

Wage Claims

The Labor Standards Division is responsible for investigating wage claims filed by workers who are owed \$2000 or less. It does not matter if the worker was an employee or an independent contractor who physically performed the work. Both are covered by the wage claim law. If, after investigation, the wage claim is determined to be valid, the Department of Labor is authorized to take legal action to collect the back wages. These claims typically involve last paycheck issues, and may involve commissions, vacation pay, bonuses, or unauthorized deductions.

You are **not eligible** to file a wage claim **if**:

- *the amount in dispute is more than \$2000; or
- *you make \$50,000 or more per year.

If you are filing a wage claim because you believe you are due vacation pay, sick pay, holiday pay, a bonus, or severance pay, you **must provide us a copy of the company policy** that states you will be paid for the type of pay you are claiming.

Please note that processing a wage claim takes time. There will be an investigation. Additionally, the employer will be provided notice of the claim and an opportunity to contest it at an administrative hearing. Similarly, if you disagree with the investigator's decision, you may request an administrative hearing. Ultimately, this process will take approximately 90 days.

If our office is unable to help you, or if you wish to consider an alternative, you have **other options**. You may wish to consult your own attorney or seek recovery of your wages in Small Claims Court. You do not need an attorney for Small Claims Court.

If you still have questions about wage claims:

Call 501-682-4599