

Minimum Wage Opinion Letter **04-30-02 - Car Dealership Mechanics and Overtime**

April 30, 2002

I am writing in response to your request for this Office's written opinion regarding the applicability of M.G.L. c. 151, §1A(15) to hourly wage mechanics who work in car dealerships. [\[1\]](#)

As you know, M.G.L. c. 151, §1A generally requires overtime compensation for work in excess of 40 hours in a given work week; however, M.G.L. c. 151, §1A(15) exempts from this requirement those employed "as a garageman, which term shall not include a parking lot attendant." The term "garageman" is not defined in the statute. In the absence of statutory guidance, it is left to this Office to give the term a reasonable interpretation. We will look to the meaning of the word as it is commonly understood. [\[2\]](#)

Webster's New International Dictionary (3rd ed. 1986) defines garageman as "a worker in a garage." Garage is defined as: "1: a building or compartment of a building used for housing an automotive vehicle; 2: a repair shop for automotive vehicles." Given the plain meaning of the term, this Office will consider any worker performing repair work on automobiles - be it in a stand-alone repair shop or one that is part of a larger establishment such as a car dealership - to be exempt from overtime pursuant to M.G.L. c. 151, §1A(15). However, please note that this exemption does not extend to persons employed by car dealerships in other capacities such as service counter help or receptionists.

I hope this information has been helpful. If you have any further questions, please feel free to contact me.

Sincerely,
Lisa C. Price
Legal Counsel

[\[1\]](#) Please note that employers are also subject to the federal minimum wage and hour law, found in the Fair Labor Standards Act (FLSA) and regulations promulgated thereunder. For information about applicable federal wage and hour laws, you should contact the U.S. Department of Labor. The telephone number for the Boston Office is (617) 624-6700.

[\[2\]](#) In doing so, we are guided by the Supreme Judicial Court's analysis in Fitz-Inn Auto Parks, Inc. v. Comm'r of Labor & Industries, 350 Mass. 39 (1965), a case concerning parking lot attendants which pre-dated their exclusion from the exemption. In that case, the Court looked to the common understanding of the term "garageman" to determine if parking lot attendants were excluded therefrom.

= Names have been omitted