

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.

OVERTIME PAY
At least 1 1/2 times the regular rate of pay for all hours worked over 40 in a workweek.

CHILD LABOR
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. Youth 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hour restrictions. Different rules apply to agricultural employment.

TIP CREDIT
Employers "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employees must pay tipped employees cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee tips combined with the employer's cash wage of at least \$2.13 per hour not over the minimum hourly wage, the employer must make up the difference.

WHD WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR
1-866-487-2343
TTY: 1-877-889-5627
www.dol.gov/whd

FED 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 Service. 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 services or:

- you receive that your employer receives advance written or verbal notice of your service; you have five years of total cumulative service in the uniformed services while with that particular employer;
- you return to work to apply for reemployment in a timely manner after conclusion of service; and
- you have not been discharged with a qualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must return to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION
If you:

- are a past or present member of the uniformed services;
- have applied for membership in the uniformed services;
- initial employment;
- reemployment;
- retention in employment;

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

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FED 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 (so-called detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armed car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers.

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.

The law does not prevent any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.

EXAMINE TESTS
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 and 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.

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PA Department of Labor & Industry, Bureau of Labor Law Compliance

Minimum Wage Law Summary

Must be Posted in a Conspicuous Place in Every Pennsylvania Business Governed by the Minimum Wage Act

The Pennsylvania Minimum Wage Act establishes a Fair Minimum Wage and Overtime Rate for employees. It also sets forth compliance-related duties for the Department of Labor & Industry and the employer.

Exemptions from Overtime Rates

- A seaman
- Any salesman, part-time or mechanic primarily engaged in selling and servicing automobiles, trucks, motor vehicles, or trailers, if the employee is not a non-manufacturing establishment primarily engaged in selling such vehicles or trailers
- Any employee of a newspaper, magazine, or other publication
- Any employee of a motion picture theatre

For Questions/Complaints

Contact:	Counties Served:
Bureau of Labor Law Compliance Altoona District Office 1130 N. State Ave. Suite 200 Altoona, PA 16601 Phone: 814-940-4224 or 877-792-8198	Armstrong Blair Cambria Cameron Carrie Clinton Clearfield
Bureau of Labor Law Compliance Harrisburg District Office 651 Bow Street, Room 1103 Harrisburg, PA 17111-0750 Phone: 717-727-4671 or 800-932-0665	Adams Columbia Cumberland Dauphin Franklin
Bureau of Labor Law Compliance Philadelphia District Office 130 North 8th St. Suite 203 Philadelphia, PA 19107 Phone: 215-560-1858 or 877-817-9497	Delaware Montgomery Philadelphia
Bureau of Labor Law Compliance Pittsburgh District Office 301 5th Avenue Suite 330 Pittsburgh, PA 15222 Phone: 412-645-5300 or 877-944-8354	Allegheny Butler Crawford Erie Greene Lawrence
Bureau of Labor Law Compliance Scranton District Office 201 S. State Office Bldg. 100 Lockman Ave. Scranton, PA 18503 Phone: 570-943-4577 or 877-214-3962	Berks Bradford Carbon Catawba Lehigh Luern
	Lancaster Lebanon Mercur Northampton Pike Schuylkill York
	Mercer Venango Washington

More Information is Available Online
Additional information about the Minimum Wage Act is available online at: www.state.pa.us. PA Keyword: Minimum Wage. From the Web site you can submit a complaint form, find answers to frequently asked questions, and request a copy of the act. Auxiliary aids and services are available upon request to individuals with disabilities. Equal Opportunity Employer/Program

FED LEAVE ENTITLEMENTS

Eligible employees who work for a covered employer can take up to 2 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a 12-month period to care for the servicemember with a serious injury or illness.

An employer does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

BENEFITS & PROTECTIONS
While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, nor impose any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

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FED EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

ELIGIBILITY REQUIREMENTS
An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

"Special" hours of requirements apply to airline flight crew employees.

REQUIRING LEAVE
Generally, employers must give 30-day advance notice of the need for FMLA leave. If it is not possible to give 30-day notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is ill or unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

EMPLOYER RESPONSIBILITIES
Once an employer becomes aware that an employee needs leave for a reason that may qualify under the FMLA, the employer must notify the employee of his or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must also provide a reason for ineligibility.

