

Minimum Wage

Department of Labor, Division of Labor and Industry
Minimum Wage and Overtime Law
(Labor and Employment Article, Title 3, Subtitle 4, Annotated Code of Maryland)

Minimum Wage Rates
Employers with 15 or more employees:
\$12.50 Effective 1/1/2022
\$13.25 Scheduled 1/1/23
\$14.00 Scheduled 1/1/24

Employers with 14 or fewer employees:
\$12.20 Effective 1/1/22
\$12.80 Scheduled 1/1/23
\$13.40 Scheduled 1/1/24

Montgomery Co.
Different minimum wage rates are in effect. Employers in this county are required to post the applicable rate information.

Exemptions

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 employed as a trainee at 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
- Dive-in theatres
- Establishments engaged in the first canning, packing or freezing of fruits, vegetables, poultry, or seafood

Overtime Only Exemptions
(must earn the State Minimum Wage Rate):

- Tactical drivers
- Certain employees performing/handling automotive, farm equipment, trailers, or trucks
- Non-profit concert promoters, theatre, music festival, music pavilion, or theatrical show
- Employees 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 NUMBERS: (410) 767-2357
FAX NUMBERS: (410) 333-7303
E-MAIL: ddilememploymentstandards-dli@maryland.gov

EMPLOYERS ARE REQUIRED BY LAW TO POST THIS CONSPICUOUSLY. THIS IS A SUMMARY OF THE LAW. TO ENSURE COMPLIANCE, CONSULT A LEGAL ADVISOR.

PENALTIES ARE PRESCRIBED FOR VIOLATION OF THE LAW.

Minimum Wage
Most employees must be paid the Maryland State Minimum Wage Rate.

Tipped Employees (earning more than \$20 per month in tips) must earn the State Minimum Wage Rate per hour. Employees must pay at least \$3.63 per hour. This amount plus tips must equal at least the State Minimum Wage Rate. Subject to the adoption of related regulations, 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 each work week for each workweek of the pay period. Additional information and updates will be posted on the Maryland Department of Labor website.

Employees under 18 years of age must earn at least 85% of the State Minimum Wage Rate.

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

NOTICE: This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under the Fair Labor Standards Act posting, which indicates the federal minimum wage. Where federal and state rates both apply to an employee, the U.S. Department of Labor dictates that the employee is entitled to the higher minimum wage rate.

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

Discrimination

State Government Article, §20-602 of the Annotated Code of Maryland provides every Marylander equal protection in employment regardless of:

- Race
- Sex
- Marital Status
- Age
- Ethnicity
- Ancestry or National Origin
- Religion

How Does The Law Protect Me?

Physical or Mental Disability
Any form of retaliation is grounds to file a Complaint of Discrimination with the Maryland Commission on Civil Rights (MCCR).

What Am I Protected From?

You are protected from unlawful discrimination from the following employment related practices:

- Employees cannot discriminate in recruiting, interviewing, hiring, upgrading/promoting, setting work conditions, and discharging an employee.
- Labor organizations cannot deny membership to qualified persons or discriminate in apprenticeship programs.
- Employment agencies cannot discriminate in job referrals, ask discriminatory pre-employment questions, or calculate information that unlawfully limits employment.
- Newspapers and other media cannot publish job advertisements that discriminate.

Main: (410) 767-8600 / Toll Free: (800) 637-6247 / TTY: (410) 333-1737 / Fax: (410) 333-1841
mccr@maryland.gov | www.mccr.maryland.gov

Employment Discrimination is Unlawful

What If My Employer Retaliates?

Retaliation is also prohibited under the law when you exercise your rights to seek relief and redress. If an employer decides to file an employment discrimination complaint, an employer may not:

- Interfere with;
- Retrain;
- Deny the exercise or;
- Attempt to coerce or intimidate the employee to exercise the right.

Any form of retaliation is grounds to file a Complaint of Discrimination with the Maryland Commission on Civil Rights (MCCR).

What If I Am A Victim Of Discrimination?

If you believe your rights under the law have been violated, you must file a complaint with MCCR 300 days after the act of discrimination. A trained Civil Rights Officer will work with you to discuss what happened and determine if there is a discriminatory violation. You can reach MCCR by phone, email, fax, letter, or walk-in. All procedures by MCCR are confidential until your case is certified for public hearing or trial.

