

FED EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE
\$7.25 PER HOUR
BEGINNING JULY 24, 2009

The law requires employers to display this poster where employees can readily see it.

CHILDBIRTH
An employer 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.

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. 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 child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled where 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. Certain narrow exemptions also apply to the pump at work requirements.
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.

DEPARTMENT OF LABOR
UNITED STATES OF AMERICA

WHD WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

1-866-487-2343
www.dol.gov/agencies/whd

WHD108 REV. 04/2023

FED EMPLOYEE RIGHTS EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests 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 for pre-employment screening or during the course of employment or to refuse to take a test or to exercise other rights under the Act.

EXEMPTIONS
Federal, state and local governments are not affected by the law. The law does not apply to tests given by the Federal Government to private individuals engaged in national security-related activities.

DEPARTMENT OF LABOR
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WHD162 REV. 02/2022

WORKFORCE West Virginia Notice to Employees — Unemployment Benefits

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 by the employer.

PARTIAL UNEMPLOYMENT
You would be considered partially unemployed if you have been working full-time, but due to business being down, 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 the week if you earned less than your weekly unemployment benefit amount would be for the week. Under these conditions, your unemployment benefits will be reduced for the week. Having your gross wages, but not completing the claim portion of the form will result in a partial unemployment benefit for that week.

ELIGIBILITY REQUIREMENTS
To be immediately eligible to receive unemployment benefits you must have earned \$200 gross wages in covered employment during two or more calendar quarters of your regular base period (four of the five calendar quarters) or alternative base period (the last four quarters immediately preceding the first week of your unemployment benefit pay).

WV WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

1-866-487-2343
www.dol.gov/agencies/whd

WHD108 REV. 04/2023

MINIMUM WAGE REQUIREMENTS WEST VIRGINIA DIVISION OF LABOR

1900 KANAWHA BOULEVARD EAST - STATE CAPITOL COMPLEX - BUILDING 3, ROOM 200 - CHARLESTON, WV 25305
TELEPHONE: (304)558-7890 FAX: (304)558-3797

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, \$21.52.

Required Minimum Wage Rate
Beginning January 1, 2016, employers must pay employees at least \$8.75 per hour.

Required Minimum Training Wage Rate
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.

Permissible Minimum Wage Credit for Tipped Employees

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.

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.

