



Extension FactSheet

Food, Agricultural and Biological Engineering, 590 Woody Hayes Drive, Columbus, Ohio 43210

Poster Requirements for Agricultural Employers

Dee Jepsen, Program Director, Ag Safety and Health

Timothy Butcher, OSHA Program Coordinator

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:

- 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 your operation includes federal contracts.

Here are 7 questions you will have to answer to determine which posters the federal government requires you to display:

- 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 at least one hour.)
- Do you use migrant or seasonal agricultural workers, and/or the services of a farm labor contractor?
- 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. While these may simplify displaying the required posters, all of the posters required by the state of Ohio and the Federal Government are free and obtainable by contacting the agencies or visiting the web sites listed above.

“All employers in the state of Ohio have requirements for the placement of State and Federal Posters in their places of employment.”

NOTICE TO EMPLOYEES

THIS EMPLOYER PROVIDES UNEMPLOYMENT COMPENSATION COVERAGE FOR EMPLOYEES

Employees who become unemployed (or are working less than full time) may be eligible for unemployment compensation benefits.


Apply by phone at 1-877-644-6562 (OHIO-JOB) or online at <http://unemployment.ohio.gov>

Be prepared to provide the following information when applying:

- Social Security number
- Driver license or state ID number
- Names, social security numbers, and dates of birth of all dependent children
- Employer's identification notice (pay stubs or W2 form)
- Name and address of all other employers for whom work was performed during the past 18 months

APPLY FOR WORK AT YOUR NEAREST ONE-STOP EMPLOYMENT AND TRAINING CENTER

Bob Taft
Governor



OHIO
Job & Family
SERVICES
89.5334 (REV. 12/2006)

Barbara Riley
Director

Your Rights Under the Fair Labor Standards Act

Federal Minimum Wage

\$4.75

per hour
beginning October 1, 1996

\$5.15

per hour
beginning September 1, 1997

Employees under 20 years of age may be paid \$4.25 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 1½ times your regular rate of pay for all hours worked over 40 in a workweek.

Child Labor

An employee must be at least 16 years old to work in most non-farm jobs and at least 18 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:

No more than –

- 3 hours on a school day or 18 hours in a school week;
- 8 hours on a non-school day or 40 hours in a non-school week.

Also, work may not begin before 7 a.m. or end after 7 p.m., except from June 1 through Labor Day, when evening hours are extended to 9 p.m. Different rules apply in agricultural employment.

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.

Fines of up to \$10,000 per violation may be assessed against employers who violate the child labor provisions of the law and up to \$1,000 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.

Note:


- Certain occupations and establishments are exempt from the minimum wage and/or overtime pay provisions.
- Special provisions apply to workers in American Samoa.
- Where state law requires a higher minimum wage, the higher standard applies.

For Additional Information, Contact the Wage and Hour Division office nearest you – listed in your telephone directory under United States Government, Labor Department.

This poster may be viewed on the Internet at this address: <http://www.dol.gov/esa/regs/compliance/posters/flsa.htm>

The law requires employers to display this poster where employees can readily see it.

U.S. Department of Labor
Employment Standards Administration
Wage and Hour Division
Washington, D.C. 20210



WH Publication 1088
Revised October 1996

Reviewed by Randall Reeder and Erdal Ozkan

Visit Ohio State University Extension’s web site “Ohioline” at: <http://ohioline.osu.edu>

OSU Extension embraces human diversity and is committed to ensuring that all educational programs conducted by Ohio State University Extension are available to clientele on a nondiscriminatory basis without regard to race, color, age, gender identity or expression, disability, religion, sexual orientation, national origin, or veteran status.

Keith L. Smith, Associate Vice President for Agricultural Administration and Director, OSU Extension