LAWS AND REGULATIONS IN THE FOOD SERVICE INDUSTRY
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Minimum wage
Overtime pay
Recordkeeping
Child Labor Standards

FAIR LABOR STANDARDS ACT
**Fair Labor Standards Act (FLSA)**

- Wage and Hour Division (WHD) of the United States Department of Labor (DOL) administers and enforces the FLSA
- Protects workers from unfair treatment by employers
- Most full-time and part-time workers are covered

**Know Your Rights**
(click on link)
FLSA - Minimum Wage

- The FLSA requires employers to pay covered employees minimum wage or more.

- Minimum wage is the lowest hourly rate of pay that an employee can be paid legally.

- Current minimum wage: $7.25 an hour.

- Exempt:
  - Tipped employees
  - New employees during training period
FLSA - Overtime Pay

- Establishes standards for overtime pay to covered employees
- Employer must pay at least 1½ times the employee’s regular rate of pay for all hours worked over 40 hours in a work week
Recordkeeping

An employer must maintain:

- Employee’s full name and social security number
- Address, including zip code
- Birth date, if younger than 19
- Sex and occupation
- Time and day of week when employee’s workweek begins
- Hours worked each day
- Total hours worked each workweek

- Basis on which employee’s wages are paid
- Regular hourly pay rate
- Total daily or weekly straight-time earnings
- Total overtime earnings for the workweek
- All additions to or deductions from the employee’s wages
- Total wages paid each pay period
- Date of payment and the pay period covered by the payment
**Child Labor Standards**

- Goal is to protect the health and educational opportunities of young people who choose to work
- Prohibits the employment of children in jobs that are considered hazardous
- Restricts hours for 14 and 15-year old individuals
RESPONSIBILITIES
Employee Responsibilities

- Must be aware of rights under the law
- Must follow laws
- Must provide correct information about yourself and your job
Employers Responsibilities

- Post notices
- Keep accurate records
- Responsible for know the law and enforcing it
- Train employees to understand and follow laws
Questions?
References and Resources

Images:
- Microsoft Office Clip Art: Used with permission from Microsoft.

Textbooks:

Video:
- Know Your Rights
  The U.S. Department of Labor’s Wage and Hour Division (WHD) has developed the “Know Your Rights” video series in English and Spanish to provide workers with useful basic information in different scenarios that workers encounter in the workplace. [http://www.dol.gov/whd/resources/kyrvideo.htm](http://www.dol.gov/whd/resources/kyrvideo.htm)