

Key Kentucky State Postings



KENTUCKY CHILD LABOR LAWS				
TEAM KENTUCKY EDUCATION AND LABOR CABINET				
HOURS OF WORK PERMITTED FOR MINORS 14 TO 18 YEARS OF AGE				
AGE	MAY NOT WORK BEFORE	MAY NOT WORK AFTER	MAXIMUM HOURS WHEN SCHOOL IS IN SESSION	MAXIMUM HOURS WHEN SCHOOL IS NOT IN SESSION
14 & 15 years	7:00 A.M.	7:00 P.M. (9:00 P.M. on school days through Labor Day)	Three (3) hours per day Eight (8) hours per day on non-school day Eighteen (18) hours per week	Eight (8) hours per day Forty (40) hours per week
16 & 17 years	6:00 A.M.	10:30 P.M. preceding school day 1:00 A.M. preceding non-school day	Six (6) hours per day on school day Eight (8) hours per day on non-school day Thirty (30) hours per week	NO RESTRICTIONS
18 & 17 years with Parental Permission	6:00 A.M.	11:00 P.M. preceding school day 1:00 A.M. preceding non-school day	Six and one-half (6.5) hours per day on school day Eight (8) hours per day on non-school day Thirty-two and one-half (32.5) or forty-four (44) hours per week	NO RESTRICTIONS

*School in session means the time established by local school district authorities, pursuant to KRS 180.260.

Parental or guardian permission must be in writing and shall remain at the employer's place of business.

A minor may work up to thirty-two and one-half (32.5) hours in any one (1) workweek if a parent or legal guardian gives permission in writing. A minor may work up to forty (40) hours in any one (1) week if a parent or legal guardian gives permission in writing and the principal or head of the school the minor attends certifies in writing that the minor has maintained at least a 2.0 grade point average in the most recent grading period. This certification shall be valid for one (1) year unless revoked sooner by the school. The parental permission and school certification shall remain at the employer's place of business.

Lunch Break: Minors under 18 years of age shall not be permitted to work more than two (2) hours continuously without an interval of at least thirty (30) minutes for a lunch period. The beginning and ending of the lunch period shall be documented by the employer.

OCUPATIONS PROHIBITED FOR MINORS UNDER 18 YEARS OF AGE

- Occupations in or about Plants or Establishments Manufacturing or Shoring Industries or Mines Containing Explosive Components
- Motor-vehicle Driver and outside helper on a motor vehicle.
- Cook Mine Occupations.
- Operation of Power-Driven Woodworking machines.
- Exposure to Radioactive Substances.
- Power-driven hoisting apparatus, including winches.
- Operation of Power-Driven Metal Forming, punching, and shearing machines.
- Mining, other than coal mining.
- Operating power-driven meat processing equipment, including meat slicers and other food slicers, restaurants, kitchens or food service facilities.
- Wholesale establishments, and most occupations in meat slaughtering, packing, processing, or rendering.
- Operation of Power-driven bakery machines including vertical dough or batter mixers.
- Power-driven paper products machines including scrap paper baler and cardboard box compactors.
- Manufacturing bricks, tile, and kindred products.
- Power-driven circular saws, band saws, and guideline shears.
- Wrecking, demolition, and salvaging operations.
- Running operations and at work on or about a road.
- Excavating operations.
- In, about or in connection with any establishment where alcoholic liquors are distilled, rectified, compounded, brewed, manufactured, bottled, sold for consumption or disposed unless permitted by the rules and regulations of the Kentucky Beverage Control Board (except they may be employed in places where the sale of alcoholic beverages by the package is merely incidental to the main business actually conducted).
- Foot or foot-stall work.

Limited exemptions for 16 and 17 year old apprentices and student-learners may apply. For questions, please call (502) 564-3534.

Minors fourteen (14) to not yet sixteen (16) years of age may NOT be employed in manufacturing, mining, or processing occupations, including occupations requiring the performance of or duties in workrooms or workplaces where goods are manufactured, mined, or otherwise processed, or the operation or tending of heating apparatus or any power-driven machinery other than office machines; operation of motor vehicles or service as helpers in such vehicles; public messenger service; occupations in connection with: (1) transportation of persons or property by rail, highway, air, water, pipeline, or other means; (2) warehousing and storage; (3) communications and public utilities; or (4) construction (including demolition and repair).

