



2024 POSTING REQUIREMENTS

WEST VIRGINIA

2024



LABOR LAW POSTER SERVICE | TO RE-ORDER CALL TOLL FREE (877) 321-4144

ADDITIONAL POSTERS AVAILABLE FOR YOUR BUSINESS! CALL (877) 321-4144 OR SCAN QR CODE TO VIEW MORE.

MINIMUM WAGE

MINIMUM WAGE REQUIREMENTS

Effective January 1, 2016

An employer employing 6 or more employees in any one separate, distinct and permanent location during any calendar week, including the State of West Virginia, and its agencies and departments, must comply with the state minimum wage law.

Required Minimum Wage Rates

1. Beginning January 1, 2016, employers must pay employees at least **\$8.75** per hour.

Required Minimum Training Wage Rate

1. An employer may pay an employee under the age of 20 years, first hired on or after January 1, 2015, a training wage of at least \$6.40 per hour for the first 90 days of employment.
2. Beginning with the 91st day of employment, an employer must pay the employee the required minimum wage rate.

Permissible Minimum Wage Credit for Tipped Employees

1. Beginning January 1, 2016, employers may take up to a 70% credit, or \$6.13 per hour, against the required minimum wage rate for employees who customarily receive tips, resulting in a reduced hourly wage rate of at least \$2.62 per hour.
2. To qualify for the credit, employers must ensure that the employees' tips and the reduced hourly wage rate equal at least the required minimum wage rate and must keep accurate records of employees' tips.

If you have any questions, please contact the

West Virginia Division of Labor

State Capitol Complex, Building 6, Room B-749, Charleston, WV 25305

telephone - 304.558.7890

email - wageandhour@wv.gov



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HUMAN RIGHTS ACT

NOTICE

Prohibits Discrimination in Employment and Places of Public
Accommodations Based On:
Race, Religion, Color, National Origin, Ancestry, Sex,
Age (40 or above), Blindness or Disability.

THE WEST VIRGINIA FAIR HOUSING ACT

Prohibits Discrimination in Housing Based On:
Race, Religion, Color, National Origin, Ancestry, Sex,
Blindness, Disability or Familial Status.

THE WEST VIRGINIA PREGNANT WORKERS' FAIRNESS ACT

Prohibits Discrimination in Employment Based On:
Pregnancy, Childbirth or Related Medical Conditions.

For Further Information or to File a Complaint, Visit, Call or Write to
the WV Human Rights Commission at:

Room 108 A
1321 Plaza East
Charleston, WV 25301-1400

Phone: 304-558-2616
(Toll Free): 888-676-5546
Fax: 304-558-0085
Website: www.hrc.wv.gov



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WAGE PAYMENT AND COLLECTION ACT

This abstract must be placed in an area accessible to all employees in accordance with the requirements of W. Va. Code §21-5-9.

REQUIRES THE EMPLOYER TO:

Pay employee wages at least twice a month, with no more than 19 days between paydays (W. Va. Code §21-5-3(a)).

Compensate employees for services rendered by cash, check, direct deposit, or money order, and make arrangements with a bank convenient to the place of employment for employees to have immediate access to their wages (W. Va. Code §21-5-4(a)).

When an employee is discharged, quits, resigns, is laid off, or is on strike, pay the employee on or before the next regularly scheduled payday for all work he or she performed prior to his or her separation from employment (W. Va. Code §21-5-4(b)).

On separation from employment, pay an employee the fringe benefits due and payable according to the time, terms and conditions of an employer-employee agreement, whether verbal or written, if any (W. Va. Code §21-5-4(b)).

Notify employees in writing at the time of hire, or by a posted notice that is accessible to all employees, identifying the employers' established work week, pay periods, regularly scheduled pay days, and employment practices and policies regarding vacation, sick leave and other fringe benefits, if any (W. Va. Code §21-5-9).

Provide employees with at least 1 full pay period's written notice before making any changes to an employee's rate of pay, fringe benefits, the time and place for meeting payroll, or any other existing terms or conditions of employment (W. Va. Code St. R. §42-5-4.2).

Furnish each employee with a written itemized statement of deductions withheld from his or her wages each pay periods (W. Va. Code §21-5-9).

PREVENTS THE EMPLOYER FROM:

Selling goods or supplies to employees at prices higher than the current market value (W. Va. Code §21-5-5).

Deducting more than 25% of an employee's net earnings under a wage assignment (excluding amounts required by law to be withheld or paid for union or club dues, pension plans, payroll savings plans, credit unions, charities, and hospitalization and medical insurance) (W. Va. Code §21-5-3(e)).

Accepting a wage assignment that does not contain the employee's notarized signature, specify the total amount due and the amount to be deducted, and state that 75% of the employee's net wages are exempt from assignment (W. Va. Code §21-5-3(e)).

Refusing to pay the wages owed, up to \$800.00, to the relatives of a deceased employee (W. Va. Code §21-5-8(a)).

**WEST VIRGINIA DIVISION OF LABOR
1900 KANAWHA BOULEVARD EAST
CAPITOL COMPLEX
BUILDING 3, ROOM 200
CHARLESTON, WEST VIRGINIA 25305
(304) 558-7890
www.labor.wv.gov**



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WORKERS COMPENSATION

Pursuant to §23-2C-15, every employer shall post a notice upon its premises in a conspicuous place identifying its workers' compensation insurer.

Workers' Compensation Insurer: _____

Insurer's Address: _____

Insurer's Telephone Number: _____

Contact Person: _____



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PARENTAL LEAVE ACT

NOTICE TO ALL EMPLOYEES

PARENTAL LEAVE ACT - (W. Va. Code §21-5D-1, *et. seq.*). This legislation, enacted in 1989, covers employees of all departments, divisions, boards, bureaus, agencies, commissions or other units of State Government and County Boards of Education.

Under this law, an employee shall be entitled to a total of 12 weeks of unpaid *Parental Leave* following the exhaustion of all his or her annual and personal leave, during any 12 month period. The unpaid leave shall be granted to an employee for any of the following reasons:

- The birth of a son or daughter of the employee
- The placement of a son or daughter with the employee for adoption
- To care for the employee's son or daughter, spouse, parent, or dependent who has a serious health condition

The statute further states that in the case of a serious health condition, the leave may be taken intermittently when medically necessary.

