

EMPLOYEE RIGHTS UNDER GUAM'S

FAIR LABOR STANDARDS ACT

MINIMUM WAGE



\$8.75 PER HOUR

Effective March 01, 2020

PURSUANT TO PUBLIC LAW 35-38

\$9.25 PER HOUR

Increases March 01, 2021



EMPLOYMENT RECORDS

The law requires employers to keep accurate records of "time worked" and wages paid for all employees. Such records must include the employee's full name, address, and social security number.

WAGES TO BE PAID

Wages for time worked, is due 7 (seven) days after the pay period ending.

What if I...

- ◆ ...was fired/terminated by my employer —————> ◆ ...due immediately upon termination
- ◆ ...voluntarily quit/resigned, walked out, abandoned work —————> ◆ ...due on the next regular pay day

Wages are...

MEAL PERIODS

An employee who is scheduled to work a period of 5 (five) hours or more, **must** be provided an unpaid and uninterrupted meal period of not less than 30 (thirty) minutes. If an employee is scheduled to complete a day's work of not more than 6 (six) hours, the meal period may be waived by mutual consent of the employee and the employer.

OTHER RULES YOU SHOULD KNOW

OVERTIME

Employees must be paid one and one-half (1.5) times their regular rate of pay for all hours worked over 40 (forty) in a workweek.

The Fair Labor Standards Act does not permit an employer to give "compensatory time off" in lieu of cash wages when employees work more than 40 (forty) hours during the standard 7-day workweek.

DEDUCTIONS

Other than deductions required by law (taxes, court ordered payments, etc.) the only permissible deductions from pay are:

1. Agreed costs, or fair value of board, lodging, and other facilities
2. Deductions authorized in writing by an employee for saving plans, cash advances, loans, benefit plan contributions, etc.

The law requires that employers must show, on a check stub or pay statement, all deductions taken from an employee's pay, and a copy of it must be given to the employee.

TIPS AND GRATUITIES

- "Tip credits" may not be used to meet the minimum wage
- Employers may not retain any portion of an employee's tip
- "Tip pooling/sharing" is an allowable practice, and an employer may not retain any of the tips for any other purpose
- A "service charge" or any other "compulsory charge for service", is not a tip. Such charges are a part of an employers gross receipts.

CHILD LABOR

- Youths aged **14-15 years old**, may work in various non-hazard jobs, but must obtain a **Minor's Certificate for Employment**.
- Youths aged **16-17 years old**, may work in various non-hazard jobs, and **do not need** to obtain a Minor's Certificate for Employment

Visit our website to view the full conditions for Child Labor.

Guam Department of Labor
Wage and Hour Division
GCIC Building, Hagåtña

Phone: (671) 300-4601/2 or 475-7024
Email: wage.questions@dol.guam.gov
Website: dol.guam.gov/compliance/whd

Scan QR code for
DOL's website



STOP THE EVIL

MRFC 24/7 HOTLINE 671-475-0400

HUMAN TRAFFICKING HOTLINE 888-373-7888

**LABOR TRAFFICKING VICTIMS
ARE FORCED TO WORK
FOR LITTLE TO NO PAY**



**WAGE AND HOUR RULES AND REGULATIONS REQUIRES EMPLOYERS TO DISPLAY THIS NOTICE WHERE EMPLOYEES CAN READILY SEE IT.
FAILURE TO POST THIS NOTICE MAY RESULT IN PENALTIES.**