

The background of the top half of the page is a close-up, slightly blurred image of the American flag, showing the stars and stripes in shades of orange and white. The flag appears to be waving.

# *It's Your Job...* These Are Your Rights

*A guide for young workers -  
your rights under federal laws...*

*working* ★ FOR  
**America**  
AF-CIO INSTITUTE

*In cooperation with the U.S. Department of Labor*

This brochure was prepared under Grant No. G-7615-9-00-87-60 from the Employment and Training Administration, U.S. Department of Labor. Grantees undertaking such projects under government sponsorship are encouraged to freely express their judgment. Therefore, points of view or opinions stated in this document do not necessarily represent the official position or policy of the Department of Labor.

# Congratulations

*on your job!*

**The American Federation of Labor and Congress of Industrial Organizations**—the AFL-CIO—offers workers and their families a strong and independent voice. Its members are unions that working people built to achieve dignity and strength.

Workers, unions and the AFL-CIO fought for the safeguards this brochure sets out. As you begin your work, remember and use them. We are proud to share them with you.

*John Sweeney*  
*President*  
*AFL-CIO*

# Your Rights

## Do I have rights on the job?

**YES!** There are laws to protect all workers in America. These laws give you the right to get paid for the work you do ... the right to a safe workplace... the right to work without discrimination or sexual harassment... and much more.

This brochure provides information about job rights, responsibilities and opportunities under federal laws. Keep it—use it—and know your rights.

## Who looks out for my rights?

The U.S. Department of Labor has offices around the country that look out for your rights on the job.

In most states, these rights are also enforced by the state Department of Labor (or other state department, with a different name, that performs this function).

You'll find the phone number for the state agencies that looks after your rights in the back of this brochure.

Unions also work to protect your rights.

They helped get those rights enacted in the first place. Your union will assist you if you think your job rights have been violated.

### *Questions?*

***Call the state agency whose number is located in the back of this brochure.***

# Your Responsibilities

## Do I have responsibilities to my employer?

Yes. Workers have responsibilities to their employers—just as employers have responsibilities to

the people who work for them.

Your responsibilities to your employer include:

- **Getting** to work on time
- **Doing** a good job for the hours you're paid
- **Calling** in if you're sick or going to be late
- **Dressing** appropriately for your work
- **Cooperating** with others as a member of the team
- **Asking** questions if you don't understand
- **Keeping** yourself healthy and free from substance abuse

# Your Pay

## How much will I get paid?

That depends. Federal law entitles you to at least the minimum wage.

### Minimum wages

***For most jobs, the minimum wage is \$5.15 an hour.***

If you get tips, the minimum wage is \$2.13 an hour plus tips—totaling \$5.15 an hour.

*If your tips don't cover it, the employer must make up the difference.*

***If you're paid a piece rate for each item you produce, your average hourly wage must equal at least \$5.15.***

If you're under 20 years of age and a new hire, the employer may pay you a lower minimum wage of \$4.25 for the first 90 days.

*If your state has its own minimum wage law and that wage is higher than the federal minimum wage, you will be paid the higher wage.*

If your job is covered by a union contract, the labor agreement sets your wage, often at a rate much higher than the minimum wage.

***If you work in construction, your pay may be higher than the minimum wage, depending on the job and where you work.***

*If you're working as a certified student-learner, your pay may be lower than the minimum wage in some cases.*

***Keep track of the hours you've worked. If the amount you're paid doesn't agree with your records, talk to your employer. Or discuss it with your union.***

***Your employer must pay you regularly—weekly, or every other week, or monthly.***  
***Keep a record of your hours!***

# Your Paycheck

## What's taken out of my paycheck?

Your employer must give you a written statement that tells you what's been taken out.

**Gross pay**—is the total amount you've earned in this pay period.

**FICA**—is the amount withheld for Social Security and Medicare.

Your employer is paying an equal amount of FICA. When you retire, your lifetime earnings history will determine the size of your monthly Social Security check.

**Federal tax; state tax**—are the amounts withheld for federal and state income taxes.

These amounts are based on information you give your employer when you fill out tax withholding forms. You may get a tax refund when you or your family file your income taxes.

acme industries, anywhere, U.S.A.

total hours	gross pay			deductions		
	regular	overtime	total	fica	federal tax	state tax
20	125.00	-	125.00	9.56	4.00	4.21

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Payroll Check

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Pay to the order of Jane Smith dues

\*\*Ninety-three and 73/1000\*\*\*\*\*DOLLARS

**Health insurance**—is the share you pay for medical insurance.

You may not have this deduction, particularly if you're in a temporary or part-time job that doesn't offer medical benefits. But many year-round jobs do provide health insurance. Your share of the cost is deducted from your check, and your employer pays the rest.

