

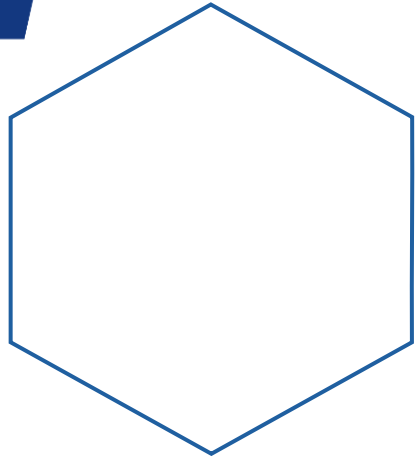


# Labor Law Compliance

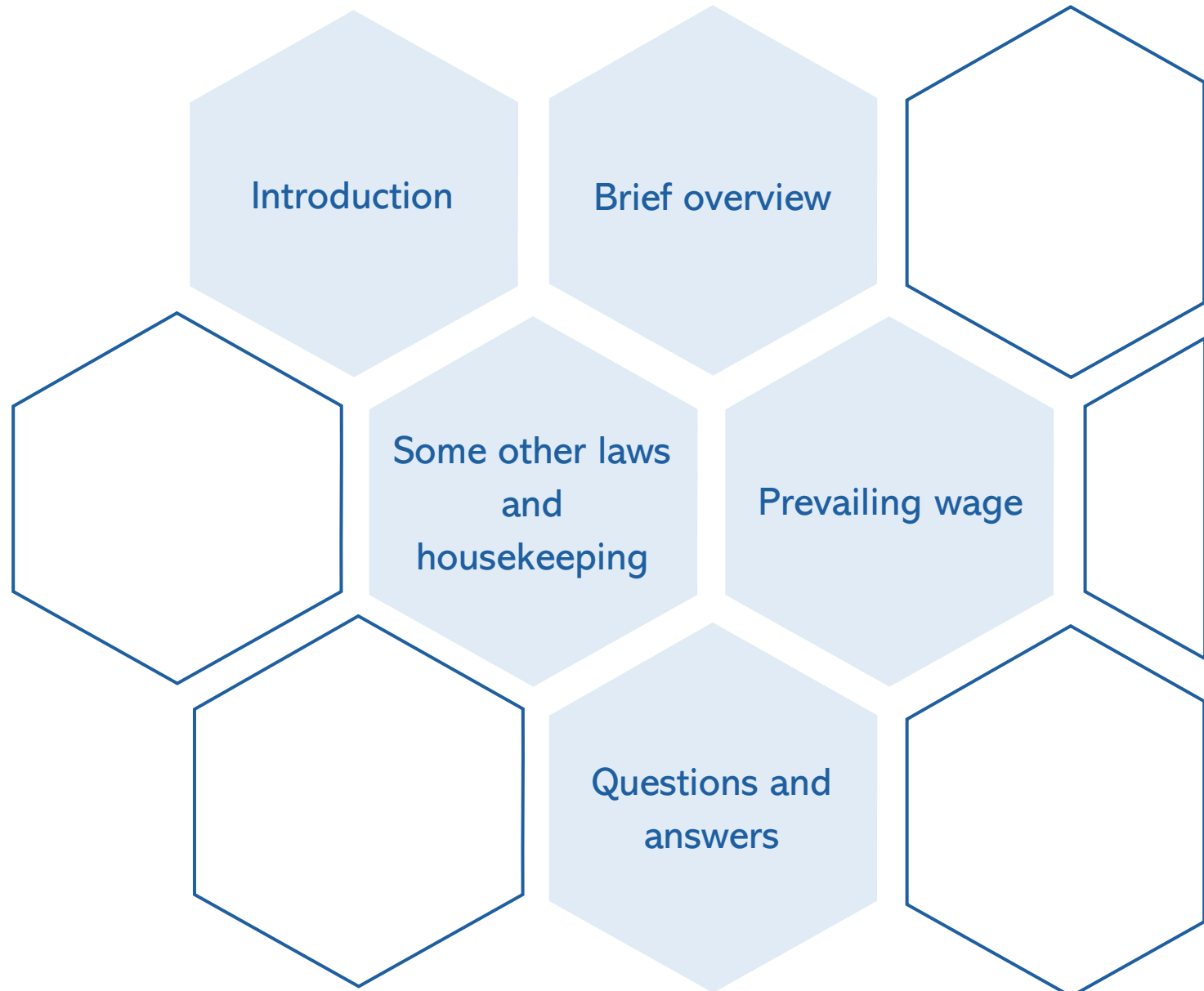
Bryan Smolock, Director

Bureau of Labor Law Compliance





# Agenda





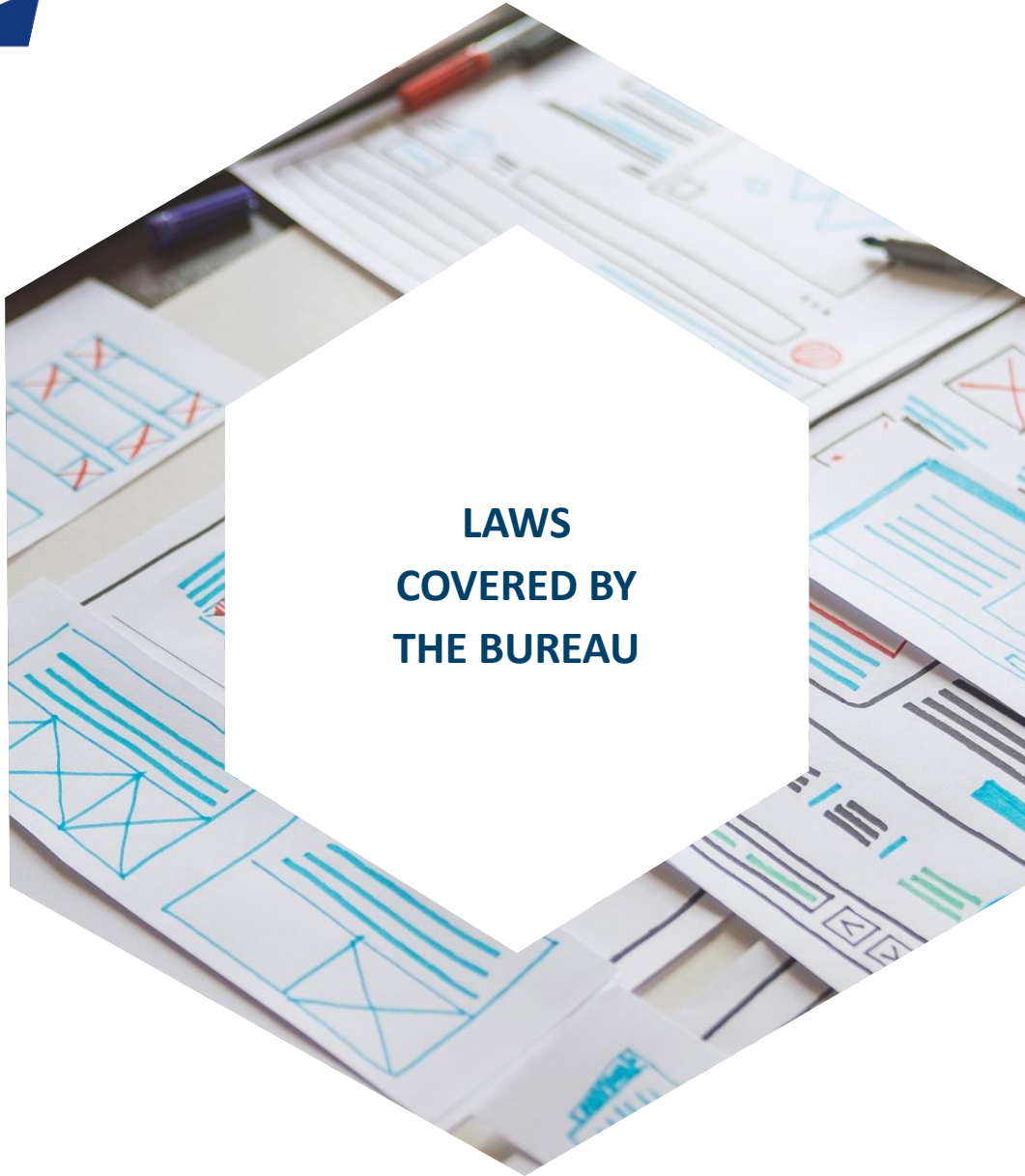
# Introduction

The Bureau of Labor Law Compliance monitors and enforces Pennsylvania's laws relating to minimum wage, wage payment and collection and prevailing wage.

The Department also enforces several laws which protect workers' rights, those regulating child labor, seasonal farm labor, industrial homework, equal pay, medical pay, apprenticeship and training, misclassification of construction employees as independent contractors and mandatory overtime in health care.

The Bureau executes these responsibilities by providing employees and employers with information about the laws, conducting investigations and resolving disputes.





**LAWS  
COVERED BY  
THE BUREAU**

Prevailing Wage

Minimum Wage

Child Labor

Wage Payment

Apprenticeship  
and Training

Seasonal Farm

Medical Pay

Personnel File

Industrial  
Homework

Equal Pay

Prohibition of  
Excessive  
Overtime in Health  
Care (Act 102)

Construction  
Workplace  
Misclassification  
(Act 72)

Act 75 E-Verify



# Wage Payment and Collection Law

## **Act of 1961, P.L. 637, No. 329**

The Act provides that every employer shall pay all wages, other than fringe benefits and wage supplements, due to employees on regularly scheduled paydays designated in advance by the employer.

The employer shall pay in cash or by bank check. The employer must notify each employee at the time of hiring of the following:

- (1) time and place of payment;
- (2) rate of pay; and
- (3) amount of any fringe benefits or wage supplements to be paid to the employee, a third party, or a fund for the benefit of the employee.