State of Maryland
Commission on Civil Rights
6 Saint Paul Street, Suite 900
Baltimore, MD 21202-1631

WORKERS' COMPENSATION

LA COMPENSACIÓN DEL TRABAJADOR

Job Related Accidental Personal Injury or Occupational Disease?

If you are disabled and unable to work for more than three (3) days, your employer's workers' compensation insurance company may pay your medical bills and other expenses and replace two-thirds (2/3) of your salary (limited to the maximum set by law).

If you are injured on the job:

1. Notify your employer or supervisor at once. You cannot receive full benefits unless your employer knows you are injured.
2. Tell the doctor who treats you that you were hurt on the job.
3. Complete an Employee's Claim Form C-1 (available by phone or on the Commission's website) and send it to us as soon as possible.

Note: Withholding information or giving false information about any work-related activity or return to work could prevent you from receiving benefits and may subject you to fines, imprisonment or both.

Employer/Empleador
Business Address/Dirección
City/State/Zip
Ciudad/Estado/Código Postal
Federal Employer ID (FEIN)
Identificación Federal del Empleador
Telephone Number/Número Telefónico
Insurance Company Name
La Compañía de Seguro
Insurance Company Telephone
Telefónico de la Compañía de Seguro
MD WCC Form C-24 05/2017

in en Maryland

¿Accidentes por lesión/dañó corporal relacionados con el Empleo o Enfermedad Profesional?

Si usted se encuentra incapacitado o inhabilitado para trabajar por más de tres días, el seguro de trabajadores que tienen las compañías pudiera cubrir las facturas médicas y otros gastos relacionados. También le compensarán 2/3 de sus ingresos (Hasta un monto máximo estipulado por la ley).

Si usted sufre una lesión en el trabajo, debe:

1. Informarlo a su empleador o supervisor de inmediato.
2. No podría recibir todos sus beneficios a menos que su empleador fuera notificado que sufrió una lesión.
2. Informarlo al médico quien le administre tratamiento que usted se lesionó en su trabajo.
3. Llenar el formulario Employee's Claim Form C-1 (disponible consultando la página del Internet para the Workers' Compensation o solicitándolo a por teléfono). Diligenciarlo para que las oficinas del Workers' Compensation lo reciban lo antes posible.

Aviso: El suministrar información falsa u ocultar información sobre cualquier actividad relacionada con su trabajo o relacionada con su regreso al trabajo, pudiera afectar los beneficios que recibiera o pudiera acarrearle multas, encarcelamiento o ambas.

Maryland Workers' Compensation Commission

10 East Baltimore Street, Baltimore, Maryland 21202-1641
(410) 864-5100 / Outside Baltimore (800) 492-0479
Webpage - <http://www.wcc.state.md.us/> / TTY Users - 711 in Maryland or (800) 735-2258
This notice must be printed on 8.5" X 14" gold or yellow paper, display complete employer information and be posted in a conspicuous location at each work site or location in accordance with COMAR 14.09.01.02 and 14.09.01.10.

Equal Pay

Department of Labor
Equal Pay for Equal Work
(Labor and Employment Article Title 3, Subtitle 3)

§3-301. (1) In this subtitle the following words have the meanings indicated.
(b)(1) "Employer" means:
(i) a person engaged in a business, industry, profession, trade, or other enterprise in the State;
(ii) the State and its units;
(iii) a county and its units;
(iv) a municipal government in the State;
(v) "Employer" includes a person who acts directly or indirectly in the interest of another employer with an employee.
(6)(1) "Wage" means all compensation for employment.
(2) "Wage" includes board, lodging, or other advantage provided to an employee for the convenience of the employee.

§3-302. This subtitle applies to an employer of both men and women in a lawful enterprise.

§3-303. In addition to any powers set forth elsewhere, the Commission may:
(1) use informal methods of conference, conciliation, and persuasion to eliminate pay practices that are unlawful under this subtitle;
(2) supervise the payment of a wage owing to an employee under this subtitle.

