

Your Rights Under the Iowa Minimum Wage Law

Hourly Minimum Wage

\$7.25

The minimum wage applies to most hourly wage earners employed in Iowa. Most small retail and service establishments grossing less than \$300,000.00 annually are exempt from the minimum wage. The majority of supervisory and administrative employees paid a salary are not covered by the law. Employees may find an initial employment rate of \$6.35 for the first 90 calendar days of employment.

TIP CREDIT – The employer's share for tipped employees who customarily and regularly receive more than \$30.00 a month in tips must be at least \$4.35 an hour.

Enforcement
The Iowa Department of Inspections, Appeals, & Licensing Wage and Child Labor Unit may bring action against employers who violate the state's minimum wage law. Courts may order payment of back wages. No employer can discriminate against or discharge an employee for filing a complaint or participating in a proceeding under the law.

Federal Minimum Wage and Overtime Pay
Applications of the minimum wage rates under federal law differ from those under Iowa law. Iowa employees must comply with the more stringent applicable law. Overtime is covered by the federal Fair Labor Standards Act. No questions concerning federal law should be directed to: U.S. DOL Wage & Hour Division.

The law requires displaying this poster where it can easily be seen by all employees
Equal Opportunity Employer
Auxiliary aids and services are available upon request to individuals with disabilities. For details and hard of hearing, use Relay 711. Revised 01/20/21

Contact Information
Iowa Department of Inspections, Appeals, & Licensing Wage and Child Labor Unit
6200 Park Avenue, Suite 800
Des Moines, IA 50321
Phone: 515-643-8801
Fax: 515-242-6507
www.doi.iowa.gov

U.S. Department of Labor Wage & Hour Division
210 Walnut Street
Des Moines, IA 50309
Phone: 515-256-4625
www.dol.gov

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 1½ times the regular rate of pay for all hours worked over 40 in a workweek.
- CHILD LABOR** – An employer must not employ children under 14 in most non-hazardous jobs and at least 16 to work in non-hazardous jobs except hazardous by the Secretary of Labor. Youths 14 and 15 may work outside school hours in non-hazardous, non-manufacturing jobs with certain work restrictions. Different rules apply to agricultural employment.
- TIP CREDIT** – Employers of tipped employees who meet certain conditions may deduct a partial wage credit from tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if the tips do not meet against their minimum wage obligation. If an employer tips combined with the employer's cash wage of at least \$2.13 per hour or 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 one or more times each day. Each time the employee needs to express breast milk, employers must provide a break, other than a bathroom break, that is long enough for her to express milk from her breasts 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 equivalent in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may file and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime provisions of the law. Civil money penalties are assessed for violation of the FLSA child labor provisions. Highest civil money penalties may be assessed for each labor law violation that results in the death or serious injury of any minor employee. Civil money penalties may be doubled when the employer is 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 provisions. Certain non-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 employees, especially disabled workers, are "protected employees" when they are actually employees under the FLSA. It is important to know the difference between the two because disabled workers (except an employee under the FLSA) may not be subject to the same employer-provided, self-designated conditions of employment.
• Certain labor subsets, student/helpers, apprentices, and workers with disabilities may be subject to the minimum wage under special certificates issued by the Department of Labor.



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 System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applying to 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 and:
• you ensure that your employer receives advance written or verbal notice of your service;
• you have five years or less of cumulative service in the uniformed services with that particular employer;
• you return to work or apply for reemployment in a timely manner after completion of service; and
• you have not been separated from service with a disqualifying discharge or under other than honorable conditions.
- RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION**
If you:
• are a past or present member of the uniformed service;
• have applied for membership in the uniformed service; or
• are obligated to serve in the uniformed service;
then an employer may not deny you:
• initial employment;
• reemployment;
• retention in employment;
• promotion or advancement;
• any benefit of employment because of this status.

- HEALTH INSURANCE PROTECTION**
If you leave your job to perform military service, you have the right to continue your existing employer-based health care coverage for you and your dependents for up to 24 months while in the military.
• Even if you do not elect to continue coverage during your military service, you have the right to re-apply for your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.
- ENFORCEMENT**
• The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.
• For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-800-444-4444 or visit the website at https://www.dol.gov/agency/vets/usaerrra. An interactive online USERRA Action can be viewed at https://www.dol.gov/agency/vets/usaerrra-action.
• If you do a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, specifically, for representation.
• You may also bypass the VETS process and bring a civil action against an employer who will not negotiate any assistance in the enforcement of USERRA rights, including instituting or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at the following link: <https://www.dol.gov/agency/vets/usaerrra-notice>. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices to employees.

