

WAGE THEFT

DEFINITIONS

- **APPLICABLE CHICAGO MUNICIPAL CODE SECTION-** Title 6, Chapter 100, Section 050 (6-100-050)
- **“Employer”** means any person, as defined in 1-4-090(e) of the Municipal Code of Chicago, who hires a worker.
- **“Worker”** means either an Employee, as defined in 6-105-010 of the Municipal Code of Chicago, or an independent contractor.

OVERTIME AND WAGE THEFT

An Employee who works more than 40 hours in a workweek is entitled to compensation at the rate of 1.5 times the employee’s regular rate of pay for hourly workers. The averaging of hours over two or more weeks is NOT permitted.

Failure to timely pay a Worker in accordance with Chicago’s Labor Laws or in accordance with any wage agreement between an Employer and a Worker shall have committed wage theft.

Examples of wage theft include the below:

- Failure to pay minimum wage
- Failure to pay overtime
- Failure to pay for all hours worked
- Failure to pay the amount promised
- Failure to properly distribute all tips
- Failure to provide Paid Leave and Paid Sick Leave
- Failure to pay for off-the-clock work
- Misclassification of employees as independent contractors

WHO IS COVERED?

Chicago’s Ordinances cover employees working within the geographical boundaries of Chicago, regardless of their immigration status or the location of their employer. If your complaint or specific situation does not fall under the jurisdiction of the OLS, we will refer you to the appropriate agency for assistance.

ANTI RETALIATION

It is unlawful for any employer to discriminate or take any adverse action against any individual in retaliation for exercising any right under Chicago’s Labor Laws. This applies to anyone disclosing, reporting or testifying about any provision of a law, or a rule promulgated thereunder.

WHAT WE DO

- Investigation of Complaints
- Provide outreach and education to workers
- Provide outreach and education to employers
- Resources and referrals
- **All services are free**

