



### EEOC - KNOW YOUR RIGHTS: WORKPLACE DISCRIMINATION IS ILLEGAL

**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
- Unions and applicants for membership in a union

**What Organizations are Covered?**

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

**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 basis of:

- Race
- Color
- Religion
- National origin
- Sex (including pregnancy, childbirth, and related medical 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

Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation

**What Employment Practices can be Challenged as Illegal?** 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, pregnancy, childbirth, or related medical condition or a sincerely held religious belief, observation or practice
- Benefits
- Job training
- Classification
- Referral
- Obtaining or disclosing genetic information
- 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

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://ask.eeoc.gov>

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/fieldoffice](http://www.eeoc.gov/fieldoffice))

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).

### EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action commitments of companies that hold, perform, or subcontract a Federal contract or subcontract, who are an employee of a company with a Federal contract or subcontract, who are protected under Federal law from discrimination on the following bases:

- Disability
- National Origin
- Race
- Sex

**Disability** Section 503 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

**Age** Under the Age Discrimination in Employment Act of 1967, as amended, employers with Federal contracts or subcontracts are prohibited from discriminating against employees on the basis of age (40 and over).

**National Origin** Section 503 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

**Race** Section 503 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

**Sex** Section 503 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

### PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color, or national origin, or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or if the assistance is provided to an individual or institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

**Race, Color, National Origin, Sex** In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color, or national origin, or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or if the assistance is provided to an individual or institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

### ARKANSAS MINIMUM WAGE

#### ARKANSAS DEPARTMENT OF LABOR AND LICENSING NOTICE to employer & employee

**MINIMUM WAGE**

All employees covered by Arkansas Code 11-4-202 to 11-4-220 must be paid a minimum wage of at least:

- \$9.25 an hour effective January 1, 2019 with an allowance for gratuities not to exceed \$6.62 per hour.
- \$10.00 an hour effective January 1, 2020 with an allowance for gratuities not to exceed \$7.37 per hour.
- \$11.00 an hour effective January 1, 2021 with an allowance for gratuities not to exceed \$8.37 per hour.

**COVERAGE**

The Arkansas Minimum Wage applies to an employer of four (4) or more persons.

All employees of the above employers are covered except:

- Executive, administrative or professional employees.
- Outside commission-paid salesmen.
- Students whose work is a part of a bona fide vocational training program.
- Individuals who work in the schools they are attending.
- Some farm laborers.
- Independent contractors.
- Employees of the United States.

**STUDENT RATE**

Any full-time student attending any accredited institution of education within the State of Arkansas, and who is employed to work an amount not to exceed twenty (20) hours during weeks that school is in session or forty (40) hours during weeks when school is in session, such rate of wage shall be equal to or more than eighty-five (85%) of the applicable minimum wage provided during Student Certificate of Eligibility is obtained from the Arkansas Department of Labor and Licensing. Student workers subject to the 85% provision of the applicable minimum wage shall be paid at least the minimum wage provided in the base wage guaranteed any other employee subject to a gratuity allowance.

**HANDICAPPED WORKERS**

The Secretary has established a program of assistance for these workers. For further information contact the Department of Labor and Licensing.

**STUDENT-LEARNERS**

A "Student-Learner" is a person who is receiving regular instructions in an accredited school in a trade, occupation, or profession, training, skill, or occupation for training program. For further information contact the Department of Labor and Licensing.

**OVERTIME PAY**

Overtime compensation must be paid at a rate of one and one-half times the regular hourly rate of pay for hours worked in excess of 40 hours in a workweek. This overtime provision shall not be applicable with respect to employees with less than 4 employees, or agricultural employees.

A workweek is a regularly recurring period of 168 hours in the form of seven consecutive 24-hour periods.

**ENFORCEMENT**

Powers of the Secretary of Labor: The Secretary or his representatives have the authority to:

- enter and inspect any place of employment in the State to examine books, records, and accounts relating to wages and hours. He may copy these records if necessary and may question any employees to find out if the law is being obeyed.
- require written or sworn statements from an employer about his employees' earnings and hours of work.
- enforce all regulations issued thereunder.

**DEDUCTIONS FROM THE MINIMUM WAGE**

No deduction from the applicable minimum wage may be made except those authorized or required by law or by rule of the Secretary of Labor; however, deductions which are not otherwise prohibited and which are for the employee's benefit may be made if authorized in writing by the employee.

