

THREE (3) HOUR RULE

The “three (3) hour” rule in Massachusetts regards wage obligations when an employee is scheduled to work three (3) or more hours.

The rule is as follows:

If an employer schedules an employee to work a shift of three (3) or more hours, the employee arrives as scheduled and the employer sends him/her home or, otherwise, does not provide the scheduled hours, the employee must be paid for at least three (3) hours. The rate of pay is the employee’s regular rate of pay for any part of the three (3) hours in which the employee actually worked and at least minimum wage for the balance of the three (3) hours.

If an employee is scheduled to work a shift of less than three (3) hours, the employer must pay the employee for only the hours actually worked. For example, if an employee is scheduled to work a two (2) hour shift, the “three (3) hour” rule does not apply and the employer must pay the employee for only the hours actually worked.