

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement
FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son, daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements
Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement for certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending certain medical appointments.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for the entire period of the servicemember's medical treatment, recuperation, or therapy; or is inpatient status; or on the temporary disability leave period.

Use of Leave
An employee does not need to use the leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave
Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities
Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employer Responsibilities
Employers must provide sufficient information for the employee to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances regarding the need for military family leave. Employers also must inform the employee if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities
Covered employers may inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employee's rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers
FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA;

Enforcement
An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.309(a) may require additional disclosures.

Benefits and Protections
During FMLA leave, the employer must maintain the employer's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be reinstated to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefits that accrued prior to the start of an employee's leave.

Eligibility Requirements
Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

Definition of Serious Health Condition
A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in substantial or other family activities.

Subject to certain conditions, the continuing treatment requirement may be a chronic condition of incapacity of more than 2 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

For additional information:
1-866-4USWAGE (1-866-487-9243) WWW.WAGEHOUR.DOL.GOV

U.S. Department of Labor | Employment Standards Administration | Wage and Hour Division



EMPLOYEE STANDARDS ADMINISTRATION

Wage and Hour Division
Washington, D.C. 20210

NOTICE

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 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.

EXEMPTIONS
Federal, State and local governments are not affected by the law. Also, the law does not apply to certain activities.

The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions. In 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 have reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.

EXAMINEE RIGHTS

Where polygraph tests are permitted, they are subject to numerous strict standards concerning the content and length of the test. Examinees have a number of specific rights, including the right to a

UNEMPLOYMENT COMPENSATION

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

NAME: _____
ADDRESS: _____

The UC Law provides you with an income during periods when you are not working. You may be eligible for unemployment benefits if you are laid off or discharged without your fault.

IMPORTANT

YOUR UC APPLICATION WILL BE AWARDED EFFECTIVE THE WEEK YOU ACTUALLY FILE THE APPLICATION FOR BENEFITS.

TO FILE AN APPLICATION FOR UC BENEFITS, YOU WILL NEED:

- YOUR SOCIAL SECURITY NUMBER
- YOUR EMPLOYER'S CLAIMS NUMBER (IF YOU HAVE ONE)
- YOUR SOCIAL SECURITY NUMBER AND YOUR CURRENT HOME ADDRESS (IF YOU ARE NOT CURRENTLY EMPLOYED)
- YOUR SOCIAL SECURITY NUMBER AND YOUR CURRENT HOME ADDRESS (IF YOU ARE CURRENTLY EMPLOYED)
- YOUR SOCIAL SECURITY NUMBER AND YOUR CURRENT HOME ADDRESS (IF YOU ARE CURRENTLY EMPLOYED)
- YOUR SOCIAL SECURITY NUMBER AND YOUR CURRENT HOME ADDRESS (IF YOU ARE CURRENTLY EMPLOYED)

YOU SHOULD FILE A NEW APPLICATION OR REOPEN AN EXISTING CLAIM DURING THE FIRST WEEK IN WHICH YOU ARE UNEMPLOYED OR YOUR HOURS ARE REDUCED SIGNIFICANTLY.

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

*This 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 tests.

U.S. Department of Labor
Employment Standards Administration
Wage and Hour Division
Washington, D.C. 20210

WH Publication 1462
June 2003

PENNSYLVANIA WORKER AND COMMUNITY RIGHT TO KNOW ACT

The Pennsylvania Worker and Community Right to Know Act requires that information about hazardous substances in the workplace and in the environment is available to public sector employees and employees of private sector workplaces not covered by the Federal Occupational Safety and Health Administration (OSHA) Hazard Communication Standard and to all persons living or working in the state. Employee rights listed below are further defined in the Worker and Community Right to Know Act (PL 734, No. 159) and Regulations. For additional information, contact the Department of Labor & Industry, Bureau of PENNSAFE, 651 Boas Street, Room 155-E, Harrisburg, Pennsylvania 17121-0750; 717.783.2071; Fax 717.783.5099; E-mail: hp-pennsafe@state.pa.us

Employee Workplace Notice

Public sector employees (including state and local government agencies and public schools and public universities) and private sector employees not covered by the OSHA Hazard Communication Standard must post this notice informing employees of their rights under the law. This notice must be posted prominently in the workplace at a location where employee notices are normally posted.

Training

Public sector employees and private sector employees not covered by the OSHA Hazard Communication Standard must provide an annual education and training program in employee exposure to hazardous substances. The training program may be presented either in written form or in training sessions.

Hazardous Substance Survey Form

The Hazardous Substance Survey Form (HSSF) provides an inventory of the hazardous substances found in the workplace during the prior calendar year. All employers must complete a workplace HSSF annually. Public sector employees and private sector employees not covered by OSHA must post the HSSF prominently in the workplace and must provide a copy to any employee upon request.

