

CLIENT ALERT

A continuing series published by Partridge Snow & Hahn LLP

Minimum Wage Increases are Coming.

Are your employment law notices ready to post?

By
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As many employers know from their recent receipt of solicitations by publishers of workplace posters, the federal minimum wage is increasing, effective July 24, 2007. The federal minimum wage shall increase from \$5.15 to \$5.85 per hour on that date. This increase was passed by Congress and signed into law by the President in May, 2007. It is the first increase in the federal minimum wage since 1997.

Under the federal minimum wage law passed in May, the minimum wage will again increase in July, 2008, to \$6.55 per hour. The minimum wage will further increase in July, 2009, to \$7.25.

For Massachusetts employers, the Massachusetts minimum wage set by state statute is increasing to \$8.00 per hour effective January 1, 2008. The current Massachusetts minimum wage is \$7.50 per hour.

Under Rhode Island law, the minimum wage remains at \$7.40 per hour. In light of the above, employers are reminded that they are required by state and federal regulations to post the new minimum wage rates in prominent places where employees can see them on a regular basis. Such places include company bulletin boards, break rooms and time clock areas.

On July 24, 2007, employers should replace their current minimum wage rate posters with ones containing the new minimum wage rate. Posters are available online free of charge from the United States Department of Labor website, www.dol.gov. They are also available from private publishers. These publishers tend to include all required employment law notices together in a single poster. Many employers find this approach convenient.

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As a member of the Firm's Employment and Labor Group, Mr. Murray advises and defends employers in a wide range of employment and labor law cases involving discrimination, sexual harassment, wage and hour claims, Family and Medical Leave Act, disability and accommodation claims, non-compete and employment contract matters and personnel policy issues. He is experienced in public and private sector collective bargaining, grievances and arbitrations, unfair labor practices and representation elections.

As a quick refresher, employers should have posted notices regarding minimum wage rates under the Fair Labor Standards Act, the Family Medical Leave Act, OSHA's job safety and health protection requirements, Equal Opportunity and ADA anti-discrimination provisions, USERRA requirements regarding employee military leave, the Employee Polygraph Act and sexual harassment. Businesses which are federal contractors must also have posted notices regarding the Davis-Bacon Act, employees' rights concerning payment of union dues and the Service Contract Act.

There are state law requirements regarding postings or notices to employees. In Massachusetts, employers must post notices regarding the Fair

Employment Practices Act, maternity leave, the Right to Know Act, workers' compensation law, hours of minor employees and, for certain businesses, Sunday work laws. In Rhode Island, employers must have posted notices regarding the Rhode Island Parental and Family Leave Act, the Rhode Island Right to Know Act, the prevailing wage, the minimum wage, the Rhode Island Unemployment Insurance and Temporary Disability Insurance law, the Workers' Compensation Act, the Fair Employment Practices Act and the state's No Smoking law.

There may be hefty penalties and fines for posting violations by employers. If employers have any questions on the posting requirements under state or federal law, or any other Employment and Labor law issues, please feel free to contact Mr. Murray at mjm@psh.com.

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