

MY LEGAL RIGHTS

Q. A month ago, I was terminated from my job. I was paid a base salary plus a monthly commission. When I was terminated, my employer owed me \$2,500 for my commission from last month; but she refuses to pay me. I wrote her a letter asking for my money, but she will not speak with me. What are my rights?

A. Your claim for unpaid wages is governed by both federal and state law. Because of space constraints, I will only discuss your state claim. In Oregon, there are many factors controlling the payment of earned wages - such as a written employment contract or a collective bargaining agreement. Generally, if you are terminated, your employer must pay you all earned but unpaid wages no later than the end of the first business day after your discharge. Because your employer failed to pay you after your written demand, you may also be entitled to penalty wages, which could equal up to 30 days of pay at 8 hours per day times your regular rate or more. You should consult with an experienced attorney.

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