

#### INFORMATION RELATING TO PINELLAS COUNTY'S WAGE THEFT/RECOVERY ORDINANCE

Chapter 70 of the Pinellas County Codes relating to Human Relations includes certain protections against wage theft, and provides a process for filing a complaint with the Pinellas County Office of Human Rights. Important information about the ordinance includes:

- **What is wage theft?**

Wage theft is the non-payment or underpayment of earned wages to employees by employers. It shall include earned paid time off, leave, vacation or sick pay. Examples of wage theft include paying less than minimum wage, not paying workers overtime, not allowing workers to take meal and rest breaks, or taking workers' tips.

- **Who can file a wage theft and recovery complaint?**

All employees who work for a covered employer in the geographic boundaries of Pinellas County can file a complaint.

- **Who is an "employee" as defined in the Wage Theft and Recovery Ordinance?**

An employee is a person who performs work for an employer within Pinellas County. This does not include a bona fide independent contractor (as defined by the Internal Revenue Code). Employee may also include a person who performs work that benefits an employer located within Pinellas County even though the employee may have performed work outside of Pinellas County.

- **Who is a covered "employer" as defined in the Wage Theft and Recovery Ordinance?**

A covered employer is any person who, acting individually or as an officer, agent or employee of another person, acts directly or indirectly in the interest to a person or entity employing an employee.

- **What is "non-payment of earned wages" according to the ordinance?**

When an employer fails to pay any portion of wages earned by an employee within a reasonable amount of time from the date on which wages were due for work performed by the employee. It shall include earned paid time off, leave, vacation or sick pay.

- **Can I file an anonymous complaint?**

No. Contact information and the aggrieved employee's participation in the process is required.

- **Will my employer know that I complained?**

Yes. The employer will be contacted to resolve the complaint.

- **What if I am fired for complaining?**

Retaliation for filing a complaint is unlawful and should be reported to Pinellas County Office of Human Rights for further action.

For more information:

Call the Pinellas County Office of Human Rights at (727) 464-4880, or visit [http://www.pinellascounty.org/Humanrights/wage\\_theft.htm](http://www.pinellascounty.org/Humanrights/wage_theft.htm)

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