATUS
- FAMILIAL STATUS IN HOUSING
- SEX (INCLUDING PREGNANCY, SEXUAL ORIENTATION, & GENDER IDENTITY)
- POLITICAL BELIEFS IN GOVERNMENTAL SERVICES OR GOVERNMENT EMPLOYMENT

FOR MORE INFO CONTACT THE MONTANA HUMAN RIGHTS BUREAU

P.O. BOX 1728, HELENA, MT 59624-1728  
(406) 444-2884 OR 1 (800) 542-0807 (RELAY SERVICE 711)  
MONTANADISCRIMINATION.COM

## PAYDAY NOTICE

### Regular Paydays for Employees of

(Company Name)

Should be as follows:

Weekly  Bi-Weekly  Monthly  Other

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

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

## WITHHOLDING STATUS

### YOU MAY NEED TO CHECK YOUR WITHHOLDING

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 nonwage 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 web site.

**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.

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

**IRS**  
Department of the Treasury  
Internal Revenue Service [www.irs.gov](http://www.irs.gov)

## WORKERS' COMPENSATION

### NOTICE TO EMPLOYERS RE: WORKERS' COMPENSATION

Each employer shall post a sign in the workplace at the locations where notices to employees are normally posted, informing employees about the employer's current provision of workers' compensation insurance.

The sign must be provided by the department, distributed through insurers or directly by the department, and posted by employers in accordance with rules adopted by the department.

To obtain this form, please contact  
 Workers' Compensation Regulation Bureau  
 1805 Prospect Avenue  
 P.O. Box 8011, Helena, MT 59624-8011  
 (406) 444-0564

## DISABILITY PAID AT SPECIAL MINIMUM WAGE

### NOTICE TO WORKERS WITH DISABILITIES PAID AT SPECIAL MINIMUM WAGES

This establishment has a certificate authorizing the payment of special minimum wages to workers who are disabled for the work they are performing. Authority to pay special minimum wages to workers with disabilities applies to work covered by the Fair Labor Standards Act (FLSA), McNamara-O'Hara Service Contract Act (SCA), and/or Walsh-Healey Public Contracts Act (PCA). Such special minimum wages are referred to as "commensurate wage rates" and are less than the basic hourly rates stated in an SCA wage determination and less than the FLSA minimum wage of \$4.75 per hour beginning October 1, 1996 and \$5.15 per hour beginning September 1, 1997. A "commensurate wage rate" is based on the worker's individual productivity, no matter how limited, in proportion to the wage and productivity of experienced non-disabled workers performing essentially the same type, quality, and quantity of work in the geographic area from which the labor force of the community is drawn.

### Workers With Disabilities

For purposes of payment of commensurate wage rates under a certificate, a worker with a disability is defined as: An individual whose earnings or productivity capacity is impaired by a physical or mental disability, including those related to age or injury, for the work to be performed.

Disabilities which may affect productive capacity include blindness, mental illness, mental retardation, cerebral palsy, alcoholism, and drug addiction. The following do not ordinarily affect productive capacity for purposes of paying commensurate wage rates: educational disabilities; chronic unemployment; receipt of welfare benefits; non-attendance at school; juvenile delinquency; and correctional parole or probation.

### Key Elements of Commensurate Wage Rates

**Non-disabled worker standard**—The objective gauge (usually a time study of the production of workers who are not disabled for the job) against which the productivity of a worker with a disability is measured.

**Prevailing wage rate**—The wage paid to experienced workers who are not disabled for the same or similar work and who are performing such work in the area. Most SCA contracts include a wage determination specifying the prevailing wage rates to be paid for SCA covered work.

**Evaluation of the productivity of the worker with a disability**—Documented measurement of the production of the worker with a disability (quantity and quality).

The wages of all workers paid commensurate wages must be reviewed and adjusted, if appropriate, at periodic intervals. At a minimum, the productivity of hourly paid workers must be reevaluated every six months and a new prevailing wage survey must be conducted at least once every twelve months.