# THE MINIMUM WAGE LAW

## Act of 1968, P.L. 11, No. 5

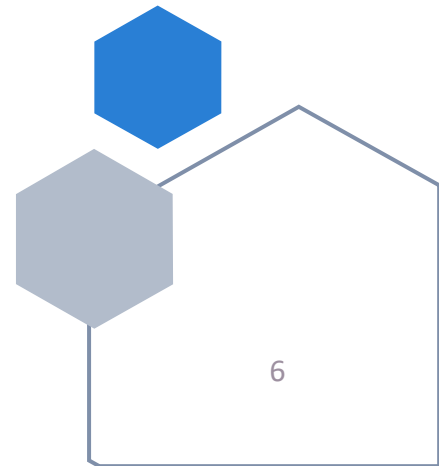
The Pennsylvania Minimum Wage Act, as amended in 2006, establishes a fixed Minimum Wage and Overtime Rate for employees in Pennsylvania.

It also sets forth compliance-related duties for the Department of Labor & Industry and for employers such as maintaining pay records.

In addition, the Minimum Wage Act provides penalties for noncompliance.

Overtime pay is 1.5 times the employee's regular rate, for all non-exempt employees.

Overtime is not addressed in the Prevailing Wage Act, but required nonetheless for hourly nonexempt workers.





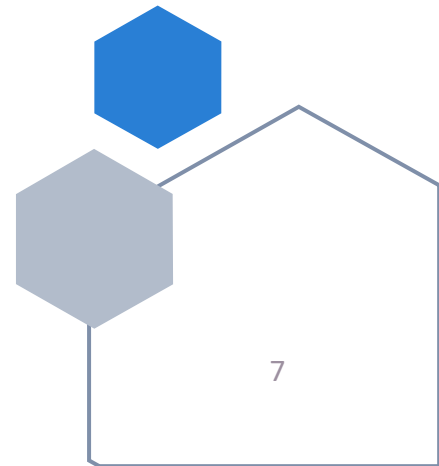
# The Child Labor Act

**Act of 2012, P.L. 1209, No. 151**

The Department of Labor and Industry, through the Bureau of Labor Law Compliance, is responsible for the administration and enforcement of the Child Labor Law (Act of 2012 P.L. 1209, No 151), and the Regulations that govern employment of minors in industry.

The Child Labor Act provides for the health, safety and welfare of minors by:

- prohibiting their employment or work in certain establishments and occupations;
- under certain ages, restricting their hours of labor;
- regulating certain conditions of their employment; and
- requiring employment certificates (general or vacation) for minors under the age of 18.





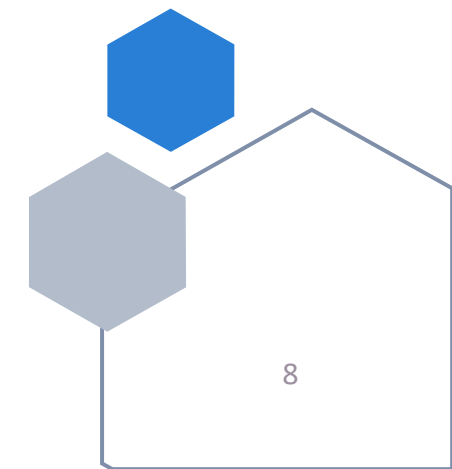
# Prohibited occupations for minors

L&I published a list of prohibited occupations. It is derived from three sources:

- (1) occupations and establishments expressly prohibited for minors under Section 4(a)(1) of the Child Labor Act (CLA),
- (2) any occupation or establishment designated as hazardous and otherwise prohibited for minors under the Federal Fair Labor Standards Act and regulations under that act, and
- (3) additional prohibited or hazardous occupations for establishments set forth in the Department's regulations. According to Section 29 of the CLA, the current regulations shall be those adopted under the former Child Labor Law until modified or deleted by the Department.

Therefore, the list includes prohibited occupations and establishments contained in the Department's Child Labor regulations set forth at 34 Pa. Code §§ 11.1, 11.31 – 11.84

[dli.pa.gov/Individuals/Labor-Management-Relations/llc/Documents/child\\_labor\\_law\\_prohibitions.pdf](https://dli.pa.gov/Individuals/Labor-Management-Relations/llc/Documents/child_labor_law_prohibitions.pdf)







# Other laws of note

## **ACT 72 (43 P.S. §§ 933.1 -- 933.17)**

### The Construction Workplace Misclassification Act (Act 72)

went into effect on Feb. 10, 2011, establishes a definition of "independent contractor" in construction for purposes of workers' compensation, unemployment compensation, and worker classification.

## **Medical Fee Act ((Act of 1961, No. 225)**

The Department of Labor and Industry, through the Bureau of Labor Law Compliance,

administers the Employer to Pay Employment Medical Examination Fee Act (Act of 1961, No. 225), ([PDF](#)) which requires employers to pay for the medical examination fee where such an examination is a condition of employment and not required by another law.

## **Act 75, or E-Verify**

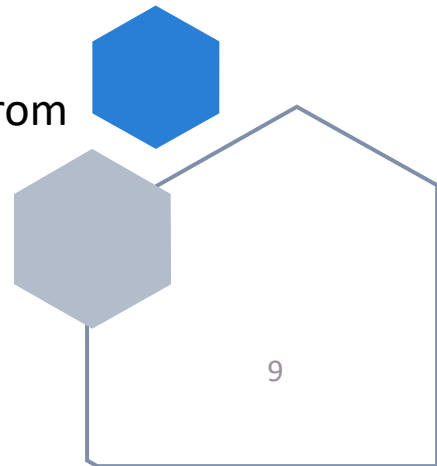
This act went into effect on October 7, 2020. It states that any construction employee in the construction industry must be verified before being hired. Complaints can be filed on our website.