§3-304. (a) In this section, "providing less favorable employment opportunities" means:
(1) assigning or directing the employee into a less favorable career track, if career tracks are offered, or position;
(2) failing to provide information about promotions or advancement in the full range of career tracks offered by the employer;
(3) limiting or depriving an employee of employment opportunities that would otherwise be available to the employee but for the employee's sex or gender identity;
(b)(1) An employer may not discriminate between employees in its occupation by:
(i) paying a wage to employees of one sex or gender identity at a rate less than the rate paid to employees of another sex or gender identity if both employees work in the same establishment and perform work of comparable character or work on the same operation, in the same business, or of the same type;
(ii) providing less favorable employment opportunities based on sex or gender identity.
(2) The purpose of paragraph (1)(i) of this subsection, an employee shall be deemed to work at the same establishment as another employer if the employees work for the same employer or employers located in the same county of the State.
(3) Except as provided in subsection (b) of this section, subsection (b) of this section does not prohibit a violation in a wage that is based on:
(i) a seniority system that does not discriminate on the basis of sex or gender identity;
(ii) a merit increase system that does not discriminate on the basis of sex or gender identity;
(iii) jobs that require different abilities or skills;
(iv) jobs that require the regular performance of different tasks or services;
(v) work that is performed on different shifts at different times of day;
(vi) a system that measures performance based on a quality or quantity or production or sales rate factor other than sex or gender identity, including education, training, or experience in which a worker is not based on or derived from a gender-based standard or gender identity;
(vii) a job related with respect to the position and consistent with a business necessity; and
(viii) accounts for the entire difference.
(4) This section does not preclude an employer from demonstrating that an employer's reliance on an exception listed in subsection (b) of this section is a pretext for discrimination on the basis of sex or gender identity.
(5) If an employer is paying a wage in violation of this subtitle may not reduce another wage to comply with this subtitle.

§3-304.1. (a) An employer may not:
(i) prohibit an employee from;
(ii) inquire about, discuss, or disclosing the wage of the employee or another employee;
(iii) requesting that the employer provide a reason for why the employee's wage is a condition of employment;
(iv) require an employee to sign a waiver or any other document that purports to deny the employee the right to disclose or discuss the employee's wages;
(v) take any adverse employment action against an employee for;
(vi) inquiring about the employee's wages or another employee's wages;
(vii) discussing the employee's wages;
(viii) asking the employer to provide a reason for the employee's wages;
(ix) adding or encouraging another employee exercise of rights under this section.
(b)(1) Subject to paragraph (2) of this subsection, an employer may, in a written policy provided to each employee, establish reasonable workday limitations on the time, place, and manner for inquiries about the discussion or disclosure of employee wages.
(2) A limitation established under paragraph (1) of this subsection shall be consistent with standards adopted by the Commission and all other State and federal laws.
(3) Except as provided in subsection (b) of this section, the failure of an employer to adhere to a reasonable limitation under this section shall be an affirmative defense to a claim made against an employer by an employee who has access to the wage information of other employees as a part of the employer's essential job functions if the discussion or disclosure is in response to a complaint or charge or is a byproduct of an investigation, a proceeding, a hearing, or an action under this subtitle, including an investigation conducted by the employer.
(4) If an employer who has access to wage information as part of the essential functions of the employer's job discloses the employer's own wages or wage information about another employee obtained outside the performance of the essential functions of the employer's job, the employer shall be entitled to all the protections afforded under this subtitle.
(5) If an employer who has access to wage information as part of the essential functions of the employer's job discloses the employer's own wages or wage information about another employee obtained outside the performance of the essential functions of the employer's job, the employer shall be entitled to all the protections afforded under this subtitle.
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Pregnancy Rights

If you are pregnant, you have a legal right to a reasonable accommodation if your pregnancy causes or contributes to a disability and the accommodation does not pose an undue hardship on your employer. *State Government Article, §20-609(b)*

What Does That Mean?