Wages in Excess of \$200

Wage	Rate	Weekly Benefit	Maximum Rate
1	52,000.00 - 53,499.99	24.00	624.00
2	2,500.00 - 2,699.99	25.00	650.00
3	2,700.00 - 2,899.99	26.00	676.00
4	2,900.00 - 2,999.99	27.00	702.00
5	3,000.00 - 3,099.99	28.00	728.00
6	3,100.00 - 3,199.99	29.00	754.00
7	3,200.00 - 3,299.99	30.00	780.00
8	3,300.00 - 3,399.99	31.00	806.00
9	3,400.00 - 3,499.99	32.00	832.00
10	3,500.00 - 3,599.99	33.00	858.00
11	3,600.00 - 3,699.99	34.00	884.00
12	3,700.00 - 3,799.99	35.00	910.00
13	3,800.00 - 3,899.99	36.00	936.00
14	3,900.00 - 3,999.99	37.00	962.00
15	4,000.00 - 4,099.99	38.00	988.00
16	4,100.00 - 4,199.99	39.00	1,014.00
17	4,200.00 - 4,299.99	40.00	1,040.00
18	4,300.00 - 4,399.99	41.00	1,066.00
19	4,400.00 - 4,499.99	42.00	1,092.00
20	4,500.00 - 4,599.99	43.00	1,118.00
21	4,600.00 - 4,699.99	44.00	1,144.00
22	4,700.00 - 4,799.99	45.00	1,170.00
23	4,800.00 - 4,899.99	46.00	1,196.00
24	4,900.00 - 4,999.99	47.00	1,222.00
25	5,000.00 - 5,099.99	48.00	1,248.00
26	5,100.00 - 5,199.99	49.00	1,274.00
27	5,200.00 - 5,299.99	50.00	1,300.00
28	5,300.00 - 5,399.99	51.00	1,326.00
29	5,400.00 - 5,499.99	52.00	1,352.00
30	5,500.00 - 5,599.99	53.00	1,378.00
31	5,600.00 - 5,699.99	54.00	1,404.00
32	5,700.00 - 5,799.99	55.00	1,430.00
33	5,800.00 - 5,899.99	56.00	1,456.00
34	5,900.00 - 5,999.99	57.00	1,482.00
35	6,000.00 - 6,099.99	58.00	1,508.00
36	6,100.00 - 6,199.99	59.00	1,534.00
37	6,200.00 - 6,299.99	60.00	1,560.00
38	6,300.00 - 6,399.99	61.00	1,586.00
39	6,400.00 - 6,499.99	62.00	1,612.00
40	6,500.00 - 6,599.99	63.00	1,638.00
41	6,600.00 - 6,699.99	64.00	1,664.00
42	6,700.00 - 6,799.99	65.00	1,690.00
43	6,800.00 - 6,899.99	66.00	1,716.00
44	6,900.00 - 6,999.99	67.00	1,742.00
45	7,000.00 - 7,099.99	68.00	1,768.00
46	7,100.00 - 7,199.99	69.00	1,794.00
47	7,200.00 - 7,299.99	70.00	1,820.00
48	7,300.00 - 7,399.99	71.00	1,846.00
49	7,400.00 - 7,499.99	72.00	1,872.00
50	7,500.00 - 7,599.99	73.00	1,898.00
51	7,600.00 - 7,699.99	74.00	1,924.00
52	7,700.00 - 7,799.99	75.00	1,950.00
53	7,800.00 - 7,899.99	76.00	1,976.00
54	7,900.00 - 7,999.99	77.00	2,002.00
55	8,000.00 - 8,099.99	78.00	2,028.00
56	8,100.00 - 8,199.99	79.00	2,054.00
57	8,200.00 - 8,299.99	80.00	2,080.00
58	8,300.00 - 8,399.99	81.00	2,106.00
59	8,400.00 - 8,499.99	82.00	2,132.00
60	8,500.00 - 8,599.99	83.00	2,158.00
61	8,600.00 - 8,699.99	84.00	2,184.00
62	8,700.00 - 8,799.99	85.00	2,210.00
63	8,800.00 - 8,899.99	86.00	2,236.00
64	8,900.00 - 8,999.99	87.00	2,262.00
65	9,000.00 - 9,099.99	88.00	2,288.00
66	9,100.00 - 9,199.99	89.00	2,314.00
67	9,200.00 - 9,299.99	90.00	2,340.00
68	9,300.00 - 9,399.99	91.00	2,366.00
69	9,400.00 - 9,499.99	92.00	2,392.00
70	9,500.00 - 9,599.99	93.00	2,418.00
71	9,600.00 - 9,699.99	94.00	2,444.00
72	9,700.00 - 9,799.99	95.00	2,470.00
73	9,800.00 - 9,899.99	96.00	2,496.00
74	9,900.00 - 9,999.99	97.00	2,522.00
75	10,000.00 - 10,099.99	98.00	2,548.00
76	10,100.00 - 10,199.99	99.00	2,574.00
77	10,200.00 - 10,299.99	100.00	2,600.00
78	10,300.00 - 10,399.99	101.00	2,626.00
79	10,400.00 - 10,499.99	102.00	2,652.00
80	10,500.00 - 10,599.99	103.00	2,678.00
81	10,600.00 - 10,699.99	104.00	2,704.00
82	10,700.00 - 10,799.99	105.00	2,730.00
83	10,800.00 - 10,899.99	106.00	2,756.00
84	10,900.00 - 10,999.99	107.00	2,782.00