If a leave of absence due to the birth or adoption of a child is foreseeable, the employee shall provide the employer with a two weeks written notice. If a leave of absence is foreseeable due to planned medical treatment or medical supervision, the employee shall make a reasonable effort to schedule the leave of absence so as not to disrupt the operations of the employer, subject to the approval of the health care provider.

If an employee requests *Parental Leave* to care for a family member with a serious health condition, the employer may require the employee to provide certification by a health care provider of the family member's health condition and that the employee's assistance is necessary. The certification shall be sufficient if it contains the following:

- That the child, dependent, parent, or employee has a serious health condition
- The date the serious health condition commenced and its probable duration
- The medical facts regarding the serious health condition, upon release by the patient

The position held by an employee immediately before the leave of absence shall be held and the employee shall be returned to that position upon his or her return to work. However, the employer may hire a temporary employee to fill the position for the period of time the employee is off work.

No employer may, because an employee received *Parental Leave*, reduce or deny any employment benefit or seniority which accrued to the employee before his or her leave commenced.

WEST VIRGINIA DIVISION OF LABOR

**1900 Kanawha Boulevard East
State Capitol Complex
Building 3, Room 200
Charleston, West Virginia 25305
Phone (304) 558-7890
Fax (304) 558-3797
www.labor.wv.gov**



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FAIR HOUSING

Your Basic Right – Right Now!

If you feel you have been discriminated against in the rental, sale or mortgage financing of housing because of:

- Race
- Color
- Disability
- Religion
- Ancestry
- Sex
- National Origin
- Blindness
- Familial Status (Children)

Visit, Call or Write to the WV Human Rights Commission at:

WV HUMAN RIGHTS COMMISSION

Room 108 A
1321 Plaza East
Charleston, WV 25301-1400

Phone: 304-558-2616
(Toll Free): 888-676-5546
Fax: 304-558-0085
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WHISTLE-BLOWER LAW

NOTICE: WEST VIRGINIA WHISTLE-BLOWER LAW

The West Virginia Whistle-blower Law protects public employees against discharge, discrimination, or retaliation when they, in good faith, report any instances of

WASTE

Substantial abuse, misuse, destruction, or loss of public funds or resources

WRONGDOING

Non-technical violations of any statute, regulation, ordinance, or code of ethics designed to protect the public interest

W. Va. Code § 6C-1-1

To report any instance of waste or wrongdoing, as defined above, contact the appropriate supervisory personnel in your office or agency, or other appropriate official.



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UNEMPLOYMENT COMPENSATION BENEFIT RATE TABLE

Wage Class	Wages in Base Period	Weekly Benefit Rate	Maximum Benefit Rate
Under \$2,200		Ineligible	
1	2,200.00 - 2,349.99	24.00	624.00
2	2,350.00 - 2,499.99	25.00	650.00
3	2,500.00 - 2,649.99	27.00	702.00
4	2,650.00 - 2,799.99	28.00	728.00
5	2,800.00 - 2,949.99	30.00	780.00
6	2,950.00 - 3,099.99	31.00	806.00
7	3,100.00 - 3,249.99	33.00	858.00
8	3,250.00 - 3,399.99	35.00	910.00
9	3,400.00 - 3,549.99	36.00	936.00
10	3,550.00 - 3,699.99	38.00	988.00
11	3,700.00 - 3,849.99	39.00	1,014.00
12	3,850.00 - 3,999.99	41.00	1,066.00
13	4,000.00 - 4,149.99	43.00	1,118.00
14	4,150.00 - 4,299.99	44.00	1,144.00
15	4,300.00 - 4,449.99	46.00	1,196.00
16	4,450.00 - 4,599.99	47.00	1,222.00
17	4,600.00 - 4,749.99	49.00	1,274.00
18	4,750.00 - 4,899.99	51.00	1,326.00
19	4,900.00 - 5,049.99	52.00	1,352.00
20	5,050.00 - 5,199.99	54.00	1,404.00
21	5,200.00 - 5,349.99	55.00	1,430.00
22	5,350.00 - 5,499.99	57.00	1,482.00
23	5,500.00 - 5,649.99	58.00	1,508.00
24	5,650.00 - 5,799.99	60.00	1,560.00
25	5,800.00 - 5,949.99	62.00	1,612.00
26	5,950.00 - 6,099.99	63.00	1,638.00
27	6,100.00 - 6,249.99	65.00	1,690.00
28	6,250.00 - 6,399.99	66.00	1,716.00
29	6,400.00 - 6,549.99	68.00	1,768.00
30	6,550.00 - 6,699.99	70.00	1,820.00
31	6,700.00 - 6,849.99	71.00	1,846.00
32	6,850.00 - 6,999.99	73.00	1,898.00
33	7,000.00 - 7,149.99	74.00	1,924.00
34	7,150.00 - 7,299.99	76.00	1,976.00
35	7,300.00 - 7,449.99	78.00	2,028.00
36	7,450.00 - 7,599.99	79.00	2,054.00
37	7,600.00 - 7,749.99	81.00	2,106.00
38	7,750.00 - 7,899.99	82.00	2,132.00
39	7,900.00 - 8,049.99	84.00	2,184.00
40	8,050.00 - 8,199.99	85.00	2,210.00
41	8,200.00 - 8,349.99	87.00	2,262.00
42	8,350.00 - 8,499.99	89.00	2,314.00
43	8,500.00 - 8,649.99	90.00	2,340.00