PROOF OF AGE REQUIRED FOR MINORS 14 NOT YET 18 YEARS OF AGE Driver's License, Birth Certificate, Government Document with Date of Birth

Kentucky Labor Cabinet
Division of Wage and Hours
Mayo Underwood Building
500 Main Street, 3rd Floor
Frankfort, Kentucky 40601
Phone: (502) 564-3534
www.labor.ky.gov

"No individual in the United States shall, on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any program or activity under the jurisdiction of the Kentucky Labor Cabinet."

POST THIS ORDER WHERE ALL EMPLOYEES MAY READ

REVISED September 2022



Occupational Safety and Health

Kentucky Revised Statute (KRS) Chapter 338 establishes a program for protecting occupational safety and health. This notice details the safety and health requirements for public and private sector employees working in the Commonwealth of Kentucky and must be prominently displayed in the workplace.

Employer Responsibilities: Employers shall furnish employment and places of employment which are free from recognized hazards that are causing, or are likely to cause, death or serious physical harm to employees; and comply with the occupational safety and health regulations, standards, and rules issued pursuant to KRS 338. Employers must provide information and training on hazards in the workplace including all hazardous substances. Required training must be provided to all employees in a language and vocabulary they understand. It is illegal to retaliate against an employee for exercising any of their rights under the law, including raising a safety and health concern or reporting a work-related injury or illness.

Employee Responsibilities: Employees shall comply with the occupational safety and health regulations, standards, and rules issued pursuant to KRS 338 which are applicable to their own actions and conduct.

Records: Employees may request from their employer copies of their medical records, tests that measure hazards in the workplace, as well as the injury and illness log.

Standards: Kentucky's occupational safety and health standards are adopted by the Kentucky Occupational Safety and Health Standards Board. The Board consists of 15 members, comprised of the Secretary of Labor who serves as Chair, and 12 other members equally representing agriculture, industry, labor, and the safety and health professions. The Board meets annually and additionally as needed. All meetings are open to the public.

Inspections: The Division of Occupational Safety and Health Compliance conducts workplace inspections to determine the cause or prevent the occurrence of occupational injuries and illnesses. During an inspection a representative of the employer and a representative authorized by the employees are given an opportunity to accompany the Compliance Officer for the purpose of aiding the inspection. Where there is no authorized employee representative, the Compliance Officer must consult with a reasonable number of employees regarding safety and health at the workplace.

Complaints: Employees or their authorized representative have the right to file a complaint with the Division of Occupational Safety and Health Compliance requesting an inspection if they believe a hazardous condition(s) exists in their workplace. The name of the complainant will be kept confidential upon request.

Discrimination Provisions: Employees are protected against discharge and other discriminatory actions for having filed complaints and exercising any other right provided by the occupational safety and health laws. Employees who feel they have been so discriminated against may file a complaint with the Kentucky Labor Cabinet within 120 days of the alleged discrimination. Private sector employees also have the option of filing discrimination complaints with the U.S. Department of Labor within 30 days of the alleged discrimination. Complaint forms are available at www.labor.ky.gov.

Definitions: A citation(s) alleging violation of a Kentucky occupational safety and health level(s) or regulation(s) may be issued to an employer following an inspection. The citation(s) is provided to the employer and specifies an abatement date by which the alleged violation must be corrected. To inform employees the employer must post citation(s) at or near the location of the alleged violation for three (3) days or until the violation is corrected, whichever is longer.

Proposed Penalties: An employer may be assessed a penalty up to \$7,000 for each serious violation and up to \$7,000 for each other-than-serious violation. Failure to correct a violation within the specified time period will result in penalties up to \$7,000 per day. An employer who commits a willful or repeat violation may be assessed a penalty up to \$70,000 for each violation and not less than \$5,000 for each willful violation.

