

Montgomery County

Minimum Wage Rates

Large Employers with 51
or more employees:

\$15.00
Until 6/30/2022
\$15.65
Effective 7/1/2022

Mid-sized Employers with
11 to 50 employees

\$14.00
Until 6/30/2022
\$14.50
Effective 7/1/2022
\$15.00
Effective 7/1/2023

Small Employers with 10
or less employees

\$13.50
Until 6/30/22
\$14.00
Effective 7/1/2022
\$14.50
Effective 7/1/2023
\$15.00
Effective 7/1/2024

**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

Employees must be paid the higher of the State, County or federal minimum wage rate unless the employee qualifies for an exemption.

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 written or electronic wage statement for each pay period showing the employee's effective hourly rate of pay including employer paid cash wages plus tips for tip credit hours worked for each workweek of the pay period. See Maryland Department of Labor website for additional information.

Employees under 19 years of age and working 20 or fewer hours per week are exempt from the County Minimum Wage Rate. **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 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
- 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.