



Pennsylvania State Labor Law Postings

Fair Employment

COMMONWEALTH OF PENNSYLVANIA HUMAN RELATIONS COMMISSION

EMPLOYMENT PROVISIONS OF THE PENNSYLVANIA HUMAN RELATIONS ACT

(Act of October 27, 1955, P.L. 744, as Amended)

PURPOSE OF PROVISIONS

The purpose of the employment provisions of the Pennsylvania Human Relations Act is to prevent and eliminate unlawful discriminatory practices in employment because of race, color, religion, ancestry, age (40 and above), sex, national origin, non-job related disability, known association with a disabled individual, possession of a diploma based on passing a general education development test, or willingness or refusal to participate in abortion or sterilization.

UNLAWFUL DISCRIMINATORY PRACTICES

It is unlawful — on the basis of the facts listed above — for an employer, labor union or employment agency to: 1. Deny any person an equal opportunity to obtain employment, to be promoted and to be accorded all other rights to compensation, tenure and other terms, conditions and privileges of employment.

- 2. Deny membership rights and privileges in any labor organization.
3. Deny any person equal opportunity to be referred for employment.
4. Refuse to contract or otherwise discriminate in contracting with any independent contractor who is licensed by the Bureau of Professional and Occupational Affairs.

It is also unlawful for any person, employer, labor union or employment agency to retaliate against an individual because the individual has filed a complaint with the Commission, or has otherwise participated in any Commission proceeding, or for any person to aid or abet any unlawful discriminatory practice under the Human Relations Act.

PARTIES SUBJECT TO THE ACT

The employment provisions of the Pennsylvania Human Relations Act apply to: (1) Employers of 4 or more persons, including units of state and local government, (2) Labor organizations, and (3) Employment agencies.

WHO MAY FILE A COMPLAINT

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

PARTIES EXEMPT FROM THE ACT

The employment provisions of the Pennsylvania Human Relations Act do not apply to: (1) Any individual employed in agriculture or domestic service, (2) any individual who, as part of his or her employment, resides in the personal residence of the employer, (3) Any individual employed by his or her parents, spouse or child.

WHO MUST POST THIS NOTICE

Every employer, labor organization and employment agency subject to the employment provisions of this Act is required by law to post this notice in a conspicuous, easily accessible and well-lighted location customarily frequented by applicants, employees or members.

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

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

Executive Offices: 333 Market Street, 8th Floor • Harrisburg, PA 17126 (717) 787-4410 • (717) 787-7279 (TTY) or visit us at www.phrc.state.pa.us

To file a complaint, contact the Regional Office nearest you:

Pittsburgh 301 5th Ave., Suite 390 Harrisburg, PA 17104 (717) 787-9780 (717) 787-7279 (TTY)

Harrisburg 333 Market Street, 8th Floor Harrisburg, PA 17104 (717) 787-9780 (717) 787-7279 (TTY)

Philadelphia 110 N. 8th St., Suite 501 Philadelphia, PA 19107 (215) 560-2496 (215) 560-3599 (TTY)

Workers' Compensation



REMEMBER: IT IS IMPORTANT TO TELL YOUR EMPLOYER ABOUT YOUR INJURY

The name, address and telephone number of your employer's workers' compensation insurance company, third-party administrator (TPA), or person handling workers' compensation claims for your company, are shown below.

Employer Name: _____ Date Posted: _____

IF INSURED: (Complete all applicable spaces)

IF SOMEONE OTHER THAN INSURER IS HANDLING CLAIMS: (Complete all applicable spaces)

Name of Insurance Company: _____ Name of TPA (Claims administrator): _____

Address: _____ Address: _____

Telephone Number: _____ Telephone Number: _____

Insurer Code: _____

IF SELF-INSURED (Complete all applicable spaces)

IF SOMEONE OTHER THAN SELF-INSURER IS HANDLING CLAIMS: (Complete all applicable spaces)

Name of person handling claims at the self-insured: _____ Name of TPA (Claims administrator): _____

Address: _____ Address: _____

Telephone Number: _____ Telephone Number: _____

Insurer Code: _____

Any individual filing misleading or incomplete information knowingly and with the intent to defraud is in violation of Section 1102 of the Pennsylvania Workers' Compensation Act, 77 P.S. §1039.2, and may also be subject to criminal and civil penalties under 18 Pa. C.S.A. §4117 (relating to insurance fraud).

