



Common HR Laws by Employee Count

Employee Count	Employment Law	Summary
1 or more	Affordable Care Act	Employers must provide Marketplace notice to employees upon hire, regardless of benefits being offered or not. Additional requirements for 50+ employees.
1 or more	Fair Credit Reporting Act (FCRA)	Requires disclosure notices and authorizations when using a third party service to complete background checks, driving records, drug tests, credit reports, or other forms of background checks on their candidates or employees. Requires adverse action notices be used if considering not hiring an employee based on information obtained in a background check. Sets standards for 10 years on convictions and 7 years on arrests in reporting.
1 or more	Employee Polygraph Protection Act (EPPA)	Prohibits most employers from subjecting employees and applicants to polygraph test. Sets recordkeeping requirements for those employers permitted to utilize them.
1 or more	Providing Urgent Maternal Protections Act (PUMP Act)	Requires employers to provide lactation breaks as needed and a private location free from intrusion to express milk. It does not require the breaks to be paid if they are duty-free.
1 or more	National Labor Relations Act (29 USC 157)	Protects employees' rights to discuss terms and conditions of employment (including discussing their wages) and to engage in concerted union activity.
1 or more	HIPAA (Health Insurance Portability and Accountability Act)	Ensures privacy of employee medical data. Primarily applies to healthcare organizations, health plans, and employers who have access to medical information due to being self-insured or requesting information from a health plan without authorization (however, many other laws protect medical confidentiality for employers).
1 or more	Uniformed Services Employment and Reemployment Rights Act (USERRA)	Protects civilian job rights and benefits for veterans, members of reserve components, and individuals activated by the President of the United States to provide Federal Response for National Emergencies. Prohibits discrimination based on service membership.
1 or more	Employee Retirement Income Security Act (ERISA)	Requires employers providing covered benefits to provide an SPD at time of eligibility and 5 or 10 years thereafter. Establishes fiduciary responsibilities for those managing and controlling plan assets. Establishes requirement to report Form 5500 at different levels for different types of plans (example: retirement vs. welfare plans).
1 or more	IRS Code, Section 125 (d) (1)	Requires employers to establish a 125 plan document to allow pre-tax contributions on covered benefits.
1 or more	Consumer Credit Protection Act (CCPA)	Prohibits employers from discharging employees based on wage garnishment for 1 debt. Establishes limits for the amount of the garnishment based on the amount of the employee's earnings.
1 or more	Occupational Safety and Health Act (OSHA)	Sets employer responsibility for worker safety (General Duty Clause). Requirements vary based on industry. Sets requirement to report fatalities within 8 hours and amputations, losses of an eye, or hospitalizations within 24 hours to OSHA.
1 or more (Government Contractors)	McNamara-O'Hara Service Contract Act (SCA)	Requires covered government contractors to pay affected employees the prevailing wages and fringe benefits as identified on the correlating wage determination. Additionally requires accrued, but unused leave to be paid out on the employee's contract anniversary date.



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1 or more (Government Contractors)	Davis-Bacon and Related Acts (DBRA)	Requires covered government contractors to pay prevailing wages (at minimum) and fringe benefits on a weekly basis as well as submit payroll reports and a statement of compliance on a weekly basis.
1 or more (Government Contractors)	Walsh-Healey Public Contracts Act (PCA)	Establishes minimum wage, maximum hours, and safety/health standards for covered contracts.
1 or more (Government Contractors)	Contract Work Hours and Safety Standards Act (CWHSSA)	Sets standards for covered contracts on safety standards and overtime premiums for laborers and mechanics.
1 or more (Government Contractors)	Executive Order 13706	Requires covered contracts to provide affected employees up to 7 days of paid leave to be used for the employee's own illness or to care for a family member's.
1 or more (Government Contractors)	Executive Order 11246	Prohibits government contractors from discriminating against an applicant or employee based on race, color, sex (including pregnancy, gender, gender identity, or sexual orientation), national origin, or religion. Sets Self ID requirements for applicants (pre-offer) and employees.
1 or more (Government Contractors)	Rehabilitation Act of 1973 (29 USC 794)	Prohibits government contractors from disability discrimination. Sets Self ID requirements for Sec. 503 for both applicants (pre-offer), employees (both at hire and every 5 years).
1 or more (Government Contractors)	Vietnam Era Veterans' Readjustment Assistance Act (VEVRAA)	Prohibits government contractors from discriminating against employees or applicants based on protected veteran status. Sets Self-ID requirements for both applicants (pre-offer) and employees. Sets requirement to complete the VETS-4212 each year by September 30. Requires employers to post covered job listings with the local ESDS.
2 or more	FLSA (Fair Labor Standards Act)	Sets federal minimum wage and overtime requirements. Establishes classifications and tests for meeting exempt status, including salary thresholds and job duties tests.
2 or more	Equal Pay Act	Requires employers to pay male and female employees the same wage for performing a substantially similar job unless there are legitimate differences, such as education, experience, or seniority.
4 or more	Immigration Reform & Control Act of 1986 (8 USC 1324)	Requires employers to verify their employees' eligibility to work in the US based on their citizenship status or other forms of work authorization through the use of the I-9 form. Prohibits and employer from knowingly recruiting or hiring unauthorized immigrants.
10 or more	Occupational Safety and Health Act (OSHA)	Requires employers to keep records of workplace illnesses or injuries (Form 300 and Form 300A) (certain industries are exempt). Employers must post 300A from 2/1-4/30 each year.
15 or more	Title VII, Civil Rights Act of 1964 (42 USC 2000e) and 1978 Pregnancy Discrimination Act Amendment	Prohibits employers from discriminating in the hiring process or any other employment action based on race, color, religion, sex, and national origin. Title VII has been amended to include pregnancy, sexual orientation, gender identity, and gender in the definition of sex as a protected characteristic. Additionally establishes guidance to only use background information to deny employment based on it being "job related and consistent with business necessity" to avoid disparate impact.