Wage Class	Wages in Base Period	Weekly Benefit Rate	Maximum Benefit Rate
224	35,650.00 - 35,799.99	377.00	9,802.00
225	35,800.00 - 35,949.99	379.00	9,854.00
226	35,950.00 - 36,099.99	381.00	9,906.00
227	36,100.00 - 36,249.99	382.00	9,932.00
228	36,250.00 - 36,399.99	384.00	9,984.00
229	36,400.00 - 36,549.99	385.00	10,010.00
230	36,550.00 - 36,699.99	387.00	10,062.00
231	36,700.00 - 36,849.99	388.00	10,088.00
232	36,850.00 - 36,999.99	390.00	10,140.00
233	37,000.00 - 37,149.99	392.00	10,192.00
234	37,150.00 - 37,299.99	393.00	10,218.00
235	37,300.00 - 37,449.99	395.00	10,270.00
236	37,450.00 - 37,599.99	396.00	10,296.00
237	37,600.00 - 37,749.99	398.00	10,348.00
238	37,750.00 - 37,899.99	400.00	10,400.00
239	37,900.00 - 38,049.99	401.00	10,426.00
240	38,050.00 - 38,199.99	403.00	10,478.00
241	38,200.00 - 38,349.99	404.00	10,504.00
242	38,350.00 - 38,499.99	406.00	10,556.00
243	38,500.00 - 38,649.99	408.00	10,608.00
244	38,650.00 - 38,799.99	409.00	10,634.00
245	38,800.00 - 38,949.99	411.00	10,686.00
246	38,950.00 - 39,099.99	412.00	10,712.00
247	39,100.00 - 39,249.99	414.00	10,764.00
248	39,250.00 - 39,399.99	415.00	10,790.00
249	39,400.00 - 39,549.99	417.00	10,842.00
250	39,550.00 - 39,699.99	419.00	10,894.00
251	39,700.00 - 39,849.99	420.00	10,920.00
252	39,850.00 - 39,999.99	422.00	10,972.00
253	40,000.00 - 40,149.99	423.00	10,998.00
254	40,150.00 - 40,299.99	425.00	11,050.00
255	40,300.00 - 40,449.99	427.00	11,102.00
256	40,450.00 - 40,599.99	428.00	11,128.00
257	40,600.00 - 40,749.99	430.00	11,180.00
258	40,750.00 - 40,899.99	431.00	11,206.00
259	40,900.00 - 41,049.99	433.00	11,258.00
260	41,050.00 - 41,199.99	434.00	11,284.00
261	41,200.00 - 41,349.99	436.00	11,336.00
262	41,350.00 - 41,499.99	438.00	11,388.00
263	41,500.00 - 41,649.99	439.00	11,414.00
264	41,650.00 - 41,799.99	441.00	11,466.00
265	41,800.00 - 41,949.99	442.00	11,492.00
266	41,950.00 - 42,099.99	444.00	11,544.00
267	42,100.00 - 42,249.99	446.00	11,596.00



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UNEMPLOYMENT COMPENSATION BENEFIT RATE TABLE (CONT.)

44	8,650.00 - 8,799.99	92.00	2,392.00
45	8,800.00 - 8,949.99	93.00	2,418.00
46	8,950.00 - 9,099.99	95.00	2,470.00
47	9,100.00 - 9,249.99	97.00	2,522.00
48	9,250.00 - 9,399.99	98.00	2,548.00
49	9,400.00 - 9,549.99	100.00	2,600.00
50	9,550.00 - 9,699.99	101.00	2,626.00
51	9,700.00 - 9,849.99	103.00	2,678.00
52	9,850.00 - 9,999.99	104.00	2,704.00
53	10,000.00 - 10,149.99	106.00	2,756.00
54	10,150.00 - 10,299.99	108.00	2,808.00
55	10,300.00 - 10,449.99	109.00	2,834.00
56	10,450.00 - 10,599.99	111.00	2,886.00
57	10,600.00 - 10,749.99	112.00	2,912.00
58	10,750.00 - 10,899.99	114.00	2,964.00
59	10,900.00 - 11,049.99	116.00	3,016.00
60	11,050.00 - 11,199.99	117.00	3,042.00
61	11,200.00 - 11,349.99	119.00	3,094.00
62	11,350.00 - 11,499.99	120.00	3,120.00
63	11,500.00 - 11,649.99	122.00	3,172.00
64	11,650.00 - 11,799.99	124.00	3,224.00
65	11,800.00 - 11,949.99	125.00	3,250.00
66	11,950.00 - 12,099.99	127.00	3,302.00
67	12,100.00 - 12,249.99	128.00	3,328.00
68	12,250.00 - 12,399.99	130.00	3,380.00
69	12,400.00 - 12,549.99	131.00	3,406.00
70	12,550.00 - 12,699.99	133.00	3,458.00
71	12,700.00 - 12,849.99	135.00	3,510.00
72	12,850.00 - 12,999.99	136.00	3,536.00
73	13,000.00 - 13,149.99	138.00	3,588.00
74	13,150.00 - 13,299.99	139.00	3,614.00
75	13,300.00 - 13,449.99	141.00	3,666.00
76	13,450.00 - 13,599.99	143.00	3,718.00
77	13,600.00 - 13,749.99	144.00	3,744.00
78	13,750.00 - 13,899.99	146.00	3,796.00
79	13,900.00 - 14,049.99	147.00	3,822.00
80	14,050.00 - 14,199.99	149.0	3,874.00
81	14,200.00 - 14,349.99	150.00	3,900.00
82	14,350.00 - 14,499.99	152.00	3,952.00
83	14,500.00 - 14,649.99	154.00	4,004.00
84	14,650.00 - 14,799.99	155.00	4,030.00
85	14,800.00 - 14,949.99	157.00	4,082.00
86	14,950.00 - 15,099.99	158.00	4,108.00
87	15,100.00 - 15,249.99	160.00	4,160.00
88	15,250.00 - 15,399.99	162.00	4,212.00