Work Area List

The Work Area List names the hazardous substances used or produced in a specific work area in the workplace. Public sector employees and private sector employees not covered by the OSHA Hazard Communication Standard must update a Work Area List at least annually and must provide a copy to any employee of the work area upon request, and must also provide a copy to any employee newly assigned to that work area.

Material Safety Data Sheet

The Material Safety Data Sheet (MSDS) provides detailed information about a hazardous substance. In public sector workplaces and private sector workplaces not covered by the OSHA Hazard Communication Standard, an MSDS must be accessible in the work area where the hazardous substance is described in use. MSDSs must be readily available to employees without the intervention of management or supervisors, and any employee may obtain and examine an MSDS for any hazardous substance in the workplace. If an employee's request to obtain a copy of an MSDS is made in writing and, after five (5) working days from the date the request is made, the employer fails to furnish the employee with an MSDS in the employer's possession or fails to provide the employee with proof of the employer's effort to obtain the requested MSDS from the manufacturer, importer, supplier or distributor and from the Department of Labor & Industry, the requesting employee may refuse to work with the substance.

Environmental Hazard Survey Form

The Environmental Hazard Survey Form (EHSF) provides information about any environmental hazards emitted, discharged or disposed of from the workplace. All employers are required to complete an EHSF when and if requested to do so by the Department of Labor & Industry. If an EHSF has been completed by a public sector employer or a private sector employer not covered by the OSHA Hazard Communication Standard, a copy must be provided to any employee upon request.

Labeling

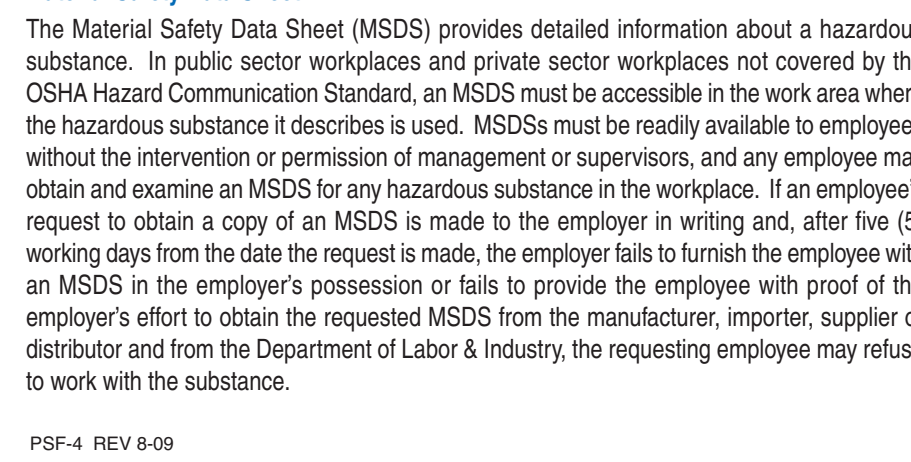
All containers and parts of pipelines of hazardous and non-hazardous substances in public sector workplaces and private sector workplaces not covered by the OSHA Hazard Communication Standard must be properly labeled. Employers must ensure that each label, sign, placard or other operating instruction is prominently affixed and displayed on the container or part of a pipeline system so that employees can easily identify the contents.

Health and Exposure Records

Public sector employees and private sector employees not covered by the OSHA Hazard Communication Standard must maintain and allow employee access to records of employee chemical exposure to the extent required by OSHA (under 29 CFR 1910.1200) or by the Mine Safety Health Administration (under 30 CFR 70.210 and 71.210).

Non-discrimination

If a public sector employee or an employee of a private sector workplace not covered by the OSHA Hazard Communication Standard believes that he or she has been discharged, disciplined or discriminated against by an employer for exercising his or her rights granted under the Pennsylvania Worker and Community Right to Know Act, that employee has 180 days from the date of the alleged violation to file a written complaint with the Department of Labor & Industry, Bureau of PENNSAFE.



Commonwealth of Pennsylvania
Edward G. Rendell, Governor
Department of Labor & Industry
Sandi Vito, Secretary

PSF-4 REV 6-09

Job Safety and Health It's the law!

Occupational Safety and Health Administration
U.S. Department of Labor

EMPLOYEES:

You have the right to notify your employer or OSHA about workplace hazards. You may ask OSHA to keep your name confidential.

You have the right to request an OSHA inspection if you believe that there are unsafe and unhealthful conditions in your workplace. You or your representative may participate in that inspection.

You can file a complaint with OSHA within 30 days of retaliation or discrimination by your employer for making safety and health complaints or for exercising your rights under the OSH Act.

You have the right to see OSHA citations issued to your employer. Your employer must post the citations at or near the place of the alleged violations.

Your employer must correct workplace hazards by the date indicated on the citation and must certify that these hazards have been reduced or eliminated.