Contesting Procedures: An employer who has been cited may contest the action before the Kentucky Occupational Safety and Health Review Commission. Equally, any employee or employee representative who has been cited may also contest the action. Any party wishing to contest a citation(s) must notify the Division of Occupational Safety and Health Compliance in writing of its intent to do so. Notices of contest must be postmarked within 15 working days of receipt by the employer of the citation(s). Notices of contest will be transmitted to the Review Commission in accordance with its rules.

Recordkeeping: Employers are required to maintain records of occupational fatalities, injuries, and illnesses experienced by their employees. Records must be kept using OSHA 300, 300-A, 301, or equivalent forms. Unless requested to do so by the U.S. Bureau of Labor Statistics, employers with 10 or fewer employees, or whose establishments fall within an exempted North American Industry Classification System code are exempt from recordkeeping requirements.

Reporting: Employers must report to the Division of Occupational Safety and Health the work-related death of an employee, including death resulting from a heart attack, within 8 hours from when the incident is reported to the employer, the employer's agent, or another employee. Work-related illnesses resulting in the loss of an eye, an amputation, or the in-patient hospitalization of an employee, including hospitalization resulting from a heart attack, must be reported to the Division of Occupational Safety and Health Compliance within 72 hours from when the incident is reported to the employer, the employer's agent, or another employee. Mechanical power press point-of-operation accidents must be reported to the Division of Occupational Safety and Health Compliance within 30 days of the occurrence. Employees have a right to report a safety and health concern or report a work-related injury or illness without being retaliated against.

Education and Training Services: The Division of Occupational Safety and Health Education and Training assists employees who are interested in preventing workplace injuries and illnesses by developing and improving their workplace safety management programs. All assistance, such as on-site audits, consultation, and training, is provided cost-free upon request.

Kentucky provides occupational safety and health protections under a plan approved in 1973 by the U.S. Department of Labor. Questions and concerns regarding Kentucky's program may be addressed to the Kentucky Labor Cabinet, Office of Federal-State Coordinator. The U.S. Department of Labor monitors Kentucky's program. Any person who has a complaint regarding the administration of the Kentucky program may contact the U.S. Department of Labor, OSHA, Atlanta Federal Center, 61 Forsyth Street SW, Atlanta, Georgia, 30305, (878) 237-0400.

No individual in the United States shall, on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any program or activity under the jurisdiction of the Labor Cabinet.

Updated September 2021

INFORMATION ABOUT UNEMPLOYMENT INSURANCE BENEFITS

EMPLOYERS ARE SUBJECT TO KENTUCKY UNEMPLOYMENT INSURANCE LAW. YOU MAY BE ELIGIBLE FOR UNEMPLOYMENT BENEFITS IF YOU LOSE YOUR JOB, ARE LAID OFF OR YOUR HOURS ARE REDUCED. TO QUALIFY FOR BENEFITS, YOU MUST:

- Be unemployed through no fault of your own.
- Be able and available to work and making a reasonable effort to obtain new work.
- Register for work when you lose your claim.

Most employers must maintain eligibility requirements based on your earnings in the "base period," the first four of the most consecutive quarters preceding your claim. These earnings also determine the amount of benefits you may be entitled to receive. Generally, if you have worked for more than a year and earned at least \$100 during your base period, you may meet the monetary requirements for a claim.

IF YOU LOSE YOUR JOB OR ARE LAID OFF:

- File your claim within the first week after you become unemployed at <https://kentalbumail.gov>, or by telephone at 1-800-495-0442 Monday through Friday, 7:30am-5:30pm ET (this is not a toll-free number).
- After filing your claim, the continuing claims bi-weekly while you are unemployed, through the web site or by toll free telephone at 1-877-366-5464 or 1-877-366-4363.

IF YOUR HOURS ARE REDUCED

You may be eligible for partial benefits if you are still employed by your regular employer but are working less than your normal full-time hours due to lack of available work. Benefits are not paid in the case of reductions in hours due to total disability, vacation or personal reasons.

WORKERS' COMPENSATION REQUIREMENTS

If you missed at least seven weeks of earnings due to injury in any quarter during your base period, and were eligible for Workers' Compensation whether or not you drew it, you may be able to use wages earned during your injury to qualify for unemployment benefits. To qualify, you must file your claim within the first four weeks that you are unemployed following the period covered by Workers' Compensation. Contact your nearest unemployment insurance office for more information.

