

**FED**

## 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 most 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-hazardous 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 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.

### NURSING MOTHERS

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.

### DEPARTMENT OF LABOR UNITED STATES OF AMERICA

### WHD WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243  
TTY: 1-877-889-5627  
[www.dol.gov/whd](http://www.dol.gov/whd)

REV. 07/2016

**IA**

## Your Rights Under the Iowa Minimum Wage Law Hourly Minimum Wage

**\$7.25**

The minimum wage applies to most hourly wage earners employed in Iowa. Most small retail and service establishments grossing less than \$300,000.00 annually are not required to pay the minimum wage. The majority of supervisory and administrative employees paid a salary are not covered by the law. Employers may pay an initial employment rate of \$6.35 for the first 90 calendar days of employment.

**TIP CREDIT** – The employer's share for tipped employees who customarily and regularly receive more than \$30.00 a month in tips must be at least \$4.35 an hour.

### Enforcement

The Iowa Division of Labor may bring action against employers who violate the state's minimum wage law. Courts may order payment of back wages. No employer can discriminate against or discharge an employee for filing a complaint or participating in a proceeding under this law.

### Contact Information

Iowa Division of Labor

The law requires displaying this poster where it can easily be seen by all employees.

Equal Opportunity Employer/Program  
Auxiliary aids and services are available upon request to individuals with disabilities.  
For deaf and hard of hearing, use Relay 711.

REV. 07/2015

**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 laws both apply to an employee, the U.S. Department of Labor dictates that the employee is entitled to the higher minimum wage rate.

**THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.**

**IA**

## Equal Employment Opportunity is the LAW

### What Does Equal Employment Opportunity Mean?

It guarantees the right of all persons to apply and be considered for job opportunities on the basis of the person's ability to do the job. While employed, you should not be treated unfairly because of any of the protected characteristics.

### What Does the Law Cover?

Chapter 216 of the Code of Iowa, as amended, (the Iowa Civil Rights Act), prohibits discrimination in employment because of a person's:

Race	Age (18 and older)
Creed	National Origin
Color	Gender Identity
Sex	Sexual Orientation
Pregnancy	Disability
Religion	

### To Whom Does the Law Apply?

Persons who apply for employment with, or employees of, private employers, state and local governments, and public and private educational institutions with four or more employees.

Employment agencies, labor unions, contractors, and sub-contractors, and apprenticeship programs.

### What Other Resources Are Available to Help with a Discrimination Problem?

You may also contact the local human rights, civil rights or human relations agency in your area, or the U.S. Equal Employment Opportunity Commission (EEOC), a federal agency. The EEOC District Office is located at:

310 West Wisconsin Avenue, Suite 800

Milwaukee, WI 53203-2292

414-297-1111

EEOC enforces Title VII of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, religion, sex, or national origin; the Age Discrimination in Employment Act (ADEA), which protects persons age 40 or older; and the Americans with Disabilities Act (ADA).

**IA**

### Workforce Development

#### UNEMPLOYMENT INSURANCE

If you become unemployed, you may be eligible for unemployment insurance benefits. If you are still employed but working fewer hours than your regular full-time work week and are earning less than your regular full-time wages, you may be entitled to partial benefits. Unemployment insurance benefits are made possible by taxes paid by this employer. No deductions are made from your paycheck to provide unemployment insurance.

The same week you become unemployed, you may file a new unemployment insurance claim online or in-person.

**ONLINE**  
Go to [www.iowaworkforcedevelopment.gov](http://www.iowaworkforcedevelopment.gov) and click on the Apply for Unemployment link. You should file an initial claim the same week you are unemployed or working reduced hours. Your unemployment insurance claim DOES NOT begin on the date your ended or your hours were reduced. Your claim is effective the Sunday of the week you apply.

**IN-PERSON**  
If you do not have access to a computer, visit the nearest IowaWORKS Center. Delay in filing an unemployment insurance claim can result in the loss of all or part of the benefits you may be entitled to receive.

**INFORMATION**  
For complete information about your unemployment insurance rights and responsibilities, review the Unemployment Handbook at [www.iowaworkforcedevelopment.gov](http://www.iowaworkforcedevelopment.gov). To register for work and learn more about available

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## EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

### ENFORCEMENT

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 or discharging workers who file a complaint or participate in any proceeding under the FLSA.

### ADDITIONAL INFORMATION

- Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions.
- Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.
- Some state laws provide greater employee protections; employers must comply with both.
- 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 correctly classified independent contractors are not.
- Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

### What Types of Employment Discrimination are Illegal?

Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of:

- Race
- Color
- Religion
- National origin
- Sex (including pregnancy and related conditions, sexual orientation, or gender identity)
- Age (40 and older)
- Disability
- Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)
- Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding.

### What Employment Practices can be Challenged as Discriminatory?

All aspects of employment, including:

- Discharge, firing, or lay-off
- Harassment (including unwelcome verbal or physical conduct)
- Hiring or promotion
- Assignment
- Pay (unequal wages or compensation)
- Failure to provide reasonable accommodation for a disability or a sincerely-held religious belief, observance or practice
- Benefits
- Job training
- Classification
- Referral
- Obtaining or disclosing genetic information of employees
- Requesting or disclosing medical information of employees
- Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or proceeding.

### What Can You Do If You Believe Discrimination has Occurred?

Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:

**Submit an inquiry through the EEOC's public portal:** <https://publicportal.eeoc.gov/Portal/Login.aspx>  
**Call**: 1-800-669-4000 (toll free)  
 1-800-669-6820 (TTY)  
 1-844-234-5122 (ASL video phone)

**Visit**: an EEOC field office (information at [www.eeoc.gov/field-office](http://www.eeoc.gov/field-office))

**E-Mail**: [Info@eeoc.gov](mailto:Info@eeoc.gov)

Additional information about the EEOC, including information about filing a charge of discrimination, is available at [www.eeoc.gov](http://www.eeoc.gov).

## FEDERAL

### U.S. Equal Employment Opportunity Commission

#### Know Your Rights: Workplace Discrimination is Illegal

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help.

### Who is Protected?

- Employees (current and former), including managers and temporary employees
- Job applicants
- Union members and applicants for membership in a union

### What Organizations are Covered?

- Most private employers
- State and local governments (as employers)
- Educational institutions (as employers)
- Unions
- Staffing agencies

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## EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

The United States Department of Labor Wage and Hour Division

### LEAVE ENTITLEMENTS

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- 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 the employee's job;
- Or for qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An 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 illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

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 normal paid leave policies.

### BENEFITS & PROTECTIONS

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

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