**Union dues**—is the amount deducted if you've joined a union. (Often your union dues are paid directly to the union through a payroll deduction.)

**Other**—You may have other deductions, depending on what has been agreed upon by the employer and workers where you work.

**Net pay**—is the dollar amount of your check, after all deductions have been subtracted.

health insurance	union	other	net pay	period ending
8.00	4.00	1.50	93.73	

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540

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## Your Hours

### When do I get overtime pay?

You're entitled to time-and-a-half for any hours you work over 40 hours a week. Time-and-a-half equals 1-1/2 times your hourly pay rate.

When your job is covered by a union contract, overtime is spelled out in the contract—usually based on a higher hourly pay rate than the minimum set by law.

### What hours can I work?

If you're under 16, federal laws protect you from working long hours—particularly when school is in session. It's important not to let work interfere with your education.

Your school counselor can help you get a work permit if your state requires one for workers your age.

### “Off the Clock” Work:

If an employer asks you to work and doesn't pay you for that time worked, it's called working “off the clock.” For example, if you're required to come to work early or stay late and aren't paid for this time, then you're working “off the clock.” “Off the clock” work is illegal.

### “Off the Books” Work:

If an employer asks you to work “off the books,” the employer is not going to report your earnings to the appropriate federal or state governmental agency. It also means that you may not be covered by workers' compensation, Social Security, or other kinds of coverages. “Off the books” work is illegal.

### *Protection if you're age 14 or 15*

*Limits on the number of hours you work*

#### ***When school is not in session, you can work***

- Up to 8 hours a day
- Up to 40 hours a week

#### ***When school is in session, you can work:***

- Up to 3 hours a day
- Up to 18 hours a week

#### ***You can't work at night:***

- Before 7 a.m. or after 7 p.m.
- Evening hours can go to 9 p.m. in the summer

# Your Health & Safety

## What happens if I'm sick?

Let your employer know promptly if you can't come to work. Say when you expect to return.

An employer isn't required to pay you if you're sick. Some jobs do offer paid sick leave, though.

After you've worked a year for an employer, you may be entitled to unpaid leave if you're ill, having a baby, or caring for a sick family member under the Family & Medical Leave Act.

## What if I get hurt on the job?

Your employer's workers' compensation plan will pay your medical costs if you're injured on the job. It may also pay some of your lost wages if you have to miss work because of the injury.

If you get hurt at work, immediately tell your employer and your doctor.

## Do I have to work if it's not safe?

**No.** You can't be required to do dangerous work.

If you're under 18, there are special laws that protect you from working in occupations that are hazardous to young workers. Your State Department of Labor can give you a list of dangerous occupations and machinery.

Regardless of age, every worker has the right to a safe and healthy workplace. Your employer must tell you if any chemicals used there could be harmful to your health.

If a job duty appears unsafe or makes you uncomfortable, talk to your employer or union. Or call the number on the last page of this brochure to talk to the agency in your state that can help you.

***Regardless of age every worker has the right to a safe and healthy workplace.***

# Employment at Will

## Can I lose my job for any reason?

Some job applications have employment-at-will language that allows the employer to fire a worker for

any reason, at any time, with or without cause. Many workers join unions to protect themselves from the employer's right to fire at-will. Collectively bargained union agreements require that good and just cause exist before a worker is fired.

If you sign an application that has employment-at-will language, your employer isn't required to have a good reason for firing you. In fact, your employer may even fire you for a bad reason. Know what you're signing when you take the job.

## Am I protected in other ways?

**Yes. You have a number of other rights on the job.**

- You can't be discriminated against because of your race, color, sex, age, religion, disability, national origin, or political affiliation or beliefs.
- You're entitled to work in an environment that's free of racial or sexual harassment or abuse.
- You have the right to join a union. Under federal law, your employer can't punish you for exercising your right to join a union and participate in union activities.
- If you're laid off from work, you may be entitled to unemployment compensation—provided you've worked long enough to be eligible. If you qualify, you'll receive an unemployment check for a limited time while you look for a new job.
- Your state department of labor may have more laws to protect your wages, your hours of work, and your working conditions.

# Layoff

## What if I Am Laid-Off?

Under the federal Workforce Investment Act (WIA), regardless of your age, you may be eligible to receive reemployment assistance through your state One-Stop system if you are terminated or laid-off from your job because the business you are working for closes or lays off a large number of its workers, and if you qualify as a displaced worker.

In addition, your local One-Stop Career Center provides specific programs for young people to help you to improve your education and skill levels, to provide effective connections to employers, to offer mentoring services, and to provide access to Job Corp.