## **Apprenticeship and Training (Act of 1961, P.L. 604, No. 304)**

The goal is to work to ensure a qualified and educated workforce has job training and security

## **Personal file Inspection (ACT of 1978, P.L. 1212, No. 286)**

The Department of Labor and Industry, through the Bureau of Labor Law Compliance, administers the Law, which authorizes an employee to inspect **certain information** from their own personnel files maintained by an employer.





# The Prevailing Wage Act

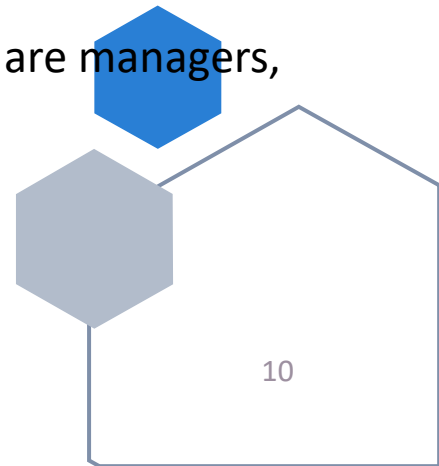
The Department of Labor & Industry, through the Bureau of Labor Law Compliance, determines prevailing wage rates for the construction industry and enforces the rates and classifications under heavy, highway and building construction projects of \$25,000 or more when public funds are involved.

The Department also determines the prevailing minimum wage rates and employee benefits for specific localities and classifications.

The Prevailing Wage Regulations allow the Secretary of Labor and Industry to consider collective bargaining agreements and other types of data for purposes of determining the wage rates.

Hourly employees on sites would be entitled to overtime, even if they are managers, supervisors, or professionals.

All rates and projects are on an easy to use, searchable website:  
[Prevailing Wage App \(pa.gov\)](http://pa.gov)



# Public Works Project

## 4 prong test:

4 prong test:			
Certain work (construction, reconstruction, alteration, demolition, repair);	done under contract;	using funds of a public body;	on a project that is estimated to cost more than \$25,000.00

# 1. Certain Work

- Construction, reconstruction, alteration, demolition, repair (other than maintenance)
- Maintenance exception
  - Defined as: “The repair of existing facilities when the size, type or extent of the facilities is not thereby changed or increased.”
  - Clarified by Commonwealth Court and Supreme Court
  - Narrowly construed

## 2. Done Under Contract

- Contract with “alter ego” of a covered entity for construction included
- Contract does not have to be with a public body (*Penn National II*)
- An entire project may not require prevailing wages when there are two separate contracts that have a strong and logical demarcation, such as separate phases or shell and fit out work (*500 James Hance Court*)

## 3. Using Funds of a Public Body

- Awarding agency examples (this list is not exhaustive)
  - Municipalities
  - Water and sewer authorities
  - School districts
  - PennDOT
  - Department of General Services
- Charter schools
- Private entities using public funds – DCED, RACP grant money as an example



## **4. Estimated cost for the entire project is more than \$25,000.00**

- Must be good-faith estimate
- Contract cannot be split up into multiple contracts under \$25,000 to avoid prevailing wage coverage
- The \$25,000 is based on the estimated cost includes materials and labor together
- Note: This is based on the cost of the project, not the cost of the grant money going towards a project

# Separating Public Funds From Private Funds

- An entire project may not require prevailing wages when there are two separate contracts that have a **strong and logical demarcation**.



# 500 James Hance Court

- The court recognized that when a party compartmentalizes a larger project into multiple separate contracts, one or more such contracts may be exempt from coverage under the Act, provided there is a “strong and logical . . . demarcation” between the contract subject to the Act, and another contract that is exempt.
- Does NOT work for artificial construction phasing bearing **no independent business justification**.

# Projects Not Covered

- *Legitimate maintenance projects*
- Work performed under a rehabilitation or manpower training program
- Public works contracts specifically with language that subjects them to the Federal Davis-Bacon and Walsh-Healey Acts

# Type of Workers Covered

- Includes laborer, mechanic, skilled and semiskilled laborer and apprentices employed by any contractor or subcontractor and engaged in the performance of services directly upon the public work project, regardless of whether their work becomes a component part thereof, but does not include material suppliers or their employees who do not perform services at the job site. 43 P.S. § 165-2(7).



# Workers Covered by Act

- Workers performing testing and balancing (TAB) of air handling systems (*Butler Balancing*)
- Surveyors
- Truck drivers hauling materials around a jobsite and from an adjacent borrow pit to the jobsite (*Bockelman Trucking*)



# Workers Not Covered by Act

- Material handlers dropping off supplies to the jobsite
- Architects, engineers, or individuals performing geotechnical testing and inspection services
- Workers performing off-site work
- Non-working supervisors

# Apprentices on Public Work

- **Must be registered with state**
- Must be paid percentage of prevailing wage according to program standards.
- Must be kept in proper ratio to journeypersons at all times.

