

FED

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE \$7.25 PER HOUR BEGINNING JULY 24, 2009

The law requires employers to display this poster where employees can readily see it.

At least 11 times the regular rate of pay for all hours worked over 40 in a workweek.

CHILD LABOR

An employee must be at least 16 years of age to work in most non-farm jobs and at least 18 to work in most farm-occupations. There are some exceptions. For example, children under the Secretary of Labor's age 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hour restrictions. Different rules apply in agricultural employment.

TIP CREDIT

Employers of tipped employees who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers may pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum wage, the employer must make up the difference.

PUBLIC WORK

The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for her nursing child for one year after the child's birth each time the employee needs to express breast milk. Employers must provide a place, other than a bathroom, that is shielded from view and free from intrusion or harassment, which may be used by the employee to express breast milk.

ENFORCEMENT

The Department has authority to recover back wages and liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal

prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the FLSA child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such penalties may be doubled when the violation is willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA.

ADDITIONAL INFORMATION

• Certain occupations and establishments are exempt from the minimum wage and/or overtime pay provisions. Certain occupations and establishments are exempt from the minimum wage and/or overtime pay provisions. Specialized occupations may be exempt from the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not.

• Certain full-time students, student athletes, apprentices, and workers with disabilities may be paid less than the minimum wage under specialized certificates issued by the Department of Labor.

DEPARTMENT OF LABOR
UNITED STATES
OF AMERICA

WHD
WAGE AND HOUR
DIVISION
UNITED STATES
DEPARTMENT OF LABOR

1-866-437-9243
www.dol.gov/agencies/whd



WH1088

REV. 04/2023

MD

Department of Labor, Division of Labor and Industry Minimum Wage and Overtime Law

(Labor and Employment Article, Title 3, Subtitle 4, Annotated Code of Maryland)

Minimum Wage Rates

\$15.00
Effective 1/1/24

Different minimum wage rates are in effect in different parts of the state. You are required to post the applicable state information.

Minimum Wage Rate

Most employees must be paid the Maryland State Minimum Wage Rate.

Tipped Employees (earning more than \$3.00 per hour) must tips plus tips must equal the State Minimum Wage Rate. Subject to the above minimum wage rate, tipped employees must receive at least the minimum wage rate plus a minimum wage or electronic wage statement for each period worked by the employer's effective rate of pay including payed cash wage tips for tip credit worked for each period of the pay period. Additional information and updates will be provided by the Department of Labor.

Employees under 18 Years of Age

Most employees must be paid 1.5 times their usual hourly rate for all work over 40 hrs. per week:

• Agricultural workers for all work over 40 hrs. per week

Exemptions

Minimum Wage and Overtime Exemptions

• Executive, financial, managerial, and professional employees

• Executives, administrative, and professional employees

• Volunteers for educational, charitable, religious, or non-profit organizations

• Employees under the age of 16 working less than 30 hours per week

• Specific occupations

• Tipped employees

• Tipped employees who meet certain conditions

• Employees engaged in the first casting, packing or freezing of fruits, vegetables, poultry, or seafood

• Employees engaged in certain occupations in the food service industry

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