

Workplace Poster Requirements for Small Businesses and Other Employers

The Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA) requires federal agencies to make their pamphlets, handbooks, and other compliance materials available to small businesses through a central source. To help simplify the task of complying with the Department of Labor's (DOL) workplace poster requirements, this publication lists the DOL required posters.

Posters should be displayed so that they are easily visible to the intended audience.

Please note that the Department of Labor may have notice requirements, for certain specialized workplace areas or for certain occupations, apart from the poster requirements in this document. For assistance with these notice requirements, please contact the Office of Small Business Programs.

To obtain posters or for more information about poster requirements or other compliance assistance matters, you may contact the U.S. Department of Labor by telephone at 1-888-9-SBREFA, by email at Contact-OSBP@dol.gov, or you may visit the DOL poster page at <http://www.dol.gov/osbp/sbrefa/poster/main.htm>

See below for offices you may need to contact:

Office of Small Business Programs
(202) 693-6489
(888) 9-SBREFA

Occupational Safety and Health
Administration
(202) 693-2213

Employment Standards Administration
Wage and Hour Division
(202) 693-0067

Employment Standards Administration
Office of Federal Contract Compliance Programs
(202) 693-0023

Mine Safety and Health Administration
(202) 693-9470

Employment Benefits Security Administration
(202) 219-8776

If you are a small business, you may participate in) the regulatory process, and comment on DOL, or any other federal agency enforcement actions by calling the Small Business Administration's National Ombudsman at 1-888-REG-FAIR.

U.S. DEPARTMENT OF LABOR WORKPLACE POSTER REQUIREMENTS FOR SMALL
BUSINESSES AND OTHER EMPLOYERS

POSTER	WHO MUST POST	CITATIONS / PENALTY	OTHER INFORMATION
<p><u>JOB SAFETY AND HEALTH PROTECTION</u> Occupational Safety and Health Administration. 29 USC 657(c), 29 CFR 1903.2</p>	<p>Private employers engaged in a business affecting commerce. Does not apply to federal, state or political subdivisions of states.</p>	<p>Any covered employer failing to post the poster may be subject to citation and penalty.</p>	<p>Employers in states operating OSHA-approved state plans should obtain and post the state's equivalent poster.</p>
<p><u>EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW</u> Employment Standards Administration, Office of Federal Contract Compliance Programs. Executive Order 11246, as amended; Section 503 of the Rehabilitation Act of 1973, as amended; 38 U.S.C. 4212 of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended; 41 CFR Chapter 60-1.42; 41 C.F.R 60-250.4(k); 41 C.F.R. 60-74.1.5(a)4</p>	<p>Entities holding federal contracts or subcontracts or federally assisted construction contracts of \$10,000 or more; financial institutions which are issuing and paying agents for U.S. savings bonds and savings notes; depositories of federal funds or entities having government bills of lading.</p>	<p>Appropriate contract sanctions may be imposed for uncorrected violations.</p>	<p>Post copies of the poster in conspicuous places available to employees, applicants for employment, and representatives of labor organizations with which there is a collective bargaining agreement. Also, nonconstruction contractors or subcontractors with 50 or more employees and a contract of \$50,000 or more [otherwise required by 41 CFR 60-2.1 (a)] should develop an equal opportunity policy as part of an affirmative action plan and post the policy on company bulletin boards. 41 CFR 60-2.2 1(a)(9).</p>
<p><u>NOTICE TO WORKERS WITH DISABILITIES PAID AT SPECIAL MINIMUM WAGES</u> Employment Standards Administration, Wage and Hour Division. 29 CFR</p>	<p>Every employer having workers employed under special minimum wage certificates authorized by section 14(c) of the Fair Labor Standards Act.</p>	<p>No citations or penalties for failure to post.</p>	<p>Where a employer finds it inappropriate to post such a notice, the employee may provide the poster directly to all employees subject to its terms.</p>

