# The City of Fort Smith ARKANSAS

# EMPLOYEE RIGHTS
## UNDER THE FAIR LABOR STANDARDS ACT
THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

### FEDERAL MINIMUM WAGE
**$5.85** PER HOUR — BEGINNING JULY 24, 2007
**$6.55** PER HOUR — BEGINNING JULY 24, 2008
**$7.25** PER HOUR — BEGINNING JULY 24, 2009

### STATE AND LOCAL GOVERNMENT EMPLOYEES

**OVERTIME PAY** At least 1½ times your regular rate of pay for all hours worked over 40 in a workweek.

**Law enforcement and fire protection personnel:** You may be paid overtime on the basis of a "work period" of between 7 and 28 consecutive days in length, rather than on a 40-hour workweek basis.

**COMPENSATORY TIME** Employees may receive compensatory time off instead of cash overtime pay, at a rate of not less than 1½ hours for each overtime hour worked, where provided pursuant to an agreement or understanding that meets the requirements of the Act.

**EXEMPTIONS** The Act does not apply to persons who are not subject to the civil service laws of State or local governments and who are elected public officials, certain immediate advisors to such officials, certain individuals appointed or selected by such officials to serve in various capacities, or employees of legislative branches of State and local governments. Employees of legislative libraries do not come within this exclusion and are thus covered by the Act.

Certain types of workers are exempt from the minimum wage and overtime pay provisions, including bona fide executive, administrative, and professional employees who meet regulatory requirements.

Any law enforcement or fire protection employee who in any workweek is employed by a public agency employing less than 5 employees in law enforcement or fire protection activities is exempt from the overtime pay provisions.

**YOUTH EMPLOYMENT** 18 years old is the minimum age for most occupations. An 18-year old minimum applies to hazardous occupations. Minors 14 and 15 years old may work outside school hours under certain conditions. For more information, visit the YouthRules! Web site at **www.youthrules.dol.gov**.

**ENFORCEMENT** The Department of Labor may recover back wages either administratively or through court action for the employees that have been underpaid in violation of the law. Violations may result in civil or criminal action.

Civil money penalties of up to $11,000 per violation may be assessed against employers who violate the youth employment provisions of the law and up to $1,100 per violation against employers who willfully or repeatedly violate the minimum wage or overtime pay provisions. This law prohibits discriminating against or discharging workers who file a complaint or participate in any proceedings under the Act.

**ADDITIONAL INFORMATION**
- Some state laws provide greater employee protections; employers must comply with both.
- Employees under 20 years of age may be paid a youth minimum wage of not less than $4.25 an hour during their first 90 consecutive calendar days after initial employment by an employer.
- Employers are required to display this poster where employees can readily see it.

For additional information:
**1-866-4-USWAGE** WHD
(1-866-487-9243) TTY: 1-877-889-5627
**WWW.WAGEHOUR.DOL.GOV**
U.S. Department of Labor | Employment Standards Administration | Wage and Hour Division

# EMPLOYEE RIGHTS
## EMPLOYEE POLYGRAPH PROTECTION ACT
THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

**The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.**

**PROHIBITIONS** Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a 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 individuals engaged in national security-related activities.

The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers.

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 the 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 not to have test results disclosed to unauthorized persons.

**ENFORCEMENT** The Secretary of Labor may bring court actions to restrain violations and assess civil penalties up to $10,000 against violators. Employees 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.**

For additional information:
**1-866-4-USWAGE** WHD
(1-866-487-9243) TTY: 1-877-889-5627
**WWW.WAGEHOUR.DOL.GOV**
U.S. Department of Labor | Wage and Hour Division

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ARKANSAS DEPARTMENT OF LABOR
# NOTICE
to employer & employee

MINIMUM WAGE · COVERAGE · STUDENT RATE · HANDICAPPED WORKERS · STUDENT LEARNERS · OVERTIME PAY · WORKWEEK · ENFORCEMENT · DEDUCTIONS FROM THE MINIMUM WAGE · KEEPING OF RECORDS · EQUAL PAY ACT · PENALTIES · EMPLOYEES REMEDIES · CHILD LABOR · WAGE COLLECTION ACT

IF YOU HAVE QUESTIONS CONCERNING THE ARKANSAS MINIMUM WAGE LAW, TELEPHONE 682-4505.

THIS POSTER CONTAINS ONLY A SUMMARY

ARKANSAS DEPARTMENT OF LABOR
10421 WEST MARKHAM STREET
LITTLE ROCK, ARKANSAS 72205

EMPLOYERS SUBJECT TO THE MINIMUM WAGE ACT ARE REQUIRED TO POST THIS NOTICE IN A CONSPICUOUS PLACE FOR ALL EMPLOYEES.

