

What can you do?

Keep good records!

1. **KNOW YOUR EMPLOYER:** business card, first and last name, address, phone number, worksite, and license plate
2. **RECORD YOUR HOURS:** the dates you work, time you start, and time you finish
3. **KEEP PAY STUBS and RECORD CASH RECEIVED**

Take Action!

Wage Theft can happen to anyone!

If you are a victim of wage theft, you have a right to file a complaint.

HAWAII DEPT. OF LABOR & INDUSTRIAL RELATIONS

WAGE STANDARDS DIVISION

830 Punchbowl Street, Room 340
Honolulu, Hawaii 96813

(808) 586-8777

www.labor.hawaii.gov/wsd

U.S. DEPT. OF LABOR

WAGE & HOUR DIVISION

300 Ala Moana Blvd, Room 7225
Honolulu, HI 96850

(808) 541-1361

www.dol.gov/whd

GET HELP TODAY!



HANAHANA JUSTICE PROJECT

Hanahana is a pidgin term for work used by the multi-ethnic workforce of Hawai'i's sugar plantations.

The Legal Aid Society of Hawai'i's Hanahana Justice Project aims to empower low-wage workers, address wage theft and labor exploitation, and advance worker justice through education, outreach, advocacy, and community lawyering.

CALL TO APPLY FOR LEGAL SERVICES

O'ahu 808.536.4302

Neighbor Islands 1.800.499.4302

Our services are free!



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LEGAL AID
SOCIETY OF HAWAII



HANAHANA JUSTICE PROJECT

Wage Theft



- ***Were you paid less than minimum wage?***
- ***Were you not paid overtime?***
- ***Did you work off the clock?***
- ***Were your tips stolen?***

WWW.LEGALAI DHAWAII.ORG

What is Wage Theft?

Wage theft is when an employer does not pay you what you are owed for your work.

⇒ *Paying less than the minimum wage*

⇒ *Avoiding payment of overtime*

⇒ *Making you work “off the clock”*

⇒ *Making deductions from paychecks*

⇒ *Stealing tips*

⇒ *Not paying for all hours worked*

⇒ *Not paying a worker at all*

⇒ *Failing to issue a final check*

⇒ *Misclassifying workers as independent contractors*

What is the minimum wage in Hawaii?

* \$8.50/ hour beginning January 1, 2016

* \$9.25/ hour beginning January 1, 2017

* \$10.10/ hour beginning January 1, 2018

Tipped workers can be paid up to 75 cents below the minimum wage, if the total amount in wages and tips is at least \$7.00 above the minimum wage.

For example in 2017, the tipped minimum wage is \$8.50/ hour if the total earnings in wages and tips is at least \$16.25/ hour.

Know Your Rights!

- * Be paid a **Minimum Wage**, even if you are paid per day, per job, or by piece rate.
- * If you were promised a higher pay rate, you must receive the pay you were promised.
- * **Overtime Pay.** If you work over 40 hours a week, you must be paid 1.5 times your hourly wage for every hour worked over 40.
- * **No Illegal Deductions.** Your employer cannot deduct or withhold your wages or make you pay for fines, damage charges, cash shortages, or defective workmanship.
- * Be paid 2 times a month on **Regular Pay Days.**
- * A **Pay Stub** that shows your hours worked, rate of pay, total pay, pay period, deductions, and your employer’s name.



What are my other rights?

- * **Workers’ Compensation benefits** if you are injured on the job or get sick due to work. It covers medical care and may cover partial payment of lost wages.
- * A **Safe Work Environment** that does not pose a risk to your health or safety.
- * **Work Free from Discrimination.** Your employer cannot treat you differently based on race, sex, sexual orientation, age, religion, color, ancestry/national origin, disability, marital status, or arrest and court record.
- * **Work Free from Sexual Harassment.** Your boss or coworkers cannot engage in unwanted verbal or physical sexual conduct.
- * **Organize** with other workers, take concerted action, or **Join a Union.**
- * **Work Free from Retaliation** for exercising your rights.