

## ● WAGE PAYMENT LAWS

*STATUTORY CITATION:* Mass. Gen. Laws Ch. 149, §§ 148 – 159

*GENERAL SUMMARY:* The state wage payment laws generally require that employees be paid weekly and prescribe certain other conditions regarding paydays and pay periods, compensation at termination, method of payment, and wage deductions.

### *PROVISIONS APPLICABLE TO AGRICULTURE*

**PAYDAYS AND PAY PERIODS** — Like their non-agricultural counterparts, farmworkers generally must be paid at least once a month, but regardless of the length of the pay period, employers must pay wages earned by each worker to within 6 days of the date of payment (or within 7 days in the case of a worker employed 7 days a week).

**FINAL COMPENSATION** — A worker who leaves his or her job must receive final pay in full on the next regular payday, or on the following Saturday if there is no regular payday. Whenever a worker is discharged by the employer, final wages must be paid in full on the day of discharge.

**PAY STATEMENTS** — Each time wages are paid, employers are required to furnish their employees with a written statement showing the name of the employer, the name of the employee, the date, the number of hours worked, the hourly pay rate, and the amount of any deductions from pay.

**METHOD OF PAYMENT** — An employer who pays wages by check or draft must provide facilities or make arrangements for the cashing of payroll checks at a bank or elsewhere, without charge or discount.

**DEDUCTIONS** — Each time an employer makes a deduction from the wages of any worker for Social Security, health insurance, or any other benefit, the employer must give the worker a written statement showing the amount and nature of each such deduction at the time of payment. Employers are forbidden from penalizing a laborer for tardiness by deducting from wages a sum in excess of the proportionate wage which would have been earned during the time actually lost.

### *SPECIAL NOTES OR ADVISORIES*

**RETALIATION** — A person may not discharge, discipline or discriminate in any manner against an employee because the employee has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions.

### *ADMINISTRATION AND ENFORCEMENT*

**PRIMARY ENFORCEMENT AGENCY** — *Massachusetts Department of Labor Standards, Boston, Massachusetts 02114 (617-626-6952).* The Department is authorized to prosecute any violation of the wage payment provisions. Violators are subject to a criminal fine, imprisonment, or both such penalties.

**SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY** — *Office of the Massachusetts Attorney General, Boston, Massachusetts 02108 (617-727-2200; Fair Labor Hotline 617-727-3465).*

**PRIVATE CIVIL ACTION** — A worker aggrieved by a violation of the wage payment laws may, 90 days after filing a complaint with the Attorney General and within 3 years after the violation, take action in civil court against the employer directly, using a private attorney or public legal service provider.