# **EMPLOYMENT** LAWS

under the FLSA.

ADDITIONAL INFORMATION

comply with both.

wage, and/or overtime pay provisions.

or discharging workers who file a complaint or participate in any proceeding

Certain occupations and establishments are exempt from the minimum

Some state laws provide greater employee protections; employers must

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

Certain full-time students, student learners, apprentices, and workers

with disabilities may be paid less than the minimum wage under special

ommonwealth of the Northern Mariana Islands, and the Commonwealth

Special provisions apply to workers in American Samoa, the

correctly classified independent contractors are not.

certificates issued by the Department of Labor.

# **FEDERAL**

# PENNSYLVANIA

**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

### FED **EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT**

\$7.25 PER HOUR **BEGINNING JULY 24, 2009** 

FEDERAL MINIMUM WAGE

The law requires employers to display this poster where employees can readily see it.

At least 1½ times the regular rate of pay for all hours worked over 40 in a

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

restrictions. Different rules apply in agricultural employment.

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.

non-manufacturing, non-mining, non-hazardous jobs with certain work hours

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.

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

WAGE AND HOUR DIVISION LINITED STATES OF AMERICA UNITED STATES DEPARTMENT OF LABOR

standards)

1-866-487-9243 TTY: 1-877-889-5627



### Department of Labor & Industry, Bureau of Labor Law Compliance **Minimum Wage Law Summary**

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

In seasonal employment, if the employee is under 18 years

of age or if a student under 24 years of age is employed by

a nonprofit health or welfare agency engaged in activities

nonprofit day or resident seasonal recreational camp for

campers under the age of 18 years, which operates for a

In employment by a public amusement or recreational

establishment, organized camp, or religious or nonprofi

educational conference center, if (i) it does not operate

preceding calendar year, the average receipts for any 6

months were not more than 33\%% of its average receipt

Switchboard operator employed by an independently-

Employees not subject to civil service laws who hold

elective office or are on the personal staff of such an

officeholder, are immediate advisers to the officeholder

or are appointed by the officeholder to serve on a policy

owned public telephone company which has no more than

more than seven months a year or (ii) during the

for the other 6 months of such year

period of less than three months in any one year

**ENFORCEMENT** 

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

Overtime Rate:

Workers shall be paid 1½ times their regular rate of pay after 40 hours worked in a workweek (Except as Described)

Minimum Wage Rate:

Effective July 24, 2009

An employer may pay a minimum of \$2.83 per hour to an employee who makes \$30.00 per month in tips. The employer

must make up the difference if the tips and \$2.83 do not meet the regular Pennsylvania minimum wage. **Keeping Records** Every employer must maintain accurate records of each employee's earnings and hours worked, and provide access to

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

Overtime applies to certain employment classifications. (see below) Special Allowances For:

Students, learners and people with disabilities, upon application only.

**Exemptions from Both Minimum Wage and Overtime Rates** Labor on a farm

Domestic service in or about the private home of the Delivery of newspapers to the consumer with a circulation of less than 4,000 when the major

portion of circulation is in the county where published or a bordering county Bona fide executive, administrative or professional capacity, (including academic administrative personn or teacher in public schools) or in capacity of outside salesman. However, an employee of a retail or service establishment shall not be excluded from

the definition of employee employed in a bona fide executive or administrative capacity because of the number of hours in the employee's work not directly or closely related to the performance of executive. professional or administrative activities, if less than 40% of the employee's hours worked in the workweek are devoted to such activities Educational, charitable, religious, or nonprofit organization where no employer- employee

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

**Board:** Food furnished in the form of meals on an established schedule. **Lodging:** Housing facility available for the personal use of the employee at all hours.

Reasonable Cost: Actual cost, exclusive of profit, to the employer or to anyone affiliated with the employer. **Exceptions from Minimum Wage Rates** Learners and students (bona fide high school or college),

after obtaining a Special Certificate from the Bureau of Labor Law Compliance, (651 Boas Street, Room 1301, Harrisburg, PA 17121-0750) may be paid 85% of the

the U.S. Department of Labor dictates that the employee is entitled to the higher minimum wage rate.

duties and hours of employment and granting permission to work.

hours, when combined with school hours, not exceeding eight in a day.

