Maryland Minimum Wage and Overtime Law
Montgomery County
(Appplies to employers with two or more employees)

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.

Amusement and Recreational Establishments (who meet certain requirements): must pay employees at least 85% of the State Minimum Wage Rate.

Employees under 20 years of age: must earn at least 85% of the State Minimum Wage Rate for the first 6 months of employment.

Overtime
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

Exemptions (Federal Exemptions also apply under Montgomery County’s Ordinance)
- Immediate family member of the employer
- Certain agricultural employees
- Executives, administrative, and professional employees
- Volunteers for educational, charitable, religious, and non-profit organizations
- Employees under 16 working less than 20 hours per week
- Outside salesman
- Commissioned employees
- Employees enrolled as a trainee as part of a public school special education program
- Non-administrative employees of organized camps
- Certain establishments selling food and drink for consumption on the premises

Exemptions (Local Exemptions)
- Drive-in theaters
- Establishments engaged in the first canning, packing or freezing of fruits, vegetables, poultry, or seafood

Overtime Exemptions:
- 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

For more information or to file a complaint contact:
Department of Labor, Licensing and Regulation
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: dldlemploymentstandards-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.

Rev. 8/2016