CONTRIBUTIONS TO THE UNEMPLOYMENT BENEFIT FUND ARE PAID BY EMPLOYERS.

—DO NOT COMMIT FRAUD—

If you make a false statement in claiming benefits, you can be disqualified for up to 52 weeks. You could face other penalties as well including higher charges, fines and possible imprisonment. Also, all benefits temporarily received must be repaid to the Division of Unemployment Insurance. Interest will accrue and there may be a fine filing fee as well as a lien release fee.



Kentucky Education and Labor Cabinet
Office of Unemployment Insurance
500 Main
Frankfort, KY 40601

(PH: 1-1-3)

KENTUCKY LABOR LAWS

EQUAL EMPLOYMENT OPPORTUNITY

THE KENTUCKY CIVIL RIGHTS ACT PROHIBITS EMPLOYMENT DISCRIMINATION REGARDING:

- RECRUITMENT
- ADVERTISING
- HIRING
- PLACEMENT
- PROMOTION
- TRANSFER
- TRAINING AND APPRENTICESHIP
- DISABILITY
- AGE
- RELIGION
- NATIONAL ORIGIN

THE KENTUCKY CIVIL RIGHTS ACT PROHIBITS EMPLOYMENT DISCRIMINATION BASED ON:

- RACE
- AGE
- COLOR
- RELIGION
- NATIONAL ORIGIN
- SEX
- AGE 45 YEARS OLD AND OVER
- TOTAL SMOKING STATUS
- PREGNANCY

THE KENTUCKY CIVIL RIGHTS ACT PROHIBITS EMPLOYMENT DISCRIMINATION BY:

- EMPLOYERS
- LABOR ORGANIZATIONS
- EMPLOYMENT AGENCIES
- LIENSING AGENCIES

Kentucky Pregnant Workers Act, (eff. 6/27/2019)

The Kentucky Pregnant Workers Act, KPWA, KRS 344.200 to 344.110, requires certain employers to provide discrimination in relation to an employee's pregnancy, childbirth, and related medical conditions.

In addition, under the KPWA it is unlawful for an employer to fail to make reasonable accommodations for any employee with limitations related to pregnancy, childbirth, or a related medical condition that are required in order to perform the essential functions of the job. The need for more frequent or longer breaks; (2) time off to recover from childbirth; (3) acquisition or modification of equipment; (4) appropriate seating; (5) temporary transfer to a less strenuous or less hazardous position; (6) job restructuring; (7) part-time work schedule; and (8) private space that is not a bathroom for expressing breast milk.

FOR HELP WITH DISCRIMINATION CONTACT THE KENTUCKY COMMISSION ON HUMAN RIGHTS

302 W. BROADWAY, SUITE 1400
LEXINGTON, KENTUCKY 40502
PHONE: 502.406.4024
TOLL FREE: 1.800.260.5546 • FAX: 502.406.4040
E-MAIL: KCHM.KALM@KYGOV • WEBSITE: KCHM.KYGOV

WAGE DISCRIMINATION BECAUSE OF SEX

DEFINITIONS

KRS 337.420 to 337.425 and KRS 337.900 to 337.910

EMPLOYEE

Any individual employed by an employer, including but not limited to individuals employed by the State or any of its political subdivisions, instrumentalities, or instrumentalities of political subdivisions.

EMPLOYER

A person who has two or more employees within the State or more than twenty or more calendar weeks in the current or preceding calendar year and an agent of such a person.

WAGE RATE

All compensation or remuneration, including payment in kind and amounts paid to employees for employee benefits, as defined by the Commissioner in regulations issued under KRS 337.425.

PROHIBITION OF THE PAYMENT OF WAGES BASED ON SEX:

The employer is prohibited from discriminating between employees of opposite sexes in the same establishment by paying different rates for comparable work on jobs which have comparable requirements. This prohibition covers any employee in any occupation in Kentucky. Any employer in violation shall not reduce the wages of any employee in order to comply with KRS 337.420 - 337.425.

No employer can discharge or discriminate against any employee for the reason that the employee's employer sought to invoke or assist in the enforcement of KRS 337.423.