You have the right to copies of your medical records and records of your exposures to toxic and harmful substances or conditions.

Your employer must post this notice in your workplace.

You must comply with all occupational safety and health standards issued under the OSH Act that apply to your own actions and conduct on the job.

EMPLOYERS:

You must furnish your employees a place of employment free from recognized hazards.

You must comply with the occupational safety and health standards issued under the OSH Act.

Free assistance in identifying and correcting hazards or complying with standards is available to employers, with citation or penalty, through OSHA-supported consultation programs in each state.

1-800-321-OSHA
www.osha.gov
OSHA 3165-12-06R

Ref.: 29 CFR 1903.2(a)(1)

STATE AND FEDERAL LABOR LAW

PUBLIC ACCOMMODATION PROVISIONS PENNSYLVANIA HUMAN RELATIONS ACT

(Act of October 27, 1955, PL 744, as Amended)

Under this Act, a public accommodation is any accommodation which is open to, accepted or solicited the patronage of the general public, including government services.

It is unlawful for any owner, lessee, proprietor, manager, superintendent, agent, or employee of any public accommodation to discriminate against any person in the full use and enjoyment of such public accommodation, on the basis of race, color, religion, sex, ancestry, national origin, disability, known association with a person with a disability, use of a guide or support animal due to blindness, deafness, or physical disability or because the user is a handler or trainer of such animals.

This notice, which has been prepared and distributed by the Pennsylvania Human Relations Commission, should be posted conspicuously in easily accessible and well-lighted places at the public accommodation, where they may be readily seen by those seeking or granting any accommodations, advantages, facilities or privileges of such public accommodation.

Complaints must be filed within 180 days of the alleged act of discrimination.

WARNING: Removing, defacing, covering up or destroying this notice is a violation of the Pennsylvania Crimes Code and may subject you to fine or imprisonment.

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

Central Office: 301 Chestnut Street, Suite 300 • P.O. Box 3145
Harrisburg, PA 17105-3145 • (717) 787-4410 (VOICE) • (717) 787-4087 (TT)
or visit us at www.phrc.state.pa.us

To file a complaint contact the Regional Office nearest you:

Pittsburgh: 11th Floor, State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222-1210 (412) 565-5395 (VOICE) (412) 565-5711 (TT)

Harrisburg: 11th Floor, Harrisburg Office Center, 1101 North Front Street, Harrisburg, PA 17104-2515 (717) 787-7279 (TT)

Philadelphia: 110 North 8th Street, Suite 501, Philadelphia, PA 19107 (215) 562-2496 (VOICE) (215) 562-3599 (TT)

EMPLOYMENT PROVISIONS PENNSYLVANIA HUMAN RELATIONS ACT

(Act of October 27, 1955, PL 744, as Amended)

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, religion, ancestry, age (40 and above), sex, national origin, marital status, known association with a person with a disability, or on the basis of passing a general education development test, or willingness or refusal to participate in abortion and sex-related information.

UNLAWFUL DISCRIMINATORY PRACTICES

It is unlawful—on the basis of the listed characteristics—to discriminate in employment by:

1. Deny any person an equal opportunity to obtain employment, to be promoted and to be accorded all other rights to compensation, income, and other terms, conditions and privileges of employment.

2. Deny membership rights and privileges in any labor organization.

3. Deny any person equal opportunity to be hired for employment.

4. Refuse to contract or otherwise discriminate in contracting with any independent contractor who is licensed by the Bureau of Professional and Occupational Affairs.

5. It is also unlawful for any person, employer, labor union or independent contractor 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 governments, (2) Labor organizations, and (3) Employment agencies.

WHO MAY FILE A COMPLAINT

Complaints may be filed within 180 days of the alleged act of discrimination by any of the following: (1) Any individual who believes he or she has been discriminated against; (2) The Pennsylvania Human Relations Commission; (3) The Attorney General of Pennsylvania; or (4) An employer whose employees' federal compliance with the provisions of the Act.

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; or (3) Any individual employed by a labor organization or union.

WHO MUST POST THIS NOTICE

Every employer, labor organization and employment agency subject to the employment provisions of this Act is required to post this notice in an easily accessible and well-lighted location conspicuously in each place of employment by application, advertisement or other means.

WARNING: Removing, defacing, covering up or destroying this notice is a violation of the Pennsylvania Crimes Code and may subject you to fine or imprisonment.

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

Central Office: 301 Chestnut Street, Suite 300 • P.O. Box 3145
Harrisburg, PA 17105-3145 • (717) 787-4410 (VOICE) • (717) 787-4087 (TT)
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Department of Labor & Industry Bureau of Labor Law Compliance

Abstract of the Equal Pay Law

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

Discrimination on Basis of Sex:
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 that of a worker of the opposite sex for equal work on 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 increase system that does not discriminate on the basis of sex.