Employment prohibited after 7 p.m. and before 7 a.m.

Employment prohibited before 6 a.m. and after 12 a.m.

at www.dli.state.pa.us and click on "Labor Law Compliance."

serving in answer to a fire call until excused by chief.

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

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

**HOURS OF EMPLOYMENT-AGES 14 & 15\*** 

Minors under 16 must have a written statement by the minor's parent or guardian acknowledging the

**During School Term:** Maximum three hours on school days, eight hours on any other day, and 18 hours per school

Exception: Students 14 and older, whose employment is part of a recognized school work program, may be employed for

Exceptions: During school vacations, minors may be employed until 9 p.m. Minors at least age 11 may be employed in

newspaper delivery from 5 a.m. to 8 p.m., except during school vacation, then until 9 p.m. Members of volunteer fire

HOURS OF EMPLOYMENT-AGES 16 & 17\* \*\*

During School Term: Maximum eight hours a day and 28 hours per school week (Monday-Friday). Plus eight additional

Exceptions: During school vacations, minors may be employed until 1 a.m. Members of volunteer fire companies may continue

\*\*EXCEPT: A) Minors who have graduated from high school or who are exempt from compulsory attendance under

counselor by a summer resident camp operated by a religious or scout organization.

MAXIMUM EMPLOYMENT: NOT MORE THAN six CONSECUTIVE DAYS (except newspaper

delivery).

30 MINUTE MEAL PERIOD REQUIRED ON OR BEFORE five CONSECUTIVE HOURS OF WORK.

For further information on the Child Labor Act, please consult the Department of Labor & Industry's website

the Public School Code are not subject to the Act's hours of employment or work time restrictions.

B) Special rules apply to young adults, 16 and 17 years of age, employed during a school vacation as a

PITTSBURGH DISTRICT OFFICE

PITTSBURGH, PA 15222

SCRANTON DISTRICT OFFICE

100 LACKAWANNA AVE.

SCRANTON, PA 18503

AGE FROM

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TO

FROM

201 B STATE OFFICE BUILDING

412-565-5300 or 877-504-8354

570-963-4577 or 877-214-3962

301 5TH AVE

**SUITE 330** 

\* Minors employed as sports attendants are not subject to the Act's hours and work time restrictions.

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

During School Vacations: Maximum 48 hours/week; 10 hours/day; a minor may refuse any request to work greater

companies may participate in training and firefighting activities until 10 p.m. with written parental consent.

week (Monday-Friday), and only at a time that does not interfere with school attendance. Plus eight additional hours on

minimum wage as follows Learners: 40 hours a week. Maximum eight weeks **Students:** Up to 20 hours a week. Up to 40 hours a week during school vacation periods

PA

the Act or its regulations

HOURS OF EMPLOYMENT

Saturdays and Sundays

**HOURS OF EMPLOYMENT** 

than 44 hours/week.

hours on Saturdays and Sundays.

ALTOONA DISTRICT OFFICE

1130 12тн Аve.

**ALTOONA, PA 16601** 

651 Boas St.

814-940-6224 or 877-792-8198

HARRISBURG DISTRICT OFFICE

HARRISBURG, PA 17121

PHILADELPHIA DISTRICT OFFIC

PHILADELPHIA, PA 19107

**EMPLOYED AT** 

NAME OF EMPLOYEE

110 North 8th St

**SUITE 203** 

PA

LLC-17

1301 LABOR & INDUSTRY BUILDING

717-787-4671 or 800-932-0665

215-560-1858 or 877-817-9497

**WORK TIME** 

Individuals with a physical or mental deficiency or injury may be paid less than the applicable minimum wage if a license specifying a rate commensurate with productive capacity is obtained from the Bureau of Labor Law Compliance, (651 Boas Street, Room 1301, Harrisburg PA 17121-0750), or a federal certificate is obtained under Section 14(c) of the Fair Labor Standards Act from the U.S. Department of Labor.

