

# Do These Laws Apply to Me?

## Guide to Determining Thresholds for Federal Labor Laws by Number of Employees

By William J. Gottlin, Aspire HR Consulting

There is no question that the modern workplace is covered by an enormous number of labor laws. Employers are expected to know and comply with laws ranging from minimum wage, overtime, immigration, safety and health, to discrimination, disabilities, medical leave, benefits, and others.

But did you know that not all of these laws may apply to you? Most have a “threshold”, or a minimum number of employees that a business has to have in order to be covered under the law. All companies have to comply with many of the most basic laws, such as overtime and minimum wage. But some others only apply to companies with larger numbers of employees.

One other note – the following list is concerned with Federal labor laws. Individual states may have their own versions with more extensive coverage. This list is provided as information only; for your particular circumstances, please consult with your attorney.

1-14 Employees:

- Fair Labor Standards Act (FLSA) (1938) (minimum wage and overtime)
- Immigration Reform & Control Act (IRCA) (1986)
- Employee Polygraph Protection Act (1988)
- Uniformed Services Employment & Re-employment Rights Act of 1994
- Equal Pay Act of 1963
- Consumer Credit Protection Act of 1968
- National Labor Relations Act (NLRA) 1935 (rights of employees to unionize)
- Labor-Management Relations Act (Taft-Hartley) 1947 (amending the NLRA)
- Employee Retirement Income Security Act (ERISA) 1974 (covers company benefits plans)
- Uniform Guidelines of Employee Selection Procedures (1978) (anti-discrimination law, “adverse impact”)
- Federal Insurance Contribution's Act of 1935 (FICA) (Social Security)

11-14, add:

- Occupational Safety & Health Act (OSHA) (1970)

15-19, add:

- Civil Rights Act of 1964 Title VII, Civil Rights Act of 1991 (anti-discrimination, created EEOC)
- Title I, Americans with Disabilities Act of 1990 (ADA)
- The Genetic Information Nondiscrimination Act (GINA), 2008

20-49, add:

- Age Discrimination in Employment Act (1967) (ADEA)
- Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) (benefits portability)

50 or more, add:

- Family and Medical Leave Act of 1993 (FMLA)
- EEO-1 Report filed annually w/EEOC if Organization is a Federal Contractor

100 or more, add:

- Worker Adjustment & Retraining Notification Act of 1989 (WARN) (plant closings)
- EEO-1 Report filed annually w/EEOC if Organization is not a Federal Contractor

Federal Contractors, add:

- Executive Orders 11246 (1965), 11375 (1967), 11478 (1969)
- Vocational Rehabilitation Act of 1973 (discrimination against people with disabilities)
- Drug Free Workplace Act of 1988
- Vietnam-Era Veterans Readjustment Act of 1974
- Davis Bacon Act of 1931 (prevailing wages on public works projects)
- Copeland Act of 1934
- Walsh-Healy Act of 1936 (similar to FLSA for employees of public contractors)

## About Aspire HR Consulting LLC



Aspire HR Consulting LLC was founded in 2004 by Bill Gottlin.

Bill Gottlin has helped many small and mid-sized companies with their HR challenges. Bill understands the needs and issues of business owners to hire the right people, set company rules and policies and train managers to get the best results from their employees.

Prior to founding Aspire HR Consulting, Bill worked for over 20 years with companies in senior HR positions. He has handled every HR issue that companies face and is able to apply the “best practices” of large corporations to create solutions for smaller companies.

At Aspire, we are experts in developing HR solutions. We understand your HR challenges, give you personal attention and use best practices.

### How We Help You

- Outsourced HR Department
- Employee Handbooks
- Company Policy Development
- Job Descriptions and Organizational Structure
- Training Managers to Interview, Hire, Discipline and Terminate Employees
- Mentoring Key Managers and Performance Evaluation
- Downloadable HR Publications to instantly give you the information you need to manage your staff

### How We Work

We listen to your needs and issues and then develop an action plan to address your challenges. We assist you in three ways:

#### Outsourced HR Department

For an affordable monthly fee, Aspire becomes your HR Department. We handle recruiting, training, policy development, mentoring, employee evaluations, compensation and benefits consulting.

### **Stand-Alone Projects**

On a project basis, Aspire provides advice and guidance on HR concerns such as hiring, terminating and managing sensitive issues, a fully customized employee handbook, company policies, training seminar, project, or recruiting.

### **Do-It-Yourself HR Publications**

For those who need quick and useful HR information, Aspire HR Consulting provides downloadable guides and templates so you can take action fast. These include:

- Employee Handbook
- How to Find and Hire Great Employees for Your Business
- Effective Discipline and Termination Guide for Managers

Please contact us at:

[bill@aspirehrconsulting.com](mailto:bill@aspirehrconsulting.com)

[www.aspirehrconsulting.com](http://www.aspirehrconsulting.com)

Tel: (203) 321-2175



Copyright © 2010 Aspire HR Consulting LLC

Feel free to reproduce or transmit by any means.

Published by:

Aspire HR Consulting LLC

[www.aspirehrconsulting.com](http://www.aspirehrconsulting.com)