



Please post in a conspicuous place. **Date Posted:** _____
Labor laws change frequently. Contact your distributor to ensure that you are in full compliance with required State and Federal posting requirements at least once a year.
© 2015 LaborLawCenter, Inc. All rights reserved.

MONTANA MINIMUM WAGE

MONTANA DEPARTMENT OF LABOR & INDUSTRY WAGE & HOUR UNIT

STATE MINIMUM WAGE

(Current)

\$7.90

(Effective 1/1/2015)

\$8.05*

*The minimum wage is subject to a cost-of-living adjustment based on the Consumer Price Index no later than September 30th of each year. Montana's minimum wage is to be the greater of the federal or current state minimum wage.

Exception: A business not covered by the Fair Labor Standards Act whose gross annual sales are \$110,000 or less may pay \$4.00 per hour, **however**, if an individual employee is producing or moving goods between states or otherwise covered by the Fair Labor Standards Act, that employee must be paid the greater of either the federal minimum wage or Montana's minimum wage.

NO TIP CREDIT, TRAINING WAGE OR MEAL CREDIT IS ALLOWED IN THE STATE OF MONTANA

OVERTIME PAY

Employees who work in excess of 40 hours in a workweek must receive overtime compensation at a rate of at least 1 ½ times their regular hourly rate for those hours worked over 40. There are exclusions from overtime pay. This information can be obtained by calling the Wage & Hour Unit at (406) 444-5600.

PAYMENT OF WAGES

WHILE STILL EMPLOYED: An employee must be paid within 10 business days after the end of the pay period. **WHEN SEPARATED FROM EMPLOYMENT:** When an employee quits, wages are due on the next scheduled pay day for the period in which the employee was separated, or 15 calendar days, whichever occurs first.

TERMINATED FOR CAUSE: When an employee is laid off or discharged, all wages are due immediately (within four hours or end of the business day, whichever occurs first), unless the employer has a preexisting, written policy that extends the time for payment. The wages cannot be delayed beyond the next pay day for the period in which the separation occurred, or 15 calendar days, whichever occurs first.

FOR ADDITIONAL INFORMATION PLEASE CONTACT:

DEPARTMENT OF LABOR & INDUSTRY
LABOR STANDARDS BUREAU - WAGE & HOUR UNIT
P.O. BOX 201503, HELENA, MT 59620-1503
PHONE (406) 444-5600

Please visit us on the web at: www.mtwagehourbopa.com

DISCRIMINATION

DISCRIMINATION IS AGAINST THE LAW IN

Employment
Housing
Public Accommodations
Education or Training
Financing
Insurance (sex & marital status only)
Government Services

BASED ON

Race, color, national origin
Sex (including maternity, pregnancy & sexual harassment)
Age
Religion, creed
Physical or mental disability
Marital status
Familial status (housing only)
Political belief (government involved)

The law also prohibits retaliation for filing a complaint, being a witness or opposing a discriminatory practice.

CONTACT

HUMAN RIGHTS BUREAU
Employment Relations Division, Dept. of Labor & Industry
1625 11th Ave. P.O. Box 1728, Helena, MT 59624-1728
(406) 444-2884 1-800-542-0807

NO SMOKING NOTICE



MONTANA LAW Prohibits Smoking in This Establishment

Montana Department of Public Health & Human Services
Title 50, Chapter 40, MCA



UNEMPLOYMENT COMPENSATION

NOTICE TO EMPLOYERS RE: UNEMPLOYMENT INSURANCE

"Every employer must post and maintain a printed notice provided by the department showing that the employer is subject to Montana unemployment insurance law, and has been registered by the department. This notice must be posted in conspicuous places near the locations where services are performed."
(Mont. Admin. Code, Sec. 24.11.705)

Montana Department of Revenue
P.O. Box 6339, Helena, MT 59604-6339
Customer Service Center - (406) 444-6900

WORKERS' COMPENSATION

NOTICE TO EMPLOYERS RE: WORKERS' COMPENSATION

Each employer shall post a sign in the workplace at the locations where notices to employees are normally posted, informing employees about the employer's current provision of workers' compensation insurance.