**Exemptions from Overtime Rates** Any salesman, partsman or mechanic primarily engage in selling and servicing automobiles, trailers, trucks, farm implements or aircraft, if employed by a non-

such vehicles) Taxicab driver Any employee of a motor carrier the Federal Secretary of Transportation has power to establish qualifications and maximum hours of service under 49 U.S.C. Section 3102 (b)(1) and (2) (relating to requirements for qualifications, hours of service, safety and equipment

Announcer, news editor, chief engineer of a radio or television station, the major studio of which is located in: o City or town of 100,000 population or less, if it is not part of a standard metropolitan statistical area having a total population in excess of 100,000; or manufacturing establishment primarily engaged in the selling of such vehicles to ultimate purchasers. (Example: City or town of 25,000 population or less, which is 51% of business is selling as opposed to 49% in servicing part of such an area but is at least 40 airline miles from the principal city in the area

For Questions/Complaints

	,		
Altoona District Office	Bedford	Elk	McKean
1130 12th Avenue	Blair	Fayette	Mifflin
Suite 200	Cambria	Forest	Potter
Altoona, PA 16601-3486	Cameron	Fulton	Somerset
Phone: <b>814-940-6224</b> or <b>877-792-8198</b>	Centre	Huntingdon	Warren
	Clarion	Indiana	Westmoreland
	Clearfield		
Bureau of Labor Law Compliance	Adams	Juniata	Perry
Harrisburg District Office	Columbia	Lancaster	Snyder
651 Boas Street, Room 1301	Cumberland	Lebanon	Union
Harrisburg, PA 17121-0750	Dauphin	Montour	York
Phone: <b>717-787-4671</b> or <b>800-932-0665</b>	Franklin	Northumberland	
Bureau of Labor Law Compliance		Bucks	
Philadelphia District Office		Chester	
110 North 8th St.		Delaware	
Suite 203	Montgomery		
Philadelphia, PA 19107		Philadelphia	
Phone: <b>215-560-1858</b> or <b>877-817-9497</b>			
Bureau of Labor Law Compliance	Allegheny	Erie	Mercer
Pittsburgh District Office	Beaver	Greene	Venango
301 5th Avenue	Butler	Lawrence	Washington
Suite 330	Crawford		
Pittsburgh, PA 15222			
Phone: <b>412-565-5300</b> or <b>877-504-8354</b>			
Bureau of Labor Law Compliance	Berks	Lycoming	Sullivan
Scranton District Office	Bradford	Monroe	Susquehanna
201-B State Office Bldg.	Carbon	Northampton	Tioga
100 Lackawanna Avenue	Lackawanna	Pike	Wayne
Scranton, PA 18503	Lehigh	Schuylkill	Wyoming
Phone: <b>570-963-4577</b> or <b>877-214-3962</b>	Luzerne		

Wage. From the Web site you can submit a complaint form, find answers to frequently asked questions and read more about the Minimum Wage Act

LLC-1

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

Department of Labor & Industry, Bureau of Labor Law Compliance

**Abstract of the Child Labor Act Hours Provisions** 

MUST BE POSTED IN A CONSPICUOUS PLACE WHERE ANY

PERSON UNDER AGE 18 IS EMPLOYED

the Act or its regulations.

6 mos.-1 year

2-5 years

6-8

16-17

ALTOONA DISTRICT OFFICE

1130 12TH AVE.

**ALTOONA, PA 16601** 

HARRISBURG DISTRICT OFFICE

HARRISBURG, PA 17121

PHILADELPHIA DISTRICT OFFICE

PHILADELPHIA, PA 19107

110 North 8th St.

**SUITE 203** 

LLC-5

Department of Labor & Industry, Bureau of Labor Law Compliance

**Hours of Work for Minors Under Eighteen** 

(Give name of establishment, department and floor, or otherwise designate workers to whom this schedule applies.)