268	42,250.00 - 42,399.99	447.00	11,622.00
269	42,400.00 - 42,549.99	449.00	11,674.00
270	42,550.00 - 42,699.99	450.00	11,700.00
271	42,700.00 - 42,849.99	452.00	11,752.00
272	42,850.00 - 42,999.99	454.00	11,804.00
273	43,000.00 - 43,149.99	455.00	11,830.00
274	43,150.00 - 43,299.99	457.00	11,882.00
275	43,300.00 - 43,449.99	458.00	11,908.00
276	43,450.00 - 43,599.99	460.00	11,960.00
277	43,600.00 - 43,749.99	461.00	11,986.00
278	43,750.00 - 43,899.99	463.00	12,038.00
279	43,900.00 - 44,049.99	465.00	12,090.00
280	44,050.00 - 44,199.99	466.00	12,116.00
281	44,200.00 - 44,349.99	468.00	12,168.00
282	44,350.00 - 44,499.99	469.00	12,194.00
283	44,500.00 - 44,649.99	471.00	12,246.00
284	44,650.00 - 44,799.99	473.00	12,298.00
285	44,800.00 - 44,949.99	474.00	12,324.00
286	44,950.00 - 45,099.99	476.00	12,376.00
287	45,100.00 - 45,249.99	477.00	12,402.00
288	45,250.00 - 45,399.99	479.00	12,402.00
289	45,400.00 - 45,549.99	480.00	12,480.00
290	45,550.00 - 45,699.99	482.00	12,532.00
291	45,700.00 - 45,849.99	484.00	12,584.00
292	45,850.00 - 45,999.99	485.00	12,610.00
293	46,000.00 - 46,149.99	487.00	12,662.00
294	46,150.00 - 46,299.99	488.00	12,688.00
295	46,300.00 - 46,449.99	490.00	12,740.00
296	46,450.00 - 46,599.99	492.00	12,792.00
297	46,600.00 - 46,749.99	493.00	12,818.00
298	46,750.00 - 46,899.99	495.00	12,870.00
299	46,900.00 - 47,049.99	496.00	12,896.00
300	47,050.00 - 47,199.99	498.00	12,948.00
301	47,200.00 - 47,349.99	500.00	13,000.00
302	47,350.00 - 47,499.99	501.00	13,026.00
303	47,500.00 - 47,649.99	503.00	13,078.00
304	47,650.00 - 47,799.99	504.00	13,104.00
305	47,800.00 - 47,949.99	506.00	13,156.00
306	47,950.00 - 48,099.99	507.00	13,182.00
307	48,100.00 - 48,249.99	509.00	13,234.00
308	48,250.00 - 48,399.99	511.00	13,286.00
309	48,400.00 - 48,549.99	512.00	13,312.00
310	48,550.00 - 48,699.99	514.00	13,364.00
311	48,700.00 - 48,849.99	515.00	13,390.00
312	48,850.00 - 48,999.99	517.00	13,442.00



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UNEMPLOYMENT COMPENSATION BENEFIT RATE TABLE (CONT.)

89	15,400.00 - 15,549.99	163.00	4,238.00	313	49,000.00 - 49,149.99	519.00	13,494.00
90	15,550.00 - 15,699.99	165.00	4,290.00	314	49,150.00 - 49,299.99	520.00	13,520.00
91	15,700.00 - 15,849.99	166.00	4,316.00	315	49,300.00 - 49,449.99	522.00	13,572.00
92	15,850.00 - 15,999.99	168.00	4,368.00	316	49,450.00 - 49,599.99	523.00	13,598.00
93	16,000.00 - 16,149.99	170.00	4,420.00	317	49,600.00 - 49,749.99	525.00	13,650.00
94	16,150.00 - 16,299.99	171.00	4,446.00	318	49,750.00 - 49,899.99	526.00	13,676.00
95	16,300.00 - 16,449.99	173.00	4,498.00	319	49,900.00 - 50,049.99	528.00	13,728.00
96	16,450.00 - 16,599.99	174.00	4,524.00	320	50,050.00 - 50,199.99	530.00	13,780.00
97	16,600.00 - 16,749.99	176.00	4,576.00	321	50,200.00 - 50,349.99	531.00	13,806.00
98	16,750.00 - 16,899.99	177.00	4,602.00	322	50,350.00 - 50,499.99	533.00	13,858.00
99	16,900.00 - 17,049.99	179.00	4,654.00	323	50,500.00 - 50,649.99	534.00	13,884.00
100	17,050.00 - 17,199.99	181.00	4,706.00	324	50,650.00 - 50,799.99	536.00	13,936.00
101	17,200.00 - 17,349.99	182.00	4,732.00	325	50,800.00 - 50,949.99	538.00	13,988.00
102	17,350.00 - 17,499.99	184.00	4,784.00	326	50,950.00 - 51,099.99	539.00	14,014.00
103	17,500.00 - 17,649.99	185.00	4,810.00	327	51,100.00 - 51,249.99	541.00	14,066.00
104	17,650.00 - 17,799.99	187.00	4,862.00	328	51,250.00 - 51,399.99	542.00	14,092.00
105	17,800.00 - 17,949.99	189.00	4,914.00	329	51,400.00 - 51,549.99	544.00	14,144.00
106	17,950.00 - 18,099.99	190.00	4,940.00	330	51,550.00 - 51,699.99	546.00	14,196.00
107	18,100.00 - 18,249.99	192.00	4,992.00	331	51,700.00 - 51,849.99	547.00	14,222.00
108	18,250.00 - 18,399.99	193.00	5,018.00	332	51,850.00 - 51,999.99	549.00	14,274.00
109	18,400.00 - 18,549.99	195.00	5,070.00	333	52,000.00 - 52,149.99	550.00	14,300.00
110	18,550.00 - 18,699.99	196.00	5,096.00	334	52,150.00 - 52,299.99	552.00	14,352.00
111	18,700.00 - 18,849.99	198.00	5,148.00	335	52,300.00 - 52,449.99	553.00	14,378.00
112	18,850.00 - 18,999.99	200.00	5,200.00	336	52,450.00 - 52,599.99	555.00	14,430.00
113	19,000.00 - 19,149.99	201.00	5,226.00	337	52,600.00 - 52,749.99	557.00	14,482.00
114	19,150.00 - 19,299.99	203.00	5,278.00	338	52,750.00 - 52,899.99	558.00	14,508.00
115	19,300.00 - 19,449.99	204.00	5,304.00	339	52,900.00 - 53,049.99	560.00	14,560.00
116	19,450.00 - 19,599.99	206.00	5,356.00	340	53,050.00 - 53,199.99	561.00	14,586.00
117	19,600.00 - 19,749.99	208.00	5,408.00	341	53,200.00 - 53,349.99	563.00	14,638.00
118	19,750.00 - 19,899.99	209.00	5,434.00	342	53,350.00 - 53,499.99	565.00	14,690.00
119	19,900.00 - 20,049.99	211.00	5,486.00	343	53,500.00 - 53,649.99	566.00	14,716.00
120	20,050.00 - 20,199.99	212.00	5,512.00	344	53,650.00 - 53,799.99	568.00	14,768.00
121	20,200.00 - 20,349.99	214.00	5,564.00	345	53,800.00 - 53,949.99	569.00	14,794.00
122	20,350.00 - 20,499.99	216.00	5,616.00	346	53,950.00 - 54,099.99	571.00	14,846.00
123	20,500.00 - 20,649.99	217.00	5,642.00	347	54,100.00 - 54,249.99	573.00	14,898.00
124	20,650.00 - 20,799.99	219.00	5,694.00	348	54,250.00 - 54,399.99	574.00	14,924.00
125	20,800.00 - 20,949.99	220.00	5,720.00	349	54,400.00 - 54,549.99	576.00	14,976.00
126	20,950.00 - 21,099.99	222.00	5,772.00	350	54,550.00 - 54,699.99	577.00	15,002.00
127	21,100.00 - 21,249.99	223.00	5,798.00	351	54,700.00 - 54,849.99	579.00	15,054.00
128	21,250.00 - 21,399.99	225.00	5,850.00	352	54,850.00 - 54,999.99	580.00	15,080.00
129	21,400.00 - 21,549.99	227.00	5,902.00	353	55,000.00 - 55,149.99	582.00	15,132.00
130	21,550.00 - 21,699.99	228.00	5,928.00	354	55,150.00 - 55,299.99	584.00	15,184.00
131	21,700.00 - 21,849.99	230.00	5,980.00	355	55,300.00 - 55,449.99	585.00	15,210.00
132	21,850.00 - 21,999.99	231.00	6,006.00	356	55,450.00 - 55,599.99	587.00	15,262.00
133	22,000.00 - 22,149.99	233.00	6,058.00	357	55,600.00 - 55,749.99	588.00	15,288.00