All employees subject to the Minimum Wage Law must keep accurate records for a period of three (3) years. These records must include the name, address, occupation, rate of pay, hours worked and the amount paid each pay period for all employees covered by the law. In addition, every employer who claims an allowance for tips, board, lodging, apparel or other items or services as part of the applicable minimum wage, must maintain daily records showing for each employee the amounts claimed as allowances and must maintain records which will substantiate the amount of tips actually received by the employee or the employer's reasonable cost of supplying items or services to the employee.

**EQUAL PAY ACT**

No employer in the State of Arkansas shall discriminate in the payment of wages as between the sexes or shall pay any female in his employ, salary or wage rate less than the rates paid to male employees for comparable work. Difference, however, that nothing in this Act shall prohibit a variation in rates of pay based upon a difference in seniority, experience, training, skill, ability, or performance in duties and services performed, or difference in the shift or time of the day worked, or any other reasonable differentiation except difference in sex. Every employer shall keep and maintain records of the salaries and wage rates and conditions and terms and conditions of employment of all persons employed by him and such records shall be preserved for a period of three (3) years.

**PENALTIES**

Any employer who willfully hinders or delays the Secretary or his authorized representative in the performance of his duties in the enforcement of these provisions shall be liable to a civil penalty of not less than \$1,000.00 for each violation.

**EMPLOYERS SUBJECT TO THE MINIMUM WAGE ACT ARE REQUIRED TO POST THIS NOTICE IN A CONSPICUOUS PLACE FOR ALL EMPLOYEES. 8/2019**

### ANTI-DISCRIMINATION NOTICE

It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination.

For information, please contact The Office of Special Counsel for Immigration Related Unfair Employment Practices Office at 800-255-7688.

**ENFORCEMENT**

The Secretary of Labor may enforce Arkansas minimum wage law by instituting legal action to recover any wages due. An employer may bring an action for equitable and monetary relief against an employer, including the State of Arkansas or a political subdivision of the state, if the employer pays the employee less than the minimum wages, including overtime wages, to which the employee is entitled. The employee shall not be required to exhaust administrative remedies before bringing an action. An employee may recover the full amount of wages due plus costs and a reasonable attorney's fee. An employee may also be awarded an additional amount up to but not greater than the amount of wages found to be due, to be paid as liquidated damages.

**CHILD LABOR**

State law regulates the employment of minors under the age of 17 and, generally, requires children under the age of 16 to have employment certificates. Employment certificates for children ages 14 and 15 are not required for agricultural agencies, newspaper carriers, newspaper carriers, or boys of professional baseball clubs, sports referees, or sports referees.

Special provisions govern the employment of children in the entertainment industry; otherwise, children who are 14 and 15 years of age may not work:

- More than 8 hours a day.
- More than 6 days a week.
- More than 48 hours a week.
- Before 6:00 a.m. nor after 7:30 p.m., except on nights preceding non-school days, such children may work until 9:00 p.m.
- Children under 14 may not be employed except in the entertainment industry, as newspaper carriers, boys or girls of professional baseball clubs, sports referees, to hand harvest short season crops, or by their parents or guardians during school vacation.
- Children who are 16 years of age may not work:
  - More than 10 consecutive hours in any one day; no more than ten 10 hours in a twenty-four hour period.
  - More than 6 days a week.
  - More than 54 hours a week.
  - Before 6:00 a.m. nor after 11:00 p.m., except that the limitations of 6:00 a.m. to 11:00 p.m. shall not apply to children 16 years of age employed on nights preceding non-school days in occupations determined by rule of the Arkansas Department of Labor and Licensing to be sufficiently safe for their employment. Provided, however, that no boy or girl between the ages of 16 and 18 shall be subject to the provisions of this Act if:
    - such boy or girl is a graduate of any high school, vocational school or technical school;
    - such boy or girl is married or is a parent.

Act 647 of 1987 allows for the employment of children in the entertainment industry provided the child is issued an Entertainment Work Permit by the Director of Labor. Child labor violations result in a civil money penalty of not less than \$500.00 and not more than \$1,000.00 for each violation.