Employer Information Services 717.772.3702

Claims Information Services toll-free inside PA: 800.482.2383 local & outside PA: 717.772.4447

Hearing Impaired PA Relay 7-1-1

Email ra-ll-bwc-helpline@pa.gov



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

LIBC-500 REV 04-18

Minimum Wage

MINIMUM WAGE LAW SUMMARY

MUST BE POSTED IN A CONSPICUOUS PLACE IN EVERY PENNSYLVANIA BUSINESS GOVERNED BY THE MINIMUM WAGE ACT

Minimum Wage Rate

\$7.25 per hour Effective July 24, 2009 (Except as Described)

Overtime Rate

Workers shall be paid 1½ times their regular rate of pay after 40 hours worked in a workweek (Except as Described)

The Pennsylvania Minimum Wage Act establishes a fixed Minimum Wage and Overtime Rate for employees. It also sets forth compliance-related duties for the Department of Labor & Industry and for employers. In addition, the Minimum Wage Act provides penalties for noncompliance. This summary is for general information only and is not an official position formally adopted by the Department of Labor & Industry.

TIPPED EMPLOYEES:

An employer may pay a minimum of \$2.83 per hour to an employee who makes \$30.00 per month in tips. The employer must make up the difference if the tips and \$2.83 do not meet the regular Pennsylvania minimum wage.

KEEPING RECORDS:

Every employer must maintain accurate records of each employee's earnings and hours worked, and provide access to Labor & Industry.

PENALTIES:

Failure to pay the legal minimum wage or other violations may result in payment of back wages and other civil or criminal action where warranted.

EXEMPTIONS:

Overtime applies to certain employment classifications. (see pages 2 and 3)

SPECIAL ALLOWANCES FOR:

Students, learners and people with disabilities upon application only.



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EXEMPTIONS FROM BOTH Minimum Wage and Overtime Rates

- Labor on a farm
Domestic service in or about the private home of the employer
Delivery of newspapers to the consumer
Publication of weekly, semi-weekly or daily newspaper with a circulation of less than 4,000 when the major portion of circulation is in the county where published or a bordering county
Bona fide executive, administrative or professional capacity, (including academic administrative personnel or teacher in public schools) or in capacity of outside salesman. However, an employee of a retail or service establishment shall not be excluded from the definition of employee employed in a bona fide executive or administrative capacity because of the number of hours in the employee's work not directly or closely related to the performance of executive, professional or administrative activities, if less than 40% of the employee's hours worked in the workweek are devoted to such activities
Educational, charitable, religious, or nonprofit organization where no employer-employee relationship exists and service is rendered gratuitously
Golf caddy
In seasonal employment, if the employee is under 18 years of age or if a student under 24 years of age is employed by a nonprofit health or welfare agency engaged in activities dealing with children with disabilities or by a nonprofit day or resident seasonal recreational camp for campers under the age of 18 years, which operates for a period of less than three months in any one year
In employment by a public amusement or recreational establishment, organized camp, or religious or nonprofit educational conference center, if (i) it does not operate more than seven months a year or (ii) during the preceding calendar year, the average receipts for any 6 months were not more than 33% of its average receipts for the other 6 months of such year
Switchboard operator employed by an independently-owned public telephone company which has no more than 750 stations
Employees not subject to civil service laws who hold elective office or are on the personal staff of such an officeholder, are immediate advisers to the officeholder, or are appointed by the officeholder to serve on a policy making level

ALLOWANCES

Wages paid to any employee may include reasonable cost of board, lodging and other facilities. This may be considered as part of the minimum wage if the employee is notified of this condition and accepts it as a usual condition of employment at the time of hire or change of classification. The wages, including food credit plus tips, must equal the current minimum wage.

Board: Food furnished in the form of meals on an established schedule. Lodging: Housing facility available for the personal use of the employee at all hours. Reasonable Cost: Actual cost, exclusive of profit, to the employer or to anyone affiliated with the employer.