If you have a disability that is contributed to or caused by pregnancy, you may request a reasonable accommodation at work. Your employer must explore "all possible means of providing the reasonable accommodation." *State Government Article, §20-609(b)*

The law lists an assortment of options for both you and your employer to consider in order to comply with a request for reasonable accommodation. These include, but are not limited to:

- Changing job duties
- Changing work hours
- Relocation
- Providing mechanical or electrical aids
- Transfers to less strenuous or less hazardous positions
- Providing leave

Every situation is different. You must explore every available option with your employer to decide what accommodation best suits your needs.

Do I Need A Doctor's Note?

It depends on what your employer requests. The law allows an employer, at his or her discretion, to require certification from your health care provider regarding the medical advisability of a reasonable accommodation, but only to the same extent certification is required for other temporary disabilities. *State Government Article, §20-609(b)*

If required, the certification must include:

- Any form of information is provided to the Commission of Discrimination with the Maryland Commission on Civil Rights (MCCR).

Pregnant & Working

Know Your Rights!

Can I Still Get In Trouble?

Retaliation is prohibited under this Commission's Article, §20-609(b) when exercising your rights. If an employee seeks to exercise their right to request a reasonable accommodation for a temporary disability due to pregnancy, an employer may not:

- Retaliate;
- Interfere with;
- Deny the exercise or;
- Attempt to coerce or intimidate the employee to exercise the right.

What If I Am A Victim Of Discrimination?

If you believe your rights under the law have been violated, you must file a complaint with MCCR within 300 days of the alleged act of discrimination. A trained Civil Rights Officer will work with you to discuss what happened and determine if there is reason to believe a discriminatory violation occurred. You can reach MCCR by phone, email, fax, letter, or walk-in. All procedures by MCCR are confidential until your case is certified for public hearing or trial.

State of Maryland
Commission on Civil Rights
6 Saint Paul Street, Suite 900
Baltimore, MD 21202-1631
Main: (410) 767-8600 / Toll Free: (800) 637-6247 / TTY: (410) 333-1737 / Fax: (410) 333-1841
mccr@maryland.gov | www.mccr.maryland.gov

Unemployment Ins.

YOUR EMPLOYER IS SUBJECT TO THE Maryland Unemployment Insurance Law and pays taxes under this law. No deduction is made from your wages for this purpose.

IF YOU ARE Laid OFF or otherwise become unemployed, immediately file a claim by calling the telephone number for the area in which you reside or you may file a claim on the internet at the web site address indicated below.

IF YOU ARE UNEMPLOYED, you may be entitled to unemployment insurance benefits for as many as 26 weeks.

IF YOU ARE EARNING LESS THAN FULL TIME, you may be eligible for partial benefits. If your regular hours of work have been reduced, promptly file a claim as instructed above, to determine your benefit rights.

IF YOU HAVE BEEN FILING FOR BENEFITS AND RETURN TO WORK, you must report your gross wages before deductions during the week you return to work regardless of whether or not you have been paid.

YOU ARE ENTITLED TO BENEFITS IF:

1. You are unemployed through no fault of your own.
2. You have sufficient earnings in your base period.
3. You have registered for work and filed a claim for benefits with a Maryland Department of Labor claim center based on the area in which you reside.
4. You are able to work, available for work, and actively seeking work.

NOTE: To ensure prompt handling of your claim, it is necessary to have your Social Security number available. If your claim depends on sixteen (16) years of age, you must know the Social Security number of each dependent when you file. If you do not know the Social Security number, you will be provided with instructions on how to provide a copy of the dependent's birth certificates or other forms of proof of dependency.

IF YOU ARE FULLY OR PARTIALLY UNEMPLOYED CALL:

Phone Number To File A Claim	Area Served
301-313-8000 1-877-293-4125 (toll free)	Calvert Charles Montgomery St. Mary's
301-723-3000 1-877-293-4125 (toll free)	Annapolis Frederick Washington
410-334-6800 1-877-293-4125 (toll free)	Caroline Dorchester Talbot Kent Queen Anne's

Tipped Employees

Under Maryland law, a tipped employee is an employee who customarily and regularly receives more than \$20 each month in tips or gratuities.

Maryland law prohibits an employer from requiring a tipped employee to reimburse an employer or pay an employer for the amount of a customer's charge for food or beverage if the customer leaves the employer's place of business without paying for the charges. In addition, unless otherwise provided by law, an employer is prohibited from making a deduction to an employee's