Employers must notify their employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

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PA Department of Labor & Industry, Bureau of Labor Law Compliance

Abstract of the Child Labor Act Hours Provisions

MUST BE POSTED IN A CONSPICUOUS PLACE WHERE ANY PERSON UNDER AGE 18 IS EMPLOYED

This summary is for general information, and is not to be considered the same light of official statements contained in the Act or its regulations.

Minors must have a written statement by the parent or guardian acknowledging the duties and hours of employment and granting permission to be employed.

HOURS OF EMPLOYMENT—AGES 14 & 15*

DURING SCHOOL TERM: Maximum three hours on school days, eight hours on any other day, and 18 hours per school week (Monday-Friday), and only at a time that does not interfere with school attendance. Plus eight additional hours on Saturdays and Sundays.

Exception: Students 14 and older, whose employment is part of a recognized school work program, may be employed for hours, when combined with school hours, not exceeding eight in a day.

During School Vacations: Maximum eight hours/week, not exceeding eight in a day.

WORK TIME
Employment prohibited after 7 p.m. and before 7 a.m.

Exception: During school vacations, minors may be employed until 9 p.m. on at least 7 days if they are employed in a summer day care program, or in a program of a recognized school work program, or in a program of a recognized school work program.

HOURS OF EMPLOYMENT—AGES 16 & 17**

DURING SCHOOL TERM: Maximum eight hours a day and 28 hours per school week (Monday-Friday). Plus eight additional hours on Saturdays and Sundays.

During School Vacations: Maximum 48 hours/week; 10 hours/day a minor may refuse any request to work greater than 4 hours/week.

WORK TIME
Employment prohibited before 6 a.m. and after 12 a.m.

Exception: During school vacations, minors may be employed until 1 a.m. Members of volunteer fire companies may continue serving as a fire call until exhausted by duty.

*Minors employed as sports attendants are not subject to the Act's hours and work time restrictions.

**EXCEPT: (1) Minors who have graduated from high school or who are exempt from compulsory attendance under the Public School Code are not subject to the Act's hours of employment or work time restrictions.

(2) Special rules apply to young adults, 16 and 17 years of age, employed during a school vacation as a counselor by a summer resident camp operating as a religious or social organization.

MAXIMUM EMPLOYMENT: NOT MORE THAN SIX CONSECUTIVE DAYS
(except newspaper delivery).

30 MINUTE MEAL PERIOD REQUIRED ON OR BEFORE FIVE CONSECUTIVE HOURS OF WORK.

For further information on the Child Labor Act, please consult the Department of Labor & Industry's website at www.dli.state.pa.us and click on "Labor Law Compliance". Address inquiries and complaints to one of the offices of the Bureau of Labor Law Compliance:

ALTOONA DISTRICT OFFICE	HARRISBURG DISTRICT OFFICE
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PA DEPARTMENT OF LABOR & INDUSTRY, 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 an employer on the basis of sex in the determination of wages for substantially equal work under equal conditions of job which require equal skill, 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.

Employer's Responsibility:
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 employer's request, to take possession 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 sign an abstract of the law.

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

FED Equal Employment Opportunity is THE LAW

Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal laws that prohibit discrimination on the basis of race, color, religion, sex, national origin, Title VII of the Civil Rights Act of 1964, as amended, prohibits applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employer's religious practices where the accommodation does not impose undue hardship.

Title VII of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. 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.

The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

SEX (WAGES)
In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort and responsibility, under similar working conditions, in the same establishment.

GENETICS
Title III of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of disease or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

RETIALATION
All of these Federal laws prohibit certain actions from retaliating against a person who files a charge of discrimination, participates in a federal proceeding, or otherwise opposes an unlawful employment practice.

WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED
There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is suspected.

DISABLED, RECEIVELY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS
The Vietnam Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination and requires affirmative action to employ and advance in employment disabled veterans, recently separated veterans (within three years of discharge or release from active duty), other protected veterans (veterans who served during a war in a campaign or expedition for which a campaign badge has been authorized), and Armed Forces service medal veterans (veterans who, while on active duty, participated in U.S. military operations in the Republic of Vietnam).

RETALIATION
Retaliation is prohibited against a person who files a complaint or charges of discrimination, participates in an EOC proceeding, or otherwise opposes discrimination under these Federal laws. Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above 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) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at OFCCP@public.doi.gov or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor.

