

# SOUTH DAKOTA



## LABOR LAW POSTINGS

# South Dakota Labor Law Postings

Thank you for using Paychex! Your order contains the following state posters:

Name of Poster	Poster Code	Posting Requirements	Agency Responsible
Unemployment Benefits Notice	LSD01	All employers	South Dakota Labor & Management
Workplace Safety	LSD02	All employers	South Dakota Labor & Management
Workplace Safety (Spanish*)	LSD06	Optional for all employers	South Dakota Labor & Management
Sexual Harassment	LSD03	Recommended for all employers	South Dakota Department of Labor, Division of Human Rights
Unemployment Benefits Notice (Spanish*)	LSD05	Optional for all employers	South Dakota Labor & Management
Minimum Wage	LSD07	Optional for all employers	South Dakota Labor & Regulation
Minimum Wage (Spanish*)	LSD08	Optional for all employers	South Dakota Labor & Regulation

\*While they are not required, Spanish versions are recommended for employers of Spanish-speaking workers.

## **Printing and Posting Instructions**

All files are print ready, according to size requirements from the issuing agency (if any). To ensure compliance, print all posters as provided. Posters requiring different paper size and/or color print are noted below as exceptions. Please note: In some cases, individual posters are set up to print on multiple pages.

- 1.) Print each of the posters listed above on 8.5"x11" paper.
- 2.) For multiple-page posters, we recommend taping the pages together before posting.
- 3.) Review each poster and posting instructions (above) carefully to check for special posting requirements that might apply to your business.
- 4.) Display all applicable posters in a conspicuous area accessible to all employees (such as an employee lounge, break room, or cafeteria).

# Notice to Employees

Employees in this establishment are covered under the South Dakota Unemployment Insurance Law. Under this law, employees who become unemployed or whose working hours are reduced to less than full time may be eligible for unemployment benefits provided:

- They are able to work;
- They are available for full-time work; and,
- They meet certain eligibility requirements.

Employees who voluntarily quit without good cause, are discharged or suspended for misconduct, or refuse to accept suitable work may be denied benefits.

Employees working less than full time or who become totally unemployed, if available for work, should register for work at one of the Department of Labor's local offices listed below.

Aberdeen  
Brookings  
Huron  
Lake Andes

Madison  
Mitchell  
North Sioux City  
Pierre

Rapid City  
Sioux Falls  
Sisseton  
Spearfish

Vermillion  
Watertown  
Winner  
Yankton

Claims for unemployment insurance benefits can be filed at [www.sd.uicclaims.com](http://www.sd.uicclaims.com) or by calling 605.626.3179. Ask your employer or Department of Labor and Regulation local office for a pamphlet outlining the provisions of the law. If there is not an office where you live, contact the one nearest you to request information. An office directory can be found at [www.sdjobs.org](http://www.sdjobs.org).



Unemployment Insurance Division  
420 S. Roosevelt St.  
Box 4730  
Aberdeen, SD 57402-4730

**Please post this card  
in a conspicuous place.**

# SAFETY



**AVOID THE WORST**

BE PART OF THE  
**SAFETY** TEAM



# LA SEGURIDAD EN



**EVITE LO PEOR**

SEA PARTE DEL EQUIPO  
DE **SEGURIDAD** ...

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## OTHER TYPES OF HARASSMENT

The South Dakota Human Relations Act prohibits harassment on the basis of race, sex, religion, color, creed, ancestry, disability or national origin.

The areas of coverage are employment, housing, public accommodations, public services, education, labor unions and employment agencies.

### Some other examples of harassment include:

- a. Name calling at work site which refer to a person's sex, race, religion or disability; or
- b. Racist or sexist statements displayed in a public accommodation which affect a person's ability to use and enjoy those accommodations.

### For more information call or write:

Department of Labor and Regulation  
Division of Human Rights  
123 W. Missouri Ave.  
Pierre, South Dakota 57501  
Tel: 605.773.4493  
Fax: 605.773.4211

[www.sdjobs.org](http://www.sdjobs.org)

One thousand copies of this publication were produced by the South Dakota Department of Labor and Regulation at a cost of 3 cents per copy.

Auxiliary aids and services available upon request to individuals with disabilities. State and federal laws require the Department of Labor and Regulation to provide services to all qualified persons without regard to race, color, creed, religion, age, sex, ancestry, political affiliation or belief, national origin, or disability.

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**S.D. Department of Labor and Regulation**  
Division of Human Rights  
123 W. Missouri Ave.  
Pierre, SD 57501

Division of Human Rights

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# Sexual Harassment

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What you need to know.



123 W. Missouri Ave.  
Pierre, SD 5750  
Tel: 605.773.4493 • Fax: 605.773.4211  
[www.sdjobs.org](http://www.sdjobs.org)

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*Sexual harassment on the job is becoming more unacceptable to victims and a liability for management.*

## WHAT IS SEXUAL HARRASMENT?

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

A hostile environment can be developed from repeated, offensive physical actions, verbal comments, hazing or graphic or written displays which affect an employee's ability to perform the job.

