



Guidance for Restaurants

Navigating labor laws can sometimes be challenging. The information below covers areas that most frequently affect the restaurant industry. We're providing this information to employers in this industry to help raise awareness.

Have Questions?

The Department of Labor's Bureau of Labor Standards is here to help.

Youth Employment

Protecting Maine's youth is critical. Labor laws and regulations prescribe the hours that youth can work and the type of work they can perform. They apply to any worker who is 17 or younger. For current regulations on youth employment, and our Employers Guide to Youth Employment, please visit:

www.maine.gov/labor/labor_laws/minorsguide/

Tipped Wage

The service employee minimum wage, or "tip wage," beginning January 1, 2025, is \$7.33 per hour. This means that you must pay your service employees a direct cash wage of at least \$7.33 per hour. You also must be able to show that the direct wage combined with tips paid equals at least the state minimum wage of \$14.65 per hour for each of your employees. If the combined direct wages and tips do not average the state-required minimum wage each week, you must pay the difference. Owners, managers, and supervisors cannot participate in a tip-pool or require other workers to tip them out.

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The Maine Department of Labor provides equal opportunity in employment and programs. Auxiliary aids and services are available to people with disabilities upon request.

Overtime

Overtime is determined weekly, even if your pay schedule is different. Any hours over 40 worked by an individual in a week must be paid as overtime. This is true even if your pay cycle is something other than weekly.

The salary threshold is only one factor used in determining whether a worker is exempt from overtime pay. An individual can earn more than the minimum salary threshold and still be eligible for overtime. The duties of each worker must be considered.

More information on Tipped Wages and Overtime is on maine.gov/labor/labor_laws/wagehour.shtml

Wages, Safety and Your Records

Proper record-keeping is vital for your compliance with Maine's labor laws. This includes timesheets, payroll records, and workplace accident reports. The Bureau offers classes in Wage and Hour Compliance Assistance and OSHA Recordkeeping across the state, and all classes are free.

Check out our calendar of classes: www.safetyworksmaine.gov

Have Questions?

Contact us at: bls.mdol@maine.gov or 207-623-7900 | TTY users call Maine Relay 711