UNEMPLOYMENT COMPENSATION
BENEFIT RATE TABLE (CONT.)

134	22,150.00 - 22,299.99	235.00	6,110.00
135	22,300.00 - 22,449.99	236.00	6,136.00
136	22,450.00 - 22,599.99	238.00	6,188.00
137	22,600.00 - 22,749.99	239.00	6,214.00
138	22,750.00 - 22,899.99	241.00	6,266.00
139	22,900.00 - 23,049.99	243.00	6,318.00
140	23,050.00 - 23,199.99	244.00	6,344.00
141	23,200.00 - 23,349.99	246.00	6,396.00
142	23,350.00 - 23,499.99	247.00	6,422.00
143	23,500.00 - 23,649.99	249.00	6,474.00
144	23,650.00 - 23,799.99	250.00	6,500.00
145	23,800.00 - 23,949.99	252.00	6,552.00
146	23,950.00 - 24,099.99	254.00	6,604.00
147	24,100.00 - 24,249.99	255.00	6,630.00
148	24,250.00 - 24,399.99	257.00	6,682.00
149	24,400.00 - 24,549.99	258.00	6,708.00
150	24,550.00 - 24,699.99	260.00	6,760.00
151	24,700.00 - 24,849.99	262.00	6,812.00
152	24,850.00 - 24,999.99	263.00	6,838.00
153	25,000.00 - 25,149.99	265.00	6,890.00
154	25,150.00 - 25,299.99	266.00	6,916.00
155	25,300.00 - 25,449.99	268.00	6,968.00
156	25,450.00 - 25,599.99	269.00	6,994.00
157	25,600.00 - 25,749.99	271.00	7,046.00
158	25,750.00 - 25,899.99	273.00	7,098.00
159	25,900.00 - 26,049.99	274.00	7,124.00
160	26,050.00 - 26,199.99	276.00	7,176.00
161	26,200.00 - 26,349.99	277.00	7,202.00
162	26,350.00 - 26,499.99	279.00	7,254.00
163	26,500.00 - 26,649.99	281.00	7,306.00
164	26,650.00 - 26,799.99	282.00	7,332.00
165	26,800.00 - 26,949.99	284.00	7,384.00
166	26,950.00 - 27,099.99	285.00	7,410.00
167	27,100.00 - 27,249.99	287.00	7,462.00
168	27,250.00 - 27,399.99	289.00	7,514.00
169	27,400.00 - 27,549.99	290.00	7,540.00
170	27,550.00 - 27,699.99	292.00	7,592.00
171	27,700.00 - 27,849.99	293.00	7,618.00
172	27,850.00 - 27,999.99	295.00	7,670.00
173	28,000.00 - 28,149.99	296.00	7,696.00
174	28,150.00 - 28,299.99	298.00	7,748.00
175	28,300.00 - 28,449.99	300.00	7,800.00
176	28,450.00 - 28,599.99	301.00	7,826.00
177	28,600.00 - 28,749.99	303.00	7,878.00
178	28,750.00 - 28,899.99	304.00	7,904.00

