

How to Enforce Your Right to Receive Minimum Wage

What is the minimum wage?

Starting January 1, 2021, the minimum wage for most Washington State workers ages 16 and older has gone up to \$13.69 an hour. In Seattle, the minimum wage is \$16.69 an hour. In SeaTac, it is \$ 16.57 an hour.

The minimum wage for workers under 16 years of age is \$11.64 per hour.

Employers cannot use tips to make up for any part of the minimum wage.

Employees must be paid 1½ times the regular rate for all hours worked over 40 in a workweek. This generally does not apply to agricultural workers.

To make sure you are getting the right hourly wage, write down all the hours you work. Use the last page of this publication.

What if I am doing contract work?

Even a contractor's wages at the end of every workweek must equal minimum wage.

Example: you work 50 hours one week. You must get at least \$684.50 in gross pay (50 hours x \$13.69).

What activities count as work that I must be paid for?

Generally, the time it takes to travel from your home to work **does not** count. Once your workday starts, they must pay you for time you spend traveling from one place to another. If your supervisor directs you to wait and not to leave a job site, they must pay you for the time you spent waiting. **Example:** you wait for equipment or a vehicle to arrive.

Does my employer have to give me paid rest breaks?

Yes. The law requires that agricultural workers get a paid ten-minute rest break for every four hours you work.

You must also get a 30-minute meal break for every five hours you work. The employer does not have to pay you for that.

What paycheck deductions does the law permit?

All deductions from your paycheck must appear on your check stub. State or federal law may require some deductions. **Examples:** taxes and Social Security.

The employer might deduct for lodging, tools, or transportation. Your employer cannot take money from your paycheck for loans, lodging, food or transportation **without your permission**. Deductions that lower your pay below minimum wage may be illegal.

How can I recover unpaid wages?

If you think your employer has not paid you correctly, you can

- Contact one of the legal services offices listed below.
- File a complaint with the closest Department of Labor and Industries (L & I) office.

If your employer owes you for agricultural work, you may have the right to file a lien against your employer's orchard or crops. If you qualify to file a lien, you should. You then stand a better chance of getting paid. You must file these liens between 20 or sometimes 40 days, depending on the type of lien, after the last day you worked for the employer. L & I cannot help you file a crop or orchard lien against your employer. To file a lien, get legal advice and help immediately. For more about your rights as a farm worker, call: **CLEAR 1-888-201-1014** (Coordinated Legal Education, Advice, and Referral). CLEAR provides free legal services for low-income and senior citizen residents of Washington. The intake line is open weekdays 9:15 am – 12:15 pm



NORTHWEST JUSTICE PROJECT

<p>Wenatchee 300 Okanogan Avenue, Suite 3-A Wenatchee, WA 98801 (509) 664-5101 1-888-201-1021</p>	<p>Yakima 311 N. 4th Street, Suite 201 Yakima, WA 98901 (509) 574-4234 1-888-201-1018</p>	<p>Bellingham 1814 Cornwall Bellingham, WA 98225 (360) 734-8680 1-888-562-8836</p>
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COLUMBIA LEGAL SERVICES

<p>Wenatchee 300 Okanogan Avenue, Suite 2-A Wenatchee, WA 98801 (509) 662-9681 1-800-572-9615</p>	<p>Yakima 600 Larson Building 6 South Second Street Yakima, WA 98901 (509) 575-5593 1-800-631-1323</p>	<p>Tri-Cities 7103 Clearwater Ave, Ste C Kennewick, WA 99336 (509) 374-9855 1-888-201-9735</p>
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