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Equal Pay

DEPARTMENT OF LABOR & INDUSTRY COMMONWEALTH OF PENNSYLVANIA Bureau of Labor Law Compliance

Abstract of the Equal Pay Law

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

Discrimination on Basis of Sex Prohibited:

Prohibits discrimination by any employer in any place of employment between employees on the basis of sex, by paying wages to any employee at a rate less than the rate paid to employees of the opposite sex for work under equal conditions on jobs which require equal skills. Provides that variation in payment of wages is not prohibited when based on a seniority, training or merit increase system that does not discriminate on the basis of sex.

Administration:

Empowers the Secretary of Labor & Industry to administer the provisions of the act, and to issue rules and regulations to make effective the provisions of the act.

Collection of Unpaid Wages in Case of Discrimination:

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

collection. Limits the period for such action to two years from the date upon which the violation occurs.

Records Required:

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

Penalties:

Provides for a fine of not less than \$50 nor more than \$200, or imprisonment of not less than 30 days nor more than 60 days, for: (1) employer who willfully and knowingly violates provisions of the act, or discharges or otherwise discriminates against an employee who makes a complaint, institutes, or testifies at, proceedings under the act; and (2) employer who fails to keep required records, falsifies such records, hinders, delays, or otherwise interferes with the Secretary or his authorized representative in the performance of his duties in the enforcement of the act. Each day a violation continues shall constitute a separate offense.

EXCEPTIONS from Minimum Wage Rates

- Learners and students (bona fide high school or college), after obtaining a Special Certificate from the Bureau of Labor Law Compliance, (651 Boas Street, Room 1301, Harrisburg, PA 17121-0750) may be paid 85% of the minimum wage as follows: Learners: 40 hours a week. Maximum eight weeks. Students: Up to 20 hours a week. Up to 40 hours a week during school vacation periods
Individuals with a physical or mental deficiency or injury may be paid less than the applicable minimum wage if a license specifying a rate commensurate with productive capacity is obtained from the Bureau of Labor Law Compliance, (651 Boas Street, Room 1301, Harrisburg, PA 17121-0750), or a federal certificate is obtained under Section 14(c) of the Fair Labor Standards Act from the U.S. Department of Labor

EXEMPTIONS from Overtime Rates

- A seaman
Any salesman, partsman or mechanic primarily engaged in selling and servicing automobiles, trailers, trucks, farm implements or aircraft, if employed by a non-manufacturing establishment primarily engaged in the selling of such vehicles to ultimate purchasers. (Example: 51% of business is selling as opposed to 49% in servicing such vehicles)
Taxicab driver
Any employee of a motor carrier the Federal Secretary of Transportation has power to establish qualifications and maximum hours of service under 49 U.S.C. Section 3102 (b)(1) and (2) (relating to requirements for qualifications, hours of service, safety and equipment standards)
Any employee engaged in the processing of maple sap into sugar (other than refined sugar) or syrup
Employment by a motion picture theatre
Announcer, news editor, chief engineer of a radio or television station, the major studio of which is located in:
City or town of 100,000 population or less, if it is not part of a standard metropolitan statistical area having a total population in excess of 100,000; or
City or town of 25,000 population or less, which is part of such an area but is at least 40 airline miles from the principal city in the area
The hours of an employee of an air carrier subject to the provisions of Title II of the Railway Labor Act (Public Law 69-257, 44 Stat. 577, 45 U.S.C. § 181 et seq.) when:
the hours are voluntarily worked by the employee pursuant to a shift-trading practice under which the employee has the opportunity to reduce hours worked in any workweek by voluntarily offering a shift for trade or reassignment; or
the required hours of work, wages and overtime compensation have been agreed to either in a collective bargaining agreement between the employer and labor organization representing employees for purposes of collective bargaining or pursuant to a voluntary agreement or understanding arrived at between the employer and employee

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QUESTIONS/COMPLAINTS

Table with 2 columns: CONTACT and COUNTIES SERVED. Lists regional office contact information and the counties they serve.

MORE INFORMATION IS AVAILABLE ONLINE

Additional information about the Minimum Wage Act is available online at: www.dli.pa.gov. PA Keyword: Minimum Wage. From the Web site you can submit a complaint form, find answers to frequently asked questions and read more about the Minimum Wage Act.

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

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More Information is Available Online

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

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