

MASSACHUSETTS MINIMUM FAIR WAGE LAW

Workplace Notice

This workplace notice is issued in accordance with the provisions of Massachusetts General Laws [M.G.L. c. 151, §16] and the Code of Massachusetts Regulations [455 C.M.R. §2.03(12)], which require that employers post it in a conspicuous location.

MASSACHUSETTS MINIMUM WAGE:

Effective January 1, 1996 \$4.75 per hour
Effective January 1, 1997 \$5.25 per hour

WHO IS COVERED:

The minimum wage applies to all employees who work in the occupations as defined in Chapter 151. There are some occupations which are exempt from minimum wage. M.G.L. c. 151, §7. Employees may contact their employer or the Fair Labor and Business Practices Division for a list of exemptions.

SERVICE (tipped) EMPLOYEES:

Effective January 1, 1996 \$2.55 per hour
Effective January 1, 1997 \$2.63 per hour

OVERTIME:

Employees working over 40 hours in any work week must be paid at least 1 1/2 times their regular rate of pay. 455 C.M.R. §2.03(9). Some occupations are exempt from these overtime provisions. Examples include: executives, fishermen, outside salespersons, and employees of non-profit schools and colleges. M.G.L. c. 151, §1A. Employees may check with their employer or the Fair Labor and Business Practices Division for a list of exemptions.

SPECIAL SUBMINIMUM WAGES:

Special subminimum wages may apply to certain types of employment, such as learners, apprentices, and sheltered workshop employees. 455 C.M.R. §2.03(8-11). Please check to see if you fall within one of these categories.

MINIMUM DAILY HOURS:

An employee who, by request for permission of the employer, works for duty on any day of the time set by the employer, regardless of whether such day is a day of rest, shall be paid for at least 3 hours at no less than the applicable minimum wage. 455 C.M.R. §2.03(8). There are exceptions to this requirement subject to the Fair Labor and Business Practices Division for a list of exemptions.

EMPLOYEE STATUS:

A bona-fide employee may not have his/her status as an employee changed to that of a non-employee by contract or other arrangement. M.G.L. c. 151, § 19(4).

ANTI-KICKBACKS:

An employee shall not, by agreement or coercion, be required to accept less than the full amount of wages earned by the employee.

EMPLOYER RECORDS:

Employers are required to keep true and accurate payroll records for at least two years after the entry date of the record. These records must contain, at a minimum, the name, address, and occupation of each employee, the amount paid to each employee each pay period, and the hours worked each day and week by each employee. These records must be furnished upon request. M.G.L. c. 151, § 19(4).

NON-DISCRIMINATION:

An employer shall not discriminate against an employee for making a complaint alleging a violation of the Minimum Fair Wage Law, or because the employer believes that an employee might file a complaint, or for assisting in any investigation or proceeding relating to the Massachusetts Fair Wage Law. M.G.L. c. 151, § 19(13).

QUESTIONS or COMPLAINTS:

Questions regarding the Massachusetts Minimum Fair Wage Law, or complaints of alleged violations, should be directed to the Office of the Attorney General, Fair Labor and Business Practices Division, 200 Portland Street, Boston, MA 02114 or 155 Liberty Street, Springfield, MA 01103.

The division may be reached by phone in Boston at (617) 727-3476 or in Springfield at (413) 784-1128.

**Scott Harshbarger
Attorney General**

(This notice may be reproduced.)