

# EMPLOYEE RIGHTS



## UNDER THE FAIR LABOR STANDARDS ACT

THE UNITED STATES VIRGIN ISLANDS DEPARTMENT OF LABOR

**MINIMUM WAGE**  
**\$10.50 PER HOUR**  
**BEGINNING JUNE 1, 2018**

The law requires employers to display this poster where employees can read it.

Tourist Services and Restaurant Tipped Employees **\$4.20**

*(If the hourly wage and tips do not equal \$10.50 the employer shall assure the minimum wage is paid)*

**OVERTIME PAY** Time and a half the regular rate of pay for work:  
Over 8 hours per day  
Over 40 hours per week  
Any hours on the sixth (6th) and/or seventh (7th) consecutive day

**\*VARIATION** Tourist and Restaurant Industries Workers are paid:  
Overtime on the 6th and 7th day, only if 40 hours were first worked during the first five or six consecutive days.  
Overtime on the 7th consecutive day  
*NOTE: In the tourism and Restaurant industries overtime is exempt on the 6th consecutive day providing 40 hours of work is not exceeded during said work week*

**CHILD LABOR** Employees under 18 years of age may not work in hazardous occupations.

**RECORD KEEPING** Employers are required to maintain accurate records of hours worked by all employees each day and each work week. These records must be maintained and retained for **three (3) years**. These records must be made available to the Department of Labor upon inspection when requested.

**ENFORCEMENT** The Virgin Islands Department of Labor is mandated by law to conduct investigations to enforce this legislation. Employers may also be **finned up to \$2,500** for violations of the law.

**WRONGFUL DISCHARGE** If discharged, employees may file a Wrongful Discharge complaint with the Department of Labor, within thirty (30) days of the date the employee was discharged.

**JOB DISCRIMINATION** Employees who believe they have been discriminated against (refusal to hire or employ or barred or discharged from employment; or in compensation, term, conditions, or privileges of employment, be cause of **race, sex, religion, color or ancestry** may file a complaint with the Department of Labor with **180 days** of the alleged unlawful act(s).

Employees who file complaints or participate in Wage and Hour Investigations are protected from discharge.

**FOR MORE INFORMATION Contact the Virgin Islands Department of Labor, Division of Labor Relations**

*Honorable Catherine Hendry  
Commissioner*

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Visit our Website  
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