



## Federal Labor Laws by Number of Employees

**For more information or assistance with compliance with these laws contact us at 240-751-6166 or [jody@jlm-hrconsulting.com](mailto:jody@jlm-hrconsulting.com)**

**Law**

**What it Means for You**

### 1-14 Employees

Fair Labor Standards Act (FLSA) (1938)

Minimum Wage, Classification of employees as Exempt or Non-Exempt (to pay or not pay overtime).

Immigration Reform & Control Act (IRCA) (1986)

All employers are required to complete form I-9 for each hire. Must document that employees are authorized to work in the U.S.

Employee Polygraph Protection Act (1988)

Prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.

Uniformed Services Employment & Re-employment Rights Act of 1994

USERRA - protects service members' reemployment rights when returning from a period of service in the uniformed services.

Equal Pay Act of 1963

Requires that men and women be given equal pay for equal work in the same establishment

Consumer Credit Protection Act of 1968

Protects employees from discharge by their employers because their wages have been garnished for any one debt, and it limits the amount of an employee's earnings that may be garnished in any one week.

National Labor Relations Act (NLRA) 1935

AKA - The Wagner Act - Grants employees two basic rights to form or join a union or to engage in concerted activities.

Labor-Management Relations Act (Taft-Hartley) 1947

The union or the employer must, before terminating a collective-bargaining agreement, serve notice on the other party and on a government mediation service.

Employee Retirement Income Security Act (ERISA) 1974 (if company offers benefits)

Sets minimum standards for retirement and health benefit plans in private industry. Covers retirement, health and other welfare benefit plans

Uniform Guidelines of Employee Selection Procedures (1978)

Outlines the requirements necessary for employers to legally defend employment decisions based upon overall selection processes and specific selection procedures

Federal Insurance Contribution's Act of 1935 (FICA) (Social Security)	Employers are required to withhold social security and Medicare taxes from employees' wages and pay a matching amount of these taxes.
<b>11-14 Employees, add</b>	
Occupational Safety & Health Act (OSHA) (1970)	OSHA standards may require that employers adopt certain practices, means, methods, or processes reasonably necessary and appropriate to protect workers on the job.
<b>15-19 Employees, add</b>	
Civil Rights Act of 1964 Title VII, Civil Rights Act of 1991	Equal Opportunity Law - Protects individuals against employment discrimination on the bases of race and color, as well as national origin, sex, and religion.
Title I, Americans with Disabilities Act of 1990, (ADA)	Prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities when making employment decisions
<b>20-49 Employees, add</b>	
Age Discrimination in Employment Act (1967) (ADEA)	Protects individuals who are 40 years of age or older from employment discrimination based on age. The ADEA's protections apply to both employees and job applicants.
Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA)	Gives workers who lose their health benefits the right to choose to continue group health benefits provided by the plan under certain circumstances.
<b>50 or more Employees, add</b>	
Family and Medical Leave Act of 1993 (FMLA)	Provides an entitlement of up to 12 weeks of job-protected, unpaid leave during any 12-month period to eligible, covered employees for specific circumstances. Special rules now apply for returning military.
EEO-1 Report filed annually w/EEOC if Organization is a Federal Contractor	Required to be filed with the U.S. Equal Employment Opportunity Commission's EEO-1 Joint Reporting Committee. The filing deadline is September 30 of each year.
<b>100 or more Employees, add</b>	
Worker Adjustment & Retraining Notification Act of 1989 (WARN)	Requires most employers with 100 or more employees to provide notification 60 calendar days in advance of plant closings and mass layoffs. Notification requirements may vary by state.
EEO-1 Report filed annually w/EEOC if Organization is not a Federal Contractor	Required to be filed with the U.S. Equal Employment Opportunity Commission's EEO-1 Joint Reporting Committee. The filing deadline is September 30 of each year.
<b>Federal Contractors, add</b>	
Executive Orders 11246 (1965), 11375 (1967), 11478 (1969)	11246 - Equal Employment Opportunity - 11375 - amended to add sex as a form of discrimination - 11479 - Affirmative Action.

Vocational Rehabilitation Act of 1973	Prohibits discrimination against people with disabilities. Also see ADA
Drug Free Workplace Act of 1988	The Drug-Free Workplace Act of 1988 requires federal contractors and federal grantees to agree that they will provide drug-free workplaces as a condition of receiving a contract or grant from a federal agency.
Vietnam-Era Veterans Readjustment Act of 1974	Requires covered federal government contractors and subcontractors to take affirmative action to employ and advance in employment specified categories of veterans protected by the Act and prohibits discrimination against such veterans.
Davis Bacon Act of 1931	Requires that all contractors and subcontractors performing on federal contracts (and contractors or subcontractors performing on federally assisted contracts under the related Acts) in excess of \$2,000 pay their laborers and mechanics not less than the prevailing wage rates and fringe benefits, as determined by the Secretary of Labor, for corresponding classes of laborers and mechanics employed on similar projects in the area.
Copeland Act of 1934	Makes it illegal for anyone to induce persons employed under a federal contract for the construction or repair of a public building or a public work to give up any part of their compensation
Walsh-Healy Act of 1936	Workers must be paid not less than the "prevailing minimum wage" normally paid in a locality; restricted regular working hours to eight hours a day and 40 hours a week, with time-and-a-half pay for additional hours; prohibited the employment of convicts and children under 18; and established sanitation and safety standards

***This information is not intended to be legal advice. These are basic summaries and do not reflect full representation of the laws identified.***

***Source: Society For Human Resource Management***