# **North Dakota State Postings**





### ND MINIMUM WAGE & **WORK CONDITIONS SUMMARY**

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(RO1) 529-2660 1-800-582-8052 Fax - 7011 (326-303) TTY - 1-800-366-6886

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### OVERTIME N.D. Asimin. Code § 48-02-07-02(4)

- Overfirm pay must be paid at one and one-half times the ample-pools regular rate of pay for hours worked over forty is any work week.
- A work week is a seven consecutive-day period defined by the employer.
- Overtime is computed on a weekly basis, reg of the length of the pay period:
- of the length of the pay poriod.

  Owntries is bound only an hours worked. Peld holdings, peld filter oil; or such issue made not be consider in competing exertine hours.

  Compressed by their is not legal in sphrels ensployment for non-exercit employees—workers hours, consider a hours may not be "basked" and saved for time of in unreflare work week.
- Employees working more than one jub under the control of the same employer must have all hours worked counted toward overfiers.

Exercations from marking are keled below. Exercates for calculating overtime are available in N.O. Admin. Code Section 40-50-01.

### MEAL PERIODS N.D. Admin. Code § 46-02-07-02(5)

- Employees do not here to be paid for must periods if they are completely relieved of their duties and the mail period is at least thiny missake in high. Employees are not completely relieved if they are required to perform any duties during the must

# PAID TIME OFF N.O. Admin. Code § 46-62-07-02(12) Applies unless a limitation below is met

- If an employee separates from employment voluntarily, a private employer may withhold payment for accrued paid time off if the following three conditions are all east.

- The ongologue gans the employer less than five days' written or vertal notice.
- - Before awarding the gold time off, the entployer provided the entployer written notice of the limitation on payment of ansarded paid time off.

- Employees must be paid at least once each calendar month on the regular paydayis) dos in advance by the employer.
- Every employer must family to an employee each pay pends a check stub or voucher indicating hear worked, rate of pay, ougained state and faderal deductions, and any sufficient deductions.
- When an entity his strength of the understands. When an entity his strength of the understands have supply the supported form work on the result of an industrial focus or any designation above the supported form work on the result of an industrial focus, usually support or compression becomes down and apposition at the regular portality of an industrial form of the regular portality of the regular portality of the regular portality of the personal of the regular portality of the regular port

## RIGHT TO WORK N.D.C.C. § 34-01-14

- Restricted hears for youth one 14 & 12.

Hazardosa job sluties for youth age 14.8.15

### orkers ages 14 & 15 are prohibited from per duties defined as listandous in later law

Executive - an employee whose primary duties consists

- Directing the work of two or more other employees therein; and
- Administrative an employee whose primary duties consists of
- Who customathy and regularly exercises discretion and independent judgment.
  Tholescoot: an employee whose primary delies consists at

- Work requiring the consistent councide of discretion and judgment in its performance, and

- An employee spending of least 51% of the employee's work-time growting direct care to clients of a sheltor, faster care, or other such related establishment.
- An employee employed in domestic service who coules in the hospitalid in which employed.

- An employee employed as an amouncer, news editor, or chief segment by a radio or fallovision station.
- Meter carrier as applied to covered employees of meter common, contract, and private content specified by the Mater Carriers Act (40 U.S.C. 31503).

### N.D. Admin. Code § 46-02-07-02(4)

- Employers may utilize a tip credit of 33% of the minimum usage for tipped employees. With the tip credit applied, the using for Epped amployees. With the Ep credit agrided inhibition direct wage possible to a Epped employee in \$4.86 per hour effective, July 24, 2000. The employer maintain within records verifying that lipped employer receive at listed the last innivients wage for all hours secrited when the direct wage and tips are combined.

### MINIMUM WAGE RATE:

### \$7.25

per hour on 7/24/09 Effective Date: August 1, 2015

- A service employee is any employee who is providing direct services to the customer and to whan that customer above approximates for the customer and to whan that customer above approximates for fast service to it gains of all employee for the direct service. The employee man fastery and customer is provide previous flace to take on ratio to individual outsiance, which the outsiance result increases the other generation for this or hard better the service to extend the continuous and dishwashing am service and dishwashing am service dishwashing

Attendance al lictures, reedings, training programs and similar activities most not be counted as working time if all the following criteria are nect:

- . The course, lecture, or resetting is not directly related to the employee's job. The employee does not perform any productive work during such attendance.