The sign must be provided by the department, distributed through insurers or directly by the department, and posted by employers in accordance with rules adopted by the department.

To obtain this form, please contact, Workers' Compensation Regulation Bureau
1805 Prospect Avenue, P.O. Box 8011, Helena, MT 59624-8011 • (406) 444-0564

DISABILITY PAID AT SPECIAL MINIMUM WAGE

NOTICE TO WORKERS WITH DISABILITIES PAID AT SPECIAL MINIMUM WAGES

This establishment has a certificate authorizing the payment of special minimum wages to workers who are disabled for the work they are performing. Authority to pay special minimum wages to workers with disabilities applies to work covered by the Fair Labor Standards Act (FLSA), McNamara-O'Hara Service Contract Act (SCA), and/or Walsh-Healey Public Contracts Act (PCA). Such special minimum wages are referred to as "commensurate wage rates" and are less than the basic hourly rates stated in an SCA wage determination and less than the FLSA minimum wage of \$4.75 per hour beginning October 1, 1996 and \$5.15 per hour beginning September 1, 1997. A "commensurate wage rate" is based on the worker's individual productivity, no matter how limited, in proportion to the wage and productivity of experienced non-disabled workers performing essentially the same type, quality, and quantity of work in the geographic area from which the labor force of the community is drawn.

Workers With Disabilities

For purposes of payment of commensurate wage rates under a certificate, a worker with a disability is defined as: An individual whose earnings or productivity capacity is impaired by a physical or mental disability, including those related to age or injury, for the work to be performed.

Disabilities which may affect productive capacity include blindness, mental illness, mental retardation, cerebral palsy, alcoholism, and drug addiction. The following do not ordinarily affect productive capacity for purposes of paying commensurate wage rates: educational disabilities; chronic unemployment; receipt of welfare benefits; non-attendance at school; juvenile delinquency; and correctional parole or probation.

Key Elements of Commensurate Wage Rates

Non-disabled worker standard—The objective gauge (usually a time study of the production of workers who are not disabled for the job) against which the productivity of a worker with a disability is measured.

Prevailing wage rate—The wage paid to experienced workers who are not disabled for the same or similar work and who are performing such work in the area. Most SCA contracts include a wage determination specifying the prevailing wage rates to be paid for SCA covered work.

Evaluation of the productivity of the worker with a disability—Documented measurement of the production of the worker with a disability (quantity and quality).

The wages of all workers paid commensurate wages must be reviewed and adjusted, if appropriate, at periodic intervals. At a minimum, the productivity of hourly paid workers must be reevaluated every six months and a new prevailing wage survey must be conducted at least once every twelve months.

Overtime

Generally, if you are performing work subject to the FLSA, SCA, and/or PCA, you must be paid at least 1 ½ times your regular rate of pay for all hours worked over 40 in a workweek.

Child Labor

Minors younger than 18 years old must be employed in accordance with the child labor provisions of FLSA. No persons under 16 may be employed in manufacturing or on a PCA contract.

Fringe Benefits

Neither the FLSA nor the PCA have provisions requiring vacation, holiday, or sick pay nor other fringe benefits such as health insurance or pension plans. SCA wage determinations may require such fringe benefit payments (or a cash equivalent). Workers paid under a certificate authorizing commensurate wage rates must receive the full fringe benefits listed on the wage determination.

Worker Notification

Each worker with a disability and, where appropriate, the parent or guardian of such worker, shall be informed orally and in writing by the employer of the terms of the certificate under which such worker is employed.

Petition Process

Workers with disabilities paid at special minimum wages may petition the Administrator of the Wage and Hour Division of the Department of Labor for a review of their wage rates by an Administrative Law Judge. No particular form of petition is required, except that it must be signed by the worker with a disability or his or her parent or guardian and should contain the name and address of the employer. Petitions should be mailed to: Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Employers shall display this poster where employees and the parents and guardians of workers with disabilities can readily see it. Complaints or questions regarding the terms and conditions of employment under a certificate may be directed to the Wage and Hour Division office nearest you — listed in your telephone directory under United States Government, Labor.

U.S. Department of Labor WH Publication 1284
Employment Standards Administration Revised October 1996
Wage and Hour Division Washington, D.C. 20210