



WORKER RIGHTS · NORTH CAROLINA

Your Rights as a Worker in North Carolina

What every hospitality worker should know, in plain language.
No legal jargon.

This guide is general information about North Carolina employment law as of October 2026. It is not legal advice, and not a substitute for talking to a licensed attorney about your situation.

General information only, not legal advice.

As of October 2026 · Prepared by JYNX Recruiting · jynxrecruiting.com

You Can Be Fired for Almost Any Reason, but Not an Illegal One

- North Carolina is an "at-will" state. Your employer can let you go for a good reason, a bad reason, or no reason at all.
- They cannot fire you for: your race, religion, color, national origin, age, sex, or disability; filing a workers' comp claim; complaining about unpaid wages or unsafe working conditions; refusing to break the law.

If you were fired for one of these reasons, consider talking to an employment lawyer.

Your Paycheck Is Protected

- Minimum wage: \$7.25/hour. Overtime: 1.5x your rate for hours past 40 in a week.
- Final paycheck: when you leave a job — quit or fired — you must be paid everything you're owed by the next regular payday.
- Deductions: your employer generally cannot dock your pay for register shortages, breakage, uniforms, or equipment without your written permission — signed before payday, stating the exact dollar amount. North Carolina is strict about this.
- Pay stubs: if anything is deducted from your check, you must get an itemized statement showing what was taken out.

If your pay is short or a deduction showed up you never agreed to in writing, you can file a claim with the NC Department of Labor — or consider talking to an employment lawyer.

If You Earn Tips

- Your employer can pay a cash wage of \$2.13/hour, but your tips must bring you to \$7.25/hour for every hour worked. If they don't, your employer owes you the difference.
- Your employer must tell you in advance what your cash wage is and how much tip credit they're claiming.

Vacation and PTO

- North Carolina does not require employers to offer vacation, sick leave, or holidays.
- But once your employer promises paid time off, it becomes your wages — they owe it to you.
- "Use it or lose it" is legal here only if they told you about the policy in writing, in advance. No written policy, no forfeiture — they have to pay out what you accrued.

Breaks

- North Carolina does not require meal or rest breaks for workers 16 and older. If your employer gives you a break, that's their policy — not the law.

If you're under 18

- You need a youth employment certificate to work.
- In bars and restaurants: you must be 18 to serve beer and wine, and 21 to pour mixed drinks or spirits.

Non-Compete Agreements

- If you signed a non-compete, North Carolina courts often throw out agreements that are too broad — but they won't rewrite a bad one to make it fair. Every agreement is different.

Do not assume yours is unenforceable — talk to an employment lawyer before you act on it.

What North Carolina Does Not Require

- No state paid sick leave law.
- No higher local minimum wage — cities and counties can't set one above the state rate.
- No law giving you the right to see your personnel file.

If Your Rights Were Violated

- Wage issues (unpaid wages, illegal deductions, missing overtime): NC Department of Labor, Wage and Hour Bureau.
- Discrimination: U.S. Equal Employment Opportunity Commission (EEOC).
- Unsafe working conditions: NC Department of Labor, Occupational Safety and Health Division.

Deadlines apply to many claims, so don't wait. And when in doubt, consider talking to an employment lawyer — many offer free consultations.