EXEMPTIONS FROM COVERAGE:

A differential paid under an established voluntary system of merit increase system is permitted by KRS 337.422 if it does not discriminate on the basis of sex.

Employees subject to the Fair Labor Standards Act of 1938, as amended, are excluded when that act requires comparable or greater requirements than contained in KRS 337.420 - 337.425. However, it is excluded by employees subject to the Fair Labor Standards Act of 1938, as amended.

ENFORCEMENT OF LAW AND POWER TO INSPECT:

The Commissioner or his authorized agent has the power to enter the employer's premises to inspect records, compare charges of work and operations of employees, question employees, and to obtain any information necessary to administer and enforce KRS 337.420 - 337.425. The Commissioner or his authorized representative may examine witnesses under oath and, with reasonable cause, the attendance and testimony of witnesses and the production of any documents and records believed to be subject matter of an investigation undertaken pursuant to KRS 337.422. If a person fails to obey a subpoena, the Circuit Court of the Judicial District wherein the hearing is being held may issue an order requiring the subpoena to be obeyed. Failure to obey the court order may be punished as contempt of court.

COLLECTION OF UNPAID WAGES:

Any employer who discriminates based on sex in the wages of an employee or employees affected in the amount of the unpaid wages. The employer is a victim, unless it is liable for an additional equal amount as liquidated damages. The court may order other appropriate relief, including an order requiring the employer to pay KRS 337.420 - 337.425.

The employer or employees affected may maintain an action to collect the amount due. At the written request of any employee, the Commissioner may bring any legal action necessary to collect the dues or unpaid wages in behalf of the employees.

No agreement between an employer and employee to waive the dues or unpaid wages to which an employee is entitled will not bar any legal action or voluntary wage litigation.

STATUTE OF LIMITATIONS:

Court action may be commenced no later than six months after the cause of action occurs.

POSTING OF LAW:

All employers shall post this document in a conspicuous place in or about the premises wherein any employees are employed.

PENALTIES:

Any person who discharges or in any other manner discriminates against an employee because such employee has:

- made any complaint to his employer, the Commissioner or any other person, or
- refused or caused to be refused any proceedings under or enforcement of KRS 337.420 - 337.425, or
- testified or is about to testify in any such proceedings, shall be assessed a civil penalty of not less than \$100 nor more than \$1,000.

FOR MORE INFORMATION CONTACT:

Division of Wage and Hours
Office of Federal-State Coordinator
Kentucky Labor Cabinet
500 Main Street, 3rd Floor
Frankfort, Kentucky 40601
Phone: (502) 564-3534
www.labor.ky.gov

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POST THIS ORDER WHERE ALL EMPLOYEES MAY READ

KENTUCKY WAGE AND HOUR LAWS

MINIMUM WAGE = \$7.25 per hour
(Effective July 1, 2009)

WAGES

PAYMENT OF WAGES:

Any employee who leaves or is discharged from employment shall be paid in full all wages or salary earned up to but not the normal pay period following the date of dismissal or voluntary leaving or a further 14 days following such date of dismissal or voluntary leaving whichever last occurs.

UNLAWFUL FOR EMPLOYER TO WITHHOLD WAGES

No employer shall withhold from any employee's wages any part of the agreed wage rate, unless:

- the employee is required to do so by local, state, or federal law; or
- where a deduction is expressly authorized in writing by the employer to cover insurance premiums, hospital, or medical dues; or
- when a deduction is expressly authorized in writing by the employer for other deductions not amounting to a rebate or deduction on the standard wage arrived at by a collective bargaining or pursuant to wage agreement or statute; or
- deductions for meals where such deductions are authorized by joint wage agreements or collective bargaining contracts negotiated between employees and employer or their representatives.

No employer shall deduct the following from the wages of employees:

- Fines
- Cash shortages in a common money box, cash box or register used by two (2) or more persons;
- Breakage;
- Losses due to acceptance by an employee of checks which are subsequently dishonored if such employee gives authorization to accept or reject any check;
- Losses due to defective or faulty workmanship, lost or stolen property, or damage to property, equipment, or materials, or damage to goods or services received by the customer if such losses are not attributable to employee's willful or intentional disregard of employer's interest.