**IF YOU HAVE QUESTIONS CONCERNING THE ARKANSAS MINIMUM WAGE LAW, TELEPHONE 682-4505.**

**WAGE COLLECTION ACT**

The Wage Collection Act provides assistance to any employee in the collection of wages due him or her for work performed. Work performed shall include all or any work or service performed by any person employed for any period of time where the wages or salary or remunerations for such work or services are to be paid at stated intervals or at the termination of such employment, or for physical work actually performed by an independent contractor, provided that the amount in controversy does not exceed the sum of two thousand dollars (\$2,000.00). Employees who need help in collecting wages due them should contact the Arkansas Department of Labor and Licensing, telephone 682-4599.

**THIS POSTER CONTAINS ONLY A SUMMARY**

Copies of the complete laws and regulations are available from the Department of Labor and Licensing.

**ARKANSAS DEPARTMENT OF LABOR AND LICENSING**  
10421 WEST MARKHAM STREET, LITTLE ROCK, ARKANSAS 72205  
PHONE (501) 682-4500 FAX (501) 682-4506 TDD (800) 285-1131

### WORKERS' COMPENSATION

Form AR-7  
Ark. Code Ann. §11-9-403, 407  
AWCC Rule 7  
Updated: 06-16-14

**ARKANSAS WORKERS' COMPENSATION COMMISSION**  
324 Spring Street, Little Rock, AR 72201  
Main Office: 501-995-9550  
Little Rock Office - 1-800-622-4472 / 501-682-3930  
Springdale Office - 1-800-852-5376 / 479-751-2790

**WORKERS' COMPENSATION INSTRUCTIONS TO EMPLOYERS AND EMPLOYEES**

All employees of this establishment entitled to benefits under the provisions of the Arkansas workers' compensation laws are hereby notified that their employer has secured the payment of such compensation as may at any time be due employees or their dependents. This notification coverage is provided by state law to provide workers' disability, medical, or other benefits prior to receipt of the employer's notification from the operator of the workers' compensation laws, and the employer certifies by the display of this poster that workers' compensation coverage is now provided by a workers' compensation insurance policy or by enrollment in the Arkansas Self-Insurance Program or by the Public Employee Claims Division of the Arkansas Insurance Department.

(Place label indicating Insurers' Name, Claims Office Address, Claims Office Phone Number and Policy Expiration Date)

**IN CASE OF JOB-RELATED INJURIES OR OCCUPATIONAL DISEASES**

**The Employer Shall:**

- Provide all necessary medical, surgical and hospital treatment, as required by law, following the injury and for such additional time as ordered by the Workers' Compensation Commission.
- Provide compensation payments in accordance with the provisions of the law. The first installment of compensation becomes due on the 15th day after the employer has notice of the injury or death, except in those cases where liability has been denied by the employer.
- Provide prompt reporting of accidents to appropriate parties.
- Keep a record of all injuries received by their employees.

**The Employee Shall:**

The employee shall report the injury to the employer on Form M and do so to a person or at a place specified by the employer, immediately the injury renders the employee physically or mentally unable to do so, or the injury is made known to the employer, unless the injury occurs after it occurs. The employer shall not be responsible for disability, medical, or other benefits prior to receipt of the employer's notification from the operator of the workers' compensation laws, and the employer certifies by the display of this poster that workers' compensation coverage is now provided by a workers' compensation insurance policy or by enrollment in the Arkansas Self-Insurance Program or by the Public Employee Claims Division of the Arkansas Insurance Department.

(1) The employee requests medical assistance in writing prior to seeking the same as a result of an alleged compensable injury; and

(2) The employee refuses to refer the employee to a medical provider within forty-eight (48) hours after such written request as provided above; and

(3) The alleged injury is later found to be a compensable injury; and

(4) The employer has not made a previous offer of medical treatment.

Failure to give such notice shall not bar any claim (1) if the employer had knowledge of the injury or death, (2) if the employee had no knowledge that the condition or disease arose out of and in the course of employment, or (3) if the Commission excuses such failure on the grounds that for some satisfactory reason such notice could not be given. Objection to failure to give notice must be made at or before the first hearing on the claim.

**Statutory Information**

Ark. Code Ann. § 11-9-514(b) states: "Treatment or services furnished or prescribed by any physician other than the ones selected according to the foregoing, except emergency treatment, shall be at the claimant's expense."

Ark. Code Ann. § 11-9-514(f), however, indicates: "When compensability is controverted, subsection (b) shall not apply if:

- (1) the employee requests medical assistance in writing prior to seeking the same as a result of an alleged compensable injury; and
- (2) the employee refuses to refer the employee to a medical provider within forty-eight (48) hours after such written request as provided above; and
- (3) the alleged injury is later found to be a compensable injury; and
- (4) the employer has not made a previous offer of medical treatment.

