

Poster Requirements For Agricultural Employers

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EXTENSION

All Employers Need Posters

All employers in the state of Ohio have requirements for the placement of State and Federal Posters in their places of employment. These posters are intended to communicate employee rights and employer responsibilities.

According to the Ohio Department of Commerce, Division of Labor and Worker Safety all employers are required to prominently display the following posters,

- State of Ohio Minimum Wage
- Unemployment Compensation Coverage
- Ohio Fair Employment Practices Law

Additionally, if the employees include minors,

- The State of Ohio Minor Labor Laws

There are no exclusions for agricultural operations and the requirements apply if at any time during the year employees are used.

All required posters are available at no cost and can be obtained by calling the Bureau of Civil Rights within the Ohio Department of Job and Family Services at 614-644-2703. Questions about the particular laws can be directed to the following numbers:

- State of Ohio Minimum Wage and State of Ohio Minor Labor Laws (614-644-2239)
- Unemployment Compensation (877-644-6562)
- Ohio Fair Employment Practices Law (614-466-2785)

Federal Poster Requirements

Federal poster requirements are based on the size of your business, number of employees, and whether your business is involved in interstate business or has any federal contracts.

The posters of general applicability that you may be required to display are the

- Fair Labor Standards Act
- Family and Medical Leave Act
- Migrant and Seasonal Worker Protection Act
- Employee Polygraph Protection Act
- Job Safety & Health Protection
- Equal Employment Opportunity Act
- Notice to Workers with Disabilities
- Uniformed Services Employment and

Reemployment Rights Act

There are additional posters if any of your operation could be considered to be including federal contracts.

Some of the questions you will have to know the answers to while determining which posters the federal government requires you to display are the following:

- Will you use 500 man-days of agricultural labor in any calendar quarter of the year? (A 'man day' is any day during which an employee performs any agricultural labor for not less than one hour.)
- Do you use migrant or seasonal agricultural workers, and/or the services of a farm labor contractor?

Your Rights Under the Fair Labor Standards Act

Federal Minimum Wage
\$4.75 per hour **\$5.15** per hour
beginning October 1, 1996 beginning September 1, 1997

Employees under 20 years of age may be paid \$4.75 per hour during their first 90 consecutive calendar days of employment with an employer.

Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

Tip Credit - Employers of "tipped employees" must pay a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference. Certain other conditions must also be met.

Overtime Pay

At least 1 1/2 times your regular rate of pay for all hours worked over 40 in a workweek.

Child Labor

An employee must be at least 18 years old to work in most non-farm jobs and at least 16 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs under the following conditions:

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- Do you maintain a temporary labor camp?
- Does your business or organization have contracts or subcontracts with the Federal government?
- What is the largest dollar amount of Federal or Federally assisted construction contract or subcontract?
- What is the largest dollar amount of your Federal supply and service contract or subcontract (or Federally-assisted contract or subcontract, if applicable)?
- Do you expect the total amount of all of your Federal contracts and/or subcontracts to exceed \$10,000 in any 12-month period?

Fortunately the U.S department of Labor maintains a web site that walks users through all the questions required to determine which posters are required and then lists all those posters and instructions on how to print the posters free of charge. The web site is located at

<http://www.dol.gov/elaws/posters.htm>

Services exist that advertise all in one posters and while these may simplify displaying the required posters, all of the posters required by the state of Ohio and the Federal Government are free of charge and obtainable by contacting the agencies or visiting the web sites listed above.