



For Immediate Release

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**BOLI announces settlement in poker room worker misclassification case**

*Poker dealers were employees, not volunteers, settlement affirms*

Portland, OR—A settlement between the Bureau of Labor and Industries (BOLI) and representatives of Encore Club, King of Clubs Dealers Group and PDX Poker Club affirms that 59 poker dealers were employees, not volunteers, the agency announced today.

The agreement follows a previous finding by the agency's Wage and Hour Division that an employment relationship existed between the poker rooms and the 59 dealers in question. The parties agreed that had the case proceeded to hearing, the forum would have considered the dealers employees.

Under Oregon law, to qualify as volunteer work, services must be performed for a religious, charitable, educational, public service, nonprofit or public employer.

The settlement also directs the businesses to pay \$10,000 in civil penalties for failure to maintain and provide payroll records for the workers.

"When workers are misclassified, it makes it much more difficult for them to enjoy basic workplace protections," said Labor Commissioner Brad Avakian. "Our agency is committed to ensuring that Oregon workers have access to the civil rights and wage protections to which they're entitled."

The case is part of a larger effort by BOLI to prevent worker misclassification. For example, last year BOLI and the U.S. Department of Labor's Wage and Hour Division signed a Memorandum of Understanding to protect the rights of employees by preventing their misclassification.

Employers seeking guidance on Oregon's minimum wage, employment status and record keeping requirements can contact the agency's Technical Assistance for Employers Program at (971) 673-0824.

Copies of the Final Order Incorporating Disposition are available upon request.

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