Employers may not discriminate against employees based on sex by paying employees at rates which are less than the basic minimum wage. M.G.L. chapter 151, section 7. The service rate will increase to $3.75 on January 1, 2017.

Agricultural employees may be paid $8.00 per hour. M.G.L. chapter 151, section 2A. A higher rate may apply under federal law. For more information, contact the U.S. Department of Labor at 617-626-6700 or visit www.dol.gov/whd.

**PAYMENT OF WAGES**

Wages: Payment for all hours worked, including tips, earned vacation pay, holiday pay, and pay earned which is determined and due and considered must be paid within the following time periods:

- If employed for five or six days in a calendar week, within six days of the end of the pay period during which the wages were earned;
- If employed seven days in a calendar week, within seven days of the end of the pay period during which the wages were earned;
- An employee who works a period of less than five days (also known as a casual employee), within seven days of the end of the pay period during which the wages were earned;

Employees who resigns his or her employment must be paid in full on all the following regular pay day, or in the absence of a regular pay day, no later than the following Saturday. An employee involuntarily terminated from employment or laid off must be paid in full on all the following regular pay day.

Employees who are paid on an hourly basis must be paid weekly or bi-weekly. Employers may not make agreements with employees to be paid in another period of time.

Employers must give each employee a pay statement setting forth the name of the employer, employee’s name, date of check (including the day, month and year), number of hours worked during the pay period, hourly rate, and all deductions or increases made during the pay period. This statement must be provided with each payday.

Deductions: No deduction, other than those required or allowed by law or specifically requested by an employee and for the employee’s sole benefit may be made.

**MEAL BREAKS**

Employees who work a period of more than six hours are entitled to a 30-minute meal break. Employees must be relieved of all duties during the meal break. This rule does not apply to: iron works, glass works, paper mills, letterpress establishments, print shops, blasting works or dyeing works. Employees may be granted for other continuous processes in factories, workshops or mechanical establishments, or under other special circumstances.

**TIPS**

Tips (tipping) in which tips are distributed to any person not a wait staff, service employees or service bartender is prohibited.

**MINIMUM WAGE**

Minimum wage law applies to all employees except those being rehabilitated, who are employed by charitable, educational or religious institutions; members of religious orders, agricultural, horticultural, and horticultural workers, those in professional service, and outside salespersons not reporting to or visiting their office daily. For further information regarding the Massachusetts state minimum wage, contact the Massachusetts Department of Labor Standards at 617-626-6793 or visit www.mass.gov/dls.

Wait staff, service employees and service bartender may be paid the service rate of $3.35 per hour if they regularly receive tips of more than $20 per month, and if their average hourly tips, service rates and all tips do not exceed the basic minimum wage.

Wage or hours for the employer during the previous 12-month period. For more information, visit the Attorney General’s Office website at www.mass.gov/ago.

**FAIR LABOR HOTLINES**

Monday through Friday, 10:00 a.m. to 4:00 p.m.

Boston: (617) 727-3465
New Bedford: (508) 990-9700
Springfield: (413) 784-1240
Worcester: (508) 792-7600

www.mass.gov/ago • www.laborlawdown.com • www.mass.gov/ago/youthemployment

**CHILD LABOR**

M.G.L. chapter 149, sections 56 through 105

Employment permits are required for minors under age 18. Employment permits must be issued and at maintaining the site where the minor attends school or lives. For information on obtaining an employment permit, please contact the Department of labor Standards at 617-626-6793 or visit www.mass.gov/dls.

**TIME AND HOUR RESTRICTIONS**

14-15-Year-Old Minors

14-15-Year-Old minors may NOT be employed:

- between 7:00 p.m. and 7:00 a.m. EXCEPT from July 1 through Labor Day, when they may work until 9:00 p.m.;
- more than 3 hours per day during school weeks, or more than 8 hours per day during school recess, for a total of more than 18 hours per week EXCEPT in approved work experience and career exploration programs, in which case, they may work 23 hours per week;
- more than 40 hours per week when school is not in session; or more than 6 hours per day when school is in session;

- The Federal Fair Labor Standards Act, enforced by the U.S. Department of labor, also restricts the employment of minors. This list includes the most restrictive of state and federal time and hour requirements.

**Hazardous Occupations restrictions**

Minors 14-15 years of age are prohibited from certain occupations, industries, and tasks. For example, 14-15 year old minors may not work in or around manufacturing facilities or factories, mechanical establishments where machinery is used, on construction sites, in garages or tunnels. Minors 16-17 years of age are prohibited from certain occupations, industries and tasks. For example, they may not drive a motor vehicle or forklift on the job or work 30 feet or more off the ground. All minors are prohibited from working any job requiring the possession of a firearm.

**Management Employees and Owners’ Right to Sue**

Employers may not make agreements with employees to be paid in another period of time.

**NON-DISCRIMINATION AND EQUAL PAY**

M.G.L. chapter 149, section 105A

M.G.L. chapter 151B, section 4

**EXECUTIVE, ADMINISTRATIVE, PROFESSIONAL AND OTHER EXEMPT EMPLOYEES**

M.G.L. chapter 149, section 2A.

No employee shall be penalized by an employer or in any way discriminated against because he or she has made a complaint or otherwise sought to enforce rights under the Massachusetts anti-discrimination and non-discrimination law.

M.G.L. chapter 149, sections 100 and 101

**M.G.L. chapter 149, section 15A**

**EARNED SICK TIME**

M.G.L. chapter 149, section 148C

All employees in Massachusetts have the right to earn and take up to 40 hours of sick leave from work per year. Employees earn 1 hour of sick leave for every 30 hours they work and may use their sick time 90 days after during their work. An employee can use sick time when the employee’s or the employee’s child, spouse, parent, or parent of the employee is sick, has a medical appointment, or to address the effects of domestic violence. If an employee has 11 or more employees, sick time must be paid. For employers with 10 or fewer employees, sick time may be paid. Sick time may be unpaid. Sick time may be paid after the employee’s work for 3 consecutive days, an employer may require documentation from a medical provider. For more information, visit www.mass.gov/ago/sicktedline

**NOCOMMITMENT AND EQUAL PAY**

M.G.L. chapter 149, section 105A

M.G.L. chapter 151B, section 4

**EMPLOYER’S RIGHT TO SUE**

M.G.L. chapter 149, section 2A

M.G.L. chapter 151, section 19

**INFORMATION OF PAYROLL RECORDS**

M.G.L. chapter 151, section 15

**SMALL NECESSITIES LEAVE ACT**

M.G.L. chapter 149, section 2SD

**NO RETALIATION**

M.G.L. chapter 149, section 248A

M.G.L. chapter 151, section 19

**WORKPLACE NOTICE**

This workplace notice is issued in accordance with the provisions of Massachusetts General Laws M.G.L. c. 151, section 16 and the Code of Massachusetts Regulations 454 CMR 27.07[1], which require that employers post it in a conspicuous location.

Rev 12/2015

Fair Labor Division • One Ashburton Place • Boston, MA 02108 • (617) 727-2200 • (617) 727-4765

Massachusetts Wage & Hour Laws

Office of the Massachusetts

Attorney General

www.mass.gov/ago