Show daily time of starting work, time for meal or rest periods, and time of stopping work.

FROM

TO

814-940-6224 or 877-792-8198

1301 LABOR & INDUSTRY BUILDING

717-787-4671 or 800-932-0665

215-560-1858 or 877-817-9497

**THURSDAY** 

TO

FROM

FRIDAY

**SATURDAY** 

FROM

TOTAL SCHOOL

HRS. PER WEEK IF

**TOTAL HOURS** 

**REV. 02/2007** 

**SUITE 200** 

651 Boas St.

## NOTICE: This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under the Fair Labor Standards Act posting, which indicates the federal minimum wage. Where federal and state rates both apply to an employee,

lax, work hours (24-hour period) (including

work time at minors' residences)

Not Applicable

4

The purpose of the employment provisions of the Pennsylvania Human Relations Act is to prevent and eliminate unlawful discriminatory practices in employment because of race, color,

Prohibits discrimination by any employer in any place of employment between employees on

the basis of sex, by paying wages to any employee at a rate less than the rate paid to employees

of the opposite sex for work under **equal** conditions on jobs which require **equal** skills. Provides

that variation in payment of wages is not prohibited when based on a seniority, training or merit

Empowers the Secretary of Labor & Industry to administer the provisions of the act, and to issue

Provides for the collection of unpaid wages due under the act and in addition, an equal amount

Labor & Industry and upon an employee's request, to take assignment of such a wage claim for

Requires employer to keep and maintain records of wages, wage rates, job classifications and

Industry shall prescribe. Requires that employers post an abstract of the law.

other terms and conditions of employment of the persons employed, as the Secretary of Labor &

collection. Limits the period for such action to **two** years from the date upon which the violation

of liquidated damages and reasonable attorney's fee and costs. Authorizes the Secretary of

increase system that does not discriminate on the basis of sex.

rules and regulations to make effective the provisions of the act.

**Collection of Unpaid Wages in Case of Discrimination** 

**UNLAWFUL DISCRIMINATORY PRACTICES** 

It is unlawful — on the basis of the facts listed above — for an employer, labor union or employment agency to: Deny any person an equal opportunity to obtain employment, to be promoted and to be

accorded all other rights to compensation, tenure and other terms, conditions and privileges of employment.

Deny membership rights and privileges in any labor organization.

who is licensed by the Bureau of Professional and Occupational Affairs. It is also unlawful for any person, employer, labor union or employment agency to retaliate

against an individual because the individual has filed a complaint with the Commission, or has otherwise participated in any Commission proceeding, or for any person to aid or abet any unlawful discriminatory practice under the Human Relations Act. **PARTIES SUBJECT TO THE ACT** The employment provisions of the Pennsylvania Human Relations Act apply to: (1) Employers of

4 or more persons, including units of state and local government, (2) Labor organizations, and (3) Employment agencies.

**PITTSBURGH** 301 5TH AVE., SUITE 390 PITTSBURGH, PA 15222

110 N. 8TH ST., SUITE 501 PHILADELPHIA, PA 19107

(215) 560-3599 (TTY)

### notice was prepared by VETS, and may be viewed on the internet at this address: http://www.dol.gov/vets/programs/userra/poster.htm. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by

LINITED STATES OF AMERICA

FED

or during the course of employment.

REV. 04/2017

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions. Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

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

The employee must: Have worked for the employer for at least 12 months;

• Have at least 1,250 hours of service in the 12 months before taking leave;\* and Work at a location where the employer has at least 50 employees within 75 miles of the employee's

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

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

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

**REV. 02/2007** 

### **EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT**

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

**EMPLOYER RESPONSIBILITIES** Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer

must provide a reason for ineligibility. Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

**ENFORCEMENT** 

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer 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.

For additional information or to file a complaint: DEPARTMENT OF LABOR UNITED STATES OF AMERICA

1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627 www.dol.gov/whd

**Equal Employment Opportunity is THE LAW** history); and requests for or receipt of genetic Private Employers, State and

proceeding, or otherwise opposes an unlawful

There are strict time limits for filing charges of

mination is suspected:

on the following bases

aspects of employment.