## “Custom and Usage”

- Prevailing wages are determined by submissions of data on localized ‘custom and usage’ and rates that prevail in certain geographic locations.
- Rates are often different in each county—and some counties have multiple rates for certain classifications depending on the area, such as Ironworkers, steam fitters, and electricians
- Rate are determined by ‘locality’

# “Locality”

- The law defines ‘locality:’ [1961 Act 442 - PA General Assembly \(state.pa.us\)](#)
- ***"Locality"** means any political subdivision, or combination of the same, within the county in which the public work is to be performed. When no workmen for which a prevailing minimum wage is to be determined hereunder are employed in the locality, the locality may be extended to include adjoining political subdivisions where such workmen are employed in those crafts or trades for which there are no workmen employed in the locality as otherwise herein defined.*

# Notes

[Quick Links \(pa.gov\)](#) provides a link to laborers notes.

These notes are divided into categories, the '29 county notes,' the '33 county notes,' and the '5 county notes'

Notes exist for laborers, operators, asbestos workers, lineman, truck drivers, and painters,

# Notes links

- [Notes for 29 County Building Construction Common Journeyperson Laborer PDF](#)
- [Definitions for 29 County Heavy, Highway Construction Laborers PDF](#)
- [Definitions for 7 County Building Construction Operators PDF](#)
- [Definitions for 22 County Building Construction Operators PDF](#)
- [Definitions for 29 County Heavy Equipment Operators PDF](#)
- [Definitions for 29 County Highway Construction Operators PDF](#)
- [Notes for 33 County Building Common Journeyperson Laborer PDF](#)
- [Notes for 33 County Heavy & Highway Laborers PDF](#)
- [Definitions for 33 County Building Operators PDF](#)
- [Definitions for 33 County Heavy & Highway Operators PDF](#)
- [Notes for 5 County Building Common Journeyperson Laborer PDF](#)
- [Notes for 5 County Heavy & Highway Laborers PDF](#)
- [Definitions for 5 County Building, Heavy, Highway Operators PDF](#)
- [Asbestos Removal -- Asbestos Worker/Laborer PDF](#)
- [Truck Driver \(Building, Heavy, Highway\) PDF](#)
- [Painters \(Building, Heavy, Highway\) PDF](#)
- [Electric LinemenPDF](#)



# Electric Lineman

Electric lineman notes are published on our website: [Notes-for-Electric-Lineman \(pa.gov\)](https://www.pa.gov/employment/notes-for-electric-lineman)

Assembling, installation, erection, operation, maintenance, repair, control, inspections of all apparatus devices, wires, cables, supports, insulators, conductors, ducts, raceways, conduits including temporary, permanent, maintaining or restoring electrical service when part of outdoor lighting and wiring when fed from the street and controlled from the street.

All work consisting of wood poles, concrete or metal (or substitutes therefore) poles or towers, including wires, cables or other apparatus supported therefrom. Installing and maintaining the catenary and trolley work on railroad property and bonding of rails.

All outdoor substations, electrical connections and grounding including the setting of transformers and connecting the buses thereto, windmills and solar installations.

Installation and maintenance of roadway lighting and traffic signals systems electronic signs, and intelligent transportation systems.

# Truck Drivers

- Truck drivers who dump materials at a dump pit may be covered by the Act if the site:
  - Is dedicated exclusively or nearly so to the main site  
and
  - is adjacent or nearly adjacent to the main site
- Truck drivers have to supply something to the main site to be considered material suppliers. If they haul materials around the site, then they are covered by the Act.

# Project Wage Rates

- Apply on the Bureau's website [Prevailing Wage App \(pa.gov\)](#)
- **Call 800-932-0665**
- Interested party has **10 days** from the time the awarding agency advertises the project to challenge the prevailing wage rates (Section 8 of the Act [1961 Act 442 - PA General Assembly \(state.pa.us\)](#))
- *Challenging party has burden to prove what the prevailing wage should be*
- *Challenges are heard by prevailing wage appeal board.*

# What wage rates will look like

**Modified Date:** 9/16/2022  
**Project Name:** Unserved High Speed Broadband (UHSB) Award to Comcast to extend broadband service in Franklin Co (Metal and Peters Twps)  
**Awarding Agency:** Commonwealth Financing Authority (CFA)  
**Contract Award Date:** 3/22/2022  
**Serial Number:** 22-07404  
**Project Classification:** Heavy/Highway  
**Determination Date:** 9/7/2022  
**County:** Franklin  
**Assigned Field Office:** Harrisburg  
**Field Office Phone Number:** (717)787-4763  
**Toll Free Phone Number:** (800)932-0665

## Building

Find:

---Select---

Search

View All

Search returned 131 record(s)

