

# PENNSYLVANIA 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](http://www.phrc.state.pa.us)

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

**Pittsburgh**  
301 5th Ave., Suite 390  
Piatt Place  
Pittsburgh, PA 15222  
(412) 565-5395  
(412) 565-5711 (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



**pennsylvania**  
DEPARTMENT OF LABOR & INDUSTRY  
BUREAU OF 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-li-bwc-helpline@pa.gov



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

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## 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 \$135.00 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 outside salesman
- 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
- Executive, Administrative, and Professional employees, as defined by the Department

##### 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.

### QUESTIONS/COMPLAINTS

CONTACT:	COUNTIES SERVED:		
Bureau of Labor Law Compliance Altoona District Office 1330 12th Avenue Suite 200 Altoona, PA 16601-3486 Phone: <b>814-940-6224</b> or <b>877-792-8198</b>	Armstrong Bedford Blair Cambria Cameron Centre Clarion Clearfield	Clemon Elk Fayette Forest Fulton Huntingdon Indiana	Jefferson McKean Mifflin Potter Somerset Warren Westmoreland
Bureau of Labor Law Compliance Harrisburg District Office 651 Boas Street, Room 1301 Harrisburg, PA 17121-0750 Phone: <b>717-787-4671</b> or <b>800-932-0665</b>	Adams Columbia Cumberland Dauphin Franklin Juniata	Lancaster Lebanon Montour Perry York	
Bureau of Labor Law Compliance Philadelphia District Office 110 North 8th St., Suite 203 Philadelphia, PA 19107 Phone: <b>215-560-1858</b> or <b>877-871-9497</b>	Bucks Chester Delaware Montgomery Philadelphia		
Bureau of Labor Law Compliance Pittsburgh District Office 301 5th Avenue, Suite 330 Pittsburgh, PA 15222 Phone: <b>412-565-5300</b> or <b>877-504-8354</b>	Allegheny Beaver Butler Crawford Erie	Greene Lawrence Mercer Venango Washington	
Bureau of Labor Law Compliance Scranton District Office 201-B State Office Bldg. 100 Lackawanna Avenue Scranton, PA 18503 Phone: <b>570-963-4577</b> or <b>877-214-3962</b>	Berks Bradford Carbon Lackawanna Lehigh Luzerne Lycoming	Monroe Northampton Northumberland Pike Schuylkill Snyder Sullivan	Susquehanna Tioga Union Wayne Wyoming

##### MORE INFORMATION IS AVAILABLE ONLINE

Additional information about the Minimum Wage Act is available online at: [www.dli.pa.gov](http://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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## 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.

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.

#### 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

### More Information is Available Online

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

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