

FEDERAL CONTRACTORS

WORKER RIGHTS UNDER EXECUTIVE ORDER 13658

FEDERAL MINIMUM WAGE FOR CONTRACTORS

\$13.30 PER HOUR
EFFECTIVE JANUARY 1, 2025
DECEMBER 31, 2025

NOTICE: On March 14, 2025, President Trump Issued Executive Order 14236, "Additional Rescissions of Harmful Executive Orders and Actions," 180 FR 13037 which rescinded, among other items, Executive Order 14026 of April 22, 2021, "Increasing the Minimum Wage for Federal Contractors" (86 FR 22845). Pursuant to section 201 of Executive Order 14236, the Department of Labor is no longer enforcing Executive Order 14026 or the implementing rule (29 CFR part 23) and will take steps, including rescinding 29 CFR part 23, to implement and effectuate the revocation of Executive Order 14026.

MINIMUM WAGE

Federal construction and service contracts are generally subject to a minimum wage rate under either Executive Order (EO) 13658 or EO 14026.

- \$13.30 PER HOUR:** If the contract was entered into on or between January 1, 2015, and January 29, 2022, and the contract was not renewed or extended on or after January 30, 2022, EO 13658 generally requires that workers be paid at least **\$13.30 per hour** for all time spent performing on or in connection with the contract in calendar year 2025.

- \$17.75 PER HOUR:** If the contract is renewed or extended on or after January 30, 2022, or a new contract is entered into on or after January 30, 2022, EO 14026 generally requires that workers be paid at least **\$17.75 per hour** for all time spent performing on or in connection with the contract in calendar year 2025.

EXCLUSIONS

- The EO 13658 minimum wage may not apply to those contractors who provide support with covered federal contracts for less than 20 percent of their hours worked in a week.
- The EO 13658 minimum wage may not apply to certain other occupations and workers.

ENFORCEMENT

- The U.S. Department of Labor's Wage and Hour Division (WHD) is responsible for enforcing this law. WHD can answer questions about your workplace rights and protections, investigate employers, and recover back wages. All WHD services are free and confidential. Employees cannot retaliate or discriminate against someone who files a complaint or participates in an investigation. WHD will accept a complaint in any language. You can find your nearest WHD office online at dol.gov/agencies/whd/contact/local-office/ or by calling toll-free 866-454-WAGE (866-487-9243). We do not ask workers about their immigration status. We can help.

ADDITIONAL INFORMATION

- Workers with disabilities whose wages are governed by special certificates issued under section 14(c) of the Fair Labor Standards Act must receive no less than the EO 13658 minimum wage for time spent performing on or in connection with covered contracts.
- Some state or local laws may provide greater worker protections and employees must follow the law that requires the highest rate of pay.
- More information about the EO 13658 minimum wage is available online at dol.gov/whd/fsla/eo13658.
- The law requires certain federal contractors to display this poster where employees can easily see it.



EMPLOYEE RIGHTS

UNDER THE FAIR LABOR STANDARDS ACT

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 1 1/2 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 jobs considered hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside schools hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hour restrictions. Different rules apply to 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 tips 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.

PINP AT WORK

The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for their nursing child for one year after the child's birth or until the employee needs to express breast milk. Employees must 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.

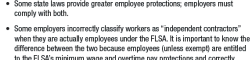
The Department has authority to recover back wages and an equal amount in liquidated damages to be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, 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. Contact labor exemptions also apply to the permit to work regulations.
- 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 employee benefits coverage are entitled to the FLSA's minimum wages and overtime pay protections and correctly classified 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.



EMPLOYEE RIGHTS ON GOVERNMENT CONTRACTS

THIS ESTABLISHMENT IS PERFORMING GOVERNMENT CONTRACT WORK SUBJECT TO: (CHECK ONE)

- SERVICE CONTRACT ACT (SCA)
- PUBLIC CONTRACTS ACT (PCA)

MINIMUM WAGES

Your rate must be no less than the federal minimum wage established by the Fair Labor Standards Act (FLSA). A higher rate may be required by SCA or PCA contracts if a wage determination applies. Such wage determination will be posted as an attachment to this notice.

FRINGE BENEFITS

SCA wage determinations may require fringe benefits (payments for a cost of insurance, PDA contracts may not require fringe benefits).

OVERTIME PAY

You must be paid 1.5 times your basic rate of pay for all hours worked over 40 in a week. There are some exceptions.



U.S. DEPARTMENT OF LABOR

The purpose of the discussion below is to advise contractors who are subject to the Walsh-Healey Public Contracts Act or the Service Contract Act of the principal provisions of these acts.