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NOTICE TO ALL EMPLOYEES WORKING ON FEDERAL OR FEDERALLY FINANCED CONSTRUCTION PROJECTS (Davis-Bacon Act) Employment Standards Administration, Wage and Hour Division. 29 CFR 5.5(a)(l)	Any contractor/subcontractor engaged in contracts in excess of \$2,000 for the actual construction, alteration/repair of a public building or public work or building or work financed in whole or in part from federal funds, federal guarantee, or federal pledge which is subject to the labor standards provisions of any of the acts listed in 29 CFR 5.1.	No citations or penalties for failure to post.	The contractor or subcontractor is required to insert in any subcontract the poster requirements contained in 29 CFR 5.5(a)(l). The poster must be posted at the site of work, in a prominent and accessible place where it can easily be 'seen by workers.
YOUR RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT Employment Standards Administration, Wage and Hour Division. 29 CFR 825.300, .402	Public agencies (including state, local, and federal employers), public and private elementary and secondary schools, as well as private sector employers who employ 50 or more employees in 20 or more work weeks and who are engaged in commerce or in any industry or activity affecting commerce, including joint employers and successors of covered employers.	Willful refusal to post may result in a civil money penalty by the Wage and Hour Division not to exceed \$100 for each separate offense.	Where an employer's workforce is not proficient in English, the employer must provide the notice in the language the employee speaks. The poster must be posted prominently where it can be readily seen by employees and applicants for employment.
FEDERAL MINIMUM WAGE Employment Standards Administration, Wage and Hour Division (Fair Labor Standards Act). 29 CFR 5 16.4	Every private, federal, state and local government employer employing any employee subject to the Fair Labor Standards Act, 29 USC 211,29 CFR 5 16.4.	No citations or penalties for failure to post.	Any employer of employees to whom sec. 7 of the Fair Labor Standards Act does not apply may alter or modify the poster legibly to show that the overtime provisions do not apply.
FEDERAL MINIMUM WAGE Employment Standards Administration, Wage and Hour Division (Fair Labor Standards Act)	Every employer of employees in American Samoa who is engaged in commerce or in the production of goods for commerce or employed in any enterprise engaged in	No citations or penalties for failure to post.	

<p>(Applicable to employers with employees in American Samoa). 29 CFR 697.2</p>	<p>commerce or in the production of goods for commerce.</p>		
<p>NOTICE: EMPLOYEE POLYGRAPH PROTECTION ACT Employment Standards Administration, Wage and Hour Division. 29 CFR 801.6</p>	<p>Any employer engaged in or affecting commerce or in the production of goods for commerce. Does not apply to federal, state and local governments, or to circumstances covered by the national defense and security exemption.</p>	<p>The Secretary of Labor can bring court actions and assess civil penalties for failing to post.</p>	<p>The Act extends to all employees of covered employers regardless of their penalties for failing to post. citizenship status, and foreign corporations operating in the United States. The poster must be displayed where it can be readily observed by employees and applicants for employment.</p>
<p>NOTICE TO EMPLOYEES WORKING ON GOVERNMENT CONTRACTS (Service Contracts Act) Employment Standards Administration, Wage and Hour Division. 29 CFR 4.6(e), .184</p>	<p>Every contractor or subcontractor engaged in a contract with the United States or the District of Columbia in excess of \$2,500 the principal purpose of which is to furnish services in the U.S. through the use of service employees.</p>	<p>No citations or penalties for failure to post.</p>	<p>Contractors and any subcontractors engaged in federal service contracts exceeding \$2,500 shall notify each service employee or post the minimum monetary wage and any fringe benefits required to be paid pursuant to the contract.</p>
<p>NOTICE MIGRANT AND SEASONAL AGRICULTURAL WORKER PROTECTION ACT Employment Standards Administration, Wage and Hour Division. 29 CFR 500.75, .76</p>	<p>Agricultural employers, agricultural associations and farm labor contractors.</p>	<p>A civil money penalty may be assessed.</p>	<p>In a joint employment situation, each employer is equally responsible for displaying and maintaining the poster. Each employer covered by the Act who provides housing to migrant agricultural workers shall post in a conspicuous place, throughout</p>

			the occupancy period, information on the terms and conditions of occupancy of such housing.
Uniformed Services Employment and Reemployment Rights Act Veterans' Employment and Training Service 38 U.S.C. 4334, 20 CFR 1002.	The full text of the notice must be provided by each employer to persons entitled to rights and benefits under USERRA.	No citations or penalties for failure to notify. An individual could ask USDOL to investigate and seek compliance, or file a private enforcement action to require the employer to provide the notice to employees.	Employers may provide the notice by posting it where employee notices are customarily placed. However, employers are free to provide the notice in other ways that will minimize costs while ensuring that the full text of the notice is provided (<i>e.g.</i> , by handing or mailing out the notice, or distributing the notice via electronic mail).