

WAGE AND HOUR ACT

North Carolina General Statutes
Chapter 95, Article 2A

AND

ADMINISTRATIVE RULES

North Carolina Administrative Code
Title 13, Chapter 12



Wage and Hour Bureau
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Cherie K. Berry
Commissioner of Labor

Introduction

The N.C. Department of Labor's Wage and Hour Bureau enforces the Wage and Hour Act of North Carolina (Chapter 95, Article 2A of the North Carolina General Statutes) and the Administrative Rules promulgated thereunder (Title 13, Chapter 20 of the North Carolina Administrative Code). This Act, with amendments, covers minimum wages; overtime; wage payments; payments of promised wages and benefits, such as vacation, holiday and sick pay; and youth employment. Minimum wage and overtime provisions of the Act generally apply to all North Carolina businesses that are not subject to the federal Fair Labor Standards Act. Wage payment provisions cover all employees in North Carolina except those employed in federal, state or local government.

The Wage and Hour Bureau investigates workers' complaints and collects back wages due employees. Citizens of North Carolina who feel they have been treated unfairly by their employers in matters of pay, working hours, or such terms of employment as vacation or leave policies are invited to avail themselves of the services of the Wage and Hour Bureau.

This publication contains the Wage and Hour Act and Administrative Rules. It is intended for use by employers and employees to inform them of their rights and responsibilities in wage and hour matters. Our experience shows that most businesses and workers want to comply with the labor laws of the state and will generally do so when they know what the laws provide. We hope the use of this publication will help build the spirit of cooperation and fairness which currently characterizes most workplaces in North Carolina. This gives our state a more effective and productive work force with which to maintain our competitive national economic position.

As a result of a departmental reorganization, the name of the Wage and Hour Division has been changed to the Wage and Hour Bureau. References made in the Wage and Hour Act or in the Administrative Rules to the Wage and Hour Division or its director should now be read as referring to the Wage and Hour Bureau and its administrator.

We encourage and solicit public comments concerning these laws and regulations. Please direct your comments and questions to the Wage and Hour Bureau, N.C. Department of Labor, 1101 Mail Service Center, Raleigh, North Carolina 27699-1101.

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Commissioner of Labor

September 2010

**N.C. GENERAL STATUTES
CHAPTER 95 – DEPARTMENT OF LABOR**

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**ARTICLE 2A –
WAGE AND HOUR ACT**

**NORTH CAROLINA ADMINISTRATIVE CODE (“NCAC”)
TITLE 13 – DEPARTMENT OF LABOR**

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**CHAPTER 12 -
WAGE AND HOUR ADMINISTRATIVE RULES**