



# Minimum Wage and Overtime Law



**Montgomery County**  
(An employer of one employee is not subject to the County minimum wage law.)

(Chapter 27, Article XI, Montgomery County Code)

## Montgomery County Minimum Wage Rates

Current:

**\$12.00**

(50 or less employees)

**\$12.25**

(51 or more employees)

Effective 7/1/18

Previous:

**\$11.50**

Effective 7/1/17

**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,

### 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 **\$4.00 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 County 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:**

Department of Labor, Licensing and Regulation  
Division of Labor and Industry  
Employment Standards Service

1100 North Eutaw Street, Room 607  
Baltimore, MD 21201

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

E-mail: [dldliemploymentstandards-dllr@maryland.gov](mailto:dldliemploymentstandards-dllr@maryland.gov)

**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.**