### Overtime

Generally, if you are performing work subject to the FLSA, SCA, and/or PCA, you must be paid at least 1 1/2 times your regular rate of pay for all hours worked over 40 in a workweek.

### Child Labor

Minors younger than 18 years old must be employed in accordance with the child labor provisions of FLSA. No persons under 16 may be employed in manufacturing or on a PCA contract.

### Fringe Benefits

Neither the FLSA nor the PCA have provisions requiring vacation, holiday, or sick pay nor other fringe benefits such as health insurance or pension plans. SCA wage determinations may require such fringe benefit payments (or a cash equivalent). Workers paid under a certificate authorizing commensurate wage rates must receive the full fringe benefits listed on the wage determination.

### Worker Notification

Each worker with a disability and, where appropriate, the parent or guardian of such worker, shall be informed orally and in writing by the employer of the terms of the certificate under which such worker is employed.

### Petition Process

Workers with disabilities paid at special minimum wages may petition the Administrator of the Wage and Hour Division of the Department of Labor for a review of their wage rates by an Administrative Law Judge. No particular form of petition is required, except that it must be signed by the worker with a disability or his or her parent or guardian and should contain the name and address of the employer. Petitions should be mailed to: Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Employers shall display this poster where employees and the parents and guardians of workers with disabilities can readily see it. Complaints or questions regarding the terms and conditions of employment under a certificate may be directed to the Wage and Hour Division office nearest you — listed in your telephone directory under United States Government, Labor.

U.S. Department of Labor WH Publication 1284  
 Employment Standards Administration Revised October 1996  
 Wage and Hour Division Washington, D.C. 20210

## FMLA - FAMILY AND MEDICAL LEAVE ACT

### Your Employee Rights Under the Family and Medical Leave Act

**What is FMLA leave?** The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with **job-protected leave** for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees. Eligible employees can take up to **12 workweeks** of FMLA leave in a 12-month period for:  
 - The birth, adoption or foster placement of a child with you,  
 - Your serious mental or physical health condition that makes you unable to work,  
 - To care for your spouse, child or parent with a serious mental or physical health condition, and  
 - Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember. An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness **may take up to 26 workweeks** of FMLA leave in a single 12-month period to care for the servicemember.

You 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](http://dol.gov/fmla) to learn more. 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

- 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.

## NO SMOKING NOTICE



Montana law prohibits smoking, including the use of marijuana, in this establishment.

Montana Clean Indoor Air Act, Title 50, Chapter 40. For more information or to report a violation call or visit us online.

1.866.787.5247  
 tobaccofree.mt.gov

## ANTI-DISCRIMINATION NOTICE

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

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

## 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.

### HEALTH INSURANCE PROTECTION

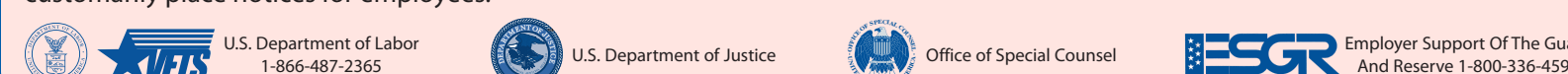
If you believe your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military.  
 - Even if you don't elect to continue coverage during your military service, you have 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 illness or injuries.

