

PROTECTING PAY: *MINIMUM WAGE CLAIMS IN OHIO*

Executive Summary

Policy Matters Ohio examined all of the minimum-wage cases filed between July 1, 2008, and June 30, 2009 (Fiscal Year 2009), at the Bureau of Labor & Worker Safety (LAWS) of the Ohio Department of Commerce's Division of Industrial Compliance and Labor. These included cases filed for nonpayment of the minimum wage, unpaid wages or failure to pay overtime. Information provided by LAWS and the Ohio Attorney General Labor Relations Section allowed us to update the progress through nearly all of 2009 and in many instances into the first part of 2010.

Key findings from the data were:

- The 940 wage complaints were filed in 73 of Ohio's 88 counties, and complaints resolved in favor of the worker were filed in a significant majority of Ohio counties.
- Most cases were resolved in favor of the worker, and urban counties accounted for most of these complaints.
- The accommodations and food service industry, including restaurants, accounted for by far the largest number of complaints, followed by retail trade (among those where an industry was identifiable).
- Accommodations and food services not only had by far the largest number of complaints among industries, it also had among the highest number in relation to the number of Ohioans employed in that industry. Like the arts and entertainment industry, it had twice as great a share of complaints as it does of the state's private-sector employment. Agriculture had the highest number of complaints relative to private-sector employment, but that was based on a relatively small number of complaints – 13 – and an employment total that undercounts the true total of agricultural workers in Ohio. Other industries that have a bigger proportion of complaints than of employment include transportation and warehousing, other services (except public administration) and construction. By contrast, there were few complaints at manufacturing companies.
- Claims of what LAWS classifies as "unpaid wages" accounted for the largest number of cases filed.

National studies have found that a significant portion of vulnerable workers are unlikely to lodge wage complaints because of immigration status, fear of job loss, lack of knowledge of their rights and other reasons. Ohio needs to upgrade its overall reporting on wage and hour enforcement. The lack of easily available public information is part and parcel of a wage and hour enforcement effort that has been handicapped by a lack of resources. Gathering and providing more information on wage and hour complaints is a step toward the more vigorous enforcement Ohio workers need.

*Read the full report and learn more about an economy that works for all:
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