358	55,750.00 - 55,899.99	590.00	15,340.00
359	55,900.00 - 56,049.99	592.00	15,392.00
360	56,050.00 - 56,199.99	593.00	15,418.00
361	56,200.00 - 56,349.99	595.00	15,470.00
362	56,350.00 - 56,499.99	596.00	15,496.00
363	56,500.00 - 56,649.99	598.00	15,548.00
364	56,650.00 - 56,799.99	599.00	15,574.00
365	56,800.00 - 56,949.99	601.00	15,626.00
366	56,950.00 - 57,099.99	603.00	15,678.00
367	57,100.00 - 57,249.99	604.00	15,704.00
368	57,250.00 - 57,399.99	606.00	15,756.00
369	57,400.00 - 57,549.99	607.00	15,782.00
370	57,550.00 - 57,699.99	608.00	15,808.00
371	57,700.00 - 57,849.99	611.00	15,886.00
372	57,850.00 - 57,999.99	612.00	15,912.00
373	58,000.00 - 58,149.99	614.00	15,964.00
374	58,150.00 - 58,299.99	615.00	15,990.00
375	58,300.00 - 58,449.99	617.00	16,042.00
376	58,450.00 - 58,599.99	619.00	16,094.00
377	58,600.00 - 58,749.99	620.00	16,120.00
378	58,750.00 - 58,899.99	622.00	16,172.00
379	58,900.00 - 59,049.99	623.00	16,198.00
380	59,050.00 - 59,199.99	625.00	16,250.00
381	59,200.00 - 59,349.99	626.00	16,276.00
382	59,350.00 - 59,499.99	628.00	16,328.00
383	59,500.00 - 59,649.99	630.00	16,380.00
384	59,650.00 - 59,799.99	631.00	16,406.00
385	59,800.00 - 59,949.99	633.00	16,458.00
386	59,950.00 - 60,099.99	634.00	16,484.00
387	60,100.00 - 60,249.99	636.00	16,536.00
388	60,250.00 - 60,399.99	638.00	16,588.00
389	60,400.00 - 60,549.99	639.00	16,614.00
390	60,550.00 - 60,699.99	641.00	16,666.00
391	60,700.00 - 60,849.99	642.00	16,692.00
392	60,850.00 - 60,999.99	644.00	16,744.00
393	61,000.00 - 61,149.99	645.00	16,770.00
394	61,150.00 - 61,299.99	647.00	16,822.00
395	61,300.00 - 61,449.99	649.00	16,874.00
396	61,450.00 - 61,599.99	650.00	16,900.00
397	61,600.00 - 61,749.99	652.00	16,952.00
398	61,750.00 - 61,899.99	653.00	16,978.00
399	61,900.00 - 62,049.99	655.00	17,030.00
400	62,050.00 - 62,199.99	657.00	17,082.00
401	62,200.00 - 62,349.99	658.00	17,108.00
402	62,350.00 - 62,499.99	660.00	17,160.00



2024 POSTING REQUIREMENTS

WEST VIRGINIA

2024

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UNEMPLOYMENT COMPENSATION BENEFIT RATE TABLE (CONT.)

179	28,900.00 - 29,049.99	306.00	7,956.00	403	62,500.00 - 62,649.99	661.00	17,186.00
180	29,050.00 - 29,199.99	308.00	8,008.00	404	62,650.00 - and above	662.00	17,212.00
181	29,200.00 - 29,349.99	309.00	8,034.00				
182	29,350.00 - 29,499.99	311.00	8,086.00				
183	29,500.00 - 29,649.99	312.00	8,112.00				
184	29,650.00 - 29,799.99	314.00	8,164.00				
185	29,800.00 - 29,949.99	315.00	8,190.00				
186	29,950.00 - 30,099.99	317.00	8,242.00				
187	30,100.00 - 30,249.99	319.00	8,294.00				
188	30,250.00 - 30,399.99	320.00	8,320.00				
189	30,400.00 - 30,549.99	322.00	8,372.00				
190	30,550.00 - 30,699.99	323.00	8,398.00				
191	30,700.00 - 30,849.99	325.00	8,450.00				
192	30,850.00 - 30,999.99	327.00	8,502.00				
193	31,000.00 - 31,149.99	328.00	8,528.00				
194	31,150.00 - 31,299.99	330.00	8,580.00				
195	31,300.00 - 31,449.99	331.00	8,606.00				
196	31,450.00 - 31,599.99	333.00	8,658.00				
197	31,600.00 - 31,749.99	335.00	8,710.00				
198	31,750.00 - 31,899.99	336.00	8,736.00				
199	31,900.00 - 32,049.99	338.00	8,788.00				
200	32,050.00 - 32,199.99	339.00	8,814.00				
201	32,200.00 - 32,349.99	341.00	8,866.00				
202	32,350.00 - 32,499.99	342.00	8,892.00				
203	32,500.00 - 32,649.99	344.00	8,944.00				
204	32,650.00 - 32,799.99	346.00	8,996.00				
205	32,800.00 - 32,949.99	347.00	9,022.00				
206	32,950.00 - 33,099.99	349.00	9,074.00				
207	33,100.00 - 33,249.99	350.00	9,100.00				
208	33,250.00 - 33,399.99	352.00	9,152.00				
209	33,400.00 - 33,549.99	354.00	9,204.00				
210	33,550.00 - 33,699.99	355.00	9,230.00				
211	33,700.00 - 33,849.99	357.00	9,282.00				
212	33,850.00 - 33,999.99	358.00	9,308.00				
213	34,000.00 - 34,149.99	360.00	9,360.00				
214	34,150.00 - 34,299.99	361.00	9,386.00				
215	34,300.00 - 34,449.99	363.00	9,438.00				
216	34,450.00 - 34,599.99	365.00	9,490.00				
217	34,600.00 - 34,749.99	366.00	9,516.00				
218	34,750.00 - 34,899.99	368.00	9,568.00				
219	34,900.00 - 35,049.99	369.00	9,594.00				
220	35,050.00 - 35,199.99	371.00	9,646.00				
221	35,200.00 - 35,349.99	373.00	9,698.00				
222	35,350.00 - 35,499.99	374.00	9,724.00				
223	35,500.00 - 35,649.99	376.00	9,776.00				



UNEMPLOYMENT BENEFITS

WORKFORCE WEST VIRGINIA | NOTICE TO EMPLOYEES

TOTAL UNEMPLOYMENT

You are considered totally unemployed during any week in which you are totally separated from your employment, performing no services for which wages or other remuneration were paid to you.

You must file your initial claim for total unemployment in person. Since a claim for unemployment compensation is effective the Sunday of the week in which it is filed, you should file your claim immediately after you are separated from your employment. You will be instructed on filing your continued claim. Your options for filing continued claims will include telephone or web filing.

PARTIAL UNEMPLOYMENT

You would be considered partially unemployed if you have been working full-time, but due to business being slow, a breakdown of equipment, or similar reasons, your employer has to reduce your hours during the week. You may be entitled to partial unemployment benefits during this week if you earned less than what your weekly unemployment benefit amount would be plus \$60. Under these conditions, your employer should issue a Low Earnings Report for the week, showing your gross wages. You must complete the claims portion of the Low Earnings Report and file it with the local unemployment office as directed on the form.