OVERTIME

No employer shall employ any employee for a workweek longer than forty hours unless such employee receives compensation for employment in excess of forty hours in a workweek. The rate of pay for time in excess of forty hours shall be not less than one and one-half the hourly rate employed.

TIME AND ONE HALF FOR WORK DONE ON SEVENTH DAY OF WEEK

Any employer who permits any employee to work seven days in any one workweek shall pay for the rate of time and one-half for the time worked on the seventh day. This shall not apply where an employee is not permitted to work more than forty (40) hours during the workweek.

TIPPED EMPLOYEES

Any employee engaged in an occupation in which more than \$20.00 per hour is customarily and regularly received in tips, the employer may pay a minimum of \$2.13 per hour if the employer's records can establish for each week that such tips, when added to the base received to wages paid, are not less than the minimum wage is received by the employee. No employer shall:

- Use all or part of any tips or gratuities received by employees toward the payment of the minimum wage.
- Require an employee to remit to the employer any gratuity, or any portion thereof, except for the purpose of withholding amounts required by federal or state law.
- Employees may enter into an agreement to divide tips among themselves. If employees enter into this type of agreement, the amounts retained by the employer shall be considered tips. If an employee is required to use an employer requires the use of a tip pool, then the amount used to hold the tip pool shall be imputable from the employer's other business records and the employer shall make the amount appear to the pool's participants.

PERFORMANCE BONDS: Performance Bonds must be kept on file by employers in the construction and mining industries (including the transportation of minerals) who have conducted business with the Commonwealth for less than five (5) consecutive years. For more information, see KRS 237.200. Certain exemptions from minimum wage and overtime apply. For questions, please call (502)564-3534.

BREAKS

REST PERIODS: No employer shall require any employee to work without a rest period of at least ten (10) minutes during each four (4) hours work shift. This shall be in addition to the regularly scheduled meal period. No reduction in compensation shall be made for hourly or salaried employees.

LUNCH PERIODS: Employees shall grant their employees a reasonable period for lunch, and such time shall be in close to the middle of the employee's scheduled work shift as possible. In no case shall an employee be asked to take a lunch period sooner than three (3) hours after the work shift commences, nor more than five (5) hours from the time the work shift commences. The action shall not be construed to require any provision of a collective bargaining agreement or mutual agreement between the employer and employee.

RECORDS

SECOND REVISION: ONE (1) YEAR AFTER BIRTH

Every employer subject to the provisions of the Kentucky Minimum Wage Law shall make and preserve records containing the following information:

- Name, address, and Social Security Number of each employee;
- Hours worked each day and each week by each employee;
- Regular hourly rate of pay;
- Overtime hourly rate of pay for hours in excess of forty hours in a workweek;
- Additions to cash wages at night, or deductions (meals, board, lodging, etc.) from stipulated wages in the amount deducted, or cost of item for which deductions are made;
- Total wages paid for each workweek and date of payment.

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Education and Labor Cabinet
Division of Wage and Hours
Mayo Underwood Building
500 Main Street, 3rd Floor
Frankfort, Kentucky 40601 • 4381
Phone: (502) 564-3534
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UPDATED September 2022

Notice to Employers / Employees

Your state has the **low** minimum wage law which requires posting a notice regarding the aspects of that law. Employees are still required to post the Federal Minimum Wage notice from the U.S. Dept. of Labor for Labor Standards Act in addition to this state posting. According to the Dept. of Labor, where Federal and state law have different minimum wage rates, the higher standard applies.

This Posting is for Informational Purposes Only

WORKERS' COMPENSATION Notice to Employers/Employees

This is not intended to replace the law, nor does it replace any Workers' Compensation posting requirements and is not intended to be used as a poster. Employees: Please your notice of compliance/notice of insurance with Employer's Compensation Law from your insurance carrier mail to this poster. Employers: Please the notice of compliance/notice of insurance from your Employer's Insurance Carrier mail to this poster. If you have any further inquiries, please contact your personal office.

This Posting is for Informational Purposes Only

C0619



Employees:
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