

# Major Statutes of the U.S. Department of Labor

The U.S. Department of Labor administers and enforces more than 180 federal laws. These mandates and the regulations that implement them cover many workplace activities for about ten million employers and 125 million workers.

Following is a brief description of the principal statutes most commonly used:

## ➤ Wages and Hours

**Website:** [http://www.dol.gov/dol/esa/public/whd\\_org.htm](http://www.dol.gov/dol/esa/public/whd_org.htm)

**Phone:** 1-866-4USWAGE

*The Fair Labor Standards Act* prescribes standards for wages and overtime pay, which affect most private and public employment. The act is administered by the Wage and Hour Division of the Employment Standards Administration. It requires employers to pay covered employees the federal minimum wage and overtime of one-and-one-half-times the regular wage. It prohibits certain types of work in an employee's home. It restricts the hours that children under 16 can work and forbids their employment in certain jobs deemed too dangerous. The Wage and Hour Division also enforces the workplace provisions of the *Immigration and Nationality Act* that apply to aliens authorized to work in the U.S.

## ➤ Workplace Safety and Health

**Website:** <http://www.osha.gov/index.html>

**Phone:** choose state or region at <http://www.osha-slc.gov/html/RAmap.html>

*The Occupational Safety And Health Act* (OSH) is administered by the Occupational Safety and Health Administration (OSHA). Safety and health conditions in most private industries are regulated by OSHA or OSHA-approved State systems. Employers must identify and eliminate unhealthful or hazardous conditions; employees must comply with all rules and regulations that apply to their own workplace conduct. Covered employers must maintain safe and healthful work environments in keeping with requirements of the law. Effective OSHA safety and health regulations supersede others originally issued under these other laws: the *Walsh-Healey Act*, the *Service Contract Act*, the *Contract Work Hours and Safety Standards Act*, the *Arts and Humanities Act* and the *Longshore and Harbor Workers' Compensation Act*.

## ➤ Pensions and Welfare Benefits

**Website:** <http://www.dol.gov/dol/pwba/>

**Phone:** (202) 219-8776

*The Employee Retirement Income Security Act (ERISA)* regulates employers who offer pension or welfare benefit plans for their employees. It preempts many similar state laws and is administered by the Pension and Welfare Benefits Administration (PWBA). Under the statute, employers must fund an insurance system to protect certain kinds of retirement benefits, with premium payments to the federal government's *Pension Benefit Guaranty Corp.* Pension plans must meet a wide range of fiduciary, disclosure and reporting requirements. Employee welfare plans must meet similar requirements. PWBA also administers reporting requirements for continuation of health-care provisions, required under the *Comprehensive Omnibus Budget Reconciliation Act of 1985 (COBRA)*.

## ➤ Unions and Their Members

**Website:** [http://www.dol.gov/dol/esa/public/olms\\_org.htm](http://www.dol.gov/dol/esa/public/olms_org.htm)

**Phone:** (202) 693-0125

*The Labor-Management Reporting and Disclosure Act* (also known as the *Landrum-Griffin Act*) deals with the relationship between a union and its members. It safeguards union funds, requires reports on certain financial transactions and administrative practices of union officials, labor consultants, etc. The Office of Labor-Management Standards, which is part of the Employment Standards Administration, administers the act.

## ➤ Uniformed Services Employment and Reemployment Rights Act

**Website:** <http://www.dol.gov/dol/vets/>

**Phone:** (202) 693-4700

Certain persons who serve in our armed forces have a right to reemployment with the employer they were with when they entered service. This includes those called up from the reserves or National Guard. The Veterans' Employment and Training Service administer these rights.

## ➤ Plant Closing and Layoffs

**Website:** <http://www.doleta.gov/>

**Phone:** choose a state at: <http://wdr.doleta.gov/contacts/>

Such occurrences may be subject to the *Worker Adjustment and Retraining Notifications Act (WARN)*. WARN offers employees early warning of impending layoffs or plant closings. The Employment and Training Administration administer it.

