

2026 MONTANA LABOR LAWS



This poster must be in a conspicuous place accesible to all employees.
This poster does not provide any legal advice and is distributed independently
by each Journey Location. Poster up to date as of March 1, 2026



Minimum Wage:
\$10.85



MONTANA'S MINIMUM WAGE (Effective 1/1/2026)

\$10.85*

*The minimum wage is subject to a cost-of-living adjustment based on the Consumer Price Index no later than September 30th of each year. Montana's minimum wage is to be the greater of the federal or current state minimum wage.

Exception: A business not covered by the Fair Labor Standards Act whose gross annual sales are \$110,000 or less may pay \$4.00 per hour. **However**, if an individual employee is producing or moving goods between states or otherwise covered by the Fair Labor Standards Act, that employee must be paid the greater of either the federal minimum wage or Montana's minimum wage.

NO TIP CREDIT, TRAINING WAGE OR MEAL CREDIT IS ALLOWED IN THE STATE OF MONTANA

OVERTIME PAY

Employees who work in excess of 40 hours in a workweek must receive overtime compensation at a rate of at least 1½ times their regular hourly rate for those hours worked over 40. There are exclusions from overtime pay. This information can be obtained by calling our office at (406) 444-6543.

PAYMENT OF WAGES

WHILE STILL EMPLOYED: An employee must be paid within 10 business days after the end of the pay period.

WHEN SEPARATED FROM EMPLOYMENT: When an employee quits, wages are due on the next scheduled pay day for the period in which the employee was separated, or 15 calendar days, whichever occurs first.

TERMINATED FOR CAUSE: When an employee is laid off or discharged, all wages are due immediately (within four hours or end of the business day, whichever occurs first), unless the employer has a preexisting, written policy that extends the time for payment. The wages cannot be delayed beyond the next pay day for the period in which the separation occurred, or 15 calendar days, whichever occurs first.

FOR ADDITIONAL INFORMATION PLEASE CONTACT:

DEPARTMENT OF LABOR & INDUSTRY
PO BOX 201503
HELENA MT 59620-1503
PHONE (406) 444-6543
EMAIL: DLIERDWage@mt.gov

Please visit us on the web at:
www.mtwagehourbopa.com

MONTANA LAW PROHIBITS DISCRIMINATION & RETALIATION

in employment, housing, education, public accommodations,
credit, finance, insurance, & state / local government.

Discrimination is unlawful if based on one of these protected classes:

ANY AGE

PHYSICAL DISABILITY

MENTAL DISABILITY

RACE / COLOR

FAMILIAL STATUS
IN HOUSING

NATIONAL ORIGIN

MARITAL STATUS

RELIGION/CREED

VACCINATION STATUS

SEX
(INCLUDING PREGNANCY, SEXUAL
ORIENTATION, & GENDER IDENTITY)

POLITICAL BELIEFS
IN GOVERNMENTAL SERVICES OR
GOVERNMENT EMPLOYMENT

FOR MORE INFORMATION CONTACT THE MONTANA HUMAN RIGHTS BUREAU

P.O. BOX 1728, HELENA, MT 59624-1728 • (406) 444-2884 OR 1 (800) 542-0807 (RELAY SERVICE 711) • MONTANADISCRIMINATION.COM



ATTENTION EMPLOYEES

Form UI-9

Your Job Is Covered By Montana Unemployment Insurance
FOR WHICH CONTRIBUTIONS TO THE FUND ARE PAID BY YOUR EMPLOYER

If you become unemployed through no fault of your own, or you are working reduced hours, you may be eligible for unemployment insurance benefits.

You may file an Unemployment Insurance Claim online at uicclaimant.mt.gov.

To file a claim you will need:

- Dates of employment, the business name, address, and phone number of all employers you have worked for in the last 18 months.

If you wish to receive your benefits via Direct Deposit:

- You will need your account number and bank routing number.

If you are an ex-military member:

- You will need to provide a copy of your DD214, Member Copy 4.

If you are not a U.S. Citizen:

- Alien registration card number and expiration date.

If you obtain work through a union:

- The name and local number of your union hall.

If you are a federal employee or were employed by the federal government within the last 18 months:

- Your SF-8 or SF-50 may assist you in filing your claim.

Unemployment insurance claims may also be filed by contacting the Claims Processing Center at (406) 444-2545.

LABOR & INDUSTRY
PO BOX 1728
HELENA MT 59624-1728

Montana's Clean Indoor Air Act



The **Montana Clean Indoor Air Act**, codified under Title 50, Chapter 40, Part 1, MCA, has protected children and adults from the negative health effects of secondhand smoke since 2005. The law was expanded to include marijuana in 2021 and e-cigarettes/vapes in 2025. The State of Montana recognizes that the need to breathe smokefree air has priority over the desire to smoke.

The CIAA generally prohibits using smokable products in enclosed public spaces, including:



Cigarettes



Cigars/little cigars/cigarillos



E-cigarettes/vapes



Hookah



Marijuana



Pipes

The CIAA prohibits smoking in enclosed public spaces, including places of work, such as:

- K-12 public schools as provided in § MCA 20-1-220
- Private schools, universities, colleges, community colleges, and trade schools
- Trains, buses, and other forms of public transportation
- Health care facilities
- Auditoriums, arenas, and assembly facilities
- Meeting rooms open to the public
- Family day-care homes and group day-care homes
- Adult foster care homes
- Hotel and motel rooms not designated as smoking rooms
- Public and private offices and office buildings
- Public facilities
- Government buildings
- Work vehicles
- Restaurants, stores, bars, taverns, nightclubs, cocktail lounges, and casinos
- Malls, movie theatres, and gyms

The CIAA does not prohibit smoking in:



- Private residences that do not serve as a family day-care home, group day-care home, adult foster care home, or health care facility
- Private vehicles
- Hotel or motel rooms designated as smoking rooms and rented to guests if not more than 35% of the total rooms of a hotel or motel are designated as smoking rooms
- Sites used in connection with the practice of cultural activities by American Indians in accordance with the American Indian Religious Freedom Act

Report a possible violation of the CIAA by:



Visiting tobaccofree.mt.gov or scanning the QR code. You can also report a violation by contacting your local health department.

For questions, contact infotobaccofree@mt.gov or 1-866-787-5247.

