

Employment Laws: Small Business Compliance Thresholds

Federal regulations can be terribly confusing, particularly because they often have different definitions for the size of a “small” business that is exempt from the law. If you operate a small business, use the following list to make sure you’re not spending time and money complying with laws that only apply to larger businesses.

Note: Many states have set lower thresholds. Always check with your state labor agency. (See list below.)

FEDERAL TRADE COMMISSION ACT (FTCA): prohibits “unfair methods of competition” and “unfair or deceptive” business practices.

Who is covered: Almost all businesses.

Agency to contact: Federal Trade Commission, (202) 326-3128, www.ftc.gov.

FAIR LABOR STANDARDS ACT (FLSA): establishes minimum wage, overtime pay, record keeping and child labor standards.

Who is covered: All employers.

Agency to contact: Department of Labor, (202) 693-0067 or (202) 693-0051, www.dol.gov.

OCCUPATIONAL SAFETY AND HEALTH ACT (OSHA): requires employers to run a business free from recognized hazards and keep records on injuries, illnesses.

Who is covered: Almost all businesses. Employers are exempt from programmed inspections if they have 10 or fewer employees.

Agency to contact: Occupational Safety and Health Administration, (202) 693-1999, www.osha.gov.

NATIONAL LABOR RELATIONS ACT (NLRA): prevents discrimination against workers who participate in union activity or band together to protect work conditions.

Who is covered: Almost all employers and unions.

Agency to contact: National Labor Relations Board, (202) 273-1991, www.nlr.gov.

EQUAL PAY ACT (EPA): requires employers to pay equal wages to men and women in most conditions.

Who is covered: Employers with at least one worker.

Agency to contact: EEOC, (202) 663-4900, www.eeoc.gov.

IMMIGRATION REFORM AND CONTROL ACT (IRCA): requires you to review applicant’s work eligibility documents.

Who is covered: Employer with at least one worker.

Agency to contact: Bureau of Citizenship and Immigration Services, (800) 357-2099, www.bcis.gov

PREGNANCY DISCRIMINATION ACT (PDA): prohibits discrimination on the basis of pregnancy, childbirth or any other related medical issues.

Who is covered: Employers with 15 or more workers.

Agency to contact: EEOC, (202) 663-4900, www.eeoc.gov.

AMERICANS WITH DISABILITIES ACT (ADA): prohibits job discrimination of individuals with disabilities (Title I) and requires public facilities to be accessible to the disabled (Title III).

Who is covered: Employers with 15 or more workers (Title I) and any business that provides facilities open to the public. (Title III).

Agency to contact: EEOC, (202) 663-4900 and www.eeoc.gov, Job Accommodation Network (800) 526-7234, www.jan.wvu.edu.

CIVIL RIGHTS ACT OF 1964 (TITLE VII): prohibits hiring, discharge or wage discrimination based on race, religion, sex or national origin.

Who is covered: Employers with 15 or more workers.

Agency to contact: EEOC, (202) 663-4900, www.eeoc.gov.

AGE DISCRIMINATION IN EMPLOYMENT ACT (ADEA): prohibits employers from discriminating against workers over age 40 in hiring, discharge, wages or benefits.

Who is covered: Employers with 20 or more workers.

Agency to contact: Equal Employment Opportunity Commission: (202) 663-4900, www.eeoc.gov.

CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT (COBRA): requires employers to offer continuing health care coverage to terminated employees and certain spouses and dependents for a specified period.

Who is covered: Employers of 20 or more workers that offer health coverage.

Agency to contact: Department of Labor, (202) 693-0051 or www.dol.gov; or IRS, (800) 829-1040 or www.irs.gov.

FAMILY AND MEDICAL LEAVE ACT (FMLA):

allows workers to take up to 12 weeks per year of job-protected time off for the birth of a child or to care for certain self or family member with "serious" illness.

Who is covered: Employers with 50 or more workers.

Agency to contact: Department of Labor,
(800) 959-FMLA, www.dol.gov.

WORKER ADJUSTMENT AND RETRAINING NOTIFICATION ACT (WARN): requires companies to give at least 60 days notice of closings and mass layoffs.

