



Delaware Restaurant & Hospitality

Wage & Hour Compliance – Quick Guide

The Delaware Department of Labor, Division of Industrial Affairs, works closely with state and federal partners to protect workers, support employers, and promote fair workplace standards. Explore these trusted resources for additional information on employment rights, wages, benefits, and discrimination.

Pay Basics (Must-Know)

- **Minimum Wage:** \$15.00/hour (as of Jan 1, 2025)
- **Pay Frequency:** Employees must be paid at least once per month
- **Pay Deadline:** No later than 7 days after the pay period ends

Tipped Employees (High-Risk Area)

- **Minimum Cash Wage:** \$2.23/hour
- Tips + cash wage must equal at least \$15/hour each week
- If tips fall short, the employer must pay the difference
- Employees may never be paid only in tips

Tip Rules

- Tips belong to employees
- Managers and supervisors may not receive tips
- Tip pooling is allowed only among employees who regularly receive tips
- Tip policies must be in writing

Illegal Deductions (Common Violations)

Employers may not deduct pay for:

- Walkouts
- Broken dishes or equipment
- Cash register shortages (unless willful misconduct)
- Any deduction that lowers pay below minimum wage

Youth Employment Basics

- **Minimum Age:** 14 with valid work permit
- Work permits must be kept on file
- 14–15-year-olds have strict limits on hours and duties
- Certain equipment and hazardous tasks are prohibited

Meal Break Requirement

Shifts of 7.5 hours or more require:

- One 30-minute uninterrupted meal break
- Taken after the first 2 hours and before the last 2 hours

Required Posting

Restaurants with liquor licenses must display **Human Trafficking “Signs of Hope”** posters in public and employee areas.

Recordkeeping (Keep for 3 Years)

Employers must keep records of:

- Employee pay rates and wages paid
- Hours worked
- Tip records (if applicable)
- Minor work permits



Need Help or Have Questions?

The Office of Wage & Hour Enforcement provides free support, including training, compliance check-ups, and required posters.

Contact

Phone: (302) 761-8200, Option 3

Email: wages@delaware.gov

Web: industrialaffairs.delaware.gov/wage-hour