

EMPLOYEE RIGHTS

UNDER THE FAIR LABOR STANDARDS ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

FEDERAL MINIMUM WAGE IN AMERICAN SAMOA

BY INDUSTRY

FISH CANNING AND PROCESSING AND CAN MANUFACTURING

\$3.76 beginning July 24, 2007 | \$4.26 beginning May 25, 2008

SHIPPING AND TRANSPORTATION

CLASSIFICATION A:

STEVEDORING, LIGHTERAGE, AND MARITIME SHIPPING AGENCY ACTIVITIES

\$4.59 beginning July 24, 2007 | \$5.09 beginning May 25, 2008

CLASSIFICATION B:

UNLOADING OF FISH

\$4.42 beginning July 24, 2007 | \$4.92 beginning May 25, 2008

CLASSIFICATION C:

ALL OTHER ACTIVITIES

\$4.38 beginning July 24, 2007 | \$4.88 beginning May 25, 2008

TOUR AND TRAVEL SERVICES

\$3.98 beginning July 24, 2007 | \$4.48 beginning May 25, 2008

PETROLEUM MARKETING

\$4.35 beginning July 24, 2007 | \$4.85 beginning May 25, 2008

CONSTRUCTION

\$4.10 beginning July 24, 2007 | \$4.60 beginning May 25, 2008

HOTEL

\$3.50 beginning July 24, 2007 | \$4.00 beginning May 25, 2008

RETAILING, WHOLESALING, AND WAREHOUSING

\$3.60 beginning July 24, 2007 | \$4.10 beginning May 25, 2008

SHIP MAINTENANCE

\$4.01 beginning July 24, 2007 | \$4.51 beginning May 25, 2008

BOTTLING, BREWING, AND DAIRY PRODUCTS

\$3.69 beginning July 24, 2007 | \$4.19 beginning May 25, 2008

PRINTING

\$4.00 beginning July 24, 2007 | \$4.50 beginning May 25, 2008

FINANCE AND INSURANCE

\$4.49 beginning July 24, 2007 | \$4.99 beginning May 25, 2008

PRIVATE HOSPITALS AND EDUCATIONAL INSTITUTIONS

\$3.83 beginning July 24, 2007 | \$4.33 beginning May 25, 2008

GOVERNMENT EMPLOYEES INDUSTRY

\$3.41 beginning July 24, 2007 | \$3.91 beginning May 25, 2008

MISCELLANEOUS ACTIVITIES

\$3.20 beginning July 24, 2007 | \$3.70 beginning May 25, 2008

GARMENT MANUFACTURING

\$3.18 beginning July 24, 2007 | \$3.68 beginning May 25, 2008

PUBLISHING

\$4.13 beginning July 24, 2007 | \$4.63 beginning May 25, 2008

The Fair Minimum Wage Act of 2007 (Public Law 110-28) applies the minimum wage rates shown above to industries in American Samoa. The Act also provides for additional increases in the minimum wage of \$0.50 an hour each year on May 25, until reaching the minimum wage generally applicable in the U.S.



For additional information:

1-808-541-1361



WWW.WAGEHOUR.DOL.GOV

OVERTIME PAY At least 1½ times your regular rate of pay for all hours worked over 40 in a workweek.

YOUTH EMPLOYMENT An employee must be at least **16** years old to work in most non-farm jobs and at least **18** to work in non-farm jobs declared hazardous by the Secretary of Labor.

Youths **14** and **15** years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs under the following conditions:

No more than

- **3** hours on a school day or **18** hours in a school week;
- **8** hours on a non-school day or **40** hours in a non-school week.

Also, work may not begin before **7 a.m.** or end after **7 p.m.**, except from June 1 through Labor Day, when evening hours are extended to **9 p.m.** Different rules apply in agricultural employment. For more information, visit our YouthRules website at www.youthrules.dol.gov.

TIP CREDIT Employers of “tipped employees” must pay a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee'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. Certain other conditions must also be met.

ENFORCEMENT The Department of Labor may recover back wages either administratively or through court action, for the employees that have been underpaid in violation of the law. Violations may result in civil or criminal action.

Civil money penalties of up to \$11,000 per violation may be assessed against employers who violate the youth employment provisions of the law and up to \$1,100 per violation against employers who willfully or repeatedly violate the minimum wage or overtime pay provisions. This law prohibits discriminating against or discharging workers who file a complaint or participate in any proceedings under the Act.

ADDITIONAL INFORMATION

- Certain occupations and establishments are exempt from the minimum wage and/or overtime pay provisions.
- The law requires employers to display this poster where employees can readily see it.
- Employees under 20 years of age may be paid \$4.25 per hour during their first 90 consecutive calendar days of employment with an employer.
- Certain 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.