Minimum Wage
M.G.L. Chapter 151, Sections 1, 2, 2A, and 7
In Massachusetts, all workers are presumed to be non-exempt. The minimum wage applies to all employees, except:
- agricultural workers ($0.00 per hour is the minimum wage for most agricultural workers);
- members of a religious order;
- workers being trained in certain educational, nonprofit, or religious organizations, and
- outside salespeople.

Effective Date Minimum Wage Service Rate
January 1, 2017 $11.00 $3.75
January 1, 2019 $12.00 $4.35
January 1, 2020 $12.75 $4.95
January 1, 2023 $13.50 $5.55
January 1, 2024 $14.25 $6.15
January 1, 2025 $15.00 $6.75

Tips
M.G.L. Chapter 149, Sections 153A; M.G.L. Chapter 151, Section 7
Tips are not subject to the minimum wage. The hourly service rate is the rate that is used to calculate the minimum wage.

Overtime
M.G.L. Chapter 151, Sections 1A and 18
Generally, employees who work more than 40 hours in any week must be paid overtime. Overtime pay is at least 1.5 times the regular rate of pay for each hour worked over 40 hours in a week. For some employees who get paid the “service rate,” the overtime rate is 1.5 times the basic minimum wage, not the service rate.

Payment of Wages
M.G.L. Chapter 149, Sections 144, 454 C.M.R. 27.02
The law says when, how, and how much employees must be paid. An employee’s pay (or wages) includes payment for all hours worked, including tips, earned vacation pay, promised holiday pay, and earned commissions that are definitely determined, due and payable.

Pay Deductions
M.G.L. Chapter 149, Sections 144, 454 C.M.R. 27.05
An employer cannot deduct money from an employee’s pay or pay the law allows (such as state and federal income taxes), or the employee asked for a deduction to be made for the employee’s own benefit (such as to put money aside in the employee’s savings account).

Payroll Records
M.G.L. Chapter 151, Section 15
Payroll records must include the employee’s name, address, job title/occupation, amount paid each pay period, and hours worked each day and week.

Employees Under 18 – Child Labor
M.G.L. Chapter 149, Sections 100 and 101
Most employers who work more than 6 hours must pay a 30-hour meal break. During their meal break, employees must be free of all duties and free to leave the workplace. If all of the employees in an establishment agree to work or stay at the workplace during the meal break, the employer may get paid for that time.

Sick Leave
M.G.L. Chapter 149, Section 1494
Most employees have the right to 1 hour of sick leave for every 30 hours they work, and they may take up to 40 hours of sick leave a year. Employees begin accrving sick time on their first day of work. Employees may have to use sick leave to treat themselves or their child's health problems, or if they have a serious medical condition. Employees may also use sick leave for other reasons, such as needing time to care for a sick family member.

Employers Must Not Discriminate
M.G.L. Chapter 149, Sections 150A, 151B, Section 4
Employers must not pay one employee less for doing the same or comparable work at another location of the same or other employers of a different gender.

Small Necessities Leave
M.G.L. Chapter 151, Section 1520
Small necessities leave is not paid. In some cases, employees have the right to take up to 40 hours unpaid leave every 12 months for:
- child’s school activities;
- child’s doctor or dentist appointment; or
- elder-related doctor or dentist appointment, or other appointments.

Reporting Pay
M.G.L. Chapter 149, Section 1520
Most employees must be paid for 3 hours at no less than minimum wage if the employee is scheduled to work 3 or more hours, and reports to work on time, and it is not given the expected hours of work.

Rights of Temporary Workers
M.G.L. Chapter 149, Section 159C
All employees must be paid at least the national minimum wage when they work at the workplace. The law sets the minimum wage for temporary workers.

Rights of Domestic Workers
M.G.L. Chapter 149, Section 190
Domestic Violence Leave
M.G.L. Chapter 149, Section 526
Domestic workers are workers who live in the same household as the employee, such as childcare, and similar services.

Employees Have the Right to Sue
M.G.L. Chapter 149, Sections 150, 151, Sections 19 and 20
Employees have the right to sue their employer for violations of wage and hour laws.

Employees Must Not Retaliate
M.G.L. Chapter 149, Section 1484, M.G.L. Chapter 151, Section 19
It is against the law for an employer to punish an employee for making a complaint or trying to enforce the rights explained in this poster.

Contact the Attorney General’s Fair Labor Division:
(617) 727-3465
www.mass.gov/fairlabor