

# Philadelphia Wage Theft Complaints

Office of Benefits and Wage Compliance

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**Regulation of Business, Trades and Professions, Chapter 9-4300 – Wage Theft Complaints:** As of July 1, 2016, Employees are able to file official wage theft complaints with the City of Philadelphia’s Wage Theft Coordinator, who will review and resolve qualifying cases.

## What is Wage Theft?

- ◇ “Wage theft” refers to a variety of activities an employer engages in to prevent workers from receiving legally earned or contractually promised compensation for their work.
- ◇ Wage theft is a violation of the Pennsylvania Wage Payment and Collection Law.

## Who Can File a Complaint?

- ◇ **Proper Party:** an employee alleging wage theft; or any member of an entity which alleges wage theft, either directly or on behalf of an employee.
- ◇ Complaints can be submitted by a Proper Party within 3 years of the date of the wage theft.

## How Much Can Be Considered?

Minimum Threshold Maximum Threshold  
\$100 ←————→ \$10,000

- ◇ Cases of unpaid wages ranging between the minimum and maximum threshold amounts will be considered.

## Filing a Complaint

- ◇ Submit all inquiries to the Office of Benefits and Wage Compliance.
- ◇ The complaint must include facts, supporting details, dates, and supporting documentation of the wage theft that identify the employer(s) and enable the wage theft coordinator to determine whether a qualifying allegation has been made.
- ◇ The Wage Theft Coordinator will provide, by certified mail or personal service, written notice of qualifying complaints to the Proper Party and accused employer(s). The notice will include the details of the allegations and the rights and obligations of all parties involved.
- ◇ Accused employer(s) shall file a response with the wage theft coordinator within thirty (30) days of receiving the complaint. Employer(s) must include all available records of the hours worked by the complaining employee or employees, the amounts paid to those employees, and any credits or deductions that may have been lawfully taken. Employer(s) may admit liability for either part of or the entire amount in dispute.

## Wage Theft Examples

- ◇ Failure to pay minimum wage.
- ◇ Failure to pay overtime.
- ◇ Forcing employees to work off the clock.
- ◇ Forcing employees to give a portion of tips to their employer.
- ◇ Illegal deductions.

Fill Out the Official Complaint Form:

<https://beta.phila.gov/media/20170615170508/Wage-Theft-Complaint-Form.pdf>