



J. J. Keller
& Associates, Inc.
Since 1953

FEDERAL Labor Laws

FLSA

United States Department of Labor
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 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 non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youth 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-farm 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. The law prohibits an employer's wage obligation from being less than the minimum wage. If an employer's tips combined with the employee's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employee must make up the difference.

Certain full-time students, student trainees, 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 AMERICAWHD
WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR1-866-487-9243
www.dol.gov/agencies/whd

WH1088

REV. 04/2023

FMLA

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 or medical reasons.

Eligible employees can take up to 12 weeks of FMLA leave in a 12-month period for:

- The birth and adoption or foster placement of a child;
- Your spouse, son, daughter, or parent who is unable to work;
- To care for your spouse, son, daughter, or parent with a serious health condition; and

Certain 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 12 weeks of 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 on a reduced schedule by working less hours each day or week. Read Fact Sheet #1 for more information.

You have the right to take FMLA leave in a block of time. When it is medically necessary or otherwise permitted, you may take FMLA leave intermittently in separate blocks of time on a reduced schedule by working less hours each day or week. Read Fact Sheet #1 for more information.

For example, if you are entitled to FMLA leave, you may choose, 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?

If you are eligible to take FMLA leave, you must apply:

- You work for a covered employer;
- You have worked for your employer at least 12 months;
- You have provided 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 workplace.

For example, if you are eligible to take FMLA leave, you must apply:

- You work for a public or private secondary school, or
- You work for a state or local 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:

- Give notice at least 30 days before your leave, or
- If advance notice is not possible, give notice as soon as possible.

You do not have to provide a medical diagnosis but must provide enough information to your employer so that he or she can determine whether you are eligible to take FMLA leave. If your employer has previously taken or approved for the same reason when requesting additional leave, or

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