Before Reading Further:

This brochure only pertains to the Maryland Wage and Hour Law, which is different from the Federal Fair Labor Standards Act.

For more information on the requirements of the Fair Labor Standards Act please visit: ***www.dol.gov***.

Maryland Division of Labor and Industry

Employment Standards Service

1100 N. Eutaw St., Room 607
Baltimore, MD 21201
Phone: 410-767-2357
email: dldliemploymentstandards-labor@maryland.gov

Learn more about Maryland's Wage and Hour Law by logging onto:
www.labor.maryland.gov/labor/wages/

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Maryland Division of Labor and Industry

Maryland Wage and Hour Agriculture Exemptions

Helping agricultural employers know which employees are exempt from minimum wage and overtime requirements under Maryland law.

Employees are exempt from both minimum wage and over-time requirements if:

- Employed by an employer who is engaged in canning, freezing, packing, or first processing of perishable or seasonal fresh fruits, vegetables, or horticultural commodities, poultry, or seafood;

- employed in agriculture if the employer used no more than 500 agricultural-worker days per quarter during the preceding year. An agricultural worker day is any day that an employee works at least one (1) hour;

- engaged principally in the range production of livestock; or

Exemptions (Continued):

- employed as a hand-harvest laborer and is paid on a piece-rate basis in an operation that has been and is customarily recognized as having been paid on that basis if the following applies:

  A. The individual commutes daily from their permanent residence to the farm where he or she is employed and if during the preceding calendar year, was employed in agriculture less than thirteen 13 weeks.

  OR

  B. The individual is under the age of 17, is employed on the same farm as a parent or guardian, and is paid at the same rate as an employee who is at least 17 years old on the same farm. (Reminder: teen workers must have a minor work permit to work in Maryland).

Other employees are entitled to over-time after sixty (60) hours per week if:

- Employee is engaged in agriculture and exempt from the overtime provisions of the federal Act.

  Note: Agriculture means work performed by a farmer or on a farm as incidental to or in conjunction with farming operations.

Additional Information:

For additional information about the Maryland Wage and Hour Law exemptions for agricultural workers, please contact the Maryland Department of Labor, Division of Labor and Industry , Employment Standards Unit at:

410-767-2357
email: dldliemploymentstandards-labor@maryland.gov