INDIVIDUALS WITH DISABILITIES

The U.S. Equal Employment Opportunity

Commission (EEOC), 1-800-669-4000 (toll-free)

office information is available at www.eeoc.gov

or in most telephone directories in the U.S.

Government or Federal Government section.

Additional information about EEOC, including

RACE, COLOR, RELIGION, SEX, NATIONAL

or 1-800-669-6820 (toll-free TTY number for

WHAT TO DO IF YOU BELIEVE DISCRIMINATION

employment practice.

HAS OCCURRED

**Local Governments, Educational Institutions, Employment** RETALIATION Agencies and Labor Organizations from retaliating against a person who files a charge Applicants to and employees of most private of discrimination, participates in a discrimination

employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases: RACE, COLOR, RELIGION, SEX, NATIONAL

FED

Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes

failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship. Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified

individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. 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.

The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. SEX (WAGES)

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and the same establishment.

responsibility, under similar working conditions, in Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training,

members; the manifestation of diseases or

disorders in family members (family medical

contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level. classification, referral, and other aspects of DISABLED, RECENTLY SEPARATED, OTHER employment. GINA also restricts employers' acquisition of genetic information and strictly MEDAL VETERANS limits disclosure of genetic information. Genetic information includes information about genetic

PROTECTED, AND ARMED FORCES SERVICE The Vietnam Era Veterans' Readiustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits tests of applicants, employees, or their family job discrimination and requires affirmative action to employ and advance in employment disabled

who is an applicant or employee, barring undue

hardship. Section 503 also requires that Federal

veterans, recently separated veterans (within three

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 Executive Order 11246, as amended, prohibits job primary objective of the financial assistance is discrimination on the basis of race, color, religion, sex or national origin, and requires affirmative 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.

> 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

EEOC 9/02 and OFCCP 8/08 Versions Useable With EEOC-P/E-1

**REV. 11/2009** 

## Department of Labor & Industry, Office of Unemployment Compensation Benefits Policy **Pennsylvania Unemployment Compensation**

Under the provisions of the Pennsylvania Unemployment Compensation (UC) Law, I am registered with the Pennsylvania Department of Labor & Industry as:

PA UC ACCOUNT NUMBER

If you become UNEMPLOYED or your HOURS ARE REDUCED due to LACK OF WORK, the company, department, agency, mmission, or bureau where you worked may provide you with a completed **Form UC-1609**, How to Apply for nemployment Compensation (UC) Benefits.

Your UC application will be dated effective the week in which you actually file the application for benefits. You should file a new claim or reopen an existing claim during the first week in which you are unemployed or that your hours are reduced. You may risk losing some benefit eligibility if you file after the first week you are unemployed. NOTE: To file an application for UC benefits, you will need to provide your Scan with your

> Complete mailing and home address • Name, address, and account number of employer(s) from Form UC-1609

 Dates of employment and reasons for leaving Most recent pay stub (optional but helpful)

You may file your new application, reopen an existing claim or get information about the UC Program online at www.uc.pa.gov, or by calling the UC Service Center at 888-313-7284. TTY: (Hearing Impaired) at 888-334-4046. When claiming UC benefits, you must report *gross* wages that you *earned* during any week for which you are claiming UC benefits. Computer crossmatching is used to detect the illegal receipt of UC payments resulting from unreported work and earnings, as well as unreported pensions.

**REMEMBER:** Whenever you have questions or any problem regarding your UC claim, contact your UC Service Center. Do not take outside advice. Outside advice may be incorrect and could adversely affect your eligibility to

A person who knowingly makes a false statement or knowingly withholds information to obtain UC benefits commits a criminal offense under section 801 of the UC Law, 43 P.S. §871, and may be subject to a fine, mprisonment, restitution and loss of future benefits. Auxiliary aids and services are available upon request to individuals with disabilities. Equal Opportunity Employer/Program

Department of Labor & Industry, Bureau of Workers' Compensation REMEMBER: IT IS IMPORTANT TO TELL YOUR EMPLOYER ABOUT YOUR INJURY The name, address and telephone number of your employer's workers' compensation insurance company, third-party administrator (TPA), or person handling workers' compensation claims for your company, are shown below.