ELIGIBILITY REQUIREMENTS

To be monetarily eligible to receive unemployment benefits you must have earned \$2,200 gross wages in covered employment during two or more calendar quarters of your regular base period (first four of the last five completed calendar quarters) or alternative base period (the last four quarters immediately preceding the first day of the individual's benefit year).

ELIGIBILITY REQUIREMENTS - OTHER

If you are unemployed, you shall be eligible to receive benefits only if:

- You have made a claim for benefits at a local unemployment office.
- You have registered for work with the Job Service Office and continue to report as directed.
- You are able to work and available for full-time work for which you are fitted by prior training or experience.
- You are doing what a reasonable prudent person in your situation would do to find work.
- You have filed for and served a waiting period of one week during your benefit year.
- You have earned gross wages of less than your weekly benefit amount plus \$60 during the week for which you claim benefits.
- You requalify on a new claim when you had a previous benefit year (must have earned eight times your old weekly benefit amount in covered employment after the beginning of your previous claim).
- You must participate in profiling and reemployment services when selected.

DISQUALIFICATIONS

You may be disqualified from drawing benefits:

1. If you leave work voluntarily without good cause involving fault on the part of your employer.
2. If you are discharged for misconduct.
3. If you fail without good cause to apply for available suitable work, to accept suitable work when offered, or to return to your customary self-employment when directed to do so.
4. If you are unemployed due to a labor dispute.
5. For the week for which you receive wages in lieu of notice or Workers' Compensation for temporary total disability.
6. For the week for which you receive unemployment compensation under the laws of another state or of the United States.
7. For any week you are training, participating, or preparing to participate in sports or athletic events if there is reasonable assurance you will perform such services in the current or upcoming seasons.
8. If you are an employee of an educational institution or educational service agency, for any week of unemployment which commences during: a paid sabbatical leave; a holiday or vacation period between two academic years or terms, if you perform services in the first academic year or term or prior to the beginning of a holiday or vacation period and there is a contract or a reasonable assurance that you will perform services in the second academic year or term or after a holiday or vacation period. (EXCEPTION: If you have sufficient nonschool wages in your base period to qualify for benefits based upon the non-school wages only, you may be entitled to benefits during this period.)
9. For any week on the basis of services performed as an alien, unless you are lawfully residing in the United States and have a valid permit to work.



2024 POSTING REQUIREMENTS

WEST VIRGINIA

2024



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UNEMPLOYMENT BENEFITS (CONT.)

10. If you leave work voluntarily to attend school or other educational institution, or are waiting to enter school or an educational institution.
11. For each week in which you are unemployed because of your request or that of your duly-authorized agent for a vacation at a specified time that leaves your employer no other alternative but to suspend operations.
12. For the week in which you receive any annuity, pension, or other retirement pay from a base period employer, or from a fund towards which a base period employer has contributed. If your remuneration is less than the unemployment benefits otherwise due you, your unemployment benefits will be reduced by the amount of your annuity, pension, etc.
13. For each week in which and for 52 weeks thereafter, if the commissioner finds that you, within the preceding 24 months, knowingly made a false statement or failed to reveal a material fact in order to obtain or increase or attempt to obtain or increase a benefit; and you shall be considered guilty of a misdemeanor and may be subject to severe penalties.

Neither the full effect nor the duration of a disqualification is given here in detail.

SOCIAL SECURITY NUMBER

Bring your Social Security Card with you when you report to the local office. Your Social Security Number will only be printed on the most pertinent documents.

VOLUNTARY INCOME TAX WITHHOLDING PROGRAM

Unemployment compensation benefits are subject to Federal income tax and there are requirements relating to estimated tax payments. You may choose to have Federal income tax deducted and withheld from any unemployment benefits paid to you.

CLAIMS OFFICES

These **FULL-TIME CLAIMS OFFICES** are operated Monday through Friday each week:

BECKLEY
CHARLESTON
CLARKSBURG
ELKINS
FAIRMONT
GREENBRIER
VALLEY

HUNTINGTON
LOGAN
MARTINSBURG
MERCER COUNTY
MORGANTOWN
PARKERSBURG
PUTNAM

SOUTH BRANCH
SUMMERSVILLE
WEIRTON
WELCH
WHEELING

*The days and hours for these **ITINERANT POINTS** vary. For exact schedule, inquire at any claims office.

CLAY
GREENBRIER VALLEY
KINGWOOD
MARLINTON
MONTGOMERY
NEW MARTINSVILLE

PT. PLEASANT
SPENCER
WEBSTER SPRINGS
WESTON
WILLIAMSON

***ITINERANT POINTS** are subject to change.



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FEDERAL MINIMUM WAGE

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

\$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 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 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.

PUMP AT WORK The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for their 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 of Labor 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 also 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.

U.S. Department of Labor | Wage and Hour Division

1-866-487-9243 | TTY: 1-877-889-5627

www.dol.gov/agencies/whd



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WORKERS WITH DISABILITIES

EMPLOYEE RIGHTS FOR WORKERS WITH DISABILITIES PAID AT SPECIAL MINIMUM WAGES

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

This establishment has a certificate authorizing the payment of special minimum wages to workers who are disabled for the work they are performing. Authority to pay special minimum wages to workers with disabilities applies to work covered by the **Fair Labor Standards Act (FLSA)**, **McNamara-O'Hara Service Contract Act (SCA)**, and/or **Walsh-Healey Public Contracts Act (PCA)**. Such special minimum wages are referred to as "**commensurate wage rates**" and are less than the basic hourly rates stated in an SCA wage determination and less than the FLSA minimum wage of **\$7.25 per hour beginning July 24, 2009**. A "commensurate wage rate" is based on the worker's individual productivity, no matter how limited, in proportion to the wage and productivity of experienced workers who do not have disabilities that impact their productivity when performing essentially the same type, quality, and quantity of work in the geographic area from which the labor force of the community is drawn.

