

# Indiana and Federal Employment Notices 2020

## SAFETY AND HEALTH PROTECTION ON THE JOB

**INTRODUCTION:**  
The intent of the Indiana Occupational Safety and Health Act of 1974, Indiana Code 22-8-1-1, is to assure, so far as possible, safe and healthful working conditions for the workers in the State.

The Indiana Department of Labor has primary responsibility for administering and enforcing the Act and the safety and health standards promulgated under its provisions.

Requirements of the Act include the following:

**EMPLOYERS:**  
Each employer shall establish and maintain conditions of work which are reasonably safe and healthful for employees and free from recognized hazards that are causing or likely to cause death or serious physical harm to employees. The Act further requires that employers comply with the Occupational Safety and Health Standards, Rules, and Regulations.

**EMPLOYEES:**  
All employees shall comply with Occupational Safety and Health Standards and all rules, regulations, and orders issued under the Act, which are applicable to their own actions and conduct.

**INSPECTION:**  
The Act requires that an opportunity be provided for employees and their representatives to bring possible safety and health violations to the attention of the Department of Labor inspector in order to aid the inspection. This requirement may be fulfilled by allowing a representative of the employees and a representative of the employer to accompany the inspector during inspection. Where there is no employee representative, the inspector shall consult with a reasonable number of employees.

**COMPLAINT:**  
Employees have the right to file a complaint with the Department of Labor. There shall be an inspection where reasonable grounds exist for the Department of Labor to believe there may be a hazard. Unless permission is given by the employees complaining to release their names, they will be withheld from the employer. Telephone Number: (317) 232-2655.

The Act provides that no employer shall discharge, suspend, or otherwise discriminate in terms of conditions of employment against any employee for their failure or refusal to engage in unsafe practices or for filing a complaint, testifying, or otherwise acting to exercise their rights under the Act.

Employees who believe they have been discriminated against may file a complaint with the Department of Labor within 30 days of the alleged discrimination. Please note that extensions of the 30-day filing requirement may be granted under certain special circumstances, such as where the employer has concealed or misled the employee regarding the grounds for discharge. However, a grievance-arbitration proceeding, which is pending, would not be considered justification for an extension of the 30-day filing period. The Commissioner of Labor shall investigate said complaint and upon finding discrimination in violation of the Act, shall order the employer to provide necessary relief to the employees. This relief may include rehiring, reinstatement to the job with back pay, and restoration of seniority.

All employees are also afforded protection from discrimination under Federal Occupational Safety and Health Act and may file a complaint with the U.S. Secretary of Labor within 30 days of the alleged discrimination.

**VIOLATION NOTICE:**  
When an alleged violation of any provision of the Act has occurred, the Department of Labor shall promptly issue a written order to the employer, who shall be required to post it prominently at or near the place where the alleged violation occurred until it is made safe and required safeguards are provided or 3 days, whichever is longer.

**EMPLOYERS:** This poster must be displayed prominently in the workplace.

## Federal Minimum Wage \$7.25 PER HOUR BEGINNING JULY 24, 2009

The law requires employers to display this poster where employees can readily see it.

**OVERTIME PAY:**  
At least 1½ times the regular rate of pay for all hours worked over 40 in a workweek.

**CHILD LABOR:**  
An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment.

**TIP CREDIT:**  
Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employer's tip combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.

**NURSING HOME STUDENTS:**  
The FLSA requires employers to provide break time for a nursing home employee who is subject to the FLSA's overtime requirements in order for the employee to express breast milk for her nursing child for one year after the child's birth each time such employee has a need to express breast milk. Employers are also required to provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

**ENFORCEMENT:**  
The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA.

**ADDITIONAL INFORMATION:**  
• Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions.  
• Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.  
• Some state laws provide greater employee protections; employers must comply with both.  
• Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not.  
• Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

1-866-487-9243 • TTY: 1-877-889-5627 • www.dol.gov/whd

WAGE AND HOUR DIVISION • WAGE AND HOUR DIVISION • UNITED STATES DEPARTMENT OF LABOR

## Teen Work Hours

Indiana Department of Labor – Bureau of Child Labor  
402 W. Washington Street Room W195  
Indianapolis, IN 46204

Phone: (317) 232-2655 Fax: (317) 234-4449 TT Voice: 1-800-743-3333

Notice: employers of minors who are 14, 15, 16 or 17 years of age are required by law to post the maximum number of hours these minors may be employed or permitted to work in each day of the week. The information must be posted in a conspicuous place or in places where notices are customarily posted. For additional copies of this form or for further information contact this office.

