Minimum Wage
The minimum wage is $11.00.
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 most agricultural workers),
- members of a religious order,
- workers being trained in certain educational, nonprofit, or religious organizations, and
- outside salespeople.

Overtime
M.G.L. Chapter 151, Sections 1A and 1B
Generally, employees who work more than 40 hours in any month must be paid overtime. Overtime pay is at least 1.5 x the regular rate for each hour worked over 40 hours in a week.
For some employees who get paid the "service rate," the overtime rate is 1.5 x the basic minimum wage, not the service rate.
Exception: Under state law, some jobs and workplaces are exempt from overtime. For a complete list of overtime exemptions, visit www.mass.gov/spfr/9141 or call the Attorney General's Fair Labor Division at (617) 727-3465.

Payment of Wages
M.G.L. Chapter 149, Section 148, 454 C.M.R. 27.02
The law says when, what, and how employees must be paid. An employee's pay (or wages) includes payment for all hours worked, including tips, earned vacation pay, promised holiday pay, and earned commissions that are definitely determined, due and payable. Hourly employees must be paid every week or every other week (bi-weekly). 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.

Sick Leave
M.G.L. Chapter 149, Section 148C
Most employees have the right to earn 1 hour of sick leave for every 30 hours they work, and they may earn and take up to 40 hours of sick leave a year. Employees begin accruing sick time on their first day of work. Employers must have access to their sick leave 90 days after starting work.

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

M.G.L. Chapter 149, Section 152A; M.G.L. Chapter 151, Section 7
The hourly "service rate" applies to workers who provide services to customers and who make more than $20 a month in tips. The service rate is $3.75 per hour. The average hourly tips, plus the hourly service rate paid to the worker must add up to $11.00 or more.

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

Pay Deductions
M.G.L. Chapter 149, Section 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 employee asked for a deduction to be made for his/her 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 a uniform must refund the actual costs to the employee.

Meal Breaks
M.G.L. Chapter 149, Sections 100 and 101
Most employees who work more than 6 hours must get a 30-minute meal break during their meal break, employees must be free of all duties and free to leave the workplace. If, at the request of the employer, an employee agrees to work or stay at the workplace during the meal break, the employee must get paid for that time.

Payroll Records
M.G.L. Chapter 157, Section 15
Payroll records must include the employee's name, address, job/occupation, amount paid each pay period, and hours worked (each day and week).
Employees must keep payroll records for 3 years. Employees have the right to see their own payroll records at reasonable times and places.

Workplace Notice: State law requires all employers to post this notice at the workplace in a location where it can easily be read. M.G.L. Chapter 151, Section 16; 454 C.M.R. 27.01(1)

Employers Under 18 – Child Labor
All employers in Massachusetts must follow state and federal laws for employees who are under 18 (minors). These laws say 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' permits on file at the worksite. To get a work permit, the minor must apply to the superintendent of the school district where s/he 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/dols.

Dangerous Jobs & Tasks Minors Must Not Do

Age | Must Not
--- | ---
16 & 17 | Drive motor vehicles or forklifts
 | Work at a job that requires that s/he have or use a firearm
 | Use, clean or repair certain kinds of power-driven machines
 | Handle, serve, or sell alcoholic beverages
 | Work 30 or more feet off the ground during any week

14 & 15 | Cook (except on electric or gas grills that do not have open flames), operate fryers, rotisseries, NBCC broilers, or pressure cookers
 | Operate, clean or repair power-driven food slicers, grinders, whirpers, processors, cutters, and mixers
 | Work in freezers or meat coolers
 | Perform any banking activities
 | Work in or near factories, construction sites, manufacturing plants, mechanized workplaces, garages, tunnels, or other risky workplaces

Under 14 | Minors under 14 cannot work in Massachusetts in most cases

These are just some examples of tasks prohibited under both state and federal law. For a complete list of prohibited jobs for minors, contact the Attorney General’s Fair Labor Division at (617) 727-3465 – www.mass.gov/ago/youthemployment. Or contact the U.S. Department of Labor (617) 624-6700 – www.dol.gov/whd.

Time & Schedule Restrictions for Minors
Age | Must not work | At any time:
--- | --- | ---
16 & 17 | At night, from 10 pm. to 6 am. (or past 10:15 if the employer stops serving customers at 10 p.m.)
 | Exception: On non-school nights, work must end by 11:30 p.m. or until midnight, if working at a restaurant or racetrack.
 | More than 9 hours per day
 | More than 48 hours per week
 | More than 6 days per week

14 & 15 | At night, from 7 pm. to 7 am. (or past 7:15 if the employer stops serving customers at 7 p.m.)
 | Exception: In summer (July 1 – Labor Day), may work until 6 p.m.
 | More than 9 hours per day
 | More than 48 hours per week
 | More than 6 days per week

During the School Year*
 | During school hours
 | More than 3 hours on any school day
 | More than 16 hours during any week
 | More than 8 hours on any weekend or holiday

*Exception: For school-approved career or experience-building jobs, students may be allowed to work during the school day, up to 21 hours per week.

Adult Supervision Required After 8 p.m. - After 8 p.m., all minors must be directly supervised by an adult who is located in the workplace and is reasonably accessible, Exception: Adult supervision is not required for minors working at a kiosk or stand in a common area of an enclosed shopping mall that has security from 8 p.m. until the mall closes.

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

Office of Massachusetts Attorney General
Maura Healey

Massachusetts Wage & Hour Laws

The minimum wage is $11.00.

Fair Labor Hotline
(617) 727-3465
TTY (617) 727-4765

www.mass.gov/ago/fairlabor
www.massworkrights.com

www.mass.gov/ago/earnedsicktime