Who is covered: Most employers with more than 100 workers.

Agency to contact: Department of Labor,
(202) 693-2700, www.dol.gov.

EMPLOYEE POLYGRAPH PROTECTION ACT (EPPA): restricts occasions when private employers can use lie detectors in hiring or investigations.

Who is covered: All private employers.

Agency to contact: Department of Labor,
(202) 693-0051, www.dol.gov.

STATE LABOR AUTHORITIES

ALABAMA: 334-242-3460, www.dir.state.al.us

ALASKA: 907-465-2700, www.labor.state.ak.us

ARIZONA: 602-542-4411, www.ica.state.az.us

ARKANSAS: 501-682-4500, www.state.ar.us/labor

CALIFORNIA: 415-703-5050, www.dir.ca.gov

COLORADO: 303-318-8000, www.coworkforce.com

CONNECTICUT: 860-263-6505, www.ctdol.state.ct.us

DELAWARE: 302-761-8200, www.delawareworks.com

DISTRICT OF COLUMBIA: 202-671-1900
www.does.ci.washington.dc.us

FLORIDA: 850-488-3131, www.MyFlorida.com

GEORGIA: 404-656-3011, www.dol.state.ga.us

HAWAII: 808-586-8865, www.dlir.state.hi.us

IDAHO: 208-334-6112, www.labor.state.id.us

ILLINOIS: 312-793-1808, www.state.il.us/agency/idol

INDIANA: 317-232-2378, www.state.in.us/labor.

IOWA: 515-281-3606, www.iowaworkforce.org/labor

KANSAS: 785-296-7474, www2.hr.state.ks.us

KENTUCKY: 502-564-3070, www.kylabor.net

LOUISIANA: 225-342-3011, www.ldol.state.la.us

MAINE: 207-624-6400, www.state.me.us/labor

MARYLAND: 410-767-2999, www.dlir.state.md.us

MASSACHUSETTS: 617-727-6573, www.detma.org

MICHIGAN: 517-373-3034, www.michigan.gov/bwuc

MINNESOTA: 651-284-5010, www.doli.state.mn.us

MISSISSIPPI: 601-961-7400, www.mesc.state.ms.us

MISSOURI: 573-751-2461, www.dolir.state.mo.us

MONTANA: 406-444-9091, <http://dli.state.mt.us>

NEBRASKA: 402-471-3405, www.dol.state.ne.us

NEVADA: 702-486-2650, www.LaborCommissioner.com

NEW HAMPSHIRE: 603-271-3171,
www.labor.state.nh.us

NEW JERSEY: 609-292-2323,
www.state.nj.us/labor/index.html

NEW MEXICO: 505-841-8409, www.dol.state.nm.us

NEW YORK: 518-457-2741, www.labor.state.ny.us

NORTH CAROLINA: 919-807-2796, www.nclabor.com

NORTH DAKOTA: 701-328-2660,
www.state.nd.us/labor

OHIO: 614-644-7053,
www.state.oh.us/ohio/agency.htm

OKLAHOMA: 405-528-1500, ext. 200,
www.state.ok.us/~okdol

OREGON: 503-731-4070, www.boli.state.or.us

PENNSYLVANIA: 717-787-3756, www.dli.state.pa.us

RHODE ISLAND: 401-462-8870, www.det.state.ri.us

SOUTH CAROLINA: 803-896-4300, www.llr.state.sc.us

SOUTH DAKOTA: 605-773-3101,
www.state.sd.us/dol/dol.htm

TENNESSEE: 615-741-6642, www.state.tn.us/labor-wfd

TEXAS: 512-463-0735, www.twc.state.tx.us

UTAH: 801-530-6880, www.labor.state.ut.us

VERMONT: 802-828-2288, www.state.vt.us/labind

VIRGINIA: 804-786-2377, www.dli.state.va.us

WASHINGTON: 360-902-4203, www.lni.wa.gov

WEST VIRGINIA: 304-558-7890, www.labor.state.wv.us

WISCONSIN: 608-266-7552, www.dwd.state.wi.us

WYOMING: 307-777-7672, <http://wydoe.state.wy.us>

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