

Important Employment Bulletin

International Support Staff Complying with State Department of Labor Rules requiring Camps to Pay at Least Minimum Wage Updated May 2010 *Summary from the Maine Youth Camping Foundation*

Reminder: There is a State of Maine exemption from minimum wage for camp counselors and junior counselors, and this includes international staff.

However, Support Staff pay is handled differently.

1. It is well known that camp support staff (kitchen, office, maintenance) must be paid at least minimum wage and camps must keep track of hours worked for the Department of Labor Inspectors.
2. However, some camps were not aware that **INTERNATIONAL STAFF WORKING IN THESE SUPPORT ROLES ALSO FALL UNDER THE MINIMUM WAGE REQUIREMENT.**
 - This means they are eligible for overtime (anything over 40 hours is paid at time + ½),
 - You must keep time cards or a schedule that accounts for their weekly hours & overtime. This must be signed by the employee.
 - You must pay them weekly or bi-weekly, just like any other employee in Maine. Some employees don't want their checks so frequently. As long as you have documentation of their earnings to date, or you cut a weekly or bi-weekly check for them & have their permission to hold it until they ask for it, you are complying with this rule).
 - All of these are State laws.
3. While numerous camps have been complying with this rule for years, in some parts of the state it hasn't been enforced until recently, so it comes as a bit of a surprise. New inspectors have begun enforcing the rule.
4. Generally, for a 9 week contract, most camps are already paying minimum wage to internationals. You are allowed to factor in your staffing agency fee plus room & board costs. The example below shows how much you would need to pay a support staff person for a 9 week commitment. The example assumes a 50 hour work week (10 hours of overtime).

International Support Staff Pay - Example

Hours of work	50 hrs/ week	
Minimum wage calculation	\$7.50/hr x 40 hrs	\$300
Overtime (time & ½ over 40 hours)	\$11.25 x 10 hrs.	\$112.5
Total Amt owed per week		\$412.50
SUBTRACT ALLOWANCES		
Deduct Room & Board	State allows you to subtract \$75/wk for shared occupancy (\$90/ wk for single occupancy)	\$<75>
Total owed to staff person	\$337.50 x 9 weeks	\$3037.50*

***Sample fees to various agencies in 2008: (Camp Leaders, \$2845; Camp America, \$3239; CCUSA, \$2870)**

1. **Note that in most cases, you have paid the employee more than the sum of the agency fee plus pocket money**, which means you have paid more than minimum wage, and therefore you are paying correctly under the state law. You need to keep your calculation for the Labor inspector should they ask to see it (and they will).
2. The **ACTUAL** amount the staff person receives in his/her paycheck is what you've agreed with the Agency to pay them. The formula above is for verification purposes only.
3. **Note:** If your calculation shows you are **NOT** meeting the minimum wage requirement, you may need to reduce hours of work, or pay the staff person additional wages at the end of the summer to comply with the law.
4. If you are employing international staff for more than 9 weeks, you need to adjust the calculation by the "pocket money" you are paying for the additional time worked. The agency fee will not change.

MYCF recommends that your staff contract spells out the number of weeks to be worked, and that camps have their attorney check it to see that you are within the minimum wage rules for international support staff. MYCF – 207-518-9557. camps@mainecamps.org