

EMPLOYMENT LAWS: OVERVIEW AND RESOURCES FOR EMPLOYERS



There are many federal, state and local laws that affect the American workplace, and it is important for employers to know where to go for help in understanding their responsibilities under these laws.

The U.S. Department of Labor (DOL) administers and enforces most federal employment laws, including those covering wages and hours of work, safety and health standards, employee health and retirement benefits, and federal contracts. Several other federal agencies also administer laws affecting employment issues. For example, the U.S. Equal Employment Opportunity Commission (EEOC) enforces many of the laws ensuring nondiscrimination in the workplace, and the National Labor Relations Board (NLRB) administers the primary law governing relations between unions and employers.

Most workplace laws apply the same way to all employees, whether or not they have disabilities. However, some laws apply specifically to employees with disabilities, such as the Americans with Disabilities Act (ADA) and the Rehabilitation Act. Some laws, such as the Family and Medical Leave Act (FMLA) and state Workers' Compensation laws, apply to *all* employees but have disability-related implications when employees are injured or become disabled on the job.

Employment laws can be complex, and understanding and implementing them can seem very challenging, especially for small businesses. DOL and other federal agencies have numerous resources and materials that can help.

Department of Labor—DOL is committed to providing America's employers, workers, job seekers and retirees with clear and easy-to-access information on how to be in compliance with federal employment laws. This information, often referred to as “compliance assistance,” is delivered through a variety of tools and resources:

- The **DOL Compliance Assistance Web site**, www.dol.gov/compliance, centralizes access to compliance assistance materials for DOL's most widely applicable laws and provides information about compliance assistance resources and initiatives. By visiting this site, individuals can also subscribe to receive periodic e-mail updates from DOL when new compliance assistance tools or resources become available.
- The **Employment Law Guide** is designed to make DOL's workplace laws and regulations easier to understand and to provide answers to common questions from both employers and employees, and is particularly helpful to employers trying to develop good nondiscrimination policies. It is available in print and online, in both English and Spanish. Visit www.dol.gov/asp/programs/guide.htm or call DOL's Toll-Free Information Service, described below.
- The **elaws Advisors**, www.dol.gov/elaws, are interactive online tools designed to help employers and employees understand their rights and responsibilities under federal employment laws. Particularly useful to employers is the **FirstStep Employment Law Advisor**, www.dol.gov/elaws/FirstStep, which helps businesses and organizations decide which DOL workplace laws apply to them. FirstStep asks a series of questions and, based on the responses, generates a customized list of laws that are likely to apply and links to relevant compliance assistance resources.

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- The **Job Accommodation Network (JAN)**, www.jan.wvu.edu, is a free service sponsored by DOL's Office of Disability Employment Policy that provides information on the employment provisions of the ADA and other disability-related laws, and on specific job accommodations for people with disabilities. JAN can be contacted by calling 1-800-526-7234 or 1-800-ADA-WORK (1-800-232-9675) (V/TTY).
- DOL's **National Call Center** provides nationwide toll-free assistance to workers and employers on a full range of employment and workplace issues at 1-866-4-USA-DOL (1-866-487-2365) (V) or 1-877-889-5627 (TTY).

Equal Employment Opportunity Commission (EEOC)—The EEOC's Web site, www.eeoc.gov, offers a wide range of materials for employers on preventing and addressing employment discrimination. In addition, print versions of publications can be ordered online at www.eeoc.gov/publications.html or by calling 1-800-669-3362 (V) or 1-800-800-3302 (TTY). EEOC resources are available in multiple languages and alternate formats.

Small Business Administration (SBA)—The SBA has collaborated with other federal agencies to create www.business.gov, an online resource for small businesses. This Web site provides a one-stop, common access point for the services and information needed to assist with starting, running and growing a business.

U.S. Department of Justice (DOJ)—DOJ's Americans with Disabilities Act (ADA) Home page, www.ada.gov, provides extensive ADA information and resources, including publications for businesses and links to the various agencies responsible for enforcing its different provisions.

State Resources—When researching federal employment laws, it is important to remember that many states also have their own state-specific employment laws. When state laws differ from federal laws, employees may be entitled to the greater benefit or more generous rights provided under the different parts of each law. Contact information and links to state labor and employment agencies are available at www.dol.gov/esa/contacts/state_of.htm.

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