**AGES 14 and 15**  
Restricted to: Restricted to:  
- 3 hours per school day  
- 8 hours per school week  
- 18 hours per school week  
- 48 hours per non-school week  
- No work before 7:00 a.m. or after 7:00 p.m.  
(except 9:00 p.m. June 1 through Labor Day)

**AGE 16**  
- 8 hours per school day  
- 9 hours per day not followed by a school day\*  
- 30 hours per week  
- 40 hours per non-school week  
- 48 hours per non-school week  
- No more than 6 working days per week  
- No work before 6:00 a.m.  
- Work until 10:00 p.m. on nights followed by a school day  
- Work until 12:00 a.m. on nights NOT followed by a school day\*

**AGE 17**  
- 8 hours per day  
- 9 hours per day not followed by a school day\*  
- 30 hours per week  
- 40 hours per non-school week  
- 48 hours per non-school week  
- No more than 6 working days per week  
- No work before 6:00 a.m. on school days  
- Until 10:00 p.m. on nights followed by a school day  
- Until 11:30 p.m. on nights followed by a school day  
- Until 1:00 a.m. on nights followed by a school day, but not on consecutive nights and not more than two school nights per week\*

\*requires written parental permission on file with employer at location where minor is employed

**TEEN BREAK LAW:** As a worker under the age of 18, you must receive one or two breaks totaling 30 minutes when you are scheduled to work 6 or more consecutive hours.

16 or 17 year olds may not be employed or permitted to work on a school day after 7:30 a.m. and before 3:30 p.m. unless the employer has on file a written exemption issued by the school that the minor attends.

16 or 17 year olds who have withdrawn or graduated from high school are not subject to the hour restrictions listed above.

As worker under the age of 18 you must be accompanied by a coworker who is at least 18 years of age when working after 10:00 p.m. and before 6:00 a.m. in an establishment that is open to the public.

## Payday Notice

REGULAR PAYDAYS FOR EMPLOYEES OF: \_\_\_\_\_ (FIRM NAME)

SHALL BE AS FOLLOWS: \_\_\_\_\_

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

## Emergency Notice

AMBULANCE: \_\_\_\_\_ FIRE-RESCUE: \_\_\_\_\_


HOSPITAL: \_\_\_\_\_ PHYSICIAN: \_\_\_\_\_

ALTERNATE: \_\_\_\_\_ POLICE: \_\_\_\_\_

OSHA: \_\_\_\_\_ HAZARDOUS MATERIAL: \_\_\_\_\_

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HR that powers your business

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### Family Medical Leave Act

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT  
THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

**LEAVE ENTITLEMENTS:**  
Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:  
• The birth of a child or placement of a child for adoption or foster care;  
• To bond with a child (leave must be taken within 1 year of the child's birth or placement);  
• To care for the employee's spouse, child, or parent who has a qualifying serious health condition;  
• For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;  
• For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.  
An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.  
An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.  
Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

**BENEFITS & PROTECTIONS:**  
While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.  
Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.  
An employer may not interfere with an individual's FMLA rights or retaliate against someone for using FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in FMLA in any proceeding under or related to the FMLA.

**ELIGIBILITY REQUIREMENTS:**  
An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:  
• Have worked for the employer for at least 12 months;  
• Have at least 1,250 hours of service in the 12 months before taking leave; and  
• Be at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.  
"Special hours of service" requirements apply to airline flight crew employees.

**REQUIREMENTS:**  
Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.  
Employees do not have to show a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.  
Employees may require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

**EMPLOYER RESPONSIBILITIES:**  
On an employee becomes eligible for FMLA leave, an employer's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a designation as FMLA leave.  
Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

**ENFORCEMENT:**  
Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer. The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

For additional information: 1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627 [www.dol.gov/whd](http://www.dol.gov/whd)  
U.S. Department of Labor • Wage and Hour Division

### IRS Withholding

**YOU MAY NEED TO CHECK YOUR WITHHOLDING**  
Since you may need Form W-4 with your employer did you...  
Many or divorce?  
Gain or lose a dependent?  
Change your name?  
If you can answer "yes"....  
To any of these or you owe extra tax when you filed your last return, you may need to file a new Form W-4. See your employer for a copy of Form W-4 or call the IRS at 1-800-829-3676. Now is the time to check your withholding. For more details, get Publication 919, How Do I Adjust My Tax Withholding?, or use the Withholding Calculator at [www.irs.gov/individuals](http://www.irs.gov/individuals) on the IRS website.  
Employer: Please poster or publish this Bulletin Board Poster so that your employees will see it. Please include where they can get forms and information on this subject.