- needs. The following types of treed it in a considered need to the breaking types of treed it in a considered need to be within a replayer need to composite the 11 threed fairning confer work factor. Shows if come cannot be a trought work factor, as those by pickagily worked by a need to pick fairning confer have replayed over which factor is not not be pickagily worked by all or medicing. If three life to the pickagily is more than the pickagily and within a fairning working at any wine some inequaled to three life the engine some of the

- A commission is a fee or percentage given for compensation to an individual fee compeletion of a sale, service, or transaction. Upon separation from employment, the part transaction. Upon separation from employment feel discharing will be used to obtamize if the commission is earned and compensation.

### UNIFORMS N.D. Admin. Code § 46-02-07-02(11)

employer may require an employee to parchase smillores if cost of such smillorms does not bring that employee's wage set the housty reinimum wage for all hours worked during any

- tody, or inn enforcement of this.).

  The employee is requested by a public body or official to participate in an investigation, a hearing, or an inspaly.

  The employee inflames an employer or ceiter to partition an adorte that the or enjoyee before we indeed so cut, ottor, or ledwarf law, entire ence, rute, or regulation. The employees have on objective basis in both for the best of an of-half life the employee that the order is a being refused for that rease

employees should also see N.D.C.C. ch. 34-11.1 Public ees Robbins Act for further information.

### POSTING REQUIRED Must be posted in a conspicuous piece in a c frequented area in which employees w

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# **IMPORTANT NOTICE TO WORKERS**

### In Case of Injury at Work

# Seek first aid or medical treatment immediately

may see any medical provider.

NORTH DAKOTA

- If your employer does have a DMP, you are required to see that DMP unless you selected your own DMP before the injury occurred
- If it is an emergency, you can treat with any medical provider,

### Tell your employer about the injury as soon as you become aware of the injury

- · Workforce Safety & Insurance (WSI) may not accept your claim if you fail to tell your employer with 7 days.
- Even if you do not receive medical treatment, report your injury so your employer is aware of a potential hazard.

### Your Employer's DMP is:

### **Employers**

The DMP selection must be visible to workers at all locations, including at mobile worksites. Failure to give notice, post notice, or to inform employees of the DMP voids the selection.

### Filing a Workers Compensation Claim

File a claim with WSI within 24 hours after a work injury occurs:

- · Complete the First Report of Injury (FROI) with your employer, if
- Submit the FROI online at mywsi.workforcesafety.com, or
- Complete the FROI and send it to

### What happens after a claim is filed?

- · A claim number is assigned.
- Information is gathered, facts are reviewed, and a decision is made
- You and your employer are notified of the decision.

### Your Responsibilities

- · Tell medical provider(s) your claim
- Stay in tough with your employer and update them on your condition.
- · Notify WSI immediately:
- of any work activity, whether you
- are paid or not, if you change your address or telephone number,
- if you apply for Social Security disability or retirement benefits, or are found to be eligible for these

If you suspect someone is committing fraud, report it immediately to WSI at 800-243-3331.

For a detailed explanation of the information contained in this poster, contact WSI at the numbers listed below or visit our website at www.workforcesafety.com

1600 E Century Ave, Ste 1 - PO Box 5585 - Bismarck ND 58506-5585 Customer Bervice: S00-777-5033 or 701-338-3900

Hearing Impaired: 800-366-6888 Decision Review Office: 800-701-4932 or 701-328-9900

THIS POSTER MUST BE POSTED IN A CONSPICUOUS PLACE

# TO EMPLOYEES:

THIS EMPLOYER IS SUBJECT TO THE UNEMPLOYMENT COMPENSATION LAWS OF THE STATE OF NORTH DAKOTA

Employer Name:

YOU MAY BE ELIGIBLE FOR UNEMPLOYMENT COMPENSATION BENEFITS IF YOU MEET THE ELIGIBILITY REQUIREMENTS

### To file a claim for unemployment compensation bene online: www.jobsnd.com click on the UI ICE logo

or call: 1-701-328-4995

or TTY: RELAY ND 1-800-366-6888 (for hearing impaired only) The North Dekota Unemployment Compensation Law requires subject employers to post this notice near the location(s) where worker's services are performed. Employers are prohibited from posting this notice if they are not currently flable for coverage. NGCC 53-06-53 Mod 27-02-04-01.



Dakota | Job Service Unemployment Insurance PO Box 5507 Bismarck ND 58506-5507

Job Service North Dakota is an Equal Opportunity Employet/Program Provider diany Asis and Services are Available Upon Request to Individuals with Disabili

Notice to Employers / Employees

NORTH DAKOTA

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These files may not be printed out and posted to meet legal compliance posting requirements. Required posters to meet legal compliance posting

requirements are physically posted at all CarMax locations.

**Compliance Date** August 2015

**iHRSource** Labor Law Posters, **Training Videos & HR Supplies** 

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