



WORKER RIGHTS · NEW HAMPSHIRE

Know Your Rights in New Hampshire

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

This guide is general information about New Hampshire 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

The Basics

New Hampshire runs on the federal floor: the minimum wage is \$7.25 because the statute ties the state rate to Washington's. What New Hampshire adds is specific, and worker-favorable in places other federal-floor states are not: a 72-hour final-pay clock when you are fired, liquidated damages that grow 10% a day, tip pools no employer may force you into, a non-compete that is void at low wages, and a paid family and medical leave program that exists, but only if you or your employer chose to buy it.

- New Hampshire ties its minimum wage to the federal rate by statute (RSA 279:21), so the minimum wage is \$7.25 an hour, unchanged since the federal rate last moved.
- Limited exceptions exist for household, farm, and certain other work. Trainees in their first six months and workers 16 and under may be paid 75% in defined circumstances.

Your Paycheck

- Timing: wages paid weekly must arrive within 8 days of the work week's end. Wages paid biweekly must arrive within 15 days (RSA 275:43).
- Reported to work at your employer's request and sent home? You are owed at least 2 hours at your regular rate (RSA 275:43-a), with limited exceptions.
- At hiring, your employer must tell you your rate of pay and the day and place of payment, and must tell you about changes before they take effect (RSA 275:49).

Final Pay: The Strictest Clock in Federal-Floor Country

- FIRED: your wages in full within 72 HOURS (RSA 275:44).
- QUIT: by the next regular payday. QUIT WITH at least one pay period's written notice: also within 72 hours.
- Willful failure to pay on time without good cause adds liquidated damages of 10% of the unpaid wages for each day payment is late, excluding Sundays and holidays, up to the amount of the wages themselves. Late final pay gets expensive fast.

Tips

- If you are a hospitality tipped employee (restaurant, hotel, motel, inn, cabin, ballroom) who regularly receives more than \$30 a month in tips directly from customers, your employer must pay you a base rate of at least 45% of the applicable minimum wage. The statute sets a percentage, not a dollar amount.
- If your total pay for the period does not reach the minimum wage, your employer must pay the difference.
- Your tips are YOUR property. A tip pool or tip-sharing arrangement is lawful only if you join it voluntarily and without coercion. Your employer may administer an arrangement, but may never require or coerce participation (RSA 279:26-b).

Overtime and Breaks

- Time and a half after 40 hours a week. For most workers the federal FLSA rule is the operative one: New Hampshire's own overtime provision carries carve-outs, so the state statute alone is not the whole guarantee.
- Meal period: you may not be required to work more than 5 consecutive hours without a 30-minute meal or eating period, unless it is feasible for you to eat while working and your employer permits it (RSA 275:30-a).

Sick Leave

- New Hampshire has no state paid-sick-leave mandate.
- Sick pay, vacation, and holiday pay still count as wages when they are due under your employer's policy or practice (RSA 275:43). If the handbook promises it and you earned it, it is wages, and the wage rules in this guide protect it.

Paid Family and Medical Leave: Optional, by Design

- New Hampshire's program (NH PFML) is voluntary insurance, not a mandate. Employers may buy a group plan, or you may buy an individual plan during open enrollment. Individual premiums are capped at \$5 a week by law, and individuals face a 7-month waiting period before coverage can be used.
- Benefits replace about 60% of wages up to the Social Security contribution cap, for up to 6 weeks in a year.
- Employers with 50 or more employees who sponsor a plan must restore you to your job, or an equivalent, after leave.
- Separately, from January 1, 2026, employers with 20 or more employees must give up to 25 hours of unpaid leave a year for a child's medical and dental appointments (RSA 275:37-f).

Non-Competes

- Two state rules protect workers. First: your employer must give you a copy of any non-compete BEFORE you accept the job. A non-compete not disclosed before acceptance is unenforceable (RSA 275:70).
- Second: a non-compete is VOID for an employee earning at or below 200% of the federal minimum wage hourly rate. At today's \$7.25 federal rate, that line is \$14.50 an hour (RSA 275:70-a).

Pay Transparency and Your Rights at Hiring

- New Hampshire has no wage-range posting law and no salary-history law.
- Your pay discussions are protected: your employer may not bar you from discussing wages (RSA 275:41-b). Sex-based pay discrimination is unlawful (RSA 275:37).

If Something Goes Wrong

- Wage claims go to the NH Department of Labor within 36 months of when the wages were due (RSA 275:51). File online at dol.nh.gov, or contact the Hearings Bureau: (603) 271-3176, (603) 271-6294.
- Discrimination complaints go to the NH Commission for Human Rights, under RSA 354-A, within 180 DAYS. The deadline is short. Do not wait.