WALSH-HEALEY PUBLIC CONTRACTS ACT

General Provisions — This act applies to contracts which exceed or may exceed \$10,000, entered into by any agency or instrumentality of the United States for the manufacture or furnishing of materials, supplies, articles, or equipment. The act establishes minimum wage, maximum hours, and safety and health standards for work on such contracts, and prohibits the employment on contract work of convict labor (unless certain conditions are met) and children under the age of 18.

The employment of nonexempt skilled help workers with disabilities employed under the provisions of regulations, 29 CFR part 2510, which are administered by the Department of Labor, is prohibited in any contract for the manufacture or furnishing of materials, supplies, articles, or equipment. The act also prohibits the employment of persons who are subject to civil or criminal proceedings for the commission of a crime involving the performance of work under the contracts awarded by the government.

Minimum Wage — The act enforces the safety and health requirements administered by the Wage and Hour Division. **Minimum Wage** — Covered employees must currently be paid not less than the federal minimum wage established in section 6(a)(1) of the Fair Labor Standards Act.

Overtime — Covered workers must be paid at least one and one-half times their basic rate of pay for all hours worked in excess of a work week. Overtime is due on the basis of the total hours spent in all work, Government and non-Government, performed by the employee in any week in which covered work is performed.

Child Labor — Employers may protect themselves against unintentional child labor violations by obtaining certification of age. State employment or age certification is acceptable. **Safety and Health** — No covered work may be performed in plants, factories, buildings, or surroundings or under working conditions that are unsanitary or hazardous or that are injurious to the health and safety of the employees engaged in the performance of the contract. The safety and health provisions of the Walsh-Healey Public Contracts Act are administered by the Occupational Safety and Health Administration.

Posting — During the period that covered work is being performed by a contractor subject to the act, the contractor must conspicuously display in English and Spanish in Government contracts in a sufficient number of places to permit employees to observe a copy on the way to or from their place of employment.

Responsibility for Secondary Contractors — Prime contractors are liable for violations of the act committed by their covered secondary contractors.

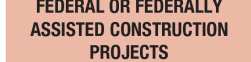
Other Obligations — Observance of the labor standards of these acts does not relieve the employer of any obligation he may have under any other laws or agreements providing for higher labor standards.

Additional Information — Additional information and copies of the acts and applicable regulations and interpretations may be obtained from the nearest office of the Wage and Hour Division or the national office in Washington, D.C. Information pertaining to safety and health standards may be obtained from the nearest office of the Occupational Safety and Health Administration or the national office in Washington, D.C.

WORKER RIGHTS UNDER THE DAVIS-BACON ACT

FOR LABORERS AND MECHANICS WORKING ON FEDERAL OR FEDERALLY ASSISTED CONSTRUCTION PROJECTS

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE WORKERS CAN READILY SEE IT.



PREVALUING WAGES

You must be paid not less than the wage rates listed in the Davis-Bacon Wage Decision posted with this notice for the work you perform.

OVERTIME

You must be paid not less than one and one-half times the basic rate of pay for all hours worked over 40 in a work week. There are some exceptions.

ENFORCEMENT

Contract payments can be withheld to assure workers receive wages and overtime pay due, and liquidated damages may apply if overtime pay requirements are not met. Davis-Bacon contract clauses allow contract termination and settlement of contractors from future federal contracts for three years. A contractor who violates certified payroll records or induces wage kickbacks may be subject to civil or criminal prosecution, fines and/or imprisonment.

APPELLATES

Appellates refers only to agencies properly registered under approved federal or state apprenticeship programs.

RETALIATION

The law prohibits discharging or otherwise retaliating against workers for filing a complaint, cooperating in an investigation, or testifying in a proceeding under the Davis-Bacon and Related Acts.

PROPER PAY

You do not receive proper pay or require further information on the applicable wages, contact the Contracting Officer listed below.

or contact the U.S. Department of Labor's Wage and Hour Division.



Know Your Rights: Workplace Discrimination is Illegal

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help.

Who is Protected?

- Employees (current and former), including managers and temporary employees
- Job applicants
- Union members and applicants for membership in a union

What Organizations are Covered?

- Most private employers
- State and local governments (no employees)
- Educational institutions (no employees)
- Unions
- Staffing agencies

What Types of Employment Discrimination are Illegal?

Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the basis of:

- Race
- Color
- Religion
- National origin
- Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity)
- Age (40 and older)
- Disability

Genetic Information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)

Retaliation (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)

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Know Your Rights Under the Recovery Act!

Did you know?

The American Recovery and Reinvestment Act of 2009 ("provides protections for certain employees of non-federal employers who make specified disclosures relating to possible fraud, waste and/or abuse or Recovery Act funds."

Who is Protected?

Employees of non-federal employers receiving Recovery Funds. This includes State and local governments, contractors, subcontractors, grantees or professional membership organizations acting in the interest of recovery fund recipients.

