



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT
DEPARTMENT OF LABOR STANDARDS

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

RONALD L. WALKER, II
SECRETARY

JEAN ZEILER
ACTING DIRECTOR

February 27, 2015

MW-2015-02-02.27.15

The Department of Labor Standards (DLS) has been asked to make a determination on whether summer camps may pay janitors and caretakers a sub-minimum wage under M.G.L. c. 151, §7. Section 7 provides that the DLS Director (formerly Commissioner) may establish wage rates, and that rates may not fall below specified amounts for particular types of employment. The DLS Director does not establish rates below the minimum wage for janitors and caretakers. Janitors and caretakers are entitled to at least the basic minimum wage, whether or not they work in a residential property, and even if they are furnished with living quarters.

The minimum wage regulation sets forth the standards for permissible deductions for lodging and meals if the employee is paid at least the minimum wage for all hours worked. 454 CMR 27.05(2) and (3). 454 CMR 27.05(2) requires that the lodging must meet the standards of housing under 105 CMR 410.000.¹

Please do not hesitate to contact this office if you have any questions.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Jean Zeiler", written over a horizontal line.

Jean Zeiler
Acting Director/General Counsel

cc: Jocelyn Jones, Deputy Chief & Special Counsel for Fair Labor Policy, Fair Labor Division, Office of the Massachusetts Attorney General

¹Department of Public Health regulations provide that a recreational camp need not meet the standards of 105 CMR 410.000 if it meets the standards of 105 CMR 430.000. If the recreational camp does not meet the standards of 410.000, it may not take the lodging deduction set forth in the minimum wage regulation at 454 CMR 27.05(2).