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ARKANSAS DEPARTMENT OF LABOR
# NOTICE
## TO EMPLOYER AND EMPLOYEE

Act 556 of 1991 entitled the
PUBLIC EMPLOYEES' CHEMICAL RIGHT TO KNOW ACT

PURPOSE · PUBLIC EMPLOYERS' DUTIES · PUBLIC EMPLOYEES' RIGHTS · COMPLAINTS AND INVESTIGATIONS · ENFORCEMENT · CAUSE OF ACTION : ATTORNEY FEES · NO EFFECT ON OTHER LEGAL DUTIES

ARKANSAS DEPARTMENT OF LABOR
10421 WEST MARKHAM
LITTLE ROCK, ARKANSAS 72205
PH. (501) 682-4500

EMPLOYERS ARE REQUIRED TO POST THIS NOTICE IN A CONSPICUOUS PLACE

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Department of WORKFORCE SERVICES

NOTICE TO EMPLOYEES
HOW TO CLAIM UNEMPLOYMENT INSURANCE

Employees of **The City of Fort Smith Arkansas**
are covered by the Department of Workforce Services Law.

The Law provides Unemployment Insurance Benefits for unemployed workers and under certain conditions, for those working only part time.

As a covered employee, your employer has contributed to or will reimburse the Arkansas Unemployment Trust Fund from which benefits are paid. **NO DEDUCTIONS CAN BE MADE FROM YOUR WAGES FOR THIS PURPOSE.** Be sure your employer has your correct Social Security Account Number.

A. If and when you know you are going to be out of work for a calendar week or more, **YOU SHOULD PROMPTLY:**

File a claim for benefits through the Department of Workforce Services office nearest you.

We will try to help locate work for you both before benefit payments start and while they are being paid.

B. If you are attached to a regular employer, working less than full time due entirely to lack of work, you may be eligible for partial Unemployment Insurance Benefits.

In that case, claim partial benefits—**promptly**—by reporting the facts (dates, wages, employer) to your Local Office. **Do not delay doing this.**

Our Local Office will answer questions and supply further information.

Full time Local Offices are situated in the following cities to provide services to Unemployment Insurance Claimants:

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|---|---|---|
| Arkadelphia | Helena | Newport |
| Batesville | Hope | Paragould |
| Benton | Hot Springs | Pine Bluff |
| Blytheville | Jacksonville | Rogers |
| Camden | Jonesboro | Russellville |
| Conway | Little Rock Midtown | Searcy |
| El Dorado | Magnolia | Texarkana |
| Fayetteville | Malvern | Walnut Ridge |
| Forrest City | Mena | West Memphis |
| Fort Smith | Monticello | |
| Harrison | Mountain Home | |

**CAUTION:** False statements to obtain benefits, concealment of material facts, or failure to report earnings for the purpose of obtaining or increasing Unemployment Insurance Payments, are violations of criminal laws and lead to prosecution.

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## EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement · Military Family Leave Entitlements · Benefits and Protections · Eligibility Requirements · Definition of Serious Health Condition · Use of Leave · Substitution of Paid Leave for Unpaid Leave · Employee Responsibilities · Employer Responsibilities · Unlawful Acts by Employers · Enforcement

"The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition".

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulation 29 C.F.R. § 825.300(a) may require additional disclosures.

For additional information: 1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627
WWW.WAGEHOUR.DOL.GOV
WHD

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| Form AR-P | ARKANSAS WORKERS' COMPENSATION COMMISSION<br>324 Spring Street, Little Rock, AR 72201<br>Mail: P. O. Box 950, Little Rock, AR 72203-0950<br>Little Rock Office - 1-800-622-4472 / 501-682-3930<br>Springdale Office - 1-800-852-5376 / 479-751-2790 | P |
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## WORKERS' COMPENSATION INSTRUCTIONS TO EMPLOYERS AND EMPLOYEES

Central Adjustment Company
P.O. Box 25068
Little Rock, AR 72221
(501) 227-5506

### IN CASE OF JOB-RELATED INJURIES OR OCCUPATIONAL DISEASES
#### The Employer Shall:
#### The Employee Shall:
#### Statutory Information:

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# YOUR RIGHTS UNDER USERRA
## THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

REEMPLOYMENT RIGHTS · RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION · HEALTH INSURANCE PROTECTION · ENFORCEMENT

U.S. Department of Labor 1-866-487-2365 · U.S. Department of Justice · Office of Special Counsel · ESGR 1-800-336-4590
Publication Date—October 2008

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## Arkansas Clean Indoor Air Act of 2006

**Smoking is prohibited in all public places and enclosed areas within places of employment. For more information go to:**

**www.arcleanair.com**

**Or call**

**1-800-235-0002**

**It is unlawful for any employer to discriminate or retaliate in any manner against a person for making a complaint of a possible violation.**

Arkansas State Board of Health

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Equal Employment Opportunity is
# THE LAW

Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN · DISABILITY · AGE · SEX (WAGES) · GENETICS · RETALIATION · WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED

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**DO NOT REMOVE THIS POSTING**

This Labor law Poster must be posted in an area frequented by applicants and employees during the normal course of the workday.

If you have any questions regarding the information on this poster, please contact the City of Fort Smith Office of Human Resources at (479) 784-2221.