IAME OF INSURANCE COMPANY: NSURER CODE:

**IF SELF-INSURED** 

(Complete all applicable spaces)

IF SOMEONE OTHER THAN SELF-INSURER IS HANDLING CLAIMS: (Complete all applicable spaces) Name of Person Handling Claims at the self-insured: Name of TPA (Claims administrator):

Any individual filing misleading or incomplete information knowingly and with the intent to defraud is in violation of Section 1102 of the Pennsylvania Workers' Compensation Act, 77 P.S. §1039.2, and may also be subject to criminal and civil enalties under 18 Pa. C.S.A. §4117 (relating to insurance fraud) Employer Information Claims Information

REV. 04/2018

# **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 workrelated injury or illness, without being

in your workplace. Request an OSHA inspection of your

workplace if you believe there are unsafe or unhealthy conditions. OSHA will keep your name confidential. You have the right to have a representative contact OSHA on your behalf.

 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.

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.

## **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.

 Report to OSHA all work-related fatalities within 8 hours, and all inpatient

Comply with all applicable OSHA standards.

hospitalizations, amputations and losses of an eye within 24 hours. 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. FREE ASSISTANCE to identify and correct hazards is available to small and mediumsized employers, without citation or penalty,

through OSHA-supported consultation



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



contact J. J. Keller & Associates, Inc. JJKeller.com/employmentlaw 800-327-6868

**Since 1953** 

# **NOTE:** Minors between 14 and 16 years of age may not be employed at times that interfere with regular school attendance. Hours spent in school must be included in daily and weekly hours of work. I hereby certify that the schedules of hours given above are true and correct. Address of Establishment Manager Signature This Schedule and the Abstract of the Child Labor Law Must be Posted in a Conspicuous Place in Every Pennsylvania Business Governed by the Child Labor Law. This Schedule Must be Kept up to Date and Correct. Auxiliary aids and services are available upon request to individuals with disabilities.

Equal Opportunity Employer/Program

### **YOUR RIGHTS UNDER USERRA** THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT USERRA protects the job rights of individuals who voluntarily or involuntarily leave In addition, an employer may not retaliate against anyone assisting in the enforcement of employment positions to undertake military service or certain types of service USERRA rights, including testifying or making a statement in connection with a proceeding

under USERRA, even if that person has no service connection

for service-connected illnesses or injuries.

applicable, for representation

violations of USFRRA.

• Even if you don't elect to continue coverage during your military service, you have the

• The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is

authorized to investigate and resolve complaints of USERRA violations.

The rights listed here may vary depending on the circumstances. The text of this

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

Provides for a fine of not less than \$50 nor more than \$200, or imprisonment of not less than 30

days nor more than 60 days, for: (1) employer who willfully and knowingly violates provisions of

institutes, or testifies at, proceedings under the act; and (2) employer who fails to keep required

records, falsifies such records, hinders, delays, or otherwise interferes with the Secretary or his

authorized representative in the performance of his duties in the enforcement of the act. Each

**More Information is Available Online** 

Additional information about the Equal Pay Law is available online at: www.state.pa.us,

PA Keyword: labor & industry. Click on "Labor Law Compliance" under Quick Links.

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Equal Opportunity Employer/Program

following: (1) Any person who believes he or she has been discriminated against, (2) The

employer whose employees hinder compliance with the provisions of the Act.

