The law requires employers to display this poster where employees work in Federal Minimum Wage.

**OVERTIME PAY** at least 1 1/2 times the regular rate of pay for all hours over 40 in a workweek. (except for certain types of jobs such as babysitters, hospital housekeepers, security guards, and others.)

**CHILD LABOR** An employee may be as young as 14 years old to work in non-fat and non-mining jobs and to as 18 in work in mining jobs. Employers, however, may not employ children under age 14.

**TIP CREDIT** Employers who “tip employees” may count a portion of the employees’ wages toward the minimum wage. Employees who are paid a cash wage of at least $2.13 per hour may have a tip credit based on tips received by the employee. Employers must keep a record of the employees’ cash wage and any TIP CREDIT that has been used to meet the minimum wage requirements. If an employee’s cash wage is not enough to meet the minimum wage, the employer must make up the difference.

**ENFORCEMENT** The Department enforces the minimum wage and is equal to liquidated damages in instances of withholding wages, overtime, and other violations. The Department may require employers to remove or repeat the violations of the minimum wage or overtime pay penalties may also be assessed for violations of the FLSA’s child labor provisions. An employer who fails to pay the minimum wage or overtime pay penalties for each violation may have its authority to recover back wages and an equal amount in liquidated damages in instances of a willful violation.

**ADDITIONAL INFORMATION**

**NURSING MOTHERS** The FLSA requires employers to provide a clean, private place and the necessary time to breastfeed your newborn or nursing child for one year after the child’s birth. In addition, a nursing mother who is otherwise working must be given reasonable break time to express milk for her nursing child and the milk must be stored and provided to the child. Employers are also required to satisfy requests from nursing employees for a reasonable work period each day to health care providers and the public, which may be used for medical reasons.

**DEFINITIONS**

**employer** means any person engaged in an industry affecting commerce, or in an activity affecting commerce, and any agent of such person. Includes any department, division, establishment, or subsidiary of Federal, State, or local government.

**employee** means any person employed by an employer. Does not include any domestic or other personal servant of an individual in a private household, or any farm laborer employed in agriculture.

**workweek** means a period of 7 days.

**FLSA** means the Fair Labor Standards Act of 1938.

**minimum wage** means $7.25 per hour.

**overtime pay** means 1 1/2 times the regular rate of pay for all hours worked in excess of 40 in a workweek.

**week** means 7 days, beginning on Sunday.

**FLSA Advisor** can be viewed at dol.gov/elaws/uoserra.htm

**Employee Rights Under the Fair Labor Standards Act**

**ELIGIBILITY REQUIREMENTS**

Employees that are covered by the FLSA must meet certain eligibility requirements in order to be eligible for FMLA leave. The employee must:

• For the employee’s own qualifying serious health condition
• To care for the employee’s spouse, child, or parent who has a qualifying health condition
• To prepare for or recover from a military-recognized event

**LEAVE ELIGIBILITY**

Employees who are covered by the FLSA may be eligible for FMLA leave if they meet the following eligibility requirements:

• Has been employed for at least 12 months
• Has worked for at least 1,250 hours in the 12 months before taking leave, and
• Works at a location where the employer has at least 50 employees within 75 miles of the employee’s workplace.

**BENEFITS AND PROTECTIONS**

While employees are on FMLA leave, employers must continue health insurance coverage so that if employees return from FMLA leave, employees will not be penalized by a premium increase. Upon return from FMLA leave, employees may be restored to the same job (or a job in the same business) with equivalent pay, benefits, and other employment terms and conditions. An employer may not interfere with an individual’s FMLA rights or retaliate against someone for using or trying to use FMLA leave, or for any action that may be taken as a result of the employee’s FMLA leave. The employee must comply with the employer’s normal work rules and policies.

**ELIGIBILITY REQUIREMENTS**

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

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

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