Poster Rollercoaster: DOL Changes FLSA Notice Required at Workplaces

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All employers subject to the Fair Labor Standards Act (FLSA) must post an updated version of the FLSA "Employee Rights" poster to remain compliant with the law.

The FLSA is the Great Depression-era law that requires covered employers to pay minimum wage and overtime to non-exempt employees, among other requirements. In addition to the basic minimum wage and overtime requirements, the FLSA also requires that covered employers post and keep posted a notice explaining the law in a conspicuous place. The United States Department of Labor (DOL) releases model posters for employers to use.

Earlier this month, the DOL stated that all covered employers (which are the vast majority of employers in the country) must post the April 2023 version of the FLSA poster to be legally compliant. This new poster can be found <u>here</u>.

This new poster includes a "PUMP AT WORK" section that was required by the Provide Urgent Material Protections (PUMP) for Nursing Mothers Act. The PUMP Act requires employers to provide reasonable break time for a nursing employee (both exempt and non-exempt) to express breast milk for her child for one year after the child's birth and to provide a place, other than a bathroom, that is shielded from view to do so. You can read more about the requirements <u>here</u>.

In addition to the DOL's new FLSA poster, the EEOC is expected to update its Know Your Rights poster with new information about the Pregnant Workers Fairness Act. So, you may want to hold off on buying a new all-in-one poster for now. Instead, post the DOL's new FLSA poster beside your current all-in-one poster.

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