Records Required:
Requires employer to keep and maintain records of wages, wage rates, job classifications and other terms and conditions of employment of the persons employed, as the Secretary of Labor & Industry shall prescribe. Requires that employers post an abstract of the law.

Penalties:
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 the act, or discharges or otherwise discriminates against an employee who makes a complaint, institutes, or testifies at, proceedings under the act; and (2) employer who fails to keep required records, falsifies such records, hides, delays, or otherwise interferes with the Secretary or his authorized representative in the performance of his duties in the enforcement of the act. Each day a violation continues shall constitute a separate offense.

Administration:
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 the act, or discharges or otherwise discriminates against an employee who makes a complaint, institutes, or testifies at, proceedings under the act; and (2) employer who fails to keep required records, falsifies such records, hides, delays, or otherwise interferes with the Secretary or his authorized representative in the performance of his duties in the enforcement of the act. Each day a violation continues shall constitute a separate offense.

Collection of Unpaid Wages in Case of Discrimination:
Provides for the collection of unpaid wages due under the act and in addition, an equal amount of liquidated damages and reasonable attorney's fee and costs. Authorizes the Secretary of Labor & Industry and upon an employer's request, to take assignment of such a wage claim for collection.

More Information is Available Online

Additional information about the Equal Pay Law is available online at: www.state.pa.us. PA Keyword: Labor and Industry. Click on "Labor Law Compliance" under Quick Links.

Auxiliary aids and services are available upon request to individuals with disabilities. Equal Opportunity Employer/Program. UIC-700 2007

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

FEDERAL MINIMUM WAGE

\$7.25 PER HOUR
BEGINNING JULY 24, 2009

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 employer must not be at least 18 years old to work in most non-farm jobs and at least 14 to work in non-hazardous jobs covered by the Secretary of Labor.

Months 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs under the following conditions:

- No more than 8 hours on a school day or 40 hours in a school week.
- Hours may not begin before 7 a.m. and end after 7 p.m., except from June 1 through Labor Day, when evening hours are extended to 9 p.m. Different rules apply to agricultural employment.

TIP CREDIT: Employers of " tipped employees " may pay a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employer's tip credit combined with the employer's cash wage of at least \$2.13 per hour does not equal the minimum hourly wage, the employer must make up the difference. Certain other conditions must also be met.

ENFORCEMENT: The Department of Labor may recover back wages after administrative or through court action, for the employees that have been underpaid in violation of the law. Violations may result in civil or criminal penalties.

Employers may be assessed civil monetary penalties of up to \$1,100 for each willful or repeated violation of the minimum wage or overtime pay provisions of the act and up to \$1,100 for each employer who is subject to a violation of the Act's child labor provisions. In addition, a civil penalty

penalty of up to \$50,000 may be assessed for each labor violation that causes the death or disability of any employee, and up to \$20,000 when the violation is determined to be willful or repeated. The law also prohibits discriminating against or discharging workers who file a complaint or participate in any proceeding under the Act.

ADDITIONAL INFORMATION:
Certain occupations and establishments are exempt from the minimum wage and overtime pay provisions.
Special provisions apply to workers in American Samoa and the Commonwealth of the Northern Mariana Islands.
Some states provide greater employee protections; employers must comply with both.
The law requires employers to display the new minimum wage poster in each work area.
Employers under 250 employees may file a wage claim with the Wage and Hour Division.
Certain full-time students, student teachers, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

For additional information:
1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627
WWW.WAGEHOUR.DOL.GOV
U.S. Department of Labor | Wage and Hour Division | 610 Independence Boulevard, Suite 1000

Minimum Wage Law Summary

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

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 1-1/2 times their regular rate of pay after 40 hours worked in a workweek (Except as Described Below and Within).

Minimum Wage Rate:
\$7.25 per hour
Effective **July 24, 2009**
(Except as Described).

COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF LABOR & INDUSTRY

Exemptions from Both Minimum Wage and Overtime Rates

- Domestic in a farm
- Laborer on or about the private home of the employer
- Delivery of newspapers to the consumer
- Publication of weekly, semi-weekly or daily newspaper with a circulation of less than 4,000 where the major portion of circulation is in the county where published or a holding company
- Bona fide executive, administrative or professional capacity, (including academic administrative personnel or teacher in public school) 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 50% 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.
- Golf caddy
- 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 dealing with handicapped or exceptional children or by a nonprofit day or residential seasonal recreational camp for campers under the age of 18 years, which operates for a period of less than three months in any one year
- In employment by a public amusement or recreational establishment, organized camp, or religious or nonprofit educational conference center, if it does not operate more than seven months a year or (ii) during the preceding calendar year, the average receipts for 60 months were not more than 33-1/3% of its average receipts for the other 6 months of each year
- Switchboard operator employed by an independently-owned public telephone company which has no more than 750 stations