### 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.

**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/>. 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.



## OSHA - THE OCCUPATIONAL SAFETY AND HEALTH ACT

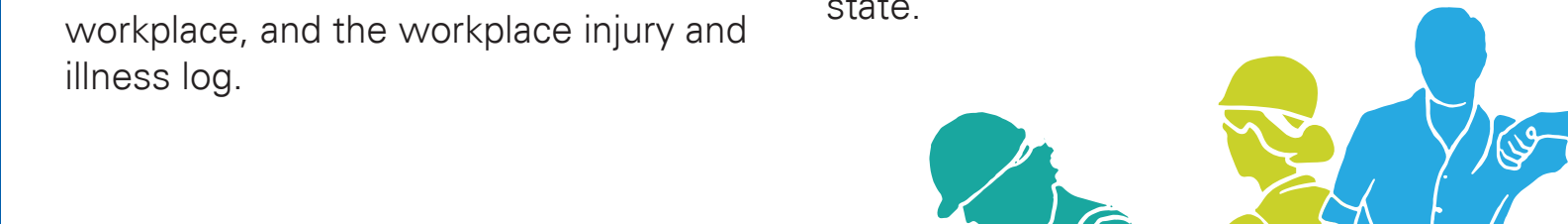


All workers have the right to:  
 - A safe workplace.  
 - Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.  
 - Receive information and training on job hazards, including all hazardous substances in your workplace.  
 - 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 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.

### 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.

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



This poster is available free from OSHA.

Contact OSHA. We can help.

1-800-321-OSHA (6742) • TTY 1-877-889-5627 • www.osha.gov

## UNEMPLOYMENT INSURANCE

### NOTICE TO EMPLOYERS RE: UNEMPLOYMENT INSURANCE

"Every employer must post and maintain a printed notice provided by the department showing that the employer is subject to Montana unemployment insurance law, and has been registered by the department. This notice must be posted in conspicuous places near the locations where services are performed."  
 (Mont. Admin. Code, Sec. 24.11.705)

Montana Department of Revenue  
 P.O. Box 6339  
 Helena, MT  
 59604-6339  
 Customer Service Center  
 (406) 444-6900

## MINIMUM WAGE



MONTANA'S MINIMUM WAGE  
 (Effective 1/1/2023)

**\$9.95\***

\*The minimum wage is subject to a cost-of-living adjustment based on the Consumer Price Index no later than September 30th of each year. Montana's minimum wage is to be the greater of the federal or current state minimum wage.

**Exception:** A business not covered by the Fair Labor Standards Act whose gross annual sales are \$110,000 or less may pay \$4.00 per hour. However, if an individual employee is producing or moving goods between states or otherwise covered by the Fair Labor Standards Act, that employee must be paid the greater of either the federal minimum wage or Montana's minimum wage.

### NO TIP CREDIT, TRAINING WAGE OR MEAL CREDIT IS ALLOWED IN THE STATE OF MONTANA

### OVERTIME PAY

Employees who work in excess of 40 hours in a workweek must receive overtime compensation at a rate of at least 1 1/2 times their regular hourly rate for those hours worked over 40. There are exclusions from overtime pay. This information can be obtained by calling our office at (406) 444-6543.

### PAYMENT OF WAGES

**WHILE STILL EMPLOYED:** An employee must be paid within 10 business days after the end of the pay period.  
**WHEN SEPARATED FROM EMPLOYMENT:** When an employee quits, wages are due on the next scheduled pay day for the period in which the employee was separated, or on the day which, whichever occurs first.

**TERMINATED FOR CAUSE:** When an employee is laid off or discharged, all wages are due immediately (within four hours or end of the business day, whichever occurs first), unless the employer has a preexisting, written policy that extends the time for payment. The wages cannot be delayed beyond the next pay day for the period in which the separation occurred, or 15 calendar days, whichever occurs first.

### FOR ADDITIONAL INFORMATION PLEASE CONTACT:

DEPARTMENT OF LABOR & INDUSTRY  
 COMPLIANCE & INVESTIGATIONS BUREAU  
 PO BOX 201503  
 HELENA MT 59620-1503  
 PHONE (406) 444-6543  
 EMAIL: [DLIERDWage@mt.gov](mailto:DLIERDWage@mt.gov)  
 Please visit us on the web at: [www.mtwagehourbopa.com](http://www.mtwagehourbopa.com)

### 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 an 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 Act. 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 (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 prevent 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 violators 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.**

### 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 1/2 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