If you have any questions regarding your rights under the Arkansas workers' compensation laws, you may call an Arkansas Workers' Compensation Commission legal advisor at our toll-free number listed above.

All employers who come within the operation of the Arkansas workers' compensation laws and have complied with its provisions must post this notice in a CONSPICUOUS place in or about their place or places of business.

### EMPLOYEE POLYGRAPH PROTECTION ACT

#### 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 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 tests conducted by the Federal Government to certain private individuals engaged in national security-related activities. 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 (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 are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer. 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 tests.

**EXAMINEE RIGHTS** 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 unauthorized persons.

**ENFORCEMENT** 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 own court actions.

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

WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR  
1-866-487-9243  
[www.dol.gov/agencies/whd](http://www.dol.gov/agencies/whd)

### FMLA - FAMILY AND MEDICAL LEAVE ACT

#### 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 and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees.

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

- The birth, adoption or foster placement of a child with you.
- Your serious mental or physical health condition that makes you unable to work.
- To care for your spouse, child or parent with a serious mental or physical health condition, and
- Certain qualifying 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 26 workweeks of FMLA leave in a single 12-month period to care for the servicemember.

You have the right to use 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, or on a reduced schedule by working less hours each day or week. Read Fact Sheet #2900 for more information.

FMLA leave is not paid leave, but you may choose, or 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?** You are an eligible employee if all of the following apply:

- You work for a covered employer.
- You have worked for your employer at least 12 months.
- You have 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 work location.

Airline flight crew employees have different "hours of service" requirements.

You work for a covered employer if any of the following applies:

- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year.
- You work for an elementary or public or private secondary school, or
- You work for a public agency, such as a local, state or federal 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 you must:

- Follow your employer's normal policies for requesting leave.
- Give notice at least 30 days before you need FMLA leave, or
- If advance notice is not possible, give notice as soon as possible.

**SCAN ME**

WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR  
WH1420 REV 04/23

### EMPLOYERS' RIGHTS

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**ENFORCEMENT**

The Secretary of Labor may enforce Arkansas minimum wage law by instituting legal action to recover any wages due. An employer may bring an action for equitable and monetary relief against an employer, including the State of Arkansas or a political subdivision of the state, if the employer pays the employee less than the minimum wages, including overtime wages, to which the employee is entitled. The employee shall not be required to exhaust administrative remedies before bringing an action. An employee may recover the full amount of wages due plus costs and a reasonable attorney's fee. An employee may also be awarded an additional amount up to but not greater than the amount of wages found to be due, to be paid as liquidated damages.

**CHILD LABOR**

State law regulates the employment of minors under the age of 17 and, generally, requires children under the age of 16 to have employment certificates. Employment certificates for children ages 14 and 15 are not required for agricultural agencies, newspaper carriers, newspaper carriers, or boys of professional baseball clubs, sports referees, or sports referees.

Special provisions govern the employment of children in the entertainment industry; otherwise, children who are 14 and 15 years of age may not work:

- More than 8 hours a day.
- More than 6 days a week.
- More than 48 hours a week.
- Before 6:00 a.m. nor after 7:30 p.m., except on nights preceding non-school days, such children may work until 9:00 p.m.
- Children under 14 may not be employed except in the entertainment industry, as newspaper carriers, boys or girls of professional baseball clubs, sports referees, to hand harvest short season crops, or by their parents or guardians during school vacation.
- Children who are 16 years of age may not work:
  - More than 10 consecutive hours in any one day; no more than ten 10 hours in a twenty-four hour period.
  - More than 6 days a week.
  - More than 54 hours a week.
  - Before 6:00 a.m. nor after 11:00 p.m., except that the limitations of 6:00 a.m. to 11:00 p.m. shall not apply to children 16 years of age employed on nights preceding non-school days in occupations determined by rule of the Arkansas Department of Labor and Licensing to be sufficiently safe for their employment. Provided, however, that no boy or girl between the ages of 16 and 18 shall be subject to the provisions of this Act if:
    - such boy or girl is a graduate of any high school, vocational school or technical school;
    - such boy or girl is married or is a parent.

