

Montgomery County

Minimum Wage Rates

Large Employers with 51 or more employees:

\$16.70

effective
7/1/2023

Mid-sized Employers with 11 to 50 employees**

\$15.00

effective
7/1/2023

Small Employers with 10 or less than employees

\$15.00

effective 1/1/2024

Employers may also be subject to the Fair Labor Standards Act.

MD Department of Labor enforces the Montgomery County Minimum Wage Law (see Labor and Employment Article, Title 3, Subtitle 1, *Annotated Code of Maryland*)

(Chapter 27, Article XI, Montgomery County Code)

Minimum Wage

Most employees must be paid the Montgomery Co. Minimum Wage Rate. Employees under 19 years of age and 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. Restaurant employers who utilize a tip credit are required to provide employees with a Tip Credit Wage Statement. See Maryland Department of Labor website for additional information.

Employees under 20 years of age must earn at least 85% of the County Minimum Wage Rate for the first six 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:

- Agricultural workers for all work over **60 hrs.** per week

Exemptions (Federal Exemptions also apply under Montgomery County's Ordinance)

Minimum Wage and Overtime Exemptions:

- 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 the age of 16 working less than 20 hours per week
- Outside salespersons
- 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 grossing less than \$400,000 annually

- 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
- 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
10946 Golden West Drive, Suite 160
Hunt Valley, MD 21031

Telephone Number: (410) 767-2357 • Fax Number: (410) 333-7303

E-mail: dldliemploymentstandards-dllr@maryland.gov

EMPLOYERS ARE REQUIRED BY LAW TO POST THIS INFORMATION CONSPICUOUSLY.

***THIS IS A SUMMARY OF THE LAW. TO ENSURE COMPLIANCE, CONSULT A LEGAL ADVISOR.**

PENALTIES ARE PRESCRIBED FOR VIOLATIONS OF THE LAW.

**** See Montgomery County Law for complete definition of mid-sized employer**