U.S. Department of Labor 1-800-487-2365 U.S. Department of Justice Office of Special Counsel 1-800-444-4444 Publication Date—May 2002

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 requiring any employee or job applicant to take a lie detector test, and from discriminating, disciplining, or discharging an employee or prospective employee for refusing to take a lie detector 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 nonexempt organizations in national security-related activities.
The Act permits polygraph (a kind of lie detector test) to be administered in the private sector, but only to certain prospective employees of certain private nonexempt organizations in national security-related activities. 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 preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.

EXAMINEE RIGHTS
Where polygraph tests are permitted, they are subject to numerous strict standards concerning 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 to not be tested or subjected to unauthorized persons.

ENFORCEMENT
The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employers or 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.



Know Your Rights: Workplace Discrimination is Illegal

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from workplace discrimination in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help.

- Who is Protected?**
• Employees (current and former), including managers and temporary employees
• Job applicants
• Union members and applicants for membership in a union
- What Types of Employment Discrimination are Illegal?**
Under the EEO laws, an employer may not discriminate against you regardless of your immigration status on the basis of:
• Race
• Color
• Religion
• National origin
• Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity)
• Age (40 and older)
• Disability
• Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)
• Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding
• Interference, coercion, or threats relating to exercising rights regarding disability discrimination or pregnancy accommodation

All aspects of employment, including:
• Discharge, firing, or layoff
• Harassment (including unwelcome verbal or physical conduct)
• Hiring or promotion
• Assignment
• Pay (including wages or compensation)
• Failure to provide reasonable accommodation for a disability; pregnancy, childbirth, or related medical condition; or a sincerely held religious belief, observance or practice
• Classification
• Job training
• Benefits
• Retaliation

- What Organizations are Covered?**
• Most private employers
• State and local governments (as employers)
- What Employment Practices can be Challenged as Discriminatory?**
• Obtaining or disclosing genetic information of employees
• Requesting or disclosing medical information of employees
• Conduct that might reasonably discharge someone from ongoing discrimination, filing a charge, or participating in an investigation or proceeding
• Conduct that causes intimidation or harassment, or interferes with someone exercising their rights, or someone assisting or cooperating with someone exercising rights, regarding disability discrimination or pregnancy accommodation

What can You Do if You Believe Discrimination has Occurred?
Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:

- Submit** an inquiry through the EEOC's public portal: discrimination.eeoc.gov
- Call** 1-800-669-4000 (toll free) 1-800-669-8800 (TTY) 1-844-234-5122 (ASL video phone)
- Visit** an EEOC field office (information at discrimination.eeoc.gov/office)
- E-Mail** info@eeoc.gov

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action components of contracts with the Federal Government. If you are applying for a job with, or are an employee of, a company with a Federal contract or subcontract, you are protected under Federal law from discrimination on the following bases:

- Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin**
Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.
- Retaliation**
Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors under these Federal laws.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities should contact immediately:
The Office of Federal Contract Compliance Programs (OFCCP)
200 Constitution Avenue, N.W.
Washington, DC 20548
800-373-4251 (toll free)

Individuals with Disabilities
Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives federal financial assistance. Discrimination is prohibited in all aspects of employment practices with disabilities who, without any reasonable accommodation, can perform the essential functions of the job.
If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at <https://www.ofccp.gov/helpdesk/> or by calling an OFCCP regional or district office. Send a most telephone directories under U.S. Government, Department of Labor and/or "Contract" or webpage at <https://www.dol.gov/agency/ofccp/>

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE
Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives federal financial assistance. Discrimination is prohibited in all aspects of employment practices with disabilities who, without any reasonable accommodation, can perform the essential functions of the job.
If you believe you have been discriminated against in a program or activity which receives federal financial assistance, you should immediately contact the Federal agency providing such assistance. (Phone: 602/9703)

EMPLOYEE RIGHTS UNDER THE NATIONAL LABOR RELATIONS ACT

The NLRBA guarantees the right of employees to organize and bargain collectively with their employers, and to engage in other protected concerted activity. Employees covered by the NLRBA are protected from certain types of employer and union misconduct. This Notice gives you general information about your rights, and about the obligations of employers and unions under the NLRBA. Contact the National Labor Relations Board, the Federal agency that investigates and resolves complaints under the NLRBA, using the contact information supplied below, if you have any questions about specific rights that may apply in your particular workplace.

