



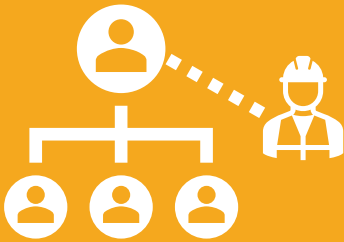
# PROTECT YOURSELF AGAINST WAGE THEFT IN CONSTRUCTION!

Did you know **1 in 5** non-union construction workers gets taken advantage of by unscrupulous contractors and falls victim to wage theft?

Construction wage theft is a serious problem that can **cheat you out of thousands** and **cost our communities millions!**

Nearly half of all "day laborers" experience wage theft and underpayment of overtime.

**Corrupt contractors violate the law by:**



**MISCLASSIFYING YOU AS AN INDEPENDENT CONTRACTOR**



**BREAKING THEIR PROMISE TO PAY YOU A CERTAIN WAGE**

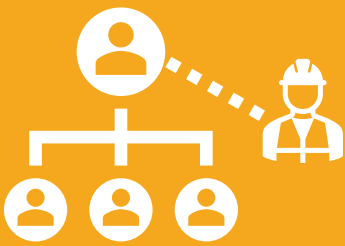


**MAKING UNLAWFUL DEDUCTIONS FROM YOUR PAYCHECKS**



**NOT PAYING YOU FOR ALL HOURS OR OVERTIME WORKED**

**Understanding your rights and knowing what you are entitled to are key to protecting yourself against wage theft...**

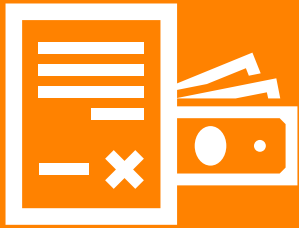


## MISCLASSIFICATION

To avoid laws intended to protect employees (like those covered below), unscrupulous contractors will misclassify workers as independent contractors. But, if you are:

- paid an hourly rate,
- required to use the employer's materials, tools, and equipment,
- not able to decide for yourself what work you will do each day, and
- told by the employer when and how the work is to be performed,

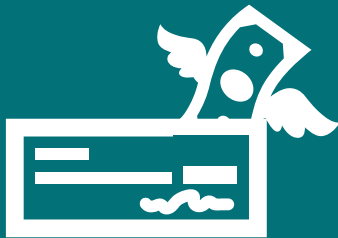
then you are very likely an employee—**NOT** an independent contractor. As an employee, you are entitled to the protections provided under state and federal law.



## PAY RATE NOTICE & PAYSTUBS

Under the Iowa Wage Payment Collection Act (Iowa Code, Chapter 91A), employers must:

- at the time of hiring, provide employees with written notice of the wage rate and payday,
- provide written policies explaining vacation pay, sick leave, reimbursement for expenses, retirement benefits, severance pay, and other benefits (if any),
- pay employees at least monthly and at regular intervals,
- pay employees within 12 days of the end of the pay period,
- maintain written records of hours worked, amounts paid, and all deductions for 3 years, and
- provide employees with a written statement of the hours worked, amount earned, and deductions made (even if paid in cash).



## DEDUCTIONS & REIMBURSEMENT

Under the Iowa Wage Payment Collection Act (Iowa Code, Chapter 91A), employers are prohibited from deducting amounts from the employee's pay unless the deduction is authorized by law or the employee authorizes the deduction in writing. In most cases, an employer may **not** deduct from wages to cover loss due to:

- cash shortages from a cash register or till used by multiple employees,
- bad checks or default of customer credit,
- property damage unintentionally caused by the employee, and
- lost or stolen tools or equipment.

An employer must reimburse for authorized expenses within 30 days after submitting a claim.



## FULL PAY OWED

Under the Iowa Wage Payment Collection Act (Iowa Code, Chapter 91A), employers must:

- pay employees on the regular payday,
- pay employees for the time traveling between worksites during the workday,
- pay employees for the time looking for, buying, or picking up materials,
- provide notice and explanation if wage rates, hours, or deductions change, and
- pay suspended or terminated employees all wages due no later than the next regularly scheduled payday

Under the Fair Labor Standards Act (FLSA)—a federal law, employees are entitled to a minimum hourly wage of at least \$7.25 per hour and overtime pay for hours worked over 40 per workweek at a rate not less than one and one-half times the regular rate of pay.

## If you are a victim of wage theft, here's what you can do...

- **Call the Center for Worker Justice** at (319) 594-7593 to learn more about your rights and for help recovering the pay you are owed.
- **File a claim with a state or federal agency** (Iowa Division of Labor or U.S. Department of Labor Wage and Hour Division).
- **File a lawsuit** in state or federal court with the help of a lawyer (or on your own in small claims court).

***All workers, regardless of immigration status, have a right to defend their wage payment rights!***