Contractor Craft	Hourly Rate	Fringe Benefits	Total	Effective Date	Expiration Date
Asbestos & Insulation Workers	\$35.80	\$28.26	\$64.06	06/28/2021	
Asbestos & Insulation Workers	\$35.80	\$30.01	\$65.81	07/27/2022	
Asbestos & Insulation Workers	\$35.80	\$32.01	\$67.81	06/26/2023	
Asbestos & Insulation Workers	\$35.80	\$34.06	\$69.86	07/01/2024	
Boilermakers	\$49.32	\$34.90	\$84.22	01/01/2021	
Boilermakers	\$50.17	\$35.30	\$85.47	01/01/2022	
Bricklayer (Pointer, Cleaner, Caulker, Cement Mason, Plasterer, Tile Setter)	\$36.37	\$18.18	\$54.55	05/01/2022	
Bricklayers, Stone Masons, Pointers, Caulkers, Cleaners	\$34.62	\$17.78	\$52.40	05/01/2021	
Bricklayers, Stone Masons, Pointers, Caulkers, Cleaners	\$36.37	\$18.18	\$54.55	05/01/2022	
Bricklayers, Stone Masons, Pointers,	\$38.27	\$18.18	\$56.45	04/30/2023	



# pennsylvania

DEPARTMENT OF LABOR & INDUSTRY  
BUREAU OF LABOR LAW COMPLIANCE

Find:

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Search

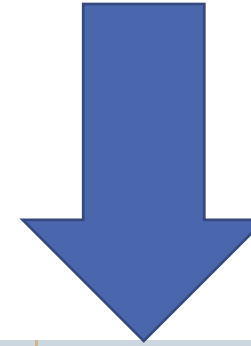
View All

If you can not find a classification under Heavy/Highway, please refer to the Building classifications

**Search returned 55 record(s)**

Contractor Craft	Hourly Rate	Fringe Benefits	Total	Effective Date	Expiration Date
Carpenter	\$35.87	\$19.32	\$55.19	01/01/2021	
Carpenter	\$36.85	\$19.84	\$56.69	01/01/2022	
Carpenter Welder	\$36.82	\$19.32	\$56.14	01/01/2021	
Carpenter Welder	\$37.80	\$19.84	\$57.64	01/01/2022	
Cement Finishers	\$32.84	\$22.60	\$55.44	01/01/2021	
Cement Finishers	\$33.14	\$23.80	\$56.94	01/01/2022	
Cement Masons	\$32.84	\$21.10	\$53.94	01/01/2020	
Electric Lineman	\$49.22	\$27.36	\$76.58	05/31/2021	
Electric Lineman	\$50.28	\$28.47	\$78.75	05/30/2022	
Electric Lineman	\$51.40	\$29.62	\$81.02	05/29/2023	
Electric Lineman	\$52.80	\$30.61	\$83.41	06/03/2024	
Iron Workers (Bridge, Structural Steel, Ornamental, Precast, Reinforcing)	\$34.01	\$31.13	\$65.14	07/01/2021	
Laborers (Class 01 - See notes)	\$26.80	\$24.80	\$51.60	01/01/2021	
Laborers (Class 01 - See notes)	\$27.60	\$25.50	\$53.10	01/01/2022	
Laborers (Class 02 - See notes)	\$26.96	\$24.80	\$51.76	01/01/2021	
Laborers (Class 02 - See notes)	\$27.76	\$25.50	\$53.26	01/01/2022	
Laborers (Class 03 - See notes)	\$27.45	\$24.80	\$52.25	01/01/2021	
Laborers (Class 03 - See notes)	\$28.25	\$25.50	\$53.75	01/01/2022	
Laborers (Class 04 - See notes)	\$27.90	\$24.80	\$52.70	01/01/2021	
Laborers (Class 04 - See notes)	\$28.70	\$25.50	\$54.20	01/01/2022	

# Fringes and escalators



Electric Lineman	\$49.22	\$27.36	\$76.58	05/31/2021
Electric Lineman		\$28.47	\$78.75	05/30/2022
Electric Lineman		\$29.62	\$81.02	05/29/2023
Electric Lineman	\$52.80	\$30.61	\$83.41	06/03/2024



# Fringe Benefits

- Contribution to employee benefits including payment for sick, disability, death, medical, hospital, vacation, retirement and pension
- MUST BE FOR THE BENEFIT OF THE EMPLOYEE
- May be paid in cash if there is no contract requiring contribution to employee benefits

FRINGE BENEFIT CREDIT

EXAMPLE

<u>BENEFIT</u>	<u>PAID</u>	<u>TOTAL</u>
Vacation/Holiday	(# of Eligible days x 8 hrs) x Regular Rate 80 hrs x \$10.00	\$800.00/year
Health Insurance	Monthly Premium	\$900.00/month
401K/Pension	Employer contribution per hour/year \$3.00/hour	\$3.00/hour \$5,760.00/year

To calculate the Fringe Credit:

<u>BENEFIT</u>	<u>CALCULATION</u>	<u>TOTAL</u>
Vacation/Holiday	(Total hours x hourly rate) ÷ 1920 hours (80 x \$10.00) = \$800.00 ÷ 1920 hours	\$0.41
Health Insurance	Total Monthly Premium x 12 ÷ 1920 hours (\$900.00 x 12 = \$10,800.00) ÷ 1920 hours	\$5.63
401K/Pension	Total Monthly Contributions ÷ 160 hours OR Total Yearly Contributions ÷ 1920 hours	\$3.00

**NOTE:** This example assumes the employee worked a full year and accrued 1920 hours. Seasonal workers may work less than 1920 hours. In these cases, the actual total hours accrued would be used instead of 1920 hours.