Pennsylvania Human Relations Commission, (3) The Attorney General of Pennsylvania, or (4) An

PARTIES EXEMPT FROM THE ACT

The employment provisions of the Pennsylvania Human Relations Act do not apply to: (1) Any

individual employed in agriculture or domestic service, (2) any individual who, as part of his or

her employment, resides in the personal residence of the employer, (3) Any individual employed

WHO MUST POST THIS NOTICE

provisions of this Act is required by law to post this notice in a conspicuous, easily accessible and

WARNING: Removing, defacing, covering up or destroying this notice is a violation

of the Pennsylvania Crimes Code and may subject you to fine or

Every employer, labor organization and employment agency subject to the employment

well-lighted location customarily frequented by applicants, employees or members.

day a violation continues shall constitute a separate offense.

the act, or discharges or otherwise discriminates against an employee who makes a complaint,

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 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 <a href="http://www.dol.gov/vets">http://www.dol.gov/vets</a>. An interactive

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

You may also bypass the VETS process and bring a civil action against an employer for

online USERRA Advisor can be viewed at http://www.dol.gov/elaws/userra.htm.

in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and HEALTH INSURANCE PROTECTION applicants to the uniformed services. • If you leave your job to perform military service, you have the right to elect to continue REEMPLOYMENT RIGHTS your existing employer-based health plan coverage for you and your dependents for up You have the right to be reemployed in your civilian job if you leave that job to perform to 24 months while in the military.

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

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

are a past or present member of the are obligated to serve in the uniformed have applied for membership in the uniformed service; or

The birth of a child or placement of a child for adoption or foster care;

employees may take leave intermittently or on a reduced schedule.

To bond with a child (leave must be taken within 1 year of the child's birth or placement);

To care for the employee's spouse, child, or parent who has a qualifying serious health condition;

For the employee's own qualifying serious health condition that makes the employee unable to perform

For qualifying exigencies related to the foreign deployment of a military member who is the employee's

eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up

to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted,

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If

an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees

DEPARTMENT OF LABOR & INDUSTRY, BUREAU OF LABOR LAW COMPLIANCE

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

Abstract of the Equal Pay Law

FED

then an employer may not deny you initial employment: · any benefit of employment

retention in employment

a 12-month period for the following reasons:

the employee's job;

normal paid leave policies.

were not on leave.

PA

Records Required:

**BENEFITS & PROTECTIONS** 

spouse, child, or parent.

because of this status.

FED

than honorable conditions

**REV. 07/2016** 

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

Contact: Counties Served: Bureau of Labor Law Compliance

More Information is Available Online Additional information about the Minimum Wage Act is available online at: www.state.pa.us, PA Keyword: Minimum

Auxiliary aids and services are available upon request to individuals with disabilities. Equal Opportunity Employer/Program COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF LABOR & INDUSTRY TOM WOLF | GOVERNOR KATHY M. MANDERINO | SECRETAR)

**Child Labor Act Hours Rules for Performances By Minors** 

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

Max. hours (24-hour period)

at place of employment (does

not include hours at minors

residences)

4

8

Live performances-maximum number: three/day or 10/calendar week (Sunday-Saturday).

Non-work time at place of employment includes education, rest and recreation.

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

12 hours must elapse between time of dismissal and time of call on the following day.

by 12:30 a.m. on evenings preceding nonschool days.

but may not work in excess of eight hours in 24-hour period.

compulsory attendance under the Public School Code.

Meal periods of half hour-one hour are not counted toward maximum hours/non-work time at place of

Work days for minors may not begin before 5 a.m., and must end by 10 p.m. on evenings preceding school days of

Age 14–17 may work during school hours with permission from school authorities for up to two consecutive days

Performances rules do not apply to minors who have graduated from high school or who are exempt from

For further information on the Child Labor Act, please consult the Department of Labor & Industry's website

Email the Bureau of Labor Law Compliance at: RA-LI-SLMR-LLC@pa.gov

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Equal Opportunity Employer/Program

PITTSBURGH DISTRICT OFFICE

PITTSBURGH, PA 15222

SCRANTON DISTRICT OFFICE

100 LACKAWANNA AVE

SCRANTON, PA 18503

201 B STATE OFFICE BUILDING

412-565-5300 or 877-504-8354

570-963-4577 or 877-214-3962

301 5TH AVI

**SUITE 330** 

**REV. 09/2016** 

### **Human Relations Commission Employment Provisions of the** Pennsylvania Human Relations Act (Act of October 27, 1955, P.L. 744, as Amended) **PURPOSE OF PROVISIONS** Complaints may be filed within 180 days of the alleged act of discrimination by any of the

religion, ancestry, age (40 and above), sex, national origin, non-job related disability, known association with a disabled individual, possession of a diploma based on passing a general education development test, or willingness or refusal to participate in abortion or sterilization.

