

# Employee Rights Under the Fair Labor Standards Act Poster



Federal Minimum Wage

## EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

### FEDERAL MINIMUM WAGE

**\$7.25** per hour

effective July 1, 2009

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

- QUALIFIED PAY** All work you do for an employer counts for a minimum wage rate if it is paid for.
- CHILD LABOR** An employer may not let a child 14 years old or less work in most jobs, and a teen 15 to 17 may not do certain jobs covered by the Fair Labor Standards Act. Hours 14 and 15 year olds can do certain jobs in certain circumstances, including non-manufacturing, non-mining, non-hazardous work, other work under certain conditions. Different rules apply in agriculture occupations.
- TIP CREDIT** Employees of "tipped employees" who must receive a certain tip credit or other wage credit based on tips received by their employer. Employers must pay these employees a cash wage of at least \$2.13 per hour. If the total cash wage plus tips is less than the minimum wage, the employer has to pay the difference. The minimum wage credit may not be used for the minimum hourly wage. An employer that fails to do otherwise.
- NURSING MOTHERS** The Fair Labor Standards Act provides separate rules for the nursing mother employee who is subject to the FLSA's overtime requirements. In order for the employee to receive a break for her nursing children, you can use the minimum wage credit only when the employee has to use the break to nurse her child. Employers are also required to provide suitable other break facilities, but it cannot be used to reduce the minimum wage credit and the public health may be seriously threatened or endangered.
- ENFORCEMENT** The Department has authority to enforce both wage and overtime provisions to maintain fairness in payment of minimum wage, overtime, and other benefits. The Department may bring civil enforcement actions, prosecute employers who do not pay and may penalties for each violation. Penalties include fines, back wages, and other remedies. Penalties may be assessed for violations of the FLSA that were willful. Penalties may also be assessed for violations of the FLSA that were not willful. In the event of a violation, the Department may be notified. Penalties may be assessed upon the employer's failure to comply with the FLSA. The Department's Department of Labor encourages workers who file a complaint or participate in any proceeding under the FLSA.
- ADDITIONAL INFORMATION**
  - Certain occupations and conditions are exempt from the minimum wage credit. See section 132a of the FLSA.
  - Special provisions apply to workers in seasonal homes. See Department of Labor's Bureau of Labor Statistics, and the Department of Labor's Bureau.
  - Some states have created their own minimum wage provisions. Employees may qualify with both.
  - Some employers may qualify for a "minimum wage credit" when they are subject to the FLSA. It is important to see the difference between the two. Certain employers may qualify for the FLSA's minimum wage and overtime law provisions and certain conditions. Employees are not.
  - Contact the nearest state labor agency, and contact the nearest regional office for more information. Contact the nearest office for more information. Contact the Department of Labor.



**EWHD**

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and Labor Standards Administration

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