- Under the NLRBA, you have the right to:**
• **Organize a union** to negotiate with your employer concerning your wages, hours, and other terms and conditions of employment.
• **Form, join or assist a union**.
• **Bargain collectively** through representatives of employees' own choosing for a contract.
• **Use or maintain discriminatory standards or procedures** in making job referrals from a hiring pool or subjecting you to a union membership test.
• **Discuss your terms and conditions of employment** or union organizing with coworkers, supervisors, or other workers or a union.
• **Take action** with one or more co-workers to improve your working conditions by, among other things, raising or lowering complaints directly with your employer or with a government agency, and seeking help from a union.
• **Strike and picket**, depending on the purpose and means of the strike or the picketing.
• **Choose not to do any of these things** if you are a full-time member of a union.
- Under the NLRBA, it is illegal for an employer to:**
• **Threaten you** that you will lose your job unless you support the union.
• **Refuse to process a grievance** because you have organized union officials or because you are not a member of the union.
• **Use or maintain discriminatory standards or procedures** in making job referrals from a hiring pool or subjecting you to a union membership test.
• **Take other adverse action against you** based on whether you have joined or supported the union.
• **Cause or attempt to cause union discrimination against you** because of your union-related activity.
• **Take other adverse action against you** based on whether you have joined or supported the union.
• **Cause or attempt to cause union discrimination against you** because of your union-related activity.
• **Threaten to close your workplace** if workers choose a union to represent them.
• **Promote or grant promotions, pay raises or other benefits** to encourage or discourage union support.
• **Prohibit you from wearing union hats, buttons, t-shirts, and pins in the workplace** except under unusual circumstances.
• **Spy on or videotape peaceful union activities** and gatherings or other union activities.
- Under the NLRBA, it is illegal for your employer to:**
• **Prohibit you from soliciting for a union during non-work time**, such as before or after work or during your meal period, by distributing union literature during non-work time, in non-work areas, such as parking lots or break rooms.
• **Question you about your union support or activities** in a manner that discourages you from engaging in that activity.
• **Fire, demote, or transfer you, or reduce your hours or change your position** if you take adverse action against you, or threaten to take any of these actions, because you join or support a union, or because you are a member of a union for mutual aid and protection, or because you choose not to engage in that activity.



Your Employee Rights Under the Family and Medical Leave Act

What is FMLA leave?
The Family and Medical Leave Act (FMLA) is a federal law that provides for eligible employees with job-protected leave for qualifying family and medical reasons. The U.S. Department of Labor Wage and Hour Division (WHD) enforces the FMLA for most employees. Eligible employees can take up to 12 workweeks of FMLA leave in 12-month period for:

- The birth and/or foster placement of a child with you;
- Your serious mental or physical health condition that makes you unable to perform your job;
- To care for your spouse, child or parent with a serious mental or physical health condition; and
- Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

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

You have the right to use FMLA leave on a block of time. When it is medically necessary to otherwise provide leave, you may take FMLA leave intermittently in separate blocks of time, or on a reduced schedule of working less than your usual work-week. Read Fact Sheet #288M for more information.

FMLA leave is unpaid leave, but you may choose, or be required by your employer, to use any accrued paid leave while you are on FMLA leave. Your employer's paid leave policy covers the reason for which you used FMLA leave.

Am I eligible to take FMLA leave?

- You are an **eligible employee** if all of the following apply:
• You work for a covered employer.
• You have worked for your employer at least 12 months.
• You have at least 1,250 hours of service for your employer during the 12 months before your leave and;
• Your employer has at least 50 employees within 75 miles of your work location.

- Are the right to create employees have different "hours of service" requirements?**
You work for a covered employer if **any** of the following apply:
• You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year;
• You work for an elementary or public or private secondary school;
• You work for a public agency, such as a local, state or federal government agency. Only federal employees are covered by Title VII of the FMLA, administered by the Office of Personnel Management.

How do I request FMLA leave?

- Generally, to request FMLA leave you must:
• Follow your employer's normal policies for requesting leave.
• Give notice at least 30 days before you need for FMLA leave, or
• If advance notice isn't possible, give notice as soon as possible.

Job Safety and Health IT'S THE LAW!

- EMPLOYERS:**
• You have the right to notify your employer or Iowa OSHA about workplace hazards. You may ask Iowa OSHA to keep your name confidential.
• You have the right to request an OSHA inspection if you believe that there are unsafe and unhealthy conditions in your workplace. You or your representative may participate in that inspection.
• You can file a complaint with OSHA within 30 days of violation or discrimination by your employer for making safety and health complaints or for exercising your rights under the OSH Act.
• You have a right to see OSHA citations issued to your employer. Your employer must post the citations at or near the place of the alleged violation for at least 3 working days.
• Your employer must correct workplace hazards by the date indicated on the citation and must certify that these hazards have been reduced or eliminated.
• You have the right to copies of your medical records or records of your exposure to toxic and harmful substances or conditions.
• Your employer must post this notice in your workplace.
• You must comply with all occupational safety and health standards issued under the OSH Act that apply to your own actions and conduct on the job.