How are Whistleblowers Protected?

You cannot be discharged, demoted or otherwise discriminated against as a reprisal for making a protected disclosure.

What Types of Disclosures are Protected?

The disclosure must involve information that the employee believes is evidence of:

- gross mismanagement of an agency contract or grant relating to recovery funds;
- a gross waste of recovery funds;
- a substantial and specific danger to public health or safety related to the implementation or use of recovery funds;
- an abuse of authority related to the implementation or use of recovery funds;
- a violation of law, rule, or regulation related to an agency contract or grant awarded or issued relating to recovery funds.

Take Action!
Log on to recovery.gov for more information about your rights and details on how to report you at www.RECOVERY.gov.

Section 1552 of Division A, Title XV of the American Recovery and Reinvestment Act of 2009, PL 111-5

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 by Federal contractors. Disability discrimination includes but is not limited to making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is applying for employment, holding up hardship to the employee. 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.

Protected Veteran Status
The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action by Federal, state, and local government, disabled veterans, recently separated veterans 6+, within the meaning of the law, or by failing to accept or employ, during or campaign badge veterans, or Armed Forces service medal veterans.

Retaliation
Retaliation is prohibited against a person who files a complaint of discrimination, participates in a GPOCP proceeding, or otherwise opposes discrimination by Federal contractors under these Federal laws. Any person who believes that contractor has violated his nondiscrimination or affirmative action obligations under GPOCP's authorities should contact ombudsman@doj.gov or call the GPOCP's "Contact Us" government. Department of Labor and on GPOCP's "Contact Us" website. <http://dhs.gov/whd-dol-gpo-cp>

The Office of Federal Contract Compliance Programs (OFCCP) U.S. Department of Labor, 200 Constitution Avenue, N.W. Washington, D.C. 20210 1-800-397-6251 (toll-free)

If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to use the Telecommunications Relay Service. GPOCP may also be contacted by submitting a question online to GPOCP's Help Desk at <http://ombudsman.dhs.gov/> or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor and on GPOCP's "Contact Us" website. <http://dhs.gov/whd-dol-gpo-cp>

Programs or Activities RECEIVING FEDERAL FINANCIAL ASSISTANCE

Race, Color, National Origin, Sex
In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI 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 VII 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.

Individuals with Disabilities
Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodations, can perform the essential functions of the job.

If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance. (Revised 6/27/2003)

Under the NLRA, you have the right to:

- Organize a union to negotiate with your employer concerning your wages, hours, and other terms and conditions of employment.
- Form, join or assist a union.
- Bargain collectively through representatives of employees' own choosing for a contract with your employer setting your wages, benefits, hours, and other working conditions.
- Discuss your terms and conditions of employment or union organizing with your co-workers or a union.
- Take action with one or more co-workers to improve your working conditions by, among other means, raising workrelated complaints directly with your employer or with a government agency, and seeking help from a union.
- Strike and picket, depending on the purpose or means of the strike or the picketing.
- Choose not to do any of these activities, including joining or remaining a member of a union.

Illegal conduct will not be permitted. If you believe your rights or the rights of others have been violated, you should contact the NLRB promptly to protect your rights, generally within six months of the unlawful activity. You may inquire about possible violations without your employer or anyone else being informed of the inquiry. Charges may be filed by any person and need not be filed by the employee directly affected by the violation. The NLRB may order an employer to rehire a worker fired in violation of the law and to pay lost wages and benefits, and may order an employer or union to cease violating the law. Employees should seek assistance from the nearest regional NLRB office, which can be found on the Agency's website: www.nlrb.gov.

If you and your coworkers select a union to act as your collective bargaining representative, your employer and the union are required to bargain in good faith in a genuine effort to reach a written, binding agreement setting your terms and conditions of employment. The union is required to fairly represent you in bargaining and enforcing the agreement.

You can also contact the NLRB by calling toll-free: 1-844-752-NLRB (6572). Language assistance is available. Hearing impaired callers who wish to speak to an NLRB representative should send an email to relay.service@nlrb.gov. An NLRB representative will email the requester with instructions on how to schedule a relay service call.

Prohibit you from wearing union hats, buttons, t-shirts, and pins in the workplace except under special circumstances.

Spy on or videotape peaceful union activities and gatherings or pretend to do so.

The National Labor Relations Act covers most private-sector employees. Excluded from coverage under the NLRA are public-sector employees, agricultural and domestic workers, independent contractors, workers employed by a parent or spouse, employees of air and rail carriers covered by the Railway Labor Act, and supervisors (although supervisors that have been discriminated against for refusing to violate the NLRA may be covered).

This is an official Government Notice and must not be defaced by anyone.

Technical Revision Date: 05/02/22



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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.

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Compliance Date January 2025

ALLC 20250418

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