

Federal Employment Laws

Law	Brief Description	Covered Employers
Affordable Care Act (ACA) – Employer Shared Responsibility Rules	Requires employers to offer affordable, minimum value health coverage to their full-time employees (and dependent children) to avoid potential penalties.	Employers with 50 or more full-time employees , including full-time equivalent employees.
ACA – Break Time for Nursing Mothers	Requires employers to provide rest breaks and accommodations for employees who are nursing mothers to express breast milk.	Virtually all employers are covered , regardless of size. Employers with fewer than 50 employees may be exempt if they can demonstrate that compliance would impose an undue hardship.
Discrimination in Employment Act (ADEA)	Prohibits employers from discriminating against employees or applicants who are age 40 or older based on their age.	Private-sector employers with 20 or more employees and state and local governments.
Americans with Disabilities Act (ADA)	Prohibits employers from discriminating against qualified individuals with disabilities in all employment practices, such as recruitment, compensation, hiring and firing, job assignments, training, leave and benefits.	All employers with 15 or more employees .
Consumer Credit Protection Act (CCPA)	Protects employees from discharge because their wages have been garnished for any one debt and limits the amount of an employee’s earnings that may be garnished in any one week.	All employers , regardless of size.
COBRA	Requires employer-sponsored group health plans to offer continuation coverage to eligible employees and their dependents when coverage would otherwise be lost due to certain events (for example, a termination of employment).	Private-sector employers with 20 or more employees that sponsor group health plans. Most group health plans sponsored by state and local governments are also covered. Group health plans sponsored by churches are exempt.
EEO-1 Report	The Employer Information Report EEO-1 (commonly known as the EEO-1 Report) requires employers to submit employment data categorized by race/ethnicity, gender and job category to the EEOC.	Private-sector employers with 100 or more employees . State and local governments, primary and secondary school systems, institutions of higher learning and tax-exempt private membership clubs other than labor organizations are exempt from this reporting requirement.
Employee Polygraph Protection Act (EPPA)	Prohibits employers from using lie detector tests, either for pre-employment screening or during the course of employment, with certain exceptions.	All private-sector employers, regardless of size. Does NOT apply to federal, state and local governments.
Employee Retirement Income Security Act (ERISA)	Sets minimum standards for employee benefit plans, including retirement plans, such as 401(k) plans, and welfare benefit plans, such as group health plans.	All private-sector employers , regardless of size, that maintain employee benefit plans. Government and church employers are exempt.
Equal Pay Act (EPA)	Employers must provide equal compensation to men and women who perform equal work within the same workplace.	Virtually all employers are covered , regardless of size.
Family and Medical Leave Act (FMLA)	Requires employers to provide eligible employees with unpaid, job-protected leave for specified family and medical reasons.	Private-sector employers with 50 or more employees , public agencies (for example, state and local governments), the federal government and local educational agencies
Fair Credit Reporting Act (FCRA)	Establishes legal obligations of employers who use consumer reports (including standard background checks) to make employment decisions.	All employers , regardless of size.
Fair Labor Standards Act (FLSA)	Establishes minimum wage, overtime, recordkeeping and child labor standards for employers.	Virtually all employers are covered , regardless of size.
Genetic Information Nondiscrimination Act (GINA)	Prohibits employers from discriminating against employees or applicants based on their genetic information.	All employers with 15 or more employees .

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Immigration Reform and Control Act (IRCA)	Employers are prohibited from hiring and retaining employees who are not authorized to work in the United States. Employers and employees must complete the Form I-9 (Employment Eligibility Verification Form).	All employers , regardless of size.
Jury System Improvements Act	Prohibits employers from discharging or taking certain other actions against an employee summoned to serve as a juror in federal court.	All employers, regardless of size.
Occupational Safety and Health Act (OSH Act)	Requires employers to provide a safe workplace for their employees. Coverage is provided through either the federal Occupational Health and Safety Administration (OSHA) or by an OSHA-approved state job safety and health plan.	Virtually all private-sector employers , regardless of size. Workers at state and local government agencies are NOT covered by federal OSHA but are protected under the OSH Act if they work in states that have OSHA-approved state programs.
Pregnancy Discrimination Act (PDA)	Prohibits workplace discrimination based on pregnancy, childbirth or related medical conditions.	All employers with 15 or more employees .
Title VII of the Civil Rights Act	Prohibits employers from discriminating in the workplace based on race, color, religion, sex or national origin.	All employers with 15 or more employees .
Uniformed Services Employment and Reemployment Rights Act (USERRA)	Prohibits employers from discriminating against individuals on the basis of membership in the uniformed services with regard to any aspect of employment.	All employers , regardless of size.
Worker Adjustment and Retraining Notification (WARN) Act	Employers are required to provide a 60-day advance notice to employees of imminent covered plant closings and covered mass layoffs.	Private-sector employers with 100 or more employees . Regular federal, state and local government entities that provide public services are NOT covered.

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