- EMPLOYEES:**
• You must furnish your employer a place of employment free from recognized hazards.
• You must comply with all occupational safety and health standards issued under the OSH Act.
• Iowa OSHA Consultation can help you identify and correct hazards without citation or penalty.

To report a workplace safety, health, or environmental problem or to file an eye, visit www.iowasosha.gov or call 877-242-4742.

For assistance and information contact:
Iowa Division of Labor Services
6200 Park Avenue
Des Moines, IA 50321
Phone: 515-242-5870
www.iowasosha.gov

Iowa Civil Rights Act

WHAT DOES EQUAL EMPLOYMENT OPPORTUNITY MEAN?
If guarantees the right of persons to apply and be considered for job opportunities on the basis of the person's ability to do the job. While employees, you should not be treated unfairly because of any of the protected characteristics.
WHAT DOES THE LAW COVER?
Chapter 216 of the Code of Iowa, as amended (the Iowa Civil Rights Act), prohibits discrimination in employment because of a person's: race, age (16 and older), creed, national origin, color, gender identity, sex, sexual orientation, pregnancy, disability, marital status, and ancestry.

TO WHOM DOES THE LAW APPLY?
Persons who apply for employment with, or employees of, private employers, state and local governments, and public and private educational institutions with 10 or more employees.
Employment agencies, labor unions, contractors, and subcontractors, and apprenticeship programs.

WHAT OTHER RESOURCES ARE AVAILABLE TO HELP WITH A DISCRIMINATION PROBLEM?
You may also contact the local human rights, civil rights or human relations agency in your area, or the U.S. Equal Employment Opportunity Commission (EEOC), a federal agency. The EEOC District Office is located at: 310 West Wisconsin Ave., Suite 800, Jefferson, IA 52020-0250. (Phone: 515-282-2222, 319-282-1111.)
EEOC enforces Title VII of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, religion, sex or national origin; the Age Discrimination in Employment Act (ADEA) which protects persons age 40 or older; and the Americans with Disabilities Act (ADA).

WHAT ACTION WILL AGENCY TAKE?
The agency's professional staff will provide you with information on your rights and will assist you in taking the necessary steps to get your complaint legally filed. The staff will then take appropriate action in handling the complaint. There is no charge to file a complaint.
WHAT SHOULD YOU BELIEVE HAVE BEEN DISCRIMINATED AGAINST?
You should immediately contact: Iowa Civil Rights Commission, 400 E. 14th Street, Grimes Building, Des Moines, IA 50319, 515-281-4121, 800-457-6416, Fax 515-282-5840, <https://www.iowa.gov>
You may contact the Commission by telephone or mail for information or assistance in filing a complaint. The Commission's office hours are 8:00 a.m. to 4:30 p.m., Monday through Friday. You may leave a message at 515-281-4121 after hours for a return call. Your complaint must be filed within 300 days of the discriminatory act.
"Our benefits are price and our right we will maintain."

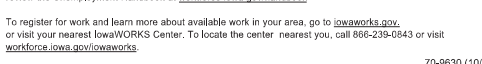
Unemployment Insurance

If you become unemployed, you may be eligible for unemployment insurance benefits. If you are still employed but working fewer hours than your regular full-time work week and are earning less than your regular full-time wages, you may be entitled to partial benefits.

Unemployment insurance benefits are made possible by taxes paid by this employer. No deductions are made from your paycheck for unemployment insurance. As soon as you become unemployed, you may file a new unemployment insurance claim using any of the following methods:
1. On-line to workforce.iowa.gov for information on when and how to file.
2. Connect with the nearest IowaWORKS Center (either in-person, over the phone, or virtually)

Delay in filing an unemployment insurance claim can result in the loss of all or part of the benefits you may be entitled to receive. For more information about your unemployment insurance rights and responsibilities, review the Unemployment Handbook at workforce.iowa.gov/uhb.

To register for work and learn more about available work in your area, go to iowaworks.gov, or visit your nearest IowaWORKS Center. To locate the center nearest you, call 800-239-0843 or visit workforce.iowa.gov/iowaworks



This is an official Government Notice and must not be defaced by anyone. Technical Revision Date: 05/20/22