Wage and Hour Division

### USERRA

FOR USE BY PRIVATE SECTOR AND STATE GOVERNMENT EMPLOYERS • YOUR RIGHTS UNDER THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Relief Administration. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

**REEMPLOYMENT RIGHTS**  
If you have the right to be reemployed in your civilian job when you verbal that job to perform service in the uniformed service and:  
• you ensure that your employer receives advance written or verbal notice of your service;  
• you have five years or less of cumulative service in the uniformed services while with that particular employer;  
• you return to work or apply for reemployment in a timely manner after conclusion of service; and  
• you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restoring to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a discrimination job.

**RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION**  
If you:  
• are a past or present member of the uniformed service;  
• have applied for membership in the uniformed service; or  
• are obligated to serve in the uniformed service; then an employer may not deny you:  
• initial employment;  
• reemployment;  
• retention in employment;  
• promotion; or  
• any benefit of employment because of this status.

**HEALTH INSURANCE PROTECTION**  
• If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military.  
• Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

**ENFORCEMENT**  
• The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.  
• For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL or visit its website at <http://www.dol.gov/vets>. An interactive online USERRA Advisor can be viewed at <http://www.dol.gov/laws/userra.htm>.  
• If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation.  
• In addition, an employer may be liable for civil action against an employer for violations of USERRA.

Any claim, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: <http://www.dol.gov/vets/programs/userra/poster.htm>. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.

U.S. Department of Labor, Veterans Employment and Training Service (VETS) U.S. Department of Justice Office of Special Counsel

### Equal Employment Opportunity

Equal Employment Opportunity is the Law

Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations • Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

Title VII of the Civil Rights Act of 1964, as amended, prohibits employers and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. The law also prohibits employers from discriminating on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship.

**DISABILITY**  
Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship.

**AGE**  
The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

**SEX (WAGES)**  
In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment.

**GENETICS (GINA ACT)**  
Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

**RETALIATION**  
All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice.

**WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED**  
There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is suspected.  
The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at [www.eeoc.gov](http://www.eeoc.gov) or in most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at [www.eeoc.gov](http://www.eeoc.gov).

Employers Holding Federal Contracts or Subcontracts

Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, NATIONAL ORIGIN

Executive Order 11246, as amended, prohibits employment discrimination based on race, color, religion, sex, sexual orientation, gender identity, and national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

**PAY SECRECY**  
Executive Order 11246, as amended, protects applicants and employees from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees.

**INDIVIDUALS WITH DISABILITIES**  
Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

**DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS (PROTECTED VETERANS)**  
The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.

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**WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED**  
There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is suspected.  
The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at [www.eeoc.gov](http://www.eeoc.gov) or in most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at [www.eeoc.gov](http://www.eeoc.gov).

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Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

**DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS (PROTECTED VETERANS)**  
The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.

### Equal Employment Opportunity

Equal Employment Opportunity is the Law

Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations • Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

Title VII of the Civil Rights Act of 1964, as amended, prohibits employers and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. The law also prohibits employers from discriminating on the basis of race, color, or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

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In addition to the basis of Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color, or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

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### State Minimum Wage

YOUR RIGHTS UNDER INDIANA'S MINIMUM WAGE ACT  
\$7.25 per hour effective July 24, 2009

Indiana law requires this poster to be displayed in a conspicuous place in the area where employees are employed. Most Indiana employers and employees are covered by the minimum wage and overtime provisions of the Federal Fair Labor Standards Act (FLSA); however those not covered under federal law may still be covered by the Indiana Minimum Wage Law.

The federal and Indiana state minimum wage will increase from \$6.55 per hour to \$7.25 per hour, effective July 24, 2009.

Both Indiana Minimum Wage Law generally requires employers to pay employees at least the minimum wage for all hours worked and to pay employees 1½ times their regular rate of pay ("Overtime compensation") when employees work more than forty (40) hours during a work week. However, there are many exceptions to the overtime pay requirement. Most of those exceptions can be found at Indiana Code § 22-2-2.3 (a) – (p). Indiana law requires every employer subject to the Indiana Minimum Wage Law to furnish each employee a statement of the hours worked by the employee, the wages paid to the employee, and a listing of the deductions made. The Indiana Minimum Wage Law also prohibits pay discrimination on the basis of sex.

**Tipped Employees**  
Generally, employers must pay tipped employees at least \$2.13 per hour if the employer claims a tip credit. If the employee's tips combined with the hourly wage do not equal the minimum wage, the employer must make up the difference.

**Training Wage**  
Indiana employers may pay \$4.25 per hour to employees under 20 years of age for the first 90 consecutive calendar days after the employee is initially employed by the employer.

**Violations**  
Indiana law provides for both civil and criminal penalties for violation of the Indiana Minimum Wage Law.

**For Additional Information**  
For additional information, please contact the Indiana Department of Labor's Wage and Hour Division by email at [wagehour@dol](mailto:wagehour@dol.in.gov)