## *What should you do, if you feel you are victim of sexual harassment?*

### PLAN OF ACTION FOR VICTIMS

- Make clear what actions are offensive to you.
- Speak to the offender about the behavior which is offensive to you.
- Speak to your supervisor, the personnel director, or the manager about the behavior.
- Document actions if possible.

If the behavior does not stop, contact the Division of Human Rights.

### FILING A COMPLAINT

If you feel you have been a victim of discrimination, you may contact the Division of Human Rights.

The Division investigates complaints of discrimination filed with the office. If it finds the complaint is justified, it will attempt to settle the situation through conciliation.

If these attempts fail, a hearing may be held by the Commission of Human Rights.



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LSD03/2

## EMPLOYER LIABILITIES

The employer has a responsibility to maintain a work place free of sexual harassment.

Once an employer is informed of a harassment situation, the employer must take action to investigate and resolve the situation.

If the harasser is in a supervisory position and harasses a subordinate, the employers may have liability whether they have actual knowledge of the behavior or not.

Any person who files a charge of discrimination, testifies, assists or participates in any way in an investigation, hearing or any other proceeding conducted by the Division of Human Rights is protected by law against reprisal by any person, employer, employment agency, labor organization, landlord or other covered individual or organization.



# Aviso a los empleados

Todos los empleados en este establecimiento están cubiertos bajo la Ley de Seguro de Desempleo de Dakota del Sur. Conforme esta ley, los trabajadores que pierden su empleo o cuyas horas son reducidas a menos de la mitad del tiempo, pueden ser elegibles para recibir beneficios de desempleo siempre que:

- Sean capaces de trabajar;
- Estén disponibles para trabajar a tiempo completo; y,
- Cumplan con ciertos requerimientos de la elegibilidad.

Se pueden negar los beneficios a aquellos empleados que voluntariamente abandonen sin causa justificada, sean eliminados o suspendidos por mala conducta, o se rehúsen a aceptar un trabajo aceptable.

Los empleados que estén trabajando menos de tiempo completo o que pierdan el empleo por completo, y que estén disponibles para trabajar, deben registrarse para trabajar en una de las oficinas locales del Departamento de Trabajo y Regulaciones que se enumeran a continuación.

Aberdeen	Madison	Rapid City	Vermillion
Brookings	Mitchell	Sioux Falls	Watertown
Huron	North Sioux City	Sisseton	Winner
Lake Andes	Pierre	Spearfish	Yankton

Las reclamaciones para beneficios de seguro de desempleo pueden presentarse por Internet en [www.sd.uiclaims.com](http://www.sd.uiclaims.com) o llamando al 605.626.3179. Pídale a su empleador u oficina local del Departamento de Trabajo y Regulaciones un panfleto que describe las disposiciones de la ley. Si no hay una oficina en su ciudad, comuníquese con la más cercana y la información solicitada se enviará a la mayor brevedad. Puede encontrar un directorio de oficinas en [www.sdjobs.org](http://www.sdjobs.org).



Unemployment Insurance Division  
420 S. Roosevelt St.  
Box 4730  
Aberdeen, SD 57402-4730

**Colocar franqueo en un  
lugar visible de esta tarjeta.**

# 2019 South Dakota Minimum Wage Requirement

# \$9.10/Hour

## Minimum Wage

See *SDCL 60-11-3 and 60-11-3.2*. Employers with tipped employees must pay a cash wage of no less than \$4.55 per hour, which is no less than 50 percent of the state minimum wage. See *SDCL 60-11-3.1*. **South Dakota state minimum requirements apply to all employees;** however, no minimum wage requirements apply to independent contractors.

## Contact

For questions or to report a violation, contact the DLR  
Division of Labor and Management, Wage and Hour Office at:

123 W. Missouri Ave.  
Pierre, SD 57501  
Ph: 605.773.3681  
Fax: 605.773.4211

Additional information from the South Dakota Department of Labor and Regulation available at [www.sdjobs.org](http://www.sdjobs.org).

# Requerimiento de salario mínimo de Dakota del Sur (2019)

# \$9.10/Hora

## Salario mínimo

Consultar SDCL 60-11-3 y SDCL 60-11-3.2. Los empleadores con empleados que reciben propinas deben pagar un salario en dinero en efectivo que no sea menor de \$4.55 por hora, lo cual representa no menos del 50 por ciento del salario mínimo del estado. Consultar SDCL 60-11-3.1. Los requerimientos mínimos del estado de Dakota del Sur se aplican a todos los empleados; sin embargo, no se aplican los requerimientos de salario mínimo para los contratistas independientes.

## Contacto

Por preguntas o para denunciar una violación, comuníquese con la Oficina de la División de Trabajo y Administración, Salario y Horas del DLR en:

123 W. Missouri Ave.  
Pierre, SD 57501  
Ph: 605.773.3681  
Fax: 605.773.4211

Puede encontrar información adicional del Departamento de Trabajo y Regulaciones de Dakota del Sur en [www.sdjobs.org](http://www.sdjobs.org).