85	11,000.00 - 11,099.99	108.00	2,808.00
86	11,100.00 - 11,199.99	109.00	2,834.00
87	11,200.00 - 11,299.99	110.00	2,860.00
88	11,300.00 - 11,399.99	111.00	2,886.00
89	11,400.00 - 11,499.99	112.00	2,912.00
90	11,500.00 - 11,599.99	113.00	2,938.00
91	11,600.00 - 11,699.99	114.00	2,964.00
92	11,700.00 - 11,799.99	115.00	2,990.00
93	11,800.00 - 11,899.99	116.00	3,016.00
94	11,900.00 - 11,999.99	117.00	3,042.00
95	12,000.00 - 12,099.99	118.00	3,068.00
96	12,100.00 - 12,199.99	119.00	3,094.00
97	12,200.00 - 12,299.99	120.00	3,120.00
98	12,300.00 - 12,399.99	121.00	3,146.00
99	12,400.00 - 12,499.99	122.00	3,172.00
100	12,500.00 - 12,599.99	123.00	3,198.00
101	12,600.00 - 12,699.99	124.00	3,224.00
102	12,700.00 - 12,799.99	125.00	3,250.00
103	12,800.00 - 12,899.99	126.00	3,276.00
104	12,900.00 - 12,999.99	127.00	3,302.00
105	13,000.00 - 13,099.99	128.00	3,328.00
106	13,100.00 - 13,199.99	129.00	3,354.00
107	13,200.00 - 13,299.99	130.00	3,380.00
108	13,300.00 - 13,399.99	131.00	3,406.00
109	13,400.00 - 13,499.99	132.00	3,432.00
110	13,500.00 - 13,599.99	133.00	3,458.00
111	13,600.00 - 13,699.99	134.00	3,484.00
112	13,700.00 - 13,799.99	135.00	3,510.00
113	13,800.00 - 13,899.99	136.00	3,536.00
114	13,900.00 - 13,999.99	137.00	3,562.00
115	14,000.00 - 14,099.99	138.00	3,588.00
116	14,100.00 - 14,199.99	139.00	3,614.00
117	14,200.00 - 14,299.99	140.00	3,640.00
118	14,300.00 - 14,399.99	141.00	3,666.00
119	14,400.00 - 14,499.99	142.00	3,692.00
120	14,500.00 - 14,599.99	143.00	3,718.00
121	14,600.00 - 14,699.99	144.00	3,744.00
122	14,700.00 - 14,799.99	145.00	3,770.00
123	14,800.00 - 14,899.99	146.00	3,796.00
124	14,900.00 - 14,999.99	147.00	3,822.00
125	15,000.00 - 15,099.99	148.00	3,848.00
126	15,100.00 - 15,199.99	149.00	3,874.00
127	15,200.00 - 15,299.99	150.00	3,900.00
128	15,300.00 - 15,399.99	151.00	3,926.00
129	15,400.00 - 15,499.99	152.00	3,952.00
130	15,500.00 - 15,599.99	153.00	3,978.00
131	15,600.00 - 15,699.99	154.00	4,004.00
132	15,700.00 - 15,799.99	155.00	4,030.00
133	15,800.00 - 15,899.99	156.00	4,056.00
134	15,900.00 - 15,999.99	157.00	4,082.00
135	16,000.00 - 16,099.99	158.00	4,108.00
136	16,100.00 - 16,199.99	159.00	4,134.00
137	16,200.00 - 16,299.99	160.00	4,160.00
138	16,300.00 - 16,399.99	161.00	4,186.00
139	16,400.00 - 16,499.99	162.00	4,212.00
140	16,500.00 - 16,599.99	163.00	4,238.00
141	16,600.00 - 16,699.99	164.00	4,264.00
142	16,700.00 - 16,799.99	165.00	4,290.00
143	16,800.00 - 16,899.99	166.00	4,316.00
144	16,900.00 - 16,999.99	167.00	4,342.00
145	17,000.00 - 17,099.99	168.00	4,368.00
146	17,100.00 - 17,199.99	169.00	4,394.00
147	17,200.00 - 17,299.99	170.00	4,420.00
148	17,300.00 - 17,399.99	171.00	4,446.00
149	17,400.00 - 17,499.99	172.00	4,472.00
150	17,500.00 - 17,599.99	173.00	4,498.00
151	17,600.00 - 17,699.99	174.00	4,524.00
152	17,700.00 - 17,799.99	175.00	4,550.00
153	17,800.00 - 17,899.99	176.00	4,576.00
154	17,900.00 - 17,999.99	177.00	4,602.00
155	18,000.00 - 18,099.99	178.00	4,628.00
156	18,100.00 - 18,199.99	179.00	4,654.00
157	18,200.00 - 18,299.99	180.00	4,680.00
158	18,300.00 - 18,399.99	181.00	4,706.00
159	18,400.00 - 18,499.99	182.00	4,732.00
160	18,500.00 - 18,599.99	183.00	4,758.00
161	18,600.00 - 18,699.99	184.00	4,784.00
162	18,700.00 - 18,799.99</		