Minimum Wage and Overtime Law
Montgomery County
(An employer of one employee is subject to the County minimum wage law after 7/1/19.)

(Chapter 27, Article XI, Montgomery County Code)

Minimum Wage
Most employees must be paid the Montgomery Co. Minimum Wage Rate. Employees age 18 and under working under 20 hours per week are exempt from this rate.

Tipped Employees (earning more than $30 per month in tips) must earn the Montgomery Co. Minimum Wage Rate per hour. Employers must pay at least $4.00 per hour. This amount plus tips must equal at least the Montgomery Co. Minimum Wage Rate. Subject to the adoption of related regulations, restaurant employers who utilize a tip credit are required to provide employees with a written or electronic wage statement for each pay period showing the employee’s effective hourly rate of pay including employer paid cash wages plus tips for tip credit hours worked for each workweek of the pay period. Additional information and updates will be posted on the Maryland Department of Labor website.

Employees under 18 years of age must earn at least 85% of the State Minimum Wage Rate.

Exemptions
Most employees must be paid 1.5 times their usual hourly rate for all work over 40 hrs. per week. Exceptions:
- Employees of bowling establishments, and institutions providing on-premise care (other than hospitals) to the sick, the aged, or individuals with disabilities for all work over 48 hrs. per week
- Agricultural workers for all work over 60 hrs. per week

Overtime Exemptions:
- Drive-in theaters
- Establishments engaged in the first canning, packing or freezing of fruits, vegetables, poultry, or seafood
- Taxicab drivers
- Certain employees selling/servicing automobiles, farm equipment, trailers, or trucks
- Non-profit concert promoter, theater, music festival, music pavilion, or theatrical show
- Employers subject to certain railroad requirements of the U.S. Dept. of Transportation, the Federal Motor Carrier Act, and the Interstate Commerce Commission
- Employers subject to certain railroad requirements of the U.S. Dept. of Transportation, the Federal Motor Carrier Act, and the Interstate Commerce Commission
- Seasonal amusement and recreational establishments that meet certain criteria

For more information or to file a complaint contact:
Maryland Department of Labor
Division of Labor and Industry
Employment Standards Service
1100 North Eutaw Street, Room 607
Baltimore, MD 21201
Telephone Number: (410) 767-2357 • Fax Number: (410) 333-7303
E-mail: dllemploymentstandards-dllr@maryland.gov

Employers are required by law to post this information. Pay records must be kept for 3 years on or about the place of work. Penalties are prescribed for violations of the law.

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