Deny any person equal opportunity to be referred for employment. Refuse to contract or otherwise discriminate in contracting with any independent contractor

For further information, write, phone or visit the Pennsylvania Human Relations Commission:

**Executive Offices:** 333 Market Street, 8th Floor · Harrisburg, PA 17126 (717) 787-4410 · (717) 787-7279 (TTY) or visit us at www.phrc.state.pa.us

mobile phone

**REV. 09/2017** 

by his or her parents, spouse or child.

To file a complaint, contact the Regional Office nearest you: 333 MARKET STREET, 8TH FLOOR

HARRISBURG, PA 17104 (215) 560-2496

(717) 787-9780

(412) 565-5395 (717) 787-7279 (TTY) (412) 565-5711 (TTY)

The UC Law can provide you with an income during periods when you are either partially or totally unemployed

**IMPORTANT** 

 Social Security Number • Alien registration number (if not a U.S. citizen)

• Personal Identification Number (PIN) (if you have one from a prior claim)

IF INSURED: IF SOMEONE OTHER THAN INSURER IS (Complete all applicable spaces) HANDLING CLAIMS: (Complete all applicable spaces) NAME OF TPA (CLAIMS ADMINISTRATOR):

800.482.2383

local & outside PA

717.772.4447

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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.

individuals engaged in national security-related activities.

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 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. incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace 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

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

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

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT

1-866-487-9243 **WAGE AND HOUR DIVISION** 

TTY: 1-877-889-5627 UNITED STATES DEPARTMENT OF LABOR

www.dol.gov/whd

REV. 07/2016

REV. 04/2016

U.S. Department of Labor • Wage and Hour Division • WH1420

years of discharge or release from active duty), services by applicants, employees, or their family other protected veterans (veterans who served during a war or in a campaign or expedition for which a campaign badge has been authorized). and Armed Forces service medal veterans (veterans All of these Federal laws prohibit covered entities who, while on active duty, participated in a U.S.

in an OFCCP proceeding, or otherwise opposes discrimination under these Federal laws. employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your Any person who believes a contractor has violated right to file a private lawsuit, should you ultimately its nondiscrimination or affirmative action need to, you should contact EEOC promptly when obligations under the authorities above should contact immediately: The Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. individuals with hearing impairments). EEOC field 20210, 1-800-397-6251 (toll-free) or

(202) 693-1337 (TTY). OFCCP may also be

contacted by e-mail at OFCCP-Public@dol.gov,

or by calling an OFCCP regional or district office,

listed in most telephone directories under U.S.

military operation for which an Armed Forces

Retaliation is prohibited against a person who

files a complaint of discrimination, participates

service medal was awarded).

RETALIATION

information about charge filing, is available at Government, Department of Labor. **Programs or Activities Receiving Employers Holding Federal** Federal Financial Assistance Contracts or Subcontracts RACE, COLOR, NATIONAL ORIGIN, SEX Applicants to and employees of companies with In addition to the protections of Title VII of the a Federal government contract or subcontract are Civil Rights Act of 1964, as amended, Title VI protected under Federal law from discrimination of the Civil Rights Act of 1964, as amended,

action to ensure equality of opportunity in all Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals from discrimination on the basis of disability in hiring, **INDIVIDUALS WITH DISABILITIES** promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability

such assistance.

retaliated against. Receive information and training on job hazards, including all hazardous substances

 Participate (or have your representative) participate) in an OSHA inspection and speak in private to the inspector.

Request copies of your medical records, tests

To update your employment law posters

This poster is in compliance with federal and state posting requirements.