



Developmental Disabilities Administration

Self-Directed Services Training Series

Module 17: Labor Laws

Updated October 2025



Overview

- This training module will provide you with an overview labor laws associated with the Maryland Department of Health Developmental Disabilities Administration (DDA)-operated Medicaid waiver programs.
- This training is a summary with important information on this topic.
- More information and requirements are found in the Medicaid waiver program applications, laws, regulations, guidance and policies.
- The most updated information regarding Self-Directed Services is published in the Self-Directed Services policy and manual that can be found on the DDA's website at <https://health.maryland.gov/dda/Pages/sdforms.aspx>.

Participant as the Employer of Record

- Participants who self-direct may be subject to all employer laws:
 - Federal,
 - State, and
 - Local laws
- Participants are responsible for knowing about changes in employer law.
- This training is an introduction. The DDA will not train participants, Support Brokers, or team members on ways to interpret laws.

Labor Laws

Includes:

- Fair Employment Practices
- Wages Earned
- Overtime
- Paid and Unpaid Leave
- Record Keeping



Fair Employment Practices

Laws associated with discrimination against employees or potential employees, including:

- Unfair treatment due to a “protected class;”
- Harassment by managers, coworkers, and others;
- Denial of reasonable workplace accommodations due to a disability; and
- Retaliation because of complaints about discrimination.

Some Federal Laws Associated with Fair Employment Practices

Laws enforced by the [US Equal Employment Opportunity Commission \(EEOC\)](#):

- Title VII of the Civil Rights Act of 1964 (Title VII)
- The Pregnancy Discrimination Act
- Equal Pay Act of 1963 (EPA)
- The Age Discrimination in Employment Act of 1967 (ADEA)
- Title I of the Americans with Disabilities Act of 1990 (ADA)
- The Genetic Information Nondiscrimination Act of 2008 (GINA)
- The Pregnant Workers Fairness Act of 2022 (PWFA)

Some Maryland Laws Associated with Fair Employment Practices

State Government Article, Title 20, Subtitle 6, Annotated Code of Maryland:

- State policy is to assure equal opportunity in employment.
- Harassment due to a protected class and retaliation for reporting discrimination are against the law.

Wages Earned

- Federal Minimum Wage Law: \$7.25 per hour
- Maryland Minimum Wage Law: \$15.00 per hour
- Maryland Counties: Varies by the number of employees - changes in many counties are scheduled for January 1, 2026 and July 1, 2026

In cases where an employee is subject to two or more minimum wage laws, the employee is generally entitled to the ***higher*** minimum wage.

Overtime



- Federal Law and Maryland Law: When applicable, employees must be paid 1.5 times their usual hourly rate for all work over 40 hours per week.
- Exemptions include immediate family members.

Laws Related to Leave

The Maryland Healthy Working Families Act

- Employers with 15+ employees: required to provide **paid** earned sick and safe leave.
- Employers with fewer than 15 employees: required to provide **unpaid** earned sick and safe leave.
- Leave accrues at one hour for every 30 hours worked.
- Other conditions apply.

Laws Related to Record Keeping

Maryland Law requires employer records be kept:

- For each employee
 - Name,
 - Address,
 - Race,
 - Gender, and
 - Occupation.
- Rate of pay for each employee.
- Amount paid each pay period for each employee.
- Hours that each employee works each day and workweek.



Medicaid Record Keeping

Medicaid requires records to be kept for 6 years.

Resources - Federal Laws

- [US Department of Labor Website](#)
- [Equal Employment Opportunity Commission](#)
- [Federal Minimum Wage Law](#)
- [Federal Overtime Law](#)
- [Federal Record Keeping Requirements](#)

Resources - Maryland Laws

- [Maryland Department of Labor](#)
- [Maryland Employment Discrimination](#)
- [Maryland Minimum Wage and Overtime Law](#)
- [Maryland Healthy Working Families Act and Other Leave Policies](#)
- [Maryland Record Keeping Requirements](#)

Resources - Local Laws

- [Montgomery County Minimum Wage Law](#)
- [Montgomery County Earned Sick and Safe Law](#)
- [Howard County Minimum Wage Law](#)

Summary

- Participants who self-direct are subject to all employer laws, including those laws related to:
 - Fair Employment Practices;
 - Wages, including Minimum Wage;
 - Overtime;
 - Leave, unpaid and paid; and
 - Record Keeping.
- Participants are responsible for following any changes made to federal, State, or local employment laws.