Act 647 of 1987 allows for the employment of children in the entertainment industry provided the child is issued an Entertainment Work Permit by the Director of Labor. Child labor violations result in a civil money penalty of not less than \$500.00 and not more than \$1,000.00 for each violation.

**IF YOU HAVE QUESTIONS CONCERNING THE ARKANSAS MINIMUM WAGE LAW, TELEPHONE 682-4505.**

**WAGE COLLECTION ACT**

The Wage Collection Act provides assistance to any employee in the collection of wages due him or her for work performed. Work performed shall include all or any work or service performed by any person employed for any period of time where the wages or salary or remunerations for such work or services are to be paid at stated intervals or at the termination of such employment, or for physical work actually performed by an independent contractor, provided that the amount in controversy does not exceed the sum of two thousand dollars (\$2,000.00). Employees who need help in collecting wages due them should contact the Arkansas Department of Labor and Licensing, telephone 682-4599.

**THIS POSTER CONTAINS ONLY A SUMMARY**

Copies of the complete laws and regulations are available from the Department of Labor and Licensing.

**ARKANSAS DEPARTMENT OF LABOR AND LICENSING**  
10421 WEST MARKHAM STREET, LITTLE ROCK, ARKANSAS 72205  
PHONE (501) 682-4500 FAX (501) 682-4506 TDD (800) 285-1131

### PAYDAY NOTICE

#### Regular Paydays for Employees of

(Company Name)

Shall be as follows:

- Weekly
- Bi-Weekly
- Monthly
- Other

By: \_\_\_\_\_ Title: \_\_\_\_\_

### FEDERAL MINIMUM WAGE

#### 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 1 1/2 times your 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. Youths 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 employer'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.

**PUMP AT WORK** The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for her nursing child for one year after the child's birth each time the employee needs to express breast milk. Employers must 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.

**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 of employers who may be assessed civil money penalties for each willful or repeated violation of the minimum wage law.

**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.

**SCAN ME**

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UNITED STATES DEPARTMENT OF LABOR  
1-866-487-9243  
[www.dol.gov/agencies/whd](http://www.dol.gov/agencies/whd)

### UNEMPLOYMENT INSURANCE

#### NOTICE TO EMPLOYEES

#### HOW TO CLAIM UNEMPLOYMENT INSURANCE

Employees of are covered by the Department of Workforce Services.

The Law provides Unemployment Insurance Benefits for unemployed workers and under certain conditions, for those working only part time.

As a covered employee, your employer has contributed to and will reimburse the Arkansas Unemployment Trust Fund from which benefits are paid. **NO DEDUCTIONS CAN BE MADE FROM YOUR WAGES FOR THIS PURPOSE.** Be sure your employer has your correct Social Security Number.

A. If and when you know you are going to be out of work for a calendar week or more, **YOU SHOULD PROMPTLY:**

- File a claim for benefits through the Division of Workforce Services.
- We will try to help locate work for you both before benefit payments start and while they are being paid.
- If you are attached to a regular employer, working less than full time due entirely to lack of work, you may be eligible for partial Unemployment Insurance Benefits.

In that case, claim partial benefits—**promptly**—by reporting the dates (dates, wages, employer) **Do not delay doing this.**

Our Local Office will answer questions and supply further information.

Full time Local Offices are situated in the following cities to provide services to Unemployment Insurance Claimants:

Arkadelphia	El Dorado	Hope	Mená	Rogers
Batesville	Fayetteville	Hot Springs	Monticello	Russellville
Benton	Forrest City	Jonesboro	Mountain Home	Searcy
Blytheville	Fort Smith	Little Rock	Newport	Texarkana
Camden	Harrison	Magnolia	Paragould	West Memphis
Conway	Helena	Malvern	Pine Bluff	

**CAUTION:** False statements to obtain benefits, concealment of material facts, or failure to report earnings for the purpose of obtaining or increasing Unemployment Insurance Payments, are violations of criminal laws and lead to prosecution.

**SCAN ME**

WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR  
1-866-487-9243  
[www.dol.gov/agencies/whd](http://www.dol.gov/agencies/whd)

### USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

#### YOUR RIGHTS UNDER USERRA

#### THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

**REEMPLOYMENT RIGHTS**

You have the right to be reemployed in your civilian job if you leave that job to perform 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 than honorable conditions.

