



# Minimum Wage and Overtime Law in Montgomery County

Applies to Employers with two or more employees working in Montgomery County.

(Chapter 27, Article XI, Montgomery County Code)

## Montgomery County Minimum Wage Rates

**\$7.25**

Until 9/30/14

**\$8.40**

Effective 10/1/14

**\$9.55**

Effective 10/1/15

**\$10.75**

Effective 10/1/16

**\$11.50**

Effective 10/1/17

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

**DLLR enforces the  
Montgomery County  
Minimum Wage Law**

(see Labor and  
Employment Article,  
Title 3, Subtitle 1,  
*Annotated Code of  
Maryland*)

### 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 **50% of the State Minimum Wage Rate** 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)

#### **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 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

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

### **FOR MORE INFORMATION OR TO FILE A COMPLAINT CONTACT:**

Employment Standards Service  
Maryland Department of Labor, Licensing and Regulation  
1100 N. Eutaw St. Rm. 607 Baltimore, MD 21201  
Web: <http://www.dllr.maryland.gov/labor/wages>  
Phone: 410-767-2357 Email: [ess@dllr.state.md.us](mailto:ess@dllr.state.md.us)

**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.**