### ➤ **Garnishment of Wages**

**Website:** [http://www.dol.gov/dol/esa/public/whd\\_org.htm](http://www.dol.gov/dol/esa/public/whd_org.htm)

**Phone:** 1-866-4USWAGE

Garnishment of employee wages by employers is regulated under the *Consumer Credit and Protection Act*, which is administered by the Wage and Hour Division of ESA.

### ➤ **The Family and Medical Leave Act**

**Website:** <http://www.dol.gov/dol/esa/fmla.htm>

**Phone:** 1-866-4USWAGE

Administered by the Wage and Hour Division of ESA, the law requires employers with 50 or more employees to give up to 12 weeks of unpaid, job-related leave to ELIGIBLE employees for the birth or adoption of a child or for the serious illness of the employee or a family member.

### ➤ **Government Contracts, Grants or Financial Aid**

**Websites:** <http://www.dol.gov/dol/esa/public/programs/dbra/index.html>  
[http://www.dol.gov/dol/esa/public/ofcp\\_org.htm](http://www.dol.gov/dol/esa/public/ofcp_org.htm)

**Phone:** 1-866-4USWAGE

Recipients of government contracts, grants or financial aid are subject to wage, hour, benefits and safety and health standards under:

- The *Davis-Bacon Act*, which mandates payment of prevailing wages and benefits to employees of contractors engaged in U.S. government construction projects;
- The *McNamara-O'Hara Service Contract Act*, which sets wage rates and other labor standards for employees of contractors furnishing services to the U.S. government;
- The *Walsh-Healey Public Contracts Act*, which requires the Department of Labor to settle disputes of awards to manufacturers supplying products to the U.S. government.

Administration and enforcement are by ESA's Wage and Hour Division. Non-discrimination and affirmative action requirements in other statutes are regulated by ESA's Office of Federal Contract Compliance Programs.

### ➤ **Workers' Compensation Programs**

**Website:** [http://www.dol.gov/dol/esa/public/owcp\\_org.htm](http://www.dol.gov/dol/esa/public/owcp_org.htm)

**Phone:** choose from list at: <http://www.dol.gov/dol/esa/public/contacts/owcp/owcpkeyp.htm>

There are many Federal and State workers' compensation laws in effect. The Office of Workers' Compensation Programs (OWCP) administers all Federal cases. Private industry cases must adhere to certain guidelines – an employee must report their accident within certain timeframes and employers must notify OSHA and document each accident in specified manners.

### ➤ **Federal Employees' Compensation Act (FECA)**

**Website:** <http://www.dol.gov/dol/esa/public/regs/compliance/owcp/fecacont.htm>

**FAQ's:** <http://www.dol.gov/dol/esa/public/regs/compliance/owcp/feca550q.htm>

**Phone:** Questions are handled through individual OWCP district offices listed online at:  
<http://www.dol.gov/dol/esa/public/contacts/owcp/fecacont.htm>

The Federal Employees' Compensation Act (FECA) is a law which provides compensation benefits to civilian employees of the United States for disability due to personal injury (including occupational disease) sustained while in the performance of duty. Damage to or destruction of medical braces, artificial limbs, and other prosthetic devices incidental to a personal injury is also compensable. The FECA also provides for the payment of benefits to dependents if job-related injury or disease causes the employee's death.

### ➤ **ELAWS Advisors (Employment Laws Assistance for Workers and Small Businesses)**

**Website:** <http://www.dol.gov/elaws/>

**Phone:** Direct questions to DOL office of interest

ELAWS Advisors help you understand your rights and responsibilities under the employment laws and regulations administered by the Department of Labor (DOL). Each Advisor imitates the interaction you might have with a DOL employment law expert--it asks questions and provides answers based on your responses. This is a good place for a person to start if he/she has questions regarding retirement and health benefit standards; safety and health standards; or, wage, hour, and other workplace standards.