# Certified Payroll Requirements

- Should be filed with the awarding agency – **or grant recipient**
- All contractors and subcontractors must file certified payrolls
- **All workers** that are working on the project must be listed on the certified payroll
- **Owners working on project must be listed**
- Public record subject to inspection under the Right-to-Know Law
  - Certified payrolls filed with public body are public records
  - If not possessed by public body, public body has a duty to re-obtain them from contractor
  - Certified payrolls filed with private entity are not public record



# pennsylvania

DEPARTMENT OF LABOR & INDUSTRY  
BUREAU OF LABOR LAW COMPLIANCE

## WEEKLY PAYROLL CERTIFICATION FOR PUBLIC WORKS PROJECTS

Contractor or  Subcontractor (Please check one) **ALL INFORMATION MUST BE COMPLETED**

CONTRACTOR		SUBCONTRACTOR	
ADDRESS		ADDRESS	
PAYROLL NUMBER	WEEK ENDING DATE	PROJECT AND LOCATION	
		PROJECT SERIAL #	PROJECT #



BUREAU OF LABOR LAW COMPLIANCE  
PREVAILING WAGE DIVISION  
651 BOAS STREET  
HARRISBURG, PA. 17120  
1-800-932-0665

EMPLOYEE NAME	APPR. RATE (%)	WORK CLASSIFICATION	DAY AND DATE							S-TIME 0-TIME	BASE HOURLY RATE	TOTAL FRINGE BENEFITS (C=Cash) (FB=Contributions)*	TOTAL DEDUCTIONS	GROSS PAY FOR PREVAILING RATE JOB(S)	CHECK #	
												C:				
												FB:				
												C:				
												FB:				
												C:				
												FB:				
												C:				
												FB:				

\*SEE REVERSE SIDE

# Overtime on prevailing wage jobs

- Overtime (time and one-half) on Prevailing Wage projects must be paid on the individual's total hourly rate of pay. This means that whatever the worker is receiving in cash (in his check) for fringe benefits, must also be used in calculating overtime.
- An example of this would be. Base rate - \$20.00 Fringes \$10.00.
- If the worker receives the full amount in her/his paycheck, the overtime rate would be \$45.00 per hour.
- Another example: Base rate \$20.00 Fringes \$10.00 but the company supplies \$4.00 per hour in fringe benefit costs. The worker's take home would be \$26.00 per hour. Her/his overtime would be \$39.00



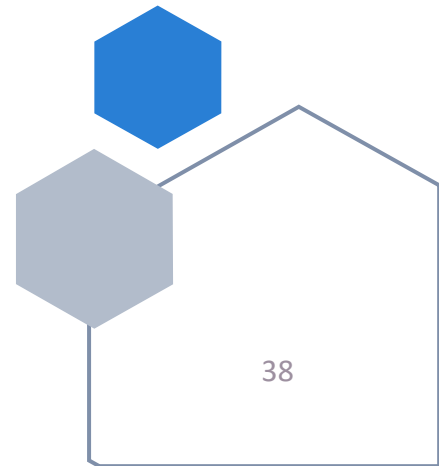
# Bureau investigations

Complaints may be filed by workers who believe they are underpaid on Prevailing Wage Projects

The Bureau also visits prevailing wage projects to ensure compliance.

The Bureau investigates prevailing wage, child labor, and minimum wage and overtime issues.

The Minimum Wage Act has criminal provisions for employers that take action against employees directly for cooperating with a Department investigation





# Resolutions

Minimum Wage and overtime claims may trigger a company-wide audit.

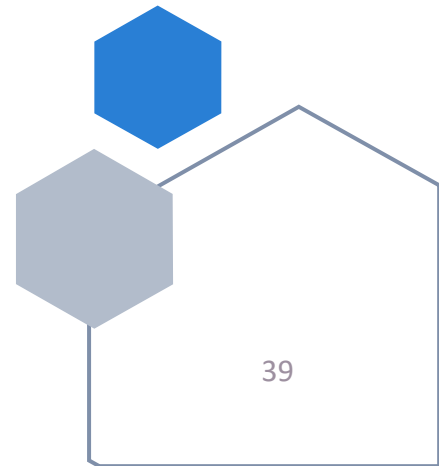
Typically, Prevailing wage cases may trigger audit of complete project or other projects the contractor was working on.

If workers are paid, cases are closed, and workers receive back wages.

An intentional violation may result in a contractor being debarred from all public contracts for a period of 3 years for purposeful violations of the Prevailing Wage Act

Act 72 include provisions for administrative penalties.

Child Labor includes rules for both administrative or criminal penalties.





# Posters “FREE!”

The Bureau also publishes and distributes for free labor law posters that include:

- Minimum Wage rules
- Child Labor Information
- Unemployment Comp and Workers Comp
- Act 102, Prevailing wage, and Act 72 when necessary

**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 in the same light as official statements contained in the Act or its regulations.

