



Wage Theft



What is Wage Theft?

Wage theft is when an employer fails to pay a worker for performing work. Wage theft is illegal.

Examples of Wage Theft include:

- Not paying minimum wage
- Not paying time-and-a-half for overtime
- Forcing a worker to work off the clock
- Taking illegal deductions from wages
- Incorrectly considering the worker as an independent contractor and not an employee
- Not paying wages at all



Know Your Rights!

- ⇒ Ohio Minimum Wage: \$8.55 per hour for non-tipped workers. If the worker does receive tips, the minimum hourly wage is \$4.30 plus tips. The amount of the hourly wages and tips combined must average out to at least \$8.55 per hour worked.
- ⇒ Overtime: Regardless of your hourly rate, if you work over 40 hours in one work week, your employer must pay you 1.5 times your normal hourly rate for any hours worked above 40 hours. However, there are exemptions from this requirement.
- ⇒ Deductions from Your Pay: An employer may only take deductions from wages that are legally authorized or required by federal, state, or local laws and deductions required by court order (ex: social security tax, Medicare tax, garnishment orders, child support). Any other deduction must be authorized in writing and signed by the employee.
- ⇒ Meals & Breaks: Employers are not required to provide lunch or breaks. However, if the employer does provide these breaks and the amount of time taken is less than 30 minutes, the employer is required to pay you for that time. If the lunch or break is 30 minutes or more, the employer is not required to pay for the time. Lastly, if the employee is under 18 years of age, an employer is required to give the employee a half hour break for every 5 hours worked.
- ⇒ Employed Minor (under the age of 18): Minors age 14-17 must obtain a work permit, can only work during certain hours of the day, and are also limited in how many hours they work each week.



How to Protect Yourself

Employers are required to keep records for at least three years that contain the employee's rate of pay, amount paid each pay period, and the hours worked each day and each work week. However, to help protect yourself from a potential wage theft issue, you should:

1. Keep a copy of your time sheets for each week you work
2. Keep a copy of your paystubs
3. Keep a record of the name, address, and phone number of your employer

Need help? Contact us!

FRANKLIN & MADISON

Call (614) 241-2001 or Toll Free 1-888-246-4420
 1108 City Park Avenue, Columbus, OH 43206
 Office Hours: 8:30am-5:00pm Monday-Friday

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Or Apply Online, at www.columbuslegalaid.org



Other Available Options:

- ⇒ Contact the Ohio Bureau of Wage and Hour Administration (BWH) to file a complaint against the employer. It is FREE to file a complaint. The phone number for BWH is (614) 644-2239.
- ⇒ File a complaint with the U.S. Department of Labor, Wage and Hour Division (DOL). It is FREE to file a complaint. The phone number for the local DOL office is (614) 469-5678.
- ⇒ If you are owed \$6,000 or less, you can file a lawsuit in Small Claims Court on your own.
- ⇒ If you are owed more than \$6,000, you can file a lawsuit in the county's Municipal Court.

Franklin County's Municipal Court offers a Self Help Resource Center (10th floor of 369 S. High St.). The Center cannot provide legal advice or representation, but individuals representing themselves can get basic information about the court system, forms, applications, and other resources.



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