WORKERS WITH DISABILITIES

For purposes of payment of commensurate wage rates under a certificate, a worker with a disability is defined as:

- An individual whose earnings or productive capacity is impaired by a physical or mental disability, including those related to age or injury, for the work to be performed.
- Disabilities which may affect productive capacity include blindness, mental illness, mental retardation, cerebral palsy, alcoholism, and drug addiction. The following do not ordinarily affect productive capacity for purposes of paying commensurate wage rates: educational disabilities; chronic unemployment; receipt of welfare benefits; nonattendance at school; juvenile delinquency; and correctional parole or probation.

KEY ELEMENTS OF COMMENSURATE WAGE RATES

- **Nondisabled worker standard**—The objective gauge (usually a time study of the production of workers who do not have disabilities that impair their productivity for the job) against which the productivity of a worker with a disability is measured.
- **Prevailing wage rate**—The wage paid to experienced workers who do not have disabilities that impair their productivity for the same or similar work and who are performing such work in the area. Most SCA contracts include a wage determination specifying the prevailing wage rates to be paid for SCA-covered work.
- **Evaluation of the productivity of the worker with a disability**—Documented measurement of the production of the worker with a disability (in terms of quantity and quality).

The wages of all workers paid commensurate wages must be reviewed, and adjusted if appropriate, at periodic intervals. At a minimum, the productivity of hourly-paid workers must be reevaluated at least every six months and a new prevailing wage survey must be conducted at least once every twelve months. In addition, prevailing wages must be reviewed, and adjusted as appropriate, whenever the applicable state or federal minimum wage is increased.

OVERTIME Generally, if you are performing work subject to the FLSA, SCA, and/or PCA, you must be paid at least 1 ½ times your regular rate of pay for all hours worked over 40 in a workweek.

CHILD LABOR Minors younger than **18 years** of age must be employed in accordance with the child labor provisions of FLSA. No persons under 16 may be employed in manufacturing or on a PCA contract.

FRINGE BENEFITS Neither the FLSA nor the PCA have provisions requiring vacation, holiday, or sick pay nor other fringe benefits such as health insurance or pension plans. SCA wage determinations may require such fringe benefit payments (or a cash equivalent). **Workers paid under a certificate authorizing commensurate wage rates must receive the full fringe benefits listed on the wage determination.**

WORKER NOTIFICATION Each worker with a disability and, where appropriate, the parent or guardian of such worker, shall be informed orally and in writing by the employer of the terms of the certificate under which such worker is employed.

PETITION PROCESS Workers with disabilities paid at special minimum wages may petition the Administrator of the Wage and Hour Division of the Department of Labor for a review of their wage rates by an Administrative Law Judge. No particular form of petition is required, except that it must be signed by the worker with a disability or his or her parent or guardian and should contain the name and address of the employer. Petitions should be mailed to: Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Employers shall display this poster where employees and the parents and guardians of workers with disabilities can readily see it.

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



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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 & 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.

HEALTH INSURANCE PROTECTION

- If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military.
- Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

ENFORCEMENT

- The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.
- For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL or visit its website at <https://www.dol.gov/agencies/vets/>. An interactive online USERRA Advisor can be viewed at <https://webapps.dol.gov/elaws/vets/userra>.
- If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation.
- You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

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/vets/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 Justice
Office of Special Counsel
U.S. Department of Labor:
1-866-487-2365

Employer Support of The Guard and Reserve:
1-800-336-4590



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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 given 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 (armored 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.

U.S. Department of Labor | Wage and Hour Division

1-866-487-9243 | TTY: 1-877-889-5627

www.dol.gov/agencies/whd



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
- 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

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.

Additional information about the EEOC, including information about filing a charge of discrimination, is available at www.eeoc.gov.



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; pregnancy, childbirth, or related medical condition; 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
- Conduct that coerces, intimidates, threatens, or interferes with someone exercising their rights, or someone assisting or encouraging someone else to exercise rights, regarding disability discrimination (including accommodation or pregnancy accommodation)

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)
- E-Mail** info@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 doing business with the Federal Government. If you are applying for a job with, or are an employee of, a company with a Federal contract or subcontract, you are protected under Federal law from discrimination on the following bases:

Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin

Executive Order 11246, 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.

Asking About, Disclosing, or Discussing Pay

Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees.

Disability

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

Protected Veteran Status

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.

Retaliation

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors under these Federal laws.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP)
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, D.C. 20210
1-800-397-6251 (toll-free)

If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at <https://ofccphelpdesk.dol.gov/s/>, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at <https://www.dol.gov/agencies/ofccp/contact>.

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL 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 in programs 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 where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

Individuals with Disabilities

Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.



FAMILY AND MEDICAL LEAVE ACT

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 #28M(c) 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 **one** 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 your need for FMLA leave, or
- If advance notice is not possible, give notice as soon as possible.

You **do not** have to share a medical diagnosis but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You **must also inform your employer if FMLA leave was previously taken** or approved for the same reason when requesting additional leave.

Your employer **may request certification** from a health care provider to verify medical leave and may request certification of a qualifying exigency.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress.

WHAT DOES MY EMPLOYER NEED TO DO?

If you are eligible for FMLA leave, your employer **must**:

- Allow you to take job-protected time off work for a qualifying reason,
- Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and
- Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave.

Your employer **cannot interfere with your FMLA rights** or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation.

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your employer **must confirm whether you are eligible** or not eligible for FMLA leave. If your employer determines that you are eligible, your employer **must notify you in writing**:

- About your FMLA rights and responsibilities, and
- How much of your requested leave, if any, will be FMLA-protected leave.

WHERE CAN I FIND MORE INFORMATION?

Call 1-866-487-9243 or visit dol.gov/fmla to learn more.

If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. **Scan the QR code to learn about our WHD complaint process.**

SCAN ME



U.S. DEPARTMENT OF LABOR
Wage and Hour Division

Scan the QR code to file a complaint.



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Job Safety and Health

IT'S THE LAW!

OSHA

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

All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request an OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions, OSHA will keep your name confidential. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

Employers must:

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations.

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.

Contact OSHA. We can help.



1-800-321-OSHA (6742) • TTY 1-877-889-5627 • www.osha.gov