State law requires all employers to post this notice at the workplace in a location where it can be easily read. M.G.L. Chapter 151, Section 16: 454 C.M.R. 27.07(1)

**Minimum Wage**

M.G.L. Chapter 151, Sections 1, 2, 2A, and 7

**Beginning January 1, 2023,** the minimum wage in Massachusetts is $15.00. In Massachusetts, all workers are presumed to be employees. The minimum wage applies to all employees, except:
- agricultural workers ($8.00 per hour is the minimum wage for agriculturally-based workers),
- members of a religious order,
- workers being trained in certain educational, nonprofit, or religious organizations, and
- outsourced employees.

**Tips**

M.G.L. Chapter 149, Section 132A; M.G.L. Chapter 151, Section 7

**Beginning January 1, 2023,** the service rate in Massachusetts is $6.75 per hour. The hourly “service rate” applies to workers who provide services to customers and who make more than $30 per month in tips. The average hourly tips, plus the hourly service rate paid to the worker must add up to the minimum wage per each shift. Employers, owners, and employees with managerial or supervisory responsibilities on a given day must never take any of your tips. Tips and service charges listed on a bill must be given only to wait staff, service bartenders, or other service employees. Tip pooling is allowed only for wait staff, service bartenders, and other service employees.

**Overtime**

M.G.L. Chapter 151, Sections 1A and 1B

Generally, employees who work more than 40 hours in any week must be paid overtime. Overtime pay is at least 1.5 x the regular rate of pay for each hour worked over 40 hours in a week.

For some employees, the “service rate” overtime rate is 1.5 x the basic minimum wage, not the service rate. Exemption Under state law, some jobs and workplaces are exempt from overtime. For a complete list of overtime exemptions, visit www.mass.gov/ago/fairlabor or call the Attorney General’s Fair Labor Division at (617) 727-3465.

**Payment of Wages**

M.G.L. Chapter 149, Sections 148, 454 C.M.R. 27.02

The law says when, and how employees must be paid. An employer’s pay (or wages) includes payment for all hours worked, including tips, earned vacation pay, promised holiday pay, and earned compensations that are definitely determined, due and payable.

Hourly employees must be paid every week or every other week (biweekly). The deadline to pay is 6 or 7 days after the pay period ends, depending on how many days an employee worked during one calendar week.

Employees who quit must be paid in full on the next regular payday or by the first Saturday after they quit (if there is no regular payday). Employees who are fired or laid off must be paid in full on their last day of work.

**Paystub Information**

M.G.L. Chapter 149, Sections 148, 454 C.M.R. 27.05

All employers must give a statement at no cost, with their pay that says the name of the employer and employer, the date of payment, (month, day, and year), the number of hours worked during the pay period, the hourly rate, and all deductions or increases made during the pay period.

**Pay Deductions**

M.G.L. Chapter 149, Sections 148, 454 C.M.R. 27.05

An employer cannot deduct money from an employee’s pay unless the law allows it (such as state and federal income taxes), or the worker has asked for a deduction to be made for the employee’s own benefit (such as to put money aside in the employee’s savings account).

An employer cannot take money from an employee’s pay for the employer’s ordinary business costs (for example: supplies, materials or tools needed for the employee’s job). An employer who requires an employee to buy or rent uniform must refund the actual cost to the employee.

The law also puts limits on when and how much money an employer can take from an employee’s pay for housing and meals the employer gives to the employee.

**Hours Worked**

M.G.L. Chapter 149, Sections 148, 454 C.M.R. 27.02

Hours worked or “working time” includes all time that an employee must be on duty at the employer’s worksite or other location, and before or after the normal shift to complete the work.

**Meal Breaks**

M.G.L. Chapter 149, Sections 100 and 101

Most employers must give employees a 30-minute meal break during their workday. If employees work more than 6 hours, they must get a meal break within 6 hours after beginning work. Failing to give a meal break is a violation of the law.

**Payroll Records**

M.G.L. Chapter 151, Section 15

Payroll records must include the employee’s name, address, job classification, amount paid each pay period, and hours worked (each day and week).

Use a computer or calculator to figure out the number of hours worked and the amount paid. Employees must keep payroll records for 3 years. Employees have the right to see their own payroll records at reasonable times and places.

**Employers Under 18 – Child Labor**

M.G.L. Chapter 149, Sections 56 – 105

All employers in Massachusetts must follow state and federal laws for employees who are under 18 years old. These laws lay down when, where, and how long minors may work. They also say what kinds of work or tasks minors must NOT do.

**Work Permits Required**

Most workers under 18 must obtain a work permit. Employers must keep their minor workers’ work permits on file at the worksite. To get a work permit, the minor must apply to the superintendent of the school district where the minor lives or goes to school. To learn more about getting a work permit, contact the Department of Labor Standards at (617) 626-6975, or www.mass.gov/dol.

**Dangerous Jobs & Tasks Minors Must Not Do**

M.G.L. Chapter 149, Section 16 & 17

- Drive most motor vehicles or forklifts
- Work as a stabilizer that requires the employee have or use a firearm
- Handle, serve, or sell alcoholic beverages
- Work 30 or more feet off the ground
- Use, clean or repair certain kinds of power-driven machines

M.G.L. Chapter 149, Sections 454 C.M.R. 27.05

- Cook (except on electric or gas grills that do not have open flames), operate fryer, rotisseries, NESCO broilers, or pressure cookers
- Operate, clean or repair power-driven food slicers, grinders, choppers, processors, cutters, and mixers
- Work in freezers or meat coolers
- Perform any baking activities
- Work or be near factories, construction sites, manufacturing plants, mechanized workplaces, garages, tunnels, or other risky workplaces

**Time & Schedule Restrictions for Minors**

M.G.L. Chapter 149, Section 16 & 17

**At 16 & 17**

- At night, from 10 p.m. to 6 a.m. (or past 10:15 if the employee stops serving customers at 10 p.m)
- At night, from 7 p.m. to 7 a.m.

**During the School Year**

- At night: During school hours
- More than 3 hours on any school day
- More than 18 hours during any week
- More than 8 hours on any weekend or holiday
- A half hour for school-approved career or experience-building jobs, students may be allowed to work during the school day, up to 23 hours a week.

**At 14 & 15**

- No work after 7 p.m.
- No work on school days
- More than 3 hours on any school day
- More than 18 hours during any week
- More than 8 hours on any weekend or holiday
- A half hour for school-approved career or experience-building jobs, students may be allowed to work during the school day, up to 23 hours a week.

**Exception**

Students who are employed by a school district for after-school or summer employment may be allowed to work outside the school day for up to 23 hours a week.

**School Year**

- No more than 18 hours a week
- More than 18 hours a week
- More than 8 hours on any weekend or holiday

**Annual Leave**

- No more than 8 hours a week
- More than 8 hours on any weekend or holiday

**Contact the Attorney General’s Fair Labor Division:** (617) 727-3465 – www.mass.gov/ago/fairlabor

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