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**

If you - are a past or present member of the uniformed service; - have applied for membership in the uniformed service; or - are obligated to serve in the uniformed service; then an employer may not deny you:

- initial employment; - reemployment; - retention in employment; - promotion; or - any benefit of employment, because of this status.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: <https://www.dol.gov/agencies/whd/programs/userra/poster>. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.

U.S. Department of Labor 1-866-487-9243 U.S. Department of Justice Office of Special Counsel Employee Support Of The Guard And Reserve 1-800-336-4590

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### WITHHOLDING STATUS

#### YOU MAY NEED TO CHECK YOUR WITHHOLDING

Since you last filed Form W-4 with your employer did you...

- Marry or divorce?
- Gain or lose a dependent?
- Change your name?
- Were there major changes to...
  - your non-wage income (interest, dividends, capital gains, etc.)?
  - your family wage income (you or your spouse started or ended a job)?
  - your itemized deductions?
  - Your tax credits?

**If you can answer "YES..."**

To any of these questions or you owed extra tax when you filed your last return, you may need to file a new Form W-4.

See your employer for a copy of Form W-4 or call the IRS at 1-800-829-3676. Now is the time to check your withholding. For more details, get Publication 919, How Do I Adjust My Tax Withholding?, or use the Withholding Calculator at [www.irs.gov/individuals](http://www.irs.gov/individuals) on the IRS web site.

**Employer:** Please post or publish this Bulletin Board Poster so that your employees will see it. Please indicate where they can get forms and information on this subject.

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Department of the Treasury Internal Revenue Service [www.irs.gov](http://www.irs.gov)

### PUBLIC EMPLOYEES' RIGHT TO KNOW

#### ARKANSAS DEPARTMENT OF LABOR AND LICENSING NOTICE TO EMPLOYER AND EMPLOYEE Act 556 of 1991 entitled the PUBLIC EMPLOYEES' CIVIL RIGHTS TO KNOW ACT

**PURPOSE**

The purpose of this law is to provide public employees access to training and information concerning hazardous chemicals in order to enable them to minimize their exposure to such chemicals and protect their health, safety and welfare.

**PUBLIC EMPLOYEES' DUTIES**

Public employees are responsible for the following as set out by the law:

- Post adequate notice to inform employees of their rights
- Ensure proper chemical labeling
  - Existing labels on containers of hazardous chemicals are not to be removed.
  - If a chemical is transferred to another container, it must also be labeled with the name and appropriate warnings, as provided in this law.
  - A public employee is not required to label chemicals that have been transferred to a portable container by an employee when that employee is going to immediately use the chemical.
- Maintain and make material safety data sheets available
  - Chemical manufacturers and distributors must provide public employers with the appropriate MSDSs within the prescribed times
  - Public employers must maintain current copies of each MSDS and have them available to employees and their designated representatives upon request within the prescribed time
  - The employer must not require an employee to work with a chemical until a MSDS can be furnished except as indicated by this law.
  - An employee who declines to work with a chemical may not be penalized
  - Public employers shall provide a copy of MSDS to the Director of Labor upon request
- Compile and maintain a workplace chemical list for hazardous chemicals used, generated, or stored in amounts of 55 gallons or 500 pounds or more
  - The Workplace Chemical List must show the chemical or common name used on the MSDS and/or the container label, the Chemical Abstracts Service Number and the work area where it will normally be used, generated, or stored
  - Chemical lists shall be filed with the Director of Labor no later than October 14, 1991, updated when necessary, and refiled July 1 of each year
- Provide employees with information and training
  - The Director of Labor is responsible for maintaining a general information and training assistance program to aid public employers
  - Additional training must be provided when a new hazard is introduced, when new information is received, or before new employees are assigned to a job
  - Information and training programs must be developed by the Director of Labor.
  - Information and training programs must be developed by January 15, 1992, and initial information and training must be provided prior to July 15, 1992. Employers must keep a record of the dates of training sessions given to their employees.
  - The Director of Labor's rules and regulations concerning refresher training and training exemptions must be followed

**ENFORCEMENT**

If the Director of Labor finds a public employer in violation of this law, he shall issue an order to cease and desist the act or omission constituting the violation.

If the Director of Labor finds that a public employer has failed to provide the required information and training by the prescribed time, he may conduct the program and charge the employer for the costs incurred. Violation of this act shall be cause for adverse personnel action against the responsible supervisor as set out in this act.

**CAUSE OF ACTION - ATTORNEY FEES**</