Contact your local One-Stop Career Center or call the state agency listed on the last page of this brochure for further information.

## In School?

The new Workforce Investment Act of 1998 provides after school and summer jobs to kids whose families meet income guidelines. Talk to your school guidance counselor for more information.

## Out of School?

If you are a high school dropout, you may qualify for help in getting your GED, in finding training and a job. Contact your local One-Stop Center for help or call the state agency listed on the last page of this brochure.

## Help for YOU!

You can get assistance from your local Wage-Hour Office of the U.S. Department of Labor.

Your state department of labor will answer questions too. Look in the blue pages of your phone book under "Federal Government – Labor" or "State Government – Labor." Or call the phone number for your state listed at the right.

Another place to find help is your state or local AFL-CIO. Check the Yellow Pages of your phone book under Labor Organizations.

Your state's Commission on Human Rights, in the state capital, will answer your questions about discrimination or harassment at work. The national information number is 1-800-USA-EEOC. Everyone has a right to a workplace free of discrimination and sexual harassment.

***Call if you need help!***

## State or U.S. Department of Labor Offices

<b>Alabama</b>	(334) 242-3460	<b>Nebraska</b>	(402) 471-9792
<b>Alaska</b>	(907) 465-2700	<b>Nevada</b>	(702) 486-2650
<b>Arizona</b>	(602) 542-4515	<b>New Hampshire</b>	(603) 271-3171
<b>Arkansas</b>	(501) 682-4541	<b>New Jersey</b>	(609) 292-2323
<b>California</b>	(415) 703-4810	<b>New Mexico</b>	(505) 841-8408
<b>Colorado</b>	(303) 620-4701	<b>New York</b>	(518) 457-2741
<b>Connecticut</b>	(860) 263-6505	<b>North Carolina</b>	(919) 733-0360
<b>Delaware</b>	(302) 761-8000	<b>North Dakota</b>	(701) 328-2660
<b>District of Columbia</b>	(202) 724-7100	<b>Ohio</b>	(614) 466-2239
<b>Florida</b>	(850) 922-7021	<b>Oklahoma</b>	(405) 528-1500 ext. 200
<b>Georgia</b>	(404) 656-3011	<b>Oregon</b>	(503) 731-4070
<b>GUAM</b>	(671) 475-0101	<b>Pennsylvania</b>	(717) 787-3756
<b>Hawaii</b>	(808) 586-8844	<b>Puerto Rico</b>	(787) 754-2119 or 2120
<b>Idaho</b>	(208) 334-6110	<b>Rhode Island</b>	(401) 462-8870
<b>Illinois</b>	(312) 793-1808	<b>South Carolina</b>	(803) 896-4300
<b>Indiana</b>	(317) 232-2378	<b>South Dakota</b>	(605) 773-3101
<b>Iowa</b>	(515) 281-3447	<b>Tennessee</b>	(615) 741-6642
<b>Kansas</b>	(785) 296-7474	<b>Texas</b>	(512) 463-2829
<b>Kentucky</b>	(502) 564-3070	<b>Utah</b>	(801) 530-6880
<b>Louisiana</b>	(225) 342-3011	<b>Vermont</b>	(802) 828-2288
<b>Maine</b>	(207) 287-3788	<b>Virgin Islands</b>	(340) 773-1994 ext. 230
<b>Maryland</b>	(410) 767-2182	<b>Virginia</b>	(804) 786-2377
<b>Massachusetts</b>	(617) 727-6573	<b>Washington</b>	(360) 902-4213
<b>Michigan</b>	(517) 373-3034	<b>West Virginia</b>	(304) 558-7890
<b>Minnesota</b>	(651) 296-2342	<b>Wisconsin</b>	(608) 266-7552
<b>Mississippi</b>	(601) 987-4258	<b>Wyoming</b>	(307) 777-7672
<b>Missouri</b>	(573) 751-2461		
<b>Montana</b>	(406) 444-9091		







*For more information contact your state or  
U.S. Department of Labor office*

**Other reference websites include:**

*<http://www.workers.gov>*

*[www.doleta.gov/individ.asp](http://www.doleta.gov/individ.asp)*

*[http://www.doleta.gov/youth\\_services/default.asp](http://www.doleta.gov/youth_services/default.asp)*



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*The AFL-CIO Working for America Institute works with unions and their allies to create and retain good jobs and build strong communities through promoting high road economic strategies for individuals; employers and industrial sectors; and public economic and workforce development systems.*

*April 2001*

*This brochure is also available in Spanish.*

*Este folleto también está disponible en Español.*