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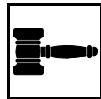
INTRODUCTION

Employers must comply with a multitude of laws and regulations in today's business world. This chapter provides a brief synopsis of most legal obligations (laws and regulations) applicable to employers, a list of required workplace posters and record keeping requirements.

Some laws apply to *all* employers; others apply only to employers with a certain number of employees. The legal obligations, required posters and record keeping requirements are set out according to the number of employees.

LEGAL OBLIGATIONS

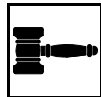
***ALL* EMPLOYERS MUST COMPLY WITH THE FOLLOWING STATE AND FEDERAL LAWS:**



Fair Labor Standards Act (FLSA)—regulates federal minimum wage, overtime pay and child labor. The **Compensation** chapter explains how to comply with the Act, including how to determine whether to apply the FLSA or the wage and hour provisions of the **Pennsylvania Minimum Wage Act** (also known as the **Minimum Wage Act of 1968**). It also addresses how to manage minimum wages, overtime, breaks, jury duty and FLSA exemption determination.



Pennsylvania Minimum Wage Act (also known as the **Minimum Wage Act of 1968**)—sets minimum wages for employees. More information is provided in the **Compensation** chapter.



Equal Pay Act (EPA) and **Pennsylvania Equal Pay Law**—require equal pay for equal work, regardless of gender. The laws are explained and compliance information is provided in the **Equal Opportunity** and **Compensation** chapters.



Federal Unemployment Tax Act (FUTA) and **Pennsylvania Unemployment Insurance Act**—provides partial wage replacement to unemployed workers. The **Compensation** chapter provides details of FUTA and the **Pennsylvania Unemployment Insurance Act**, including exemption determination and how to calculate unemployment insurance tax rates.



Social Security Act—requires employers and employees to pay Social Security taxes. The **Benefits** chapter describes the various obligations and how to comply. The **Payroll** chapter describes how to *pay* Social Security taxes.



Occupational Safety and Health Act (OSHA)—requires workplaces to be free of recognized hazards. The **Safety and Health** chapter explains these very complex and comprehensive laws and methods of compliance.



Immigration Reform and Control Act (IRCA)—requires employers to retain a completed Form I-9 on all employees. The Act also prohibits discrimination based on national origin or citizen status. More information is provided in the **Equal Opportunity** and **Staffing** chapters.



Uniformed Services Employment and Reemployment Rights Act (USERRA)—prohibits discrimination against veterans/employees and requires reemployment rights after military service. More information is provided in the **Equal Opportunity** and **Staffing** chapters.



Employee Polygraph Protection Act (EPPA)—forbids most private employers from polygraph (lie-detector) testing either for pre-employment screening or during the course of employment.



Fair Credit Reporting Act (FCRA)—contains requirements for employers who reject applicants based on their credit reports. More information is provided in the **Staffing** chapter.



Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA)—(federal) requires all employers to report all new hires to the state within 20 days of hire. More information is provided in the **Staffing** chapter.



Pennsylvania Child Labor Act—regulates the employment of workers less than 18 years of age. More information is provided in the **Staffing** chapter.



Employee Retirement Income Security Act (ERISA)— regulates pension, retirement and welfare benefit plans. More information is provided in the **Benefits** chapter.



Patient Protection and Affordable Care Act and **Health Care and Education Reconciliation Act of 2010** (known collectively as the **Affordable Care Act [ACA]**)—healthcare reform legislation enacted in March 2010 that begins an extended period of major changes to the current healthcare system. More information is provided in the **Benefits** chapter.



Health Insurance Portability and Accountability Act (HIPAA)—provides for continuation of health insurance coverage and limits denial of coverage for pre-existing conditions. Creates privacy rules to protect individuals' personal health information. More information is provided in the **Benefits** chapter.



Pennsylvania Wage Payment and Collection Law—provides that every employer shall pay all wages, other than fringe benefits and wage supplements, due to employees on regularly scheduled pay days designated in advance by the employer. More information is provided in the **Compensation** chapter.



Pennsylvania Workers' Compensation Act—regulates Workers' Compensation and requires most employers to carry Workers' Compensation insurance coverage. More information is provided in the **Benefits** and **Compensation** chapters.



Pennsylvania Right-to-Know Law (also known as **Worker and Community Right-to-Know Act**)—requires that employees be informed of hazardous materials used, produced, or stored in the work site. Applies to all public sector employers and private sector employers who are not covered by OSHA. More information is provided in the **Safety and Health** chapter.



Pennsylvania Whistleblower Law—makes it illegal to discharge or discipline an employee of a public body for reporting a violation of state or federal law. Applies to public sector employers and also has been extended to private employers that receive state funding.



Pennsylvania Industrial Homework Law—regulates the employment of home workers, defined as employees who manufacture materials furnished by the employer in their homes. The Law prohibits certain types of manufacturing and requires registration of employers and certification of employees. More information is provided in the **Staffing** chapter.