CLIENT ALERT: New Hampshire Updates Wage and Hour Laws – By Jeffrey S. Siegel

Employers in New Hampshire should be aware of two recent changes to New Hampshire wage and hour law:

- Effective July 11, 2017, New Hampshire amended RSA 275:43 to permit payment of wages on a bi-weekly basis. Historically, employers in New Hampshire were required to pay wages weekly, unless the employer obtained a waiver from the New Hampshire Department of Labor. This amended statute removes the requirement of obtaining prior permission from the agency.
- Effective September 3, 2017, New Hampshire amended RSA 279:26-b relative to tip pooling. The amended statute clarifies that participants in a tip pool may voluntarily and without coercion, agree to provide a portion of the common pool to other employees, regardless of job category, who participated in providing service to customers. Even with this clarification, employers cannot require employees to participate in a tip-pooling or tip-sharing arrangement. In addition, the clarification does not impact an employer's obligations with respect to tipped employees under the Fair Labor Standards Act.

Please contact your MBJ attorney with any questions you may have relative to wage and hour law in New Hampshire or elsewhere.

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