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15 or more	American with Disabilities Act (42 USC 12112)	Prohibits discrimination against an applicant or employee with a qualified disability. Requires employers to provide reasonable accommodations to covered employees or applicants. Establishes that if the employee can perform the essential functions of the position, with or without accommodation, the employee is suited to perform the job.
15 or more	Pregnancy Discrimination Act	Amended Title VII to include pregnancy, childbirth, or related conditions into the definition of sex as a characteristic protected from discrimination for employees or applicants.
15 or more	Genetic Information Nondiscrimination Act (GINA)	Prohibits discrimination against applicants and employees based on their genetic information or family medical history
15 or more	Pregnant Workers' Fairness Act (PWFA)	Requires an employer to provide reasonable accommodations for a known condition related to pregnancy or childbirth. Requires an employer to seek to identify an available reasonable accommodation that allows the employee to work as a preferred solution as opposed to placing the employee on leave.
20 or more	Age Discrimination in Employment Act (ADEA) (29 USC 623)	Protects employees and applicants at least 40 years of age from age-based discrimination in employment actions, including hiring, training opportunities, compensation, benefits, promotions, disciplinary actions, and terminations.
20 or more	Older Workers Benefit Protection Act (OWBPA)	Requires employers to provide substantially equal benefits to employees 40 years of age or older. Establishes requirements for extending severance agreement to covered employees, including 45 days to consider the offer, 7 days to revoke the offer, explicitly not waiving claims under the ADEA, encouraging consult with an attorney, and providing the employee with a list of who was also laid off by title and age.
20 or more	COBRA (Consolidated Omnibus Budget Resolution Act)	Requires employers to allow an employee to continue existing health coverage upon termination or other eligibility disqualification (such as transitioning from full-time to part-time). It does not require the employer to continue employer contributions. Sets specific notice requirements and timing.
20 or more	Occupational Safety and Health Act (OSHA)	Sets requirements for certain high hazard industries to report Form 300A through electronic submission annually. High hazard employers with 100 or more employees are required to electronically submit both 300A and 300.
50 or more (Government Contractors)	Executive Order 11246	Requires the employer to establish an AAP for female and minority applicants and employees with annual updates and required analyses. Requires EEO-1 reporting at 50 employees specifically for government contractors.
50 or more (Government Contractors)	Rehabilitation Act of 1973 (29 USC 794)	Requires the employer to establish an AAP for applicants and employees with disabilities with annual updates and required analyses. Sets specific, required components to be included as well as mandatory recordkeeping guidelines.
50 or more (Government Contractors)	Vietnam Era Veterans' Readjustment Assistance Act (VEVRAA)	Requires the employer to establish an AAP for applicants and employees who are protected veterans with annual updates and required analyses. Sets specific, required components to be included as well as mandatory recordkeeping guidelines.



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50 or more	Family Medical Leave Act	Requires covered companies to provide an employee up to 12 weeks off for certified medical leave for themselves or to care for a family member or for military caregiver or exigency leave. Employee has to have been employed for at least one year, have worked 1,250 hours for the employer in the recent 12-month period, and work within 75 miles of a location with at least 50 employees.
50 or more	Affordable Care Act---- Health Insurance Requirements	Establishes requirements to provide affordable health care insurance for employees or be subject to penalties.
100 or more	Worker Adjustment and Retraining Notification (WARN) Act	Requires employers to provide 60 days' written notice prior to covered plant closings or other mass layoffs that affect 50 or more employees.
100 or more	Title VII of the Civil Rights Act	Requires employers to annually complete the EEO-1 report (or EEO report applicable to their industry).