**Minors under 16 must have a written statement by the minor's parent or guardian acknowledging the duties and hours of employment and granting permission to work.**

**HOURS OF EMPLOYMENT—AGES 14 & 15\***

**HOURS OF EMPLOYMENT**

**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/day, 40 hours/week.

**WORK TIME**

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

**Exceptions:** During school vacations, minors may be employed until 9 p.m. Minors at least age 11 may be employed in newspaper delivery from 5 a.m. to 8 p.m., except during school vacation, then until 9 p.m. Members of volunteer fire companies may participate in training and firefighting activities until 10 p.m. with written parental consent.

**HOURS OF EMPLOYMENT—AGES 16 & 17\*\***

**HOURS OF EMPLOYMENT**

**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 44 hours/week.

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

**Exceptions:** During school vacations, minors may be employed until 1 a.m. Members of volunteer fire companies may continue serving in answer to a fire call until excused by chief.

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

\*\*EXCEPT: A) 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.

B) 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 operated by a religious or scout organization.

**MINIMUM 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](http://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:

<p>Altoona District Office 1130 12<sup>th</sup> Ave. Suite 200 Altoona, PA 16601 814-940-6224 or 877-792-8198</p>	<p>Harrisburg District Office 1301 Labor &amp; Industry Building 651 Bose St. Harrisburg, PA 17121 717-787-4671 or 800-932-0665</p>	<p>Philadelphia District Office 110 North 8<sup>th</sup> St. Suite 303 Philadelphia, PA 19107 215-560-1858 or 877-817-9497</p>
<p>Pittsburgh District Office 301 5<sup>th</sup> Ave. Suite 330 Pittsburgh, PA 412-565-5300 or 877-504-8354</p>	<p>Scranton District Office 201 B State Office Building 100 Lackawanna Ave. Scranton, PA 18503 570-963-4577 or 877-214-3962</p>	

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

**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 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.

**Overtime Rate:**

Workers shall be paid 1½ times their regular rate of pay after 40 hours worked in a workweek (Except as Described).

**Minimum Wage Rate:**

**\$7.25 per hour Effective July 24, 2009 (Except as Described)**

**Tipped Employees:**

An employer may pay a minimum of \$2.83 per hour to an employee who makes \$30.00 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.



**IT'S THE LAW!**

Under the **PREVAILING WAGE ACT**, the Pennsylvania Department of Labor & Industry has established the prevailing minimum wages that must be paid by the contractors on this project.

The prevailing hourly rate and job classification of all workers on this project are listed in an official Department of Labor & Industry Prevailing Wage predetermination document.

The law requires contractors to have a copy of the predetermination document available at this work site and to allow you to see the rates established for your classification.

If you have problems gaining access to the document or the published rates, call toll-free:

**1-800-932-0655**

**THIS POSTER TO BE DISPLAYED ON WORK SITE**

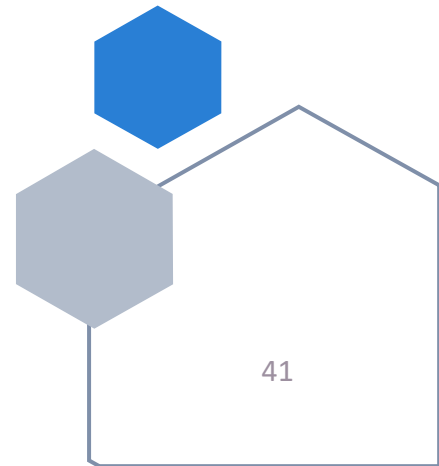




# CONTACT US

Email the Bureau of Labor Law Compliance

[RA-LI-SLMR-LLC@pa.gov](mailto:RA-LI-SLMR-LLC@pa.gov)

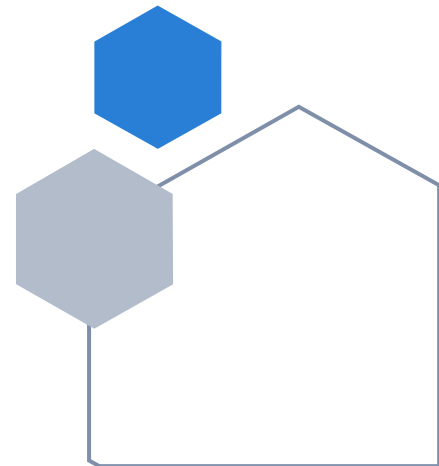




# Our Harrisburg Central Office



1301 Labor & Industry Building  
651 Boas St.  
Harrisburg, PA 17121  
717-705-5969 or 1-800-932-0665





# Our District Offices



## Altoona

130 12th Ave.  
Suite 200  
Altoona, PA 16601  
814-940-6224 or 1-877-792-8198



## Scranton

201 B State Office Building  
100 Lackawanna Ave.  
Scranton, PA 18503  
570-963-4577 or 1-877-214-3962



## Pittsburgh

301 5th Ave.  
Suite 330  
Pittsburgh, PA 15222  
412-565-5300 or 1-877-504-8354



## Philadelphia

110 North 8th St.  
Suite 203  
Philadelphia, PA 19107  
215-560-1858 or 1-877-817-9497



# Thank you

Bryan Smolock

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