Programs or Activities Receiving Federal Financial Assistance
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, protects qualified individuals from 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. 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: EEOC 9102 and DCFER 808 Versions (accessible with 11/09 Supplement) EEOC P-E-1

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HOURS OF EMPLOYMENT—AGES 14 & 15*

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Exception: Students 14 and older, whose employment is part of a recognized school work program, may be employed for hours, when combined with school hours, not exceeding eight in a day.

During School Vacations: Maximum eight hours/week, not exceeding eight in a day.

WORK TIME
Employment prohibited after 7 p.m. and before 7 a.m.

Exception: During school vacations, minors may be employed until 9 p.m. on at least 7 days if they are employed in a summer day care program, or in a program of a recognized school work program, or in a program of a recognized school work program.

HOURS OF EMPLOYMENT—AGES 16 & 17**

DURING SCHOOL TERM: Maximum eight hours a day and 28 hours per school week (Monday-Friday). Plus eight additional hours on Saturdays and Sundays.

During School Vacations: Maximum 48 hours/week; 10 hours/day a minor may refuse any request to work greater than 4 hours/week.

WORK TIME
Employment prohibited before 6 a.m. and after 12 a.m.

Exception: During school vacations, minors may be employed until 1 a.m. Members of volunteer fire companies may continue serving as a fire call until exhausted by duty.

*Minors employed as sports attendants are not subject to the Act's hours and work time restrictions.

**EXCEPT: (1) Minors who have graduated from high school or who are exempt from compulsory attendance under the Public School Code are not subject to the Act's hours of employment or work time restrictions.

(2) Special rules apply to young adults, 16 and 17 years of age, employed during a school vacation as a counselor by a summer resident camp operating as a religious or social organization.

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(except newspaper delivery).

30 MINUTE MEAL PERIOD REQUIRED ON OR BEFORE FIVE CONSECUTIVE HOURS OF WORK.

For further information on the Child Labor Act, please consult the Department of Labor & Industry's website at www.dli.state.pa.us and click on "Labor Law Compliance". Address inquiries and complaints to one of the offices of the Bureau of Labor Law Compliance:

ALTOONA DISTRICT OFFICE	HARRISBURG DISTRICT OFFICE
1130 N. State Ave., Suite 200, Altoona, PA 16601 814-940-4224 or 877-792-8198	651 Bow Street, Room 1103, Harrisburg, PA 17111-0750 717-727-4671 or 800-932-0665
PHILADELPHIA DISTRICT OFFICE	SCRANTON DISTRICT OFFICE
130 North 8th St., Suite 203, Philadelphia, PA 19107 215-560-1858 or 877-817-9497	201 S. State Office Bldg., 100 Lockman Ave., Scranton, PA 18503 570-943-4577 or 877-214-3962

PA Department of Labor & Industry, 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 an employer on the basis of sex in the determination of wages for substantially equal work under equal conditions of job which require equal skill, 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.

Employer's Responsibility:
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 employer's request, to take possession 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 sign an abstract of the law.

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

PA Department of Labor & Industry, Bureau of Labor Law Compliance

Abstract of the Child Labor Act Hours Provisions

MUST BE POSTED IN A CONSPICUOUS PLACE WHERE ANY PERSON UNDER AGE 18 IS EMPLOYED

This summary is for general information, and is not to be considered the same light of official statements contained in the Act or its regulations.

Minors must have a written statement by the parent or guardian acknowledging the duties and hours of employment and granting permission to be employed.

HOURS OF EMPLOYMENT—AGES 14 & 15*

DURING SCHOOL TERM: Maximum three hours on school days, eight hours on any other day, and 18 hours per school week (Monday-Friday), and only at a time that does not interfere with school attendance. Plus eight additional hours on Saturdays and Sundays.

Exception: Students 14 and older, whose employment is part of a recognized school work program, may be employed for hours, when combined with school hours, not exceeding eight in a day.

During School Vacations: Maximum eight hours/week, not exceeding eight in a day.

WORK TIME
Employment prohibited after 7 p.m. and before 7 a.m.

Exception: During school vacations, minors may be employed until 9 p.m. on at least 7 days if they are employed in a summer day care program, or in a program of a recognized school work program, or in a program of a recognized school work program.

HOURS OF EMPLOYMENT—AGES 16 & 17**

DURING SCHOOL TERM: Maximum eight hours a day and 28 hours per school week (Monday-Friday). Plus eight additional hours on Saturdays and Sundays.

During School Vacations: Maximum 48 hours/week; 10 hours/day a minor may refuse any